By Mr. HADLEY: A bill (H. R. 12780) granting a pension to Delphina P. Leslie; to the Committee on Invalid Pensions.

By Mr. HELVERING: A bill (H. R. 12781) granting an increase of pension to Robert T. Jellison; to the Committee on Invalid Pensions.

By Mr. KRAUS: A bill (H. R. 12782) granting a pension to Mardora C. Parker; to the Committee on Pensions.

By Mr. McARTHUR: A bill (H. R. 12783) granting an increase of pension to Jacob Imhoff; to the Committee on Pensions.

Also, a bill (H. R. 12784) granting an increase of pension to Mary A. Laughlin; to the Committee on Pensions.

By Mr. STRONG: A bill (H. R. 12785) granting a pension to George W. McDowell; to the Committee on Invalid Pensions.

By Mr. STAFFORD: Resolution (H. Res. 423) to pay Jessie T. Lovell, clerk to the late James H. Davidson, a Representative in Congress, one month's salary; to the Committee on Accounts.

PETITIONS, ETC.

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

By the SPEAKER (by request): Resolution of the Board of Aldermen of the City of New York, urging the passage of legislation effectually to prohibit profiteering in rent throughout the United States; to the Committee on Ways and Means.

Also (by request), petition of John Duval Gluck complaining of the conduct of office of James E. West, officer of Boy Scouts of America (Inc.); to the Committee on the Judiciary.

By Mr. DALE of New York: Petition of W. E. Golden, Chicago, Ill., asking for 1 cent per mile fare for all persons in the military service; to the Committee on Interstate and Foreign Commerce.

Also, resolution of the Tenants' League of Greater New York, favoring House bill 12533; also, resolution of the Lowville (N. Y.) Grange, asking for the repeal of the second-class postage provisions of the war-revenue act; to the Committee on Ways and Means.

Also, petitions of sundry business firms throughout the United States against prohibition; also, resolutions of the Vest Makers' Unions, A. C. W. of A., and of the Micrometer Lodge, 460, I. A. of M., relative to the Mooney-Billings trial; to the Committee on the Judiciary.

By Mr. ESCH: Resolution of the agents of the Northwestern Mutual Life Insurance Co., protesting against the proposed tax on insurance by companies or partnerships of the lives of officers or employees; to the Committee on Ways and Means.

By Mr. JOHNSON of Washington: Petition of various citizens of Vancouver, Wash., favoring bone-dry war-time prohibition; also resolutions of Maritime Builders' Union, No. 1670, Aberdeen, Wash., favoring prohibition; to the Committee on the Judiciary.

By Mr. PRATT: Resolution in relation to polygamy, adopted at a public meeting at Owego, N. Y.; petition for the prohibition of the trade in alcoholic beverages for the period of the war by citizens of Trumansburg, N. Y., and by Mr. John E. Smith, representing a committee from Kanona, N. Y.; and petition of sundry residents of Canisteo, N. Y., for war-emergency prohibition; to the Committee on the Judiciary.

By Mr. TAGUE: Petition of the Manufacturers and Dealers' League of the City and State of New York, against prohibition; to the Committee on the Judiciary.

By Mr. RAKER: Resolution adopted by the Commercial Board, of Los Angeles, Cal., urging enactment of legislation defining and punishing sympathetic disloyalty; to the Committee on the Judiciary.

HOUSE OF REPRESENTATIVES.

TUESDAY, *August 20, 1918.*

The House met at 12 o'clock noon.

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

O Thou who hast ever been our refuge and our strength, let Thy holy influence be with us, that Thy counsels may prevail in all the legislative acts of these Thy servants, that they may be in consonance with the eternal fitness of things.

Uphold and guide our President and his advisers in this hour of need; grant that our Army and Navy, with their associates, may continue to drive back the enemies of right, truth, and justice; that peace and harmony may fill the hearts of all the world with joy and gladness in Thine own good time; for Thine is the kingdom, and the power, and the glory, forever. Amen.

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

DEPARTMENT EMPLOYEES SUBJECT TO MILITARY DUTY.

The SPEAKER laid before the House the following communication, which was read, ordered to be printed in the CONGRESSIONAL RECORD, and to lie on the Speaker's table, as follows:

OFFICE OF THE POSTMASTER GENERAL,
Washington, D. C., July 26, 1918.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

SIR: In compliance with House resolution 375, dated June 3, 1918, I transmit herewith a list of employees in the Post Office Department proper at Washington, D. C., 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.

Respectfully,

A. S. BURLESON,
Postmaster General.

List of employees in the Post Office Department proper at Washington, D. C., whose exemption from military duty or deferred classification has been asked by the Department and allowed.

Name.	Home address.	Length of time in service.	Character of work.
Boles, Charles E...	1000 Park Road, Washington, D. C.	11 months.....	Attorney handling legal questions of mailability of matter under espionage and trading with enemy acts.
Byrne, W. Fred....	1505 Twelfth Street NW., Washington, D. C.	9 years 7 months.	Private secretary to purchasing agent.
Carpenter, Henry T.	941 H Street NW., Washington, D. C.	10 months.....	Electrician.
Doherty, Michael T.	1306 O Street NW., Washington, D. C.	3 years 11 months.	Stenographer in office of First Assistant.
Dorsey, Earle F....	1751 Columbia Road, Washington, D. C.	10 months.....	In charge of section handling permits to foreign language newspapers (under section 19, trading with enemy act) to publish matter relating to war activities without filing translations thereof.
Dunbar, Charles E.	1305 Tenth Street NW., Washington, D. C.	7 years 3 months.	Assistant to the Chief Clerk, First Assistant.
Gregory, John J....	1105 C Street SW., Washington, D. C.	10 months.....	Stenographer on correspondence involving enforcement of espionage and trading with enemy acts.
Hassel, Calvin W. (also in class 4).	Hyattsville, Md...	7 years 9 months.	Attorney in charge of matters involving use of mails in promotion of lotteries, gift concerts, and similar enterprises; legal obligation of the department to pay rewards for apprehension and conviction of post-office burglars, etc.; questions of mailability of matter relating to intoxicating liquor under act of Mar. 3, 1917; questions of pardons of offenders against the postal laws; legal sufficiency of contracts, leases, bonds, etc., and miscellaneous legal questions requiring postal experience.
Howell, Thomas J..	Wardman Courts, apartment 115, Washington, D. C.	10 years 3 months.	Private secretary to chief clerk.
McBride, John B...	922 I Street NW., Washington, D. C.	6 years 7 months.	Supervisor of a section of the Division of Railway Adjustment involving the recording and consideration of all orders affecting the inspection of railway mail transportation service and preparation of all correspondence connected therewith.
Rasmussen, Harry E.	121 Fifth Street NW., Washington, D. C.	7 months.....	Correspondent and private secretary to chairman of Censorship Board.
Smith, J. Bond.....	121 Chestnut Street, Takoma Park, Md.	4 years 5 months.	Attorney in immediate charge of section of solicitor's office engaged in enforcement of espionage and trading with enemy acts, so far as they affect the Postal Service, requiring postal experience.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

List of employees in the Post Office Department proper at Washington, D. C., whose exemption from military duty, etc., has been asked—Continued.

Name.	Home address.	Length of time in service.	Character of work.
Whalen, Robert E. J.	1215 L Street NW., Washington, D. C.	4 years 11 months.	Attorney handling legal questions of mailability of matter under espionage and trading with the enemy acts.
Whitman, Roy L. (also in class 4).	307 Eastern Avenue, Takoma Park, Md.	5 years 6 months.	Expert shorthand reporter of hearings in espionage, trading with enemy, fraud, and other cases.

Also the following communication from the Secretary of the Navy, which was read and ordered to be printed in the CONGRESSIONAL RECORD:

NAVY DEPARTMENT,
Washington, August 14, 1918.

The honorable the SPEAKER OF THE
HOUSE OF REPRESENTATIVES OF THE UNITED STATES.

SIR: In response to House resolution No. 390, adopted June 10, 1918, I have the honor to transmit herewith the report requested for the naval service.

I beg leave to call your attention to the fact that the report includes the names of approximately 7,700 men, this figure being 1.8 per cent of the total enlisted strength of the Navy.

It is interesting to note that a large number of the men reported are engaged in inspection work, both cost and material inspection. These duties are required in the interests of the extensive building program going forward and in the manufacture of arms and armament for vessels, for clothing, and for all the munitions of war.

Many of these men were required in the early days of the war, before it was decided, in order to meet pressing needs, to enroll yeowomen to aid in the emergency created by unprecedented preparations in advent of war. On April 9, 1918, I issued directions to replace as many men as could possibly be spared by women, and such replacement has already gone forward to some extent. It is estimated that all men performing the duties which can be performed by women, excepting those, of course, who are employed in places and under circumstances such that women may not be employed to best advantage, will be relieved in the very near future.

This report has been compiled from reports received from over 1,000 individual offices and stations throughout the United States. It has been necessarily delayed by reason of the fact that so many stations had to be heard from, and in the interests of accuracy. The date of the report may be taken as July 1, 1918, and although some changes have undoubtedly occurred since that date, it is not believed that the report is materially affected thereby.

Sincerely,

JOSEPHUS DANIELS,
Secretary of the Navy.

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IN THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES,
June 10, 1918.

Resolved, That the Secretary of War and the Secretary of the Navy be requested to report to the House of Representatives the number of men (with the name and home address of each) who, on June 5, 1917, were between the ages of 21 and 31 years, and who, since that date, have been commissioned or enlisted either in the active or in any of the Reserve Forces of the Military or Naval Establishments and assigned to clerical work in their respective departments, or in offices elsewhere, where such service is not directly rendered to and as a part of units of the Army and Navy employed in active or field operations, and who have received deferred classification by reason of being already in the military or naval service of the United States.

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REPORT OF NAMES AND ADDRESSES OF OFFICERS AND MEN OF THE NAVAL SERVICE ENLISTED OR COMMISSIONED SINCE JUNE 5, 1917, BETWEEN THE AGES OF 21 AND 31 AND ASSIGNED TO CLERICAL DUTIES IN THE NAVAL ESTABLISHMENT ON SHORE IN OFFICES NOT DIRECTLY CONNECTED WITH UNITS ENGAGED IN FIELD OPERATIONS.

First naval district.

DISTRICT HEADQUARTERS.

Office of the commandant:
Benton, Guy E., 94 Pleasant Street, Brookline, Mass.
Donahue, Bernard C., 31 West Street, Malden, Mass.
Johnson, Albert M., 18 Dalrymple Street, Jamaica Plain, Mass.
McCabe, John F., 303 Broadway, Somerville, Mass.
Padden, Martin J., 1 Manila Avenue, Readville, Mass.
Murdock, George F., 44 Palmer Street, Arlington, Mass.

Office of military chief:
Lieut. (j. g.) L. M. Little, Radnor Hall, Cambridge, Mass.

Office of communication superintendent:
Grindal, Leroy H., 5 Winter Street, Salem, Mass.
Keefe, Joseph L., 136 Devon Street, Dorchester, Mass.
Kennedy, John J., 23 Roseclair Street, Dorchester, Mass.
Montgomery, George W., 107 Draper Street, Dorchester, Mass.
McHugh, Edward F., 85 Park Avenue, Cambridge, Mass.
Porter, Alfred W., 6 Holmes Avenue, Dorchester, Mass.
Porter, Joseph, 30 Lorne Street, Dorchester, Mass.
Slattery, M. F., 8 Hansboro Street, Dorchester, Mass.

Disbursing office:
Barr, Harry D., Box 42a, West Medway, Mass.
Beasley, John, 92 Division Street, Hyde Park, Mass.
Birch, Ronald D., 16 Austin Street, Newtonville, Mass.
Blair, Pierpont, 62 Dwight Street, Brookline, Mass.
Boyce, Harold P., 382 Newbury Street, Boston, Mass.
Burnett, D. T., 151 South Main Street, Attleboro, Mass.
Byrne, Edward T., 62 Tremont Street, Brighton, Mass.
Byrne, Joseph P., 43 Beech Glen Street, Roxbury, Mass.
Carson, John J., 27 Gaylord Street, Roxbury, Mass.
Conte, Charles D., 32 Ellington Road, West Somerville, Mass.
Corliss, Herbert C., 165 Union Street, Everett, Mass.

Disbursing office—Continued.
Craig, Edgar A., North Easton, Mass.
Crandon, W. E., 362 Newbury Street, Boston, Mass.
Cressy, Charles L., 24 Abbott Street, Beverly, Mass.
Cunningham, D. T., 17 Tremont Street, Charlestown, Mass.
Davis, Russell W., 60 Prescott Street, Reading, Mass.
Davis, Samuel H., 11 Pearl Street, Reading, Mass.
Dooley, Thomas E., 15 Washington Street, Brookline, Mass.
Eames, Hubert B., Woburn Street, Wilmington, Mass.
Edgarton, Charles G., 1 Waterhouse Street, Cambridge, Mass.
Erickson, Elmer E., 29 Linden Street, Allston, Mass.
Feeney, John F. A., 302 Columbus Avenue, Boston, Mass.
Fisher, Irving S., 2 Forest Road, Brockton, Mass.
Foley, Henry P., 40 Washington Street, Peabody, Mass.
Goodspeed, Warren, Duxbury, Mass.
Grant, Albert M., 85 Sargent Street, Winthrop, Mass.
Griffin, Fergus, 83 Walnut Street, Lynn, Mass.
Hickey, Herbert J., 11 Parkton Road, Jamaica Plain, Mass.
Hoppen, Charles R., 15 Everdean Street, Dorchester, Mass.
Hoyle, John R., 50 Hancock Street, Malden, Mass.
Jones, Harry P., 42 Newton Street, Brighton, Mass.
Keezer, Louis, 8 Freeman Street, Arlington, Mass.
Keil, Norman J., 1010 Massachusetts Avenue, Cambridge, Mass.
Kelley, Edward H., 36 Florence Street, Roslindale, Mass.
Kenney, Malachi P., 22 Melvin Street, Wakefield, Mass.
Keyes, John, 62 Pine Street, Lowell, Mass.
Lewis, Thomas H., 73 Bainbridge Street, Roxbury, Mass.
Marno, John W., 37 Princeton Street, East Boston, Mass.
McDonald, Vincent R., 46 Neptune Road, East Boston, Mass.
McCluskey, M. J., 2053 Ashland Avenue, Evanston, Ill.
Nelson, Camillus H., West Pawlet, Vt.
Pearlman, Chester A., 66 Highland Road, West Somerville, Mass.
Pierce, F. Swain, 19 Chester Street, Allston, Mass.
Pollock, Leland W., Outlook Road, Wakefield, Mass.
Regan, James R., 1 Mount Vernon Avenue, Charlestown, Mass.
Rich, J. F., 184 Savin Hill Avenue, Dorchester, Mass.
Rogers, Walter W., 1231 Commonwealth Avenue, Allston, Mass.
Rutherford, Allen W., 73 Kittredge Street, Roslindale, Mass.
Scollin, L. A., 137 Cottage Street, Everett, Mass.
Seymour, R. S., 11 Tetlow Street, Roxbury, Mass.
Smith, C. R., 93 Washington Street, North Easton, Mass.
Somerville, Rae A., 14 Irwin Street, Winthrop, Mass.
Spooner, I. B., Swanton, Vt.
Sullivan, D. H., 83 Sumner Street, Dorchester, Mass.
Twitchell, Errol H., 30 Frances Street, Melrose, Mass.
Waite, John F., 15a Medford Street, Medford, Mass.
Welsh, Maurice R., 25 Linwood Street, Malden, Mass.
Williams, John E., Winthrop, Mass.

Office of the matériel officer:
Howe, Lester A., 7 Ash Street, Salem, Mass.

District enrolling office:
Arthur, Joseph L., 60 Butler Avenue, East Boston, Mass.
Carroll, Edward M., 124 Neponset Avenue, Dorchester, Mass.
McCarthy, William H., 94 Robinson Street, Lynn, Mass.
McCarthy, Jeremiah H., 246 School Street, Somerville, Mass.
O'Neill, Arthur H., 409 Columbia Road, Dorchester, Mass.
Drew, Herbert A., 437 East Sixth Street, South Boston, Mass.
Sullivan, Arthur T., 91 Center Street, Dorchester, Mass.
Sears, Walter H., 276 Church Street, Newton, Mass.
Clarke, Clifton A., 112 Emerson Street, Haverhill Mass.
Gibbons, James E., 14 Brinton Street, Roxbury, Mass.
Boutelle, Carl B., 7 Stanmore Place, Roxbury, Mass.
Moore, John B., 10 Hutchinson Street, Dorchester, Mass.
Babb, J. J., El Dorado, Ark.
O'Neill, John T., 1120 Saratoga Street, East Boston, Mass.
Killian, William W., 38 Clive Street, Jamaica Plain, Mass.
Shaughnessy, Joseph M., Ocean Avenue, Revere, Mass.
O'Brien, William J., 18 Calur Street, Somerville, Mass.
Mulhern, John P., 131 Antrim Street, Cambridge, Mass.
Harris, Cecil G., 45 Rockwell Street, Dorchester, Mass.
Ziegler, Joseph, 225 L Street, South Boston, Mass.
Devine, James S., 48 N Street, South Boston, Mass.
Moore, Fred H., 10 Sanford Street, Melrose, Mass.
McKenna, Mathew E., 59 Elm Street, Charlestown, Mass.
Sullivan, Frank P., 455 Broadway, South Boston, Mass.
Ewing, Hugh A., 11 Appleton Terrace, Watertown, Mass.
Mitchell, Peter P., 63 Malden Street, Malden, Mass.
Leader, John, 41 Pleasant Street, Needham, Mass.
Canavan, Edward, 501 Revere Street, Revere, Mass.
Coady, D. L., 1653 Massachusetts Avenue, Cambridge, Mass.
Glennon, W. H., 167 Brookline Street, Cambridge, Mass.
Landrigan, S. A., 70 Broad Street, Lynn, Mass.
Martin, J. F., 122 Florida Street, Dorchester, Mass.
McDougall, George, 213 Harvard Street, Cambridge, Mass.
Murphy, J. J., 8 Laurel Avenue, Somerville, Mass.
Rice, James, 115 Walnut Avenue, Revere, Mass.
Schuver, Remi B., 26 North Munroe Terrace, Neponset, Mass.
Perry, Freeman C., 303 Harvard Street, Cambridge, Mass.
Hurvitz, Louis I., 10 Millmont Street, Roxbury, Mass.
O'Shea, George G., 120 Sutherland Road, Brighton, Mass.

BOSTON NAVY YARD.

Office of the commandant:
Murphy, C. J., 45 East Newton Street, Boston, Mass.
Doyle, W. D., 4 Park Terrace, Arlington, Mass.
Burt, J. H., 181 Brook Road, Mattapan, Mass.
Downey, J. J., 19 Mount Vernon Street, Charlestown, Mass.
Mulqueen, M. F., 28 Lexington Street, Brockton, Mass.
Dahl, E., 31 Franklin Street, Everett, Mass
Hitchins, George E., 18 Thurston Street, East Boston, Mass.
Chapman, P. A., 25 Taft Street, Dorchester, Mass.
Costello, F. J., 56a Mattapan Street, Mattapan, Mass.
Fox, D. G., 25 Browning Avenue, Dorchester, Mass.
Kronenberg, J. F., 54 Pine Street, Belmont, Mass.
Palais, M., 139 Harold Street, Roxbury, Mass.

Office of senior aid to commandant:
Shuman, J., 20 Normandy Street, Roxbury, Mass.

Office of medical officer:
Dugan, John L., 12 Ridge Street, Andover, Mass.
Paige, Sam Kimball, 1284 Commonwealth Avenue, Allston, Mass.

Accounting office:
Buckley, Joseph, 670 Eighth Street, South Boston, Mass.
Cahill, William M., 31 Lexington Street, West Newton, Mass.
Cormack, Francis L., 197 Bunker Hill Street, Charlestown, Mass.

Accounting office—Continued.
Crawford, W. G., 1132 Washington Street, Dorchester, Mass.
Doherty, A. W., 325 Newton Street, Waltham, Mass.
Donlan, Martin E., 75 Cedar Stret, Roxbury, Mass.
Evans, Arthur W., 89 St. James Avenue, Boston, Mass.
Flaherty, Michael A., 14 Allston Street, Charlestown, Mass.
Foley, James C., 64 Whitney Street, Roxbury, Mass.
Hagerman, William J., 4 Rockledge Street, Roxbury, Mass.
Hannon, E. H., 122 Mount Vernon Street, Dedham, Mass.
Herlihy, W. F., 54 Burnside Avenue, Somerville, Mass.
Horan, Thomas F., 52 Mount Vernon Street, Charlestown, Mass.
Horgan, Arthur J., 47 Vassal Lane, Cambridge, Mass.
Howard, Charles E., 20 Leland Street, Dorchester, Mass.
Jones, Harold M., 56 Pearson Avenue, West Somerville, Mass.
King, Frank D., 114 Winthrop Street, Winthrop, Mass.
McCauley, John J., 137 Smith Street, Roxbury, Mass.
Moran, Frank J., 37 Bowdoin Street, Boston, Mass.
Mulkeen, John L., 22 Whitney Street, Roxbury, Mass.
O'Connell, Joseph E., 5 Euston Street, Brookline, Mass.
Pyne, Edward G., 879 Roxbury Street, Roxbury, Mass.
Sandlin, Guy M., 491 Huntington Avenue, Boston, Mass.
Scullin, Matthew N., 1221 Beacon Street, Brookline, Mass.
Sheehan, C. C., 285 Bunker Hill Street, Charlestown, Mass.
Sullivan, John A., 183 Madison Street, Malden, Mass.
Tracy, Thomas T., 163 Cabot Street, Roxbury, Mass.

Office of engineer officer:
Keenan, George F., 8 Marshfield Street, Roxbury, Mass.
Maloney, Joseph M., 18 Endicott Street, Peabody, Mass.
Mattimore, Leonard M., 9 Inwood Street, Dorchester, Mass.
O'Brien, William F., 32 Union Street, Charlestown, Mass.
Riley, C. J. A., 76 Westland Avenue, Boston, Mass.
Sheedy, Michael J., 211 Eighth Street, South Boston, Mass.
Sullivan, C. C., 200 Hyde Park Avenue, Forest Hills, Mass.
Woodman, H. L., A and Central Avenue, Nantasket, Mass.

Office of the captain of the yard:
J. J. Krafsur, 22 North Russell Street, Boston, Mass.
O'Brien, J. C., 175 Commercial Street, East Braintree, Mass.
Durgin, C. A., 2 Gore Street, Roxbury, Mass.
O'Flaherty, T. G., 815 East Broadway, South Boston, Mass.
Leonard, C. W., 23 Walnut Street, Everett, Mass.

Office of commissary officer:
Adams, J. Q. S., 2 Ocean Street, Marblehead, Mass.
Perkins, R. S., 45 Upland Road, Quincy, Mass.
Ryan, J. J., 28 Cedar Street, Charlestown, Mass.
Cunningham, A. J., 7 Tip Top Street, Brighton, Mass.

Office of public works officer:
Cummings, Clyde H., Summer Street, Lynnfield Center, Mass.
English, Charles St. C., 1 Ridgewood Road, Malden, Mass.
Powers, Thomas J., 94 St. Andrews Road, East Boston, Mass.
Silva, Fred W., 7 Bertram Street, Dorchester, Mass.
Robb, Alvin S., 419 Andover Street, Lawrence, Mass.

Station brig:
Tremble, John H., 16 Magnolia Square, Dorchester, Mass.

Disbursing office:
Asst. Paymaster Harold W. Sprague, 7 Karl Place, Brockton, Mass.
Chief Pay Clerk F. T. O'Connor, 39 Central Street, Peabody, Mass.
Lally, Albert J., 42 Auckland Street, Dorchester, Mass.
Casey, D. W., 737 Third Street, South Boston, Mass.
Dickenscheid, A. P., 10 Tichnor Street, South Boston, Mass.
Faherty, J. J., 17 Bellflower Street, Dorchester, Mass.
Thorne, C. H., 235 Whitwell Street, Quincy, Mass.
Dowd, Harold, 59 Wilson Avenue, Torrington, Conn.
Drea, J. J., 1007 Hyde Park Avenue, Hazelwood, Mass.
Silverman, Morris, 282 Columbia Road, Dorchester, Mass.
Wilder, M. W., 15 Usher Road, West Medford, Mass.
Dumesnil, J. P., 301 Peterson Avenue, Louisville, Ky.
Seelbach, W. O., Seelbach Hotel, Louisville, Ky.
Harrington, A. G., 17 Burney Road, Roxbury, Mass.
Murphy, P. F., 12 Munroe Street, Somerville, Mass.

Board of medical examiners:
Asst. Surg. J. F. Lynch, Y. M. C. A., Boston, Mass.
Buttner, Fred C., 371a Dorchester Street, South Boston, Mass.
Houghton Alger W., 10 Marble Street, Stoneham, Mass.
Hughes, George J., 53 Stoughton Street, Dorchester, Mass.
Miller, Charles F., 322 Bunker Hill Street, Charlestown, Mass.
Nelson, Ernest E., 143 Nahant Street, Lynn, Mass.
Orenberg, Louis, 112 Callender Street, Dorchester, Mass.
Reddy, John C., 9 Broad Street, Newburyport, Mass.
Stout, Leslie J., 82 St. Andrew Road, East Boston, Mass.
Sturgis, Harry G., rear 37 Darrow Street, Quincy, Mass.
Thomas, Prentiss E., 8 Ash Street, Cliftondale, Mass.
Erlandson, Henry A., 11 Richards Avenue, Roslindale, Mass.
Lane, James M., 29 Sargent Street, Dorchester, Mass.
O'Malley, J. A., 8 Codman Park, Roxbury, Mass.
Carney, W. L., 60 Pebble Street, Winthrop, Mass.
Lane, Arthur, 804 Ocean Avenue, Revere, Mass.

General court-martial room:
Dunn, Leo J., 24 Crandall Street, Roslindale, Mass.
Mulkern, Michael J., 31 Bellflower Street, Dorchester, Mass.
Davis, Thomas J., 248 Cherry Street, West Newton, Mass.
McKenna, Harold A., 1304 Hyde Park Avenue, Hyde Park, Mass.
Boling, Clem M., 11 Wellington Road, Boston, Mass.
Brogan, William H., 320 Bowdoin Street, Winthrop, Mass.
Cooch, Thomas P., 115 Waverly Street, Everett, Mass.

Office of construction officer:
Buffey, B. C., 1259 Salem Street, Malden, Mass.
Cahill, Paul, 43 Mystic Valley Park, Winchester, Mass.
Carlin, H. J., 43 Albion Street, Medford, Mass.
Cauley, E. T., 21 Athelwold Street, Dorchester, Mass.
Cloke, Richard, 1760 Sheepshead Bay Road, Brooklyn, N. Y.
Driscoll, T. H., 24 Dawes Street, Dorchester, Mass.
Flaherty, Richard, 45 Everett Avenue, Somerville, Mass.
Gomes, A. J., 1102 Saratoga Street, East Boston, Mass.
Hockridge, C. M., 1 Shore Drive, Winthrop, Mass.
Kearns, T. H., 43 Armandine Street, Dorchester, Mass.
Kelley, M. J., 962 Walnut Street, Newton Highlands, Mass.
Reed, Harris, 32 Whitman Avenue, Whitman, Mass.
Sullivan, M. B., 25 Dustin Street, Peabody, Mass.
Thornton, F., 429 Chelsea Street, East Boston, Mass.
Wall, J. J., 11 Rockland Place, Malden, Mass.

Supply department:
Passed Asst. Paymaster E. H. Barber, Claflin Road, Brookline, Mass.
Passed Asst. Paymaster M. C. Merriman, 66 Summit Avenue, Brookline, Mass.

Supply department—Continued.
Asst. Paymaster H. P. Edwards, 1664 Beacon Street, Brookline, Mass.
Asst. Paymaster R. H. Kissel, 61 Pleasant Street, Brookline, Mass.
Asst. Paymaster H. R. Pierce, 66 Summit Avenue, Brookline, Mass.
Asst. Paymaster C. D. Orth, 66 Summit Avenue, Brookline, Mass.
Asst. Paymaster W. A. Bellows, 10 Kenmore Street, Boston, Mass.
Asst. Paymaster A. A. Shea, 27 Thetford Street, Dorchester, Mass.
Asst. Paymaster J. W. Pearson, 11 Radford Lane, Ashmont, Mass.
Asst. Paymaster L. A. Norman, 14 Wedgemere Avenue, Winchester, Mass.
Asst. Paymaster F. W. MacDonald, 10 Woodside Park, Winthrop, Mass.
Ensign R. M. Roberts, 124 Franklin Street, Melrose Highlands, Mass.
Ensign C. E. Goodhue, 25 Green Street, Ipswich, Mass.
Ensign C. R. Earle, 464 Huntington Avenue, Boston, Mass.
Ensign C. Halverson, 9 Monument Square, Charlestown, Mass.
Chief Pay Clerk W. A. Manderson, 66 Summit Avenue, Brookline, Mass.
Pay Clerk Gironard, 404 Fletcher Street, Lowell, Mass.
Greenquist, J. J., 23 Willard Street, East Milton, Mass.
Sorensen, C. C., 6 Harvest Street, Dorchester, Mass.
Bryson, C. L., 61 Lincoln Road, Newton, Mass.
Curley, J. W., 2978 Washington Street, Roxbury, Mass.
Eagen, J. S., 16 Trowbridge Street, Cambridge, Mass.
Pirie, R. H., 28 Bradstreet Street, Revere, Mass.
Thompson, C. M., 7 Chapman Street, Wollaston, Mass.
Blanchard, G. S., 1307 Commonwealth Avenue, Allston, Mass.
Neilson, G. T., Wilmington, Mass.
Connors, T. J., 24 Laurel Street, Somerville, Mass.
Donnelly, G. J., 58 Chadwick Street, Roxbury, Mass.
Greaney, R. J., 385 Broadway, Everett, Mass.
Haberlin, W. F., 68 Prince Street, Jamaica Plain, Mass.
Maylia, M. E., 55 King Street, Dorchester, Mass.
Moynihan, J. A., 47 Chestnut Street, Charlestown, Mass.
Perry, A. W., 31 Rockwell Street, Dorchester, Mass.
Rees, L. T., 58 Pinckney Street, Boston, Mass.
Riley, J. J., 58 Readville Street, Hyde Park, Mass.
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Hagen, J. W., 26 Savin Hill Avenue, Dorchester, Mass.
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Green, R. E., 86 Harrishof Street, Charlestown, Mass.
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Second naval district.

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Crum, N. L., 177 Friendship Street, Providence, R. I.
Doherty, B. A., 37 Varley Street, Fall River, Mass.
Donovan, J. M., Bristol, Conn.
Duggan, J. E., 148¾ Oxford Street, Providence, R. I.
Garvey, E. F., 14 Lowell Street, Worcester, Mass.
Gilbin, E. F., 679 Walnut Street, Fall River, Mass.
Grady, M. J., 59 Charles Street, Newport, R. I.
Kenny, W. D., 45 Dorchester Street, Worcester, Mass.
McNierney, T. P., 172 Main Street, Wethersfield, Conn.
Malley, J. E., 28 Niagara Street, Providence, R. I.
Manning, H. L., 12 Armory Terrace, Boston, Mass.
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Sullivan, J. J., 42 Nichols Street, Cranston, R. I.
Welch, J. L., 17 Beach Street, Hartford, Conn.
Welch, P. W., 6 Mechanic Street, Saxonville, Mass.
Will, E. W., 714 McBride Street, Syracuse, N. Y.
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Strong, James M., 84 Tremont Street, Hartford, Conn.
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MATERIAL SECTION.

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Stone, John F., 331 Fifty-sixth Street, Brooklyn, N. Y.
Craig, Albert B., Banks Street, Sewickley, Pa.
Griffith, Robert F., Barrington, R. I.
Abbott, George K., Elmwood, Conn.
Hart, Mark I., New Britain, Conn.
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Third naval district.

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Lieut. (j. g.) Robert C. Leddy, One hundred and thirty-first Street and Amsterdam Avenue, New York City.
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Ensign Bache McE. Whitlock, Hewlett, Long Island.
Pay Clerk John W. Bergen, 70 Linden Street, Brooklyn, N. Y.
Pay Clerk Charles J. Woodman, 3316 Clarendon Road, Brooklyn, N. Y.
Gunner (E.) Edward J. Boynton, 285 Adelphi Street, Brooklyn, N. Y.
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Adler, Augustus, 789 West End Avenue, New York, N. Y.
Ahearn, John J., 458 East Eighty-second Street, New York, N. Y.
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Anderson, Chauncey, 690 Leonard Street, Brooklyn, N. Y.
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Areinoff, Sol, 763 New Jersey Avenue, Brooklyn, N. Y.
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Bayer, George S., 641 Jamaica Avenue, Long Island, N. Y.
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Berger, Henry W., 8 Van Siclen Court, Brooklyn, N. Y.
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Bergman, Fred C., Coney Island, N. Y.
Berkhofer, William R., Maywood, N. J.
Berlow, David S., 302 Central Avenue, Orange, N. J.
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Brothers, Arthur J., 241 East Eighteenth Street, Brooklyn, N. Y.
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Pay Clerk J. J. Cochrane, 429 North Thirty-second Street, Philadelphia, Pa.
Pay Clerk W. A. Finegan, 1605 Wolf Street, Philadelphia, Pa.
Pay Clerk H. C. Hoskins, Berwyn, Pa.
Hill, Charles G., 2650 Jessup Street, Philadelphia, Pa.
Hines, John P., 2565 Mytlewood Street, Philadelphia, Pa.
Hirsch, Harold L., Hotel Belledaire, Philadelphia, Pa.
Hoffman, Frank H., 2812 West Lehigh Avenue, Philadelphia, Pa.
Hofmann, Leo V., 5225 North Front Street, Philadelphia, Pa.
Hofmann, Paul J., 1504 Morris Street, Philadelphia, Pa.
Hogan, Daniel A., 3942 Pine Street, Philadelphia, Pa.
Hogan, John J., 810 North Taney Street, Philadelphia, Pa.
Hoggerty, Richard A., 1711 Webster Avenue, Durmon, Pa.
Hooven, Howard D., jr., 2612 North Eighth Street, Philadelphia, Pa.
Hoppel, Frederick J., jr., 317 Pittston Avenue, Scranton, Pa.
Hough, Gerhardt F., 61 Wilson Avenue, Uniontown, Pa.
Houston, Francis, East Stroudsburg, Pa.
Huey, Joseph C., jr., 5321 Osage Avenue, Philadelphia, Pa.
Hunt, John J., 1633 Ritner Street, Philadelphia, Pa.
Hutchinson, James M., Fifty-fourth and Overbrook Avenue, Philadelphia, Pa.
Huyell, Raymond A., Birdsboro, Pa.
Isaacs, Louis, 4110 Girard Avenue, Philadelphia, Pa.
Isphording, George H., 3817 North Ninth Street, Philadelphia, Pa.
Jackson, Elmer H., 1838 Dudley Street, Philadelphia, Pa.
Jackson, Harry William, 466 Quincy Street, Brooklyn, N. Y.
Jamison, Walter B., 1011 West Norris Street, Philadelphia, Pa.
Jennings, Michael J., 866 North Twenty-second Street, Philadelphia, Pa.
Jennings, Thomas H., 712 North Forty-third Street, Philadelphia, Pa.
Rodd, Joseph T., 1813 North Mascher Street, Philadelphia, Pa.
Rush, Daniel D., 2116 South Broad Street, Philadelphia, Pa.
Loftus, James A., 302 South Bailey Avenue, Olyphant, Pa.
Ryan, Charles E., 1524 North Eighteenth Street, Philadelphia, Pa.
Sankey, Harry F., 2225 Race Street, Philadelphia, Pa.
Sargeant, Claude O., Central Y. M. C. A., Philadelphia, Pa.
Schaufler, George, 1224 North Hancock Street, Philadelphia, Pa.
Albert, Harry Reuben, 2350 North Twenty-ninth Street, Philadelphia, Pa.
Armstrong, Thomas R., 6035 Locust Street, Philadelphia, Pa.
Bachinger, Frank A., 205 West Shawnee Avenue, Plymouth, Pa.
Bacon, Walter H., Bridgeton, N. J.
Bader, Albert, jr., 2638 Myrtlewood Street, Philadelphia, Pa.
Bales, John A., 4929 Olive Street, Philadelphia, Pa.
Ballentine, Alex H. D., 2108 Bainbridge Street, Philadelphia, Pa.
Barnett, Wm., 730 South Broad Street, Philadelphia, Pa.
Barnett, Thomas A., 416 Prospect Avenue, Scranton, Pa.
Bassett, Henry Clay, 1541 South Broad Street, Philadelphia, Pa.
Bastian, Percy L., 1516 Wolf Street, Philadelphia, Pa.
Baxter, John F., 3609 Haverford Avenue, Philadelphia, Pa.
Becker, Charles J., 1812 South Fifteenth Street, Philadelphia, Pa.
Becker, Walter C., 1 West Eleventh Street, Wilmington, Del.
Bender, Irving E., 202 Reily Street, Harrisburg, Pa.
Bentz, M. Collier, 1323 Wolf Street, Philadelphia, Pa.
Benson, Lewis H., 1822 South Fifteenth Street, Philadelphia, Pa.
Bernard, George P., 1049 South Clinton Avenue, Trenton, N. J.
Bethards, Fred Ennis, 91 Adams Street, Wilmington, Del.
Betz, John Phillip, jr., 825 Radcliffe Street, Bristol, Pa.
Bitner, John Hickey, 121 East Duval Street, Philadelphia, Pa.
Blaney, Charles H., 1323 North Twenty-second Street, Philadelphia, Pa.
Bloon, Edward, 2224 North Fairhill Street, Philadelphia, Pa.
Blynn, Roy R., 3345 North Seventeenth Street, Philadelphia, Pa.
Boardman, Harry C., 5517 Addison Street, Philadelphia, Pa.
Bonner, Raymond A., 919 South Twenty-second Street, Philadelphia, Pa.
Bonner, Neil, jr., 2045 Carpent Street, Philadelphia, Pa.
Bornman, Redding C., 1735 North Nineteenth Street, Philadelphia, Pa.
Boyle, Frank Joseph, Coaldale, Pa.
Bradley, John Aloysius, 1607 Snyder Avenue, Philadelphia, Pa.
Brady, Eugene J., 4201 Market Street, Philadelphia, Pa.
Brady, John F., 4424 Pine Street, Philadelphia, Pa.
Breen, Frederick C., 602 Morgan Street, Dickinson City, Pa.
Brennan, Francis J., 1465 North Felton Street, Philadelphia, Pa.
Brenninger, Raymond L., 1620 North Thirtieth Street, Philadelphia, Pa.
Brest, George L., 856 South Second Street, Philadelphia, Pa.
Brill, George W., 39 Henry Street, Palmyra, N. J.
Britt, James A., 822 East Tioga Street, Philadelphia, Pa.
Brooks, Frank DeS., 7121 Saybrook Avenue, Philadelphia, Pa.
Bryan, Joseph R., jr., 4200 Chestnut Street, Philadelphia, Pa.
Bumbaugh, Clarence E., 221 East Middle Street, Gettysburg, Pa.
Bunnell, James S., East Stroudsburg, Pa.
Bush, Harold N., East Stroudsburg, Pa.
Butler, James R., Haverford, Pa.
Byrne, Patrick J., 1922 Wolf Street, Philadelphia, Pa.
Brownlow, Marshall D., 458 East Church Street, Elmira, N. Y.
Calgan, Frank J., jr., 2205 North Broad Street, Philadelphia, Pa.
Callahan, John A., 42 North Second Street, Philadelphia, Pa.
Campbell, Edward P., 1218 North Nineteenth Street, Philadelphia, Pa.
Carney, Michael J., 120 Jackson Street, Philadelphia, Pa.
Carpenter, William A., 2651 East Ontario Street, Philadelphia, Pa.
Carroll, John J., 1829 West Thompson Street, Philadelphia, Pa.
Carupion, John J., 637 Morsie Street, Scranton, Pa.
Cassidy, Francis, 2334 South Bowier Street, Philadelphia, Pa.
Cassidy, Lewis V., 1832 North Sixteenth Street, Philadelphia, Pa.
Cavanaugh, Leo T., 6717 Laislowe Avenue, Philadelphia, Pa.
Cavell, Fay D., 1726 Wyoming Avenue, Scranton, Pa.
Chapman, John Oswald, 113 East Couler Street, Philadelphia, Pa.
Cherry, Joseph A., 335 Rector Street, Roxborough, Pa.
Churchville, Lawrence, 2937 Arming Avenue, Philadelphia, Pa.
Clark, Kenneth W., 307 Burt Street, Saginaw, Mich.
Clark, Thomas F., 335 East Fifty-eighth Street, New York, N. Y.
Cline, Harry J., 2031 Frazier Street, Philadelphia, Pa.
Cohen, Lewis, 623 South Seventeenth Street, Philadelphia, Pa.
Colbert, Charles G., 2032 McKean Street, Philadelphia, Pa.
Collingwood, Allan K., 1421 Arch Street, Philadelphia, Pa.
Collins, William J., 416 Moore Street, Philadelphia, Pa.
Collins, Morton, 202 Arizona Avenue, Atlantic City, N. J.
Collins, William, 2538 South Chadwick Street, Philadelphia, Pa.
Conley, John D., Narberth, Pa.
Connell, John J., 717 Preston Street, Philadelphia, Pa.
Connelly, William, 2106 Summer Street, Philadelphia, Pa.
Connolly, John T., 510 North Clinton Street, Trenton, N. J.
Connor, John A., 3334 North Broad Street, Philadelphia, Pa.
Connor, William A., 1500 Fairmount Avenue, Philadelphia, Pa.
Cook, Charles E., jr., 322 North Forty-second Street, Philadelphia, Pa.
Cooke, Wilmer W., 1532 South Fifteenth Street, Philadelphia, Pa.
Cornell, Allen D., 725 Vernor Road, Philadelphia, Pa.
Courtright, James W., 211 Arthur Avenue, Scranton, Pa.
Crane, Frank B., 2210 Master Street, Philadelphia, Pa.
Cravis, Israel, 1817 North Thirty-second Street, Philadelphia, Pa.
Crawford, Edgar C., 1901 Twelfth Avenue, Birmingham, Ala.
Crawford, Thomas L., R. F. D. No. 1, Topeka, Kans.
Cummings, Harold H., 4012 Green Street, Philadelphia, Pa.
Cunningham, John F., 1548 South Fifteenth Street, Philadelphia, Pa.
Curley, Edward T. P., 1324 Claybourn Street, Milwaukee, Wis.
Curry, John J., 2119 Somerset Street, Philadelphia, Pa.
Dahl, Gunnar H., 1048 Seventh Avenue, Oakland, Cal.
Dailey, Daniel D., 5512 Larchwood Avenue, Philadelphia, Pa.
Daley, Hugh G., 1634 Ritner Street, Philadelphia, Pa.
Danzenbaker, John E., 4920 Locust Street, Philadelphia, Pa.
Davis, Samuel H., 516 Barbadoes Street, Norristown, Pa.
Dean, W. Scott, 850 North Twenty-ninth Street, Philadelphia, Pa.
De Less, Anthony E., jr., 2522 South Nineteenth Street, Philadelphia, Pa.
De Luca, Harry, 525 Catherine Street, Philadelphia, Pa.
Denney, William F., 4637 Chestnut Street, Philadelphia, Pa.
Derham, James P., 239 South Twelfth Street, Philadelphia, Pa.
Dietrick, George J., 1034 Jackson Street, Philadelphia, Pa.
Donahue, Paul A., 4512 Elm Avenue, Camden, N. J.
Dondero, Augustine B., 1435 Ellsworth Street, Philadelphia, Pa.
Donnelly, Joseph P., 1445 North Howard Street, Philadelphia, Pa.
Dorff, Milford K., jr., 2016 South Opal Street, Philadelphia, Pa.
Douglass, Downs D., 215 North Creighton Street, Philadelphia, Pa.
Duffy, Charles, jr., Royal Apartments, Philadelphia, Pa.
Dunbar, Jacob M., 242 Christian Street, Philadelphia, Pa.
Dunleavy, Thomas J., 2430 West Huntington Street, Philadelphia, Pa.
Dyer, William F., 1105 Montgomery Avenue, Philadelphia, Pa.
Dysart, Samuel A., 101 East Wyoming Avenue, Philadelphia, Pa.
Easterly, R. E., 812 South St. Bernard Street, Philadelphia, Pa.
Everly, R. N., 417 West Horter Street, Philadelphia, Pa.
Everling, Harry A., 1208 North Hancock Street, Philadelphia, Pa.
Falk, Arnold L., 3641 North Twenty-first Street, Philadelphia, Pa.
Farrow, Joseph E., 1333 North Fifty-ninth Street, Philadelphia, Pa.
Fenton, John L., 614 South Fifty-first Street, Philadelphia, Pa.
Fitzsimmons, James V., 1237 Butler Street, Philadelphia, Pa.
Flowers, George W. Y., 1848 Tulip Street, Philadelphia, Pa.
Flynn, Lawrence A., 2316 Colorado Street, Philadelphia, Pa.
Ford, Joseph F., 7226 Grays Avenue, Philadelphia, Pa.
Forrest, Wilbur J., 30 Ritner Street, Philadelphia, Pa.
Fox, Benjamin J., 2633 North Second Street, Philadelphia, Pa.
Freedman, Herman, 951 New Market Street, Philadelphia, Pa.
Furnival, Frederick, jr., 1701 Yewdell Street, Philadelphia, Pa.
Gallagher, Charles A., 2228 Jefferson Street, Philadelphia, Pa.
Gallagher, Stephen A., 935 Belmont Avenue, Philadelphia, Pa.
Gallen, Leo P., 2516 South Thirteenth Street, Philadelphia, Pa.
Garretson, David P., 1520 North Seventeenth Street, Philadelphia, Pa.
Gartner, Fred C., 508 Vine Street, Philadelphia, Pa.
Gawthrop, Harold J., Kennett Square, Pa.
Gemmell, Robert T., 9 Leonard Avenue, Camden, N. J.
Geraghty, Thomas L., 5815 Thomas Avenue, Philadelphia, Pa.
Gessner, Herman F., 1506 North Twentieth Street, Philadelphia, Pa.
Gibbons, Walter B., 524 North Sixty-third Street, Philadelphia, Pa.
Gillespie, Charles, 2527 North Water Street, Philadelphia, Pa.
Glazier, Joseph M., 1444 North Hope Street, Philadelphia, Pa.
Gleckner, Harry J., 1532 North Leithgow Street, Philadelphia, Pa.
Goebel, George A., 213 Mifflin Street, Philadelphia, Pa.
Goodman, Edwin C., 908 Broad Street, Philadelphia, Pa.
Gough, Irving G., 4524 North Carlisle Street, Philadelphia, Pa.
Gordy, Charles B., Salisbury, Md
Gramigna, Paul, 1164 Morton Street, Camden, N. J.
Grant, William J., 3828 Folsom Street, Philadelphia, Pa.
Greenberger, Benjamin, 101 Broadway, Scranton, Pa.
Greenfield, Philip, 2349 North Twenty-ninth Street, Philadelphia, Pa.
Gunner, Samuel, 1809 South Fourth Street, Philadelphia, Pa.
Hackett, Walter J., 1413 Susquehanna Avenue, Philadelphia, Pa.
Hagenbach, George G., 1449 North Fifth Street, Philadelphia, Pa.
Hallaham, Thomas A., 509 Spring Avenue, Noble, Pa.
Haly, Theodore E., 229 South Eleventh Street, Philadelphia, Pa.
Hamill, Joseph R., 1916 East Madison Street, Philadelphia, Pa.
Hamilton, Frank S., 2015 North Twenty-second Street, Philadelphia, Pa.
Hamilton, James S., Glen Olden, Pa.

Hannon, Frank J., jr., 954 North Fiftieth Street, Philadelphia, Pa.
Harlow, Joseph P., 1315 Fourteenth Avenue, Altoona, Pa.
Harris, Abraham R., 1602 South Fourth Street, Philadelphia, Pa.
Harvey, Paul J., 3842 North Eighth Street, Philadelphia, Pa.
Hassler, Gilbert H., 5303 Chester Avenue, Philadelphia, Pa.
Hauck, Sylvester A., jr., Germantown, Pa.
Heines, Otto G., 217 Washington Street, Stroudsburg, Pa.
Helzer, Henry C., R. F. D. No. 4, Mount Clemens, Mich.
Heppard, William J., 1422 Porter Street, Philadelphia, Pa.
Herbott, Harry A., 1217 North Eighth Street, Philadelphia, Pa.
Herbst, Leon P., 1605 West Susquehanna Avenue, Philadelphia, Pa.
Hershowitz, Harry, 937 Tiffany Street, Bronx, N. Y.
Hickman, Paul B., Uniontown, Pa.
Higgins, Daniel J., 2501 Allegheny Avenue, Philadelphia, Pa.
Higgins, Harry S., 1346 Kaighns Avenue, Camden, N. J.
Johnson, Maurice S., box 75, Hillards, Mich.
Johnson, Leonard, 2243 South Rosewood Street, Philadelphia, Pa.
Johnson, Russell C., Parkerford, Pa.
Jones, Harry Blyer, 1420 Hurst Street, Philadelphia, Pa.
Judge, Michael J., 22 South Thirty-second Street, Philadelphia, Pa.
Julian, George A., 5245 Baltimore Avenue, Philadelphia, Pa.
Kalenbacher, Joseph A., Ardmore, Pa.
Kampmann, Robert S., 731 Land Title Building, Philadelphia, Pa.
Karr, Thomas J., 4040 Parkside Avenue, Philadelphia, Pa.
Keating, James, 533 Coplin Avenue, Detroit, Mich.
Keenan, John H., jr., 1905 South Broad Street, Philadelphia, Pa.
Kelly, Aloysius A., 2551 North Harold Street, Philadelphia, Pa.
Kelly, Harry A., 640 North Twenty-third Street, Philadelphia, Pa.
Kelly, Joseph A., 1923 South Eighteenth Street, Philadelphia, Pa.
Kelly, John A., 139 North Third Avenue, Conshohocken, Pa.
Kelly, John F., 71 Mitchell Place, East Orange, N. J.
Kelly, John H., 18 North Twenty-fifth Street, Camden, N. J.
Kelly, Thomas J., 874 North Forty-ninth Street, Philadelphia, Pa.
Kelly, Walter, 207 North Thirty-fifth Street, Philadelphia, Pa.
Keul, Sylvester E., 2857 North Eighth Street, Philadelphia, Pa.
Kennedy, Frank B., 5734 Walton Avenue, Philadelphia, Pa.
Kenworth, William H., jr., 1202 Delaware Avenue, Wilmington, Del.
Keohane, Lawrence F., Devon, Pa.
Keohane, Edward A., 1743 West Thompson Street, Philadelphia, Pa.
Keough, Leo P., 1308 Federal Street, Philadelphia, Pa.
Kerrigan, Hugh, 2137 Oakford Street, Philadelphia, Pa.
Kiefer, Henry P., 1524 East Palmer Street, Philadelphia, Pa.
Kilday, John A., 2510 East Indiana Avenue, Philadelphia, Pa.
Kilroy, James C., 1939 West Lehigh Avenue, Philadelphia, Pa.
Kinsley, Charles W., 5100 Arch Street, Philadelphia, Pa.
Kinslow, Leo E., 809 Bambrey Street, Philadelphia, Pa.
Kirby, Aloysius E., 5457 Spruce Street, Philadelphia, Pa.
Kirby, Allan P., 202 South River Street, Wilkes-Barre, Pa.
Kistler, Thomas L., 21 Prospect Street, East Stroudsburg, Pa.
Klein, Gustav, 2232 North Broad Street, Philadelphia, Pa.
Koch, William W., jr., 2056 East Dauphin Street, Philadelphia, Pa.
Kochel, Earl E., 1520 North Twelfth Street, Philadelphia, Pa.
Krug, Russell Emmet, 1313 South Fifty-second Street, Philadelphia, Pa.
Kuhn, George J., 1026 North Randolph Street, Philadelphia, Pa.
Labowitz, Morris, 213 North Tenth Street, Philadelphia, Pa.
Lamb, Lester R., 2748 North Twelfth Street, Philadelphia, Pa.
Lang, Lawrence K., 324 Shadeland Avenue, Drexel Hill, Pa.
Larkins, James J., 2552 North Eighteenth Street, Philadelphia, Pa.
Larkin, Edward V., 1625 North Eighteenth Street, Philadelphia, Pa.
Lavin, Thomas F., 802 South Valley Avenue, Olyphant, Pa.
Levy, Joseph, 1201 Markley Street, Norristown, Pa.
Lewis, Frank C., R. F. D. No. 6, Norfolk, Pa.
Lewis, Isaac, 1320 Park Building, Camden, N. J.
Lind, Frank R., 318 Snyder Avenue, Philadelphia, Pa.
Logan, Charles R., 401 Main Street, Stroudsburg, Pa.
Loney, Frank R., 1330 Ritner Street, Philadelphia, Pa.
Lordan, John M., 6602 Greenway Avenue, Philadelphia, Pa.
Lowery, Walter E., 1506 Ritner Street, Philadelphia, Pa.
Lowry, Francis J., 805 South Forty-ninth Street, Philadelphia, Pa.
Ludes, Leo A., 3961 Lancaster Avenue, Philadelphia, Pa.
Ludwig, Henry, 800 West Moyamensing Avenue, Philadelphia, Pa.
Lynch, Francis L., 2409 East Sargent Street, Philadelphia, Pa.
MacBride, George E., 2237 South Twenty-second Street, Philadelphia, Pa.
Macht, Walter G., 2318 East Cumberland Street, Philadelphia, Pa.
Mackin, Harold J., 1882 Broadway, Brooklyn, N. Y.
Mackin, Edward C., 358 Scott Street, Wilkes-Barre, Pa.
MacLardy, Elmer W., 511 West Tabor Road, Philadelphia, Pa.
MacReynolds, Wesley W., 132 Simpson Road, Ardmore, Pa.
Maginnis, Walter B., 5337 Chester Avenue, Philadelphia, Pa.
Maguire, Daniel James, 2355 Pierce Street, Philadelphia, Pa.
Mahan, Frank J., 35 Tasker Street, Philadelphia, Pa.
Maher, Ignatius F., 3724 Baring Street, Philadelphia, Pa.
Makrausky, Harry, 3208 Girard Avenue, Philadelphia, Pa.
Manley, Thomas C., 1100 Wyoming Avenue, Philadelphia, Pa.
Mann, Jacob, 2458 North Twenty-ninth Street, Philadelphia, Pa.
Margerum, Russell C., 745 East Allegheny Avenue, Philadelphia, Pa.
Martin, John N., 116 Plymouth Street, Pittsburgh, Pa.
Martin, Herbert, 2236 South Sixteenth Street, Philadelphia, Pa.
Masterson, William E., 1703 Fourth Avenue, Altoona, Pa.
Masterson, William P., 1726 South Eighteenth Street, Philadelphia, Pa.
McCallin, James H., 5446 Haverford Avenue, Philadelphia, Pa.
McCann, Joseph F., 2531 South Mole Street, Philadelphia, Pa.
McCarnez, James P., 2343 South Sixteenth Street, Philadelphia, Pa.
McCarthy, John J., 622 North Thirty-fifth Street, Philadelphia, Pa.
McCloskey, John F., 1515 North Howard Street, Philadelphia, Pa.
McCloskey, Leo A., 634 North Sixty-fourth Street, Wheeling, W. Va.
McCloskey, Leo P., 830 North Twenty-seventh Street, Philadelphia, Pa.
McCourt, Frank P., 1535 Hancock Street, Philadelphia, Pa.
McCurdy, John B., 1912 East Wensley Street, Philadelphia, Pa.
McDermott, Daniel L., 547 East Chelton Avenue, Germantown, Pa.
McDevitt, Harry J., 2052 Morris Street, Philadelphia, Pa.
McDevitt, Harry, 1734 North Twentieth Street, Philadelphia, Pa.
McEldowney, Philip R., 18 Jones Street, Ingram, Pa.
McGahren, John M., 118 Carey Avenue, Wilkes-Barre, Pa.
McGill, Connell J., 4729 North Broad Street, Philadelphia, Pa.
McGinn, Charles J., 1806 North Mascher Street, Philadelphia, Pa.
McGrath, John J., 728 Shirley Street, Philadelphia, Pa.
McGronan, John, 5640 Christian Street, Philadelphia, Pa.
McGuire, Emmet J., 206 Prospect Avenue, Scranton, Pa.
McInnis, Albert F., 5107 North Fifty-first Street, Philadelphia, Pa.
McIntire, Joseph J., 11 South Thirty-second Street, Philadelphia, Pa.
McKillip, Rufus S., East Landis Avenue, Vineland, N. J.
McKee, Ruel S., 861 North Twentieth Street, Philadelphia, Pa.
McKnight, Harry J., 1511 North Street, Philadelphia, Pa.
McLaughlin, James I., 2240 South Seventeenth Street, Philadelphia, Pa.
McNamara, Cornelius, 1239 North Fifty-seventh Street, Philadelphia, Pa.
McSorley, James A., 1724 Moore Street, Philadelphia, Pa.
McTight, John A., 1425 Pittston Avenue, Scranton, Pa.
McVeety, Harry, 2222 South Beechwood Street, Philadelphia, Pa.
Mecough, James H., 3133 Roger Street, Philadelphia, Pa.
Melloy, Edward V., 1351 Jerome Street, Philadelphia, Pa.
Mill, Louis E., 1634 South Fifteenth Street, Philadelphia, Pa.
Miller, George H., 2963 Memphis Street, Philadelphia, Pa.
Miller, Walter A., 5712 Hoffman Avenue, Philadelphia, Pa.
Miller, Bert C., 413 South Forty-fourth Street, Philadelphia, Pa.
Miller, Paul A., 706 Harrison Street, Scranton, Pa.
Mitchell, Frederick, Rosemont, Pa.
Molloy, John A., 2016 Morris Street, Philadelphia, Pa.
Montgomery, William H., Bellefonte, Pa.
Moore, Edward, 1014 Cross Street, Philadelphia, Pa.
Moore, Robert S., 1419 Morris Street, Philadelphia, Pa.
Metz, Charles H., 2708 East Indiana Avenue, Philadelphia, Pa.
Mongan, James J., 518 North Thirty-ninth Street Philadelphia, Pa.
Moon, William J., 412 South Elmer Avenue, Sayre, Pa.
Moore, Alan, 2509 South Eighteenth Street, Philadelphia, Pa.
Moore, John H., 2033 North Gratz Street, Philadelphia, Pa.
Muchnick, Myer, 1226 North Marshall Street, Philadelphia, Pa.
Mulligan, Frank H., 207 Sanderson Street, Olyphant, Pa.
Munchen, Clement H., Majestic Hotel, Philadelphia, Pa.
Murphy, George D., 152 North Yawdell Street, Philadelphia, Pa.
Murphy, Albert J., 743 North Sixty-fourth Street, Philadelphia, Pa.
Murphy, Joseph A., 318 Franklin Avenue, Susquehanna, Pa.
Murphy, John R., 6807 York Road, Philadelphia, Pa.
Murray, George J., 2719 Wharton Street, Philadelphia, Pa.
Muschke, Walter L., 157 North Second Street, Philadelphia, Pa.
Myers, Raymond C., 110 Central Avenue, Cheltenham, Pa.
Noonan, Thomas J., 20 West Mahanoy Avenue, Mahanoy City, Pa.
Noone, James A., 911 North Front Street, Camden, N. J.
Northrop, Paul R., Melrose Park, Pa.
O'Brien, Charles J., 152 North Twentieth Street, Philadelphia, Pa.
O'Brien, Edward A., 1834 South Seventeenth Street, Philadelphia, Pa.
O'Brien, John T., 1730 North Twenty-sixth Street, Philadelphia, Pa.
O'Brien, Michael J., 1304 North Eighteenth Street, Philadelphia, Pa.
O'Brien, William A., 1834 South Seventeenth Street, Philadelphia, Pa.
O'Connor, Frank A., 2210 North Thirteenth Street, Philadelphia, Pa.
O'Keefe, Charles J., 2514 West Lehigh Avenue, Philadelphia, Pa.
O'Malley, John J., League Island Road, Philadelphia, Pa.
O'Malley, William A., 1840 McKean Street, Philadelphia, Pa.
O'Neill, Lawrence H., 1934 Shamokin Street, Philadelphia, Pa.
O'Neill, Joseph F., 308 South Mickle Street, Camden, N. J.
Orth, Howard F., 1631 North Seventeenth Street, Philadelphia, Pa.
Otto, William Henry, Red Lion, Pa.
Parnes, Abraham M., 6040 Christian Street, Philadelphia, Pa.
Parsons, Edward D., 520 West State Street, Trenton, N. J.
Patterson, Caleb M., 1149 South Twentieth Street, Philadelphia, Pa.
Perret, Philomen M., 2236 South Sixty-ninth Street, Philadelphia, Pa.
Peters, Louis B., 49 South Fifth Street, Easton, Pa.
Pleibel, August H., 1044 South Manmouth Street, Philadelphia, Pa.
Praissman, Maurice L., 253 Kaighn Avenue, Camden, N. J.
Pursell, Harry T., 1625 South Fifty-fourth Street, Philadelphia, Pa.
Quigley, Joseph A., 1840 North Twenty-third Street, Philadelphia, Pa.
O'Donnell, James H., 1104 Sloan Street, Philadelphia, Pa.
Ohl, Joseph C., 3532 North Twenty-third Street, Philadelphia, Pa.
Quirk, Joseph A., 1044 Jackson Street, Philadelphia, Pa.
Rady, John J., 411 Cherry Street, Scranton, Pa.
Rafferty, James E., 135 New Street, Glenside, Pa.
Ralston, William, 1741 West Vanango Street, Philadelphia, Pa.
Rattigan, Harry T., 1904 Monument Avenue, Philadelphia, Pa.
Reardon, William P., 1516 South Fifty-third Street, Philadelphia, Pa.
Regan, Joseph M., 2325 Ellsworth Street, Philadelphia, Pa.
Reiff, Isaac R., 157 North Twentieth Street, Philadelphia, Pa.
Reilly, John James, jr., 1614 East Haines Street, Philadelphia, Pa.
Reilly, Thomas F., 2400 Byrn Mawr Avenue, Philadelphia, Pa.
Reuss, Charles T., 4411 Lockwood Avenue, Philadelphia, Pa.
Reutemann, Julius O., 2236 South Nineteenth Street, Philadelphia, Pa.
Reuteman, Marion L., 2236 South Nineteenth Street, Philadelphia, Pa.
Reyer, Hugo, Route No. 1, Box 84, Colby, Wis.
Reynolds, Verner M., 46 South Kistler Street East Stroudsburg, Pa.
Rhoads, Gordon B. P., 4524 Sansom Street, Philadelphia, Pa.
Rhoads, Samuel Martin, jr., 6211 Carpenter Street, Philadelphia, Pa.
Rhoads, Silas, Somerton, Philadelphia, Pa.
Ridley, John L., Hotel Walton, Philadelphia, Pa.
Riley, Charles E., 2442 West Allegheny Avenue, Philadelphia, Pa.
Riley, Earl A., 3748 North Marshall Street, Philadelphia, Pa.
Ritter, John Wilson, 1235 South Twenty-eighth Street, Philadelphia, Pa.
Rettig, Richard W., Y. M. C. A., Arch Street, Philadelphia, Pa.
Roberts, Joseph C., 1426 Porter Street, Philadelphia, Pa.
Roche, Thomas J., jr., 212 Gowen Avenue, Philadelphia, Pa.
Rohrheimer, Calman G., Lorraine Hotel, Philadelphia, Pa.
Root, Rose K., 3058 North Ninth Street, Philadelphia, Pa.
Rosenblatt, Ester, 218 West Second Street, Chester, Pa.
Rosenfield, Benjamin, 3840 Cambridge Street, Philadelphia, Pa.
Rudolph, Ralph O., 6106 Spruce Street, Philadelphia, Pa.
Pontefract, Westby B., 225 Wendover Street, Philadelphia, Pa.
Potter, Robert E., Kimball Hotel, Springfield, Mass.
Pound, William T., 816 South Bernard Street, Philadelphia, Pa.
Povey, William J., 2455 Frankford Avenue, Philadelphia, Pa.
Powell, Arthur A., 405 Mount Airy Avenue, Philadelphia, Pa.
Schell, Albert W., 1739 Landtitle Building, Philadelphia, Pa.
Scott, Wesley E., 2343 South Carlisle Street, Philadelphia, Pa.
Search, Edmond W., 216 Harverhard Avenue, Collingswood, N. J.
Seidenberg, Herman, 347 Snyder Avenue, Philadelphia, Pa.
Sheridan, Thomas A., 5719 Malcolm Street, Philadelphia, Pa.
Sherman, William B., 127 North Parkside Avenue, Chicago, Ill.
Shields, James F., 2115 Christian Street, Philadelphia, Pa.
Silverman, Soloman, 75 Brown Street, East Stroudsburg, Pa.
Smiler, Herbert, 154 North Eighth Street, Philadelphia, Pa.
Smith, John J., jr., 6201 Westminster Avenue, Philadelphia, Pa.
Smith, Raymond W., 1415 Arch Street, Philadelphia, Pa.
Smith, Thomas P., 3177 East Thompson Street, Philadelphia, Pa.
Solan, Leon F., 46 South Olden Avenue, Trenton, N. J.
Solomon, George, 1121 West Tioga Street, Philadelphia, Pa.
Stapleford, Edward T., 755 South Twenty-second Street, Philadelphia, Pa.
Spitzer, Hugo V., 2350 North Twenty-ninth Street, Philadelphia, Pa.
Stannert, Lawrence A., 460 Franklin Street, Elmira, N. Y.
Steinmetz, Charles R., Bangor, Pa.

Stern, Arthur, 5015 North Eleventh Street, Philadelphia, Pa.
Stern, Edward N., 479 Fourteenth Avenue, San Francisco, Cal.
Stern, Morris, 1102 North Fortieth Street, Philadelphia, Pa.
Stokes, Earle, 1818 South Taylor Street, Philadelphia, Pa.
Stouch, Calvin P., 1404 Third Street, Altoona, Pa.
Streck, William L., 2338 North Fairhill Street, Philadelphia, Pa.
Stickey, John A., 428 Linden Avenue, Riverton, N. J.
Sturat, Walter, Red Butte, Mont.
Sullivan, John J., 530 Elm Street, Scranton, Pa.
Sutter, Edgar E., 8 South Forty-sixth Street, Philadelphia, Pa.
Talley, Ralph W., 1330 Market Street, Wilmington, Del.
Taylor, John W., 324 Howard Avenue, Altoona, Pa.
Temple, Francis J., jr., 2109 Christian Street, Philadelphia, Pa.
Thomas, George J., 2403 South Broad Street, Philadelphia, Pa.
Thomson, Thomas L., 5227 Pine Street, Philadelphia, Pa.
Thompson, David J., 5417 Vine Street, Philadelphia, Pa.
Thornton, Elmer W., 1955 North Front Street, Philadelphia, Pa.
Tierney, Thomas A., 301 Stone Avenue, Scranton, Pa.
Tobelman, Herman D., 2009 South Twentieth Street, Philadelphia, Pa.
Tock, Charles M., 4923 Chancellor Street, Philadelphia, Pa.
Tomlinson, William W., Central Y. M. C. A., Philadelphia, Pa.
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Trainor, Edmund A., 1504 North Eighteenth Street, Philadelphia, Pa.
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Tress, Edward L., 1325 South Fifth Street, Philadelphia, Pa.
Turner, James J., 2228 North Fifteenth Street, Philadelphia, Pa.
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Vierling, Albert H., 714 West Venago Street, Philadelphia, Pa.
Walker, Milen P., 31 East Linn Street, Bellefonte, Pa.
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Walton, Russell S., 27 Fourth Street, Stroudsburg, Pa.
Wals, Elmer F., 1841 McKeen Street, Philadelphia, Pa.
Warrick, David, Main Street, Stroudsburg, Pa.
Watson, Thomas H., jr., Watsontown, N. J.
Weber, Rudolph F., 1921 Lehigh Avenue, Philadelphia, Pa.
Wendt, Francis J., 3131 Richmond Street, Philadelphia, Pa.
Widenor, Fred S., jr., Belvidere, N. J.
Wieland, Harry G., 219 North Ninth Street, Allentown, Pa.
Williams, John A., jr., 5126 Spruce Street, Philadelphia, Pa.
Winkel, George R., 919 North Nineteenth Street, Philadelphia, Pa.
Winter, Stanley A., Byson Hotel, Philadelphia, Pa.
Wogan, Lewis A., 1909 West Thompson Street, Philadelphia, Pa.
Wolf, Clarence N., Sun Prairie, Wis.
Wolf, Frank, jr., 5213 Locust Street, Philadelphia, Pa.
Woltz, William, 1227 Russell Street, Philadelphia, Pa.
Woods, Arthur J., 1722 Morris Street, Philadelphia, Pa.
Woodward, William N., 15 Washington Avenue, Collingswood, N. J.
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Ziegler, Paul L., R. F. D. 12, York, Pa.

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Kiely, Jerry J., jr., 232 East Clearfield Street, Philadelphia, Pa.
Lauer, William J., 2228 Fitzwater Street, Philadelphia, Pa.
McInerney, Dennis J., 1802 Mister Street, Philadelphia, Pa.
Taylor, Raymond E., 2252 Wunton Street, Philadelphia, Pa.

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Block, Alexander, 1633 North Thirty-third Street, Philadelphia, Pa.
Cohen, John N., 2116 Green Street, Philadelphia, Pa.
Cohen, Stanley I., 2116 Green Street, Philadelphia, Pa.
Costello, Paul V., 4141 Ridge Avenue, Philadelphia, Pa.
Doyle, Raymond M., 3538 West Broad Street, Philadelphia, Pa.
Frier, Thomas H., jr., 5031 Chestnut Street, Philadelphia, Pa.
Gauger, Martin J., jr., Conshohocken, Pa.
Greenspan, Milton J., Peoples Trust Building, Philadelphia, Pa.
Harrison, Sidney, 2326 North Broad Street, Philadelphia, Pa.
Heron, John, 2120 Arch Street, Philadelphia, Pa.
Johnston, William E., 2307 Christian Street, Philadelphia, Pa.
Lazarus, Jeffrey L., 2347 North Park, Philadelphia, Pa.
Marshall, Kendall C., 5042 Spruce Street, Philadelphia, Pa.
O'Reilly, Henry F., 951 North Forty-eighth Street, Philadelphia, Pa.
Perper, Frank M., 3034 Clifford Street, Philadelphia, Pa.
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Swalm, Russell E., 4901 North Thirteenth Street, Philadelphia, Pa.
Rosskam, Lester G., 2300 North Broad Street, Philadelphia, Pa.
Miller, Frank R., 2805 North Ninth Street, Philadelphia, Pa.

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Zahn, George B., 203 Sumac Street, Philadelphia, Pa.

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INSPECTION OF COAL.

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Prudden, Russell F., 117 Ontario Street, Lockport, N. Y.
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Taylor, Harry E., 1814 North Twelfth Street, Philadelphia, Pa.
Thompson, John E., 2817 Oxford Street, Philadelphia, Pa.
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Provost, Eugene, 66 Murry Street, Burlington, Vt.

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Chatham, Elmer A., Plainfield, N. J.

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Gibson, Russell L., South Holland, Ill.
Hannan, Russell H., Huntington, W. Va.
Harvey, Benjamin C., Franklin, Kans.
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Asst. Paymaster S. Z. Hall, 24 Divinity Street, Philadelphia, Pa.
Asst. Paymaster D. P. Clark, 145 West Seymour Street, Philadelphia, Pa.
Asst. Paymaster W. C. Williamson, Seventh Street and Chelton Avenue, Norristown, Pa.
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Asst. Paymaster R. L. Bitzer, 3523 North Sixteenth Street, Philadelphia, Pa.
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Raab, Aaron J., Dallastown, Pa.
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Gormley, Maurice F., 2348 Wallace Street, Philadelphia, Pa.
Coryell, William J., 1261 North Fifty-eighth Street, Philadelphia, Pa.
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Autin, Earl J., 220 South Forty-sixth Street, Philadelphia, Pa.
Baumgarten, Elmer J., 80 Howe Avenue, Passaic, N. J.
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Musselman, David P., 2015 Green Street, Philadelphia, Pa.
Wescoat, George H., 779 North Twenty-fourth Street, Philadelphia, Pa.
Haddon, William T., 117 Mount Vernon Street, Haddonfield, N. J.
Baer, Frank A., 204 Bardford Street, Charleston, N. J.
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Cleary, John M., 510 West State Street, Trenton, N. J.
Diemer, Samuel H., 254 South Forty-fifth Street, Philadelphia, Pa.
Dobbyn, Charles R., 5650 Whitby Avenue, Philadelphia, Pa.
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Katz, Donald A., 5829 Beacon Street, Pittsburgh, Pa.
Kelly, William H., 241 Spring Street, Trenton, N. J.
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Mingle, Elmer, 1909 East Tioga Street, Philadelphia, Pa.
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Parmentier, Robert R., 2560 North Eighth Street, Philadelphia, Pa.
Pfeiffer, Elmer C., 4102 North Broad Street, Philadelphia, Pa.
Ringler, William F., 1525 Pike Street, Philadelphia, Pa.
Schumacker, William H., 2546 West Lambert Street, Philadelphia, Pa.
Seton, James G., 2226 North Lambert Street, Philadelphia, Pa.
Spiecker, Anthony B., 412 Diamond Street, Philadelphia, Pa.
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Weil, Albert J., 5718 Bartlett Street, Pittsburgh, Pa.
White, Henry T., 3901 Walnut Street, Philadelphia, Pa.
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Ensign J. E. Lamplugh, 5312 Osage Avenue, Philadelphia, Pa.
Ensign J. L. Lynch, 2208 West Columbia Avenue, Philadelphia, Pa.
Ensign J. C. Van Horn, 5127 Arch Street, Philadelphia, Pa.
Ensign A. D. Yocum, Ridley Park, Pa.
Ensign J. S. Kasberger, 1901 Brighton Road, Pittsburgh, Pa.
Ensign H. C. Kreissel, 41 Jackson Street, Cape May, N. J.
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DISTRICT STOREHOUSE.

Jarvis, Henry C., St. Regis Apartments, Norfolk, Va.
Clarke, Le Roy F., 122 College Place, Norfolk, Va.
Chesson, Rufus O., 1114 Washington Street, Portsmouth, Va.
Whitehurst, George R., 630 Delaware Avenue, Norfolk, Va.

AID FOR INSPECTION.

Friedberg, Julius, 706 Boissevain Avenue, Norfolk, Va.
Rice, Jesse V., 427 Denny Street, Richmond, Va.

COST INSPECTION.

Wildberg, Richard M., 3629 Reading Road, Cincinnati, Ohio.
Ehrenworth, Max A., 419 Redgate Avenue, Norfolk, Va.
Atkinson, Royce E., Ocean View, Va.
White, Luther W., jr., 820 Shirley Avenue, Norfolk, Va.
Crocker, Ralph, 37 Lewis Avenue, Winthrop, Mass.
Lambreth, Charles H., 704 Fairfax Avenue, Norfolk, Va.
Tilley, Charles F., Weldon, N. C.
Purdy, Lee A., 2612 University Place, Washington, D. C.
Kaufman, Louis H., 2500 Ontario Road, Washington, D. C.
McCullough, Clarence R., 733 North Lunwood Avenue, Baltimore, Md.
Saur, William L., 219 Collington Avenue, Baltimore, Md.
Scott, Bernard E., 1008 North Stricker Street, Baltimore, Md.
Jenkins, John W. H., 6106 Webster Street, Philadelphia, Pa.
De Vilbiss, Charles B., New Windsor, Md.
France, Germanus G., 2520 East Baltimore Street, Baltimore, Md.
O'Neill, Gordon F., 9 Queen Anne Road, Windsor Hill, Md.
Fleagle, Robert N., 1827 North Calvert Street, Baltimore, Md.
Dempsey, Warren R., 2732 East Baltimore Street, Baltimore, Md.
Green, Thomas M., 1607 Balton Street, Baltimore, Md.
Lehnert, William F., jr., 1514 Baltimore Street, Baltimore, Md.
Berryman, Arthur C., Reistertown, Md.
Garrettson, MacDonald, 2020 East Thirty-first Street, Baltimore, Md.
Hawkins, Walter E., 44 East Heathe Street, Baltimore, Md.
De Launey, Donald Mac, 709 East Twenty-second Street, Baltimore, Md.
Flynn, Joseph J., 333 North Calhoun Street, Baltimore, Md.
Moore, William C., 1435 Garsuch Avenue, Baltimore, Md.
Wright, Norman A., 835 Jefferson Street, Wilmington, Del.
Vance, Fred V., 324 Fourth Street, Bristol, Tenn.

SECTION NO. 1 AID—INFORMATION.

Smith, Orlando L., jr., 1216 North Luzerne Avenue, Baltimore, Md.
Moore, William T., 2614 East Baltimore Street, Baltimore, Md.
Schaefer, William L., 820 North Fremont Street, Baltimore, Md.

BALTIMORE SHIPBUILDING & DRY DOCK CO.

Hastings, Frank Parks, 122 West Franklin Street, Baltimore, Md.
McGahan, Thomas B., 1218 North Bond Street, Baltimore, Md.
Peters, Arthur H., Linthicum Heights, Md.
Bowen, Levi H., 706 Winston Avenue, Baltimore, Md.
Mooney, Lawrence R., 516 North Linwood Avenue, Baltimore, Md.
Zopf, Edward P., 1536 Harlem Avenue, Baltimore, Md.
Flater, Charles R., Reistertown, Md.
House, Robert L., Relay, Md.
Mullen, George M., Govans, Md.
Riggan, James H., 2612 Shirley Avenue, Baltimore, Md.
Mattes, Raymond J., Indian Head, Md.

MISCELLANEOUS.

Ward, James E., 139 King Street, Hagerstown, Md.
Crawford, William C., Baltimore, Md.
Gibbs, Henry S., Morehead City, N. C.
Stickel, William A., 63 Hudson Street, Newark, N. J.
Nelson, Theodore, jr., 507 North Lombard Street, Richmond, Va.

NAVY RECRUITING STATION—RALEIGH.

Brown, Frank B., West Raleigh, N. C.
Lehman, H. W., Durham, N. C.
Shipley, John R., Winston-Salem, N. C.
White, Clarence E., Waynesville, N. C.

AID—SUPPLIES (COALING).

Bailey, Paul W., 49 North Court Street, Portsmouth, Va.
Fitzpatrick, Fawell A., 244 Lucille Avenue, Norfolk, Va.
Logan, Clarence J., Hamburg, Mo.
Goodman, Louis E., Box 46, Ashland, N. Y.
Lacy, Grayson H., 260 West York Street, Norfolk, Va.
Stephens, Edgar B., Prestonsburg, N. Y.
Summers, James S., 321 South Fifth Street, Philadelphia, Pa.
Harris, Henry H., Apple Grove, Va.
Farrell, Francis M., 98 West Walnut Street, East Orange, N. J.
Reams, Melville W., 1102 Bainbridge Street, Richmond, Va.
Ryall, Edward C., Fruitland, W. Va.
Baker, Bennie, Box 534, Bluefield, W. Va.
Cooper, Edwin F. C., 45 Thirty-second Street, Newport News, Va.

NAVY YARD—COST INSPECTION.

Brinson, William G., Graatsboro, N. C.
Marable, Edwin L., 138 Broad Street, Norfolk, Va.
Flynn, Francis J., 1822 Ashburton Street, Baltimore, Md.
Glazer, Philip, Haverstraw, N. Y.
Kramer, Adolph E., 217 Thirty-seventh Street, Norfolk, Va.
Stewart, Robert R., 301 Dinwiddie Street, Portsmouth, Va.
Widgeon, William W., R. F. D. No. 1, Norfolk, Va.
Yewall, Jewell H., 309 Mulberry Street, Berkeley, Va.

HEADQUARTERS.

Barclay, Earle H., 934 Holloday Street, Portsmouth, Va.
Mooney, Leo E., 516 Linwood Avenue, Baltimore, Md.
Kalben, William, 342 East Twenty-second Street, Baltimore, Md.
Miller, Shepard L., Eighth Street, Willoughby Beach, Va.
Rukert, George, jr., Norfolk, Va.
Stevens, Albert P. J., 915 North Monroe Street, Baltimore, Md.
Howell, Claude T., Franklin, Va.
Wilkerson, Howey, Winthrop, N. Y.

DISBURSING OFFICER (YARD).

Downey, R. A. R., 226 West Bute Street, Norfolk, Va.
Moore, E. J., 1311 Ann Street, Portsmouth, Va.
Trevvett, C. S., 1815 Willoughby Avenue, Norfolk, Va.
Pendleton, Y. D., Churchland, Va.
Smith, R., 246 West Freemason Street, Norfolk, Va.
Travers, H. A., 337 Ward Avenue, Norfolk, Va.
Flowers, J. D., Graydon Apartments, Norfolk, Va.
Ventulett, J., 257 West Freemason Street, Norfolk, Va.

INDUSTRIAL DEPARTMENT (YARD).

Abram, Abe, 601 Graydon Park, Norfolk, Va.
Adler, David, 828 Grayson Street, Berkeley, Va.
Blain, J. P., jr., 1227 Graydon Avenue, Norfolk, Va.
Botts, James B., jr., 115 Middle Street, Portsmouth, Va.
Brinson, Wilbur G., Y. M. C. A., Norfolk, Va.
Brusnon, Charles A., 828 Grayson Street, Norfolk, Va.
Callahan, Eugen F., 329 Henry Street, Portsmouth, Va.
Carnes, Lonnie M., 121 Main Street, Berkeley, Va.
Cohen, Arthur, 1314 Colonial Avenue, Norfolk, Va.
Cohen, David, 602 Graydon Park, Norfolk, Va.
Colimus, C. C., 722 Redgate Avenue, Norfolk, Va.
Creighton, George W., jr., 222 Henry Street, Portsmouth, Va.
Denne Simon F., 810 Naval Place, Portsmouth, Va.
Dimling, George, 405 Court Street, Portsmouth, Va.
Dunn, Jasper McD., 329 Duncan Avenue, Norfolk, Va.
Early, Edwin S., 405 Court Street, Portsmouth, Va.
Eason, S. W., jr., 349 Fifteenth Street, Norfolk, Va.
Flynn, J. F., 226 West Bute Street, Norfolk, Va.
Francis, Teho B., Box 153, Norfolk, Va.
Glazer, Phillip, 633 South Street, Portsmouth, Va.
Greenburg, H. C., 990 Park Avenue, Norfolk, Va.
Harrison, Rufus C., 344 West Fairfax Avenue, Norfolk, Va.
Harwood, R. F., 206 Third Street, Norfolk, Va.
Holland, T. A., 709 Redgate Avenue, Norfolk, Va.
Hollomon, R. W., Young Men's Christian Association, Portsmouth, Va.
Klien, Arthur L., 225 Bute Street, Norfolk, Va.
Kramer, Adolph E., 217 Thirty-seventh Street, Norfolk, Va.
Levine, S. P., 516 Westover Avenue, Norfolk, Va.
Osborn, Perry K., Norfolk, Va.
Ostenkamp, T. A., 3306 Colonial Avenue, Norfolk, Va.
Owing, Harry E., 518 Fenchurch Street, Norfolk, Va.
Payne, Burley E., 621 East Freemason Street, Norfolk, Va.
Saine, L. P., 217 West Twenty-seventh Street, Norfolk, Va.
Schley, George, 1722 Hamlin Avenue, Norfolk, Va.
Sharp, Hunter, 273 West Bute Street, Norfolk, Va.
Story, J. L., 241 West Twenty-seventh Street, Norfolk, Va.

Thompson, William W., Virginia Beach, Va.
Watson, Edward L., Young Men's Christian Association, Norfolk, Va.
White, Roger M., 352 West Freemason Street, Norfolk, Va.
Zieler, Joseph C., Young Men's Christian Association, Norfolk, Va.
Marable, Edwin L., 138 Broad Street, Port Norfolk, Va.
Morrisette, R. F., 511 West Twenty-sixth Street, Norfolk, Va.
Murray, R. B., 305 Duke Street, Norfolk, Va.
Richardson, Lynwood, Norfolk, Va.
Scherr, Sam, Norfolk, Va.
Schmaling, J. C. W., 11 Regent Apartments, Norfolk, Va.
Smith, J. K., 134 Kimball Terrace, Norfolk, Va.
Stewart, R. R., 401 Dinwiddie Street, Portsmouth, Va.
Stubbs, W. M., 319 West Thirty-third Street, Norfolk, Va.
Taylor, T. A., 409 Fourth Street, Portsmouth, Va.
Walker, A. G., 409 Nineteenth Street, Norfolk, Va.

SUPPLY DEPARTMENT.

Abramson, Percy, 9 Irving Street, Norfolk, Va.
Andrews, H. P., Evington, Va.
Belote, C. C., Willis Wharf, Va.
Bott, Rowland M., Painter, Va.
Bright, Lonnie S., Greenville, N. C.
Brock, C. C., rural free delivery No. 2, Elizabeth City, N. C.
Burchett, Clyde O., Prestonsburg, Ky.
Burchett, John E., Prestonsburg, Ky.
Childress, Lester P., 422 Fifth Street SE., Roanoke, Va.
Codd, Charles H., 45 Dinwiddie Street, Portsmouth, Va.
Culpepper, Garland D., 900 B Street, Portsmouth, Va.
Curlin, Stephen J., 712 London Street, Portsmouth, Va.
Davis, Dillion O., 718 South Street, Portsmouth, Va.
Daugherty, Richard F., 1305 Ann St., Portsmouth, Va.
Disham, James R., St. Paul, Va.
Farmer, Hampton O., 1705 McDaniel Street, Portsmouth, Va.
Fink, James G., Pocahontas, Va.
Ford, Howard D., 230 Thirty-third Street, Norfolk, Va.
Fish, George, 30 Orange Street, Chelsea, Mass.
Ford, Franklin G., 937 B Street, Portsmouth, Va.
Fisher, Reuben N., 329 London Street, Portsmouth, Va.
Garrett, William L., 124 North Hatton Street, Portsmouth, Va.
Graham, W. F., apartment 1, Henrietta, Norfolk, Va.
Green, Robert O., Lexington, N. C.
Gregory, James H., Newton Grove, N. C.
Gregory, Mark R., Churchland, Va.
Harrell, Bennie N., 1054 Holladay Street, Portsmouth, Va.
Hollewell, Cecil E., 151 Seaboard Avenue, South Norfolk, Va.
Hopkins, Robert S., 624 Botetourt Street, Norfolk, Va.
Ives, Paul V., 411 North Street, Portsmouth, Va.
Johnson, Lloyd C., 608 Fourth Street, Portsmouth, Va.
Jones, James E., 50 Walnut Street, Norfolk, Va.
Jones, Leon H., Church Creek, Md.
Kanter, Bernard, 411 Freemason Street, Norfolk, Va.
King, Joseph B., 1001 Virginia Street, Norfolk, Va.
Kraft, Jerome C., 111 Hatton Street, Portsmouth, Va.
Lacy, Grayson H., 260 West York Street, Norfolk, Va.
Markovitz, Lewis W., 3 Preston Apartments, 359 Twelfth Street, Norfolk, Va.
Maxey, Robert L., 128 West Ninth Street, Norfolk, Va.
McCarthy, William A., 56 Putnam Street, Somerville, Mass.
Miller, Shepard L., 210 Chestnut Street, Berkeley, Va.
Murray, John J., 232 Henry Street, Portsmouth, Va.
Nicholson, Harry, 920 Mariner Street, Norfolk, Va.
Parrott, Robert D., Edgewater, Norfolk, Va.
Smith, Everett G., 2639 North Charles Street, Baltimore, Md.
Stephens, Edgar B., Prestonburg, Ky.
Stinnett, Howard V., 118 Chesapeake Avenue, South Norfolk, Va.
Taylor, Hugh, 33 East Front Street, New Bern, N. C.
Walker, E. W., 323 Thirteenth Street, Norfolk, Va.
Walpert, Goodman J., 1100 North First Street, Richmond, Va.
Wicks, Sidney R., 113 Berkeley Avenue, Norfolk, Va.
Widgeon, William W., rural free delivery No. 1, Norfolk, Va.
Wiersdorl, Julien P., 808 Court Street, Portsmouth, Va.
Wilson, H. S., 1232 Massachusetts Avenue NW., Washington, D. C.
Drummond, John R., 679 Highland Avenue, Newark, N. J.

AMMUNITION DEPOT.

Anderson, J. H., Greenback, Tenn.
Bausman, J. M., Bausman, Pa.
Loftus, T. M., 901 Wyoming Avenue, Scranton, Pa.
Niblett, H. L., Branchville, Va.
Miller, M. L., 202 East Bute Street, Norfolk, Va.
Bailey, C. H., Snow Hill, Md.
Connolly, J. W., 1829 K Street, Washington, D. C.
Dixon, J. W., Edenton, N. C.
Harrington, P. L., 265 Calumet Street, Roxbury, Mass.
Hottes, G. I., Govans, Md.
Jones, P. M., 26 Foster Street, Melrose, Mass.
Lynch, J. V., 61 Corona Street, Dorchester, Mass.
McDonald, W. R., 229 Northport Street, Baltimore, Md.
Poindexter, F., 451 Rivermont Avenue, Lynchburg, Va.
Reardon, J. L., 16 Westland Avenue, Boston, Mass.
Rogers, W. R., Spartanburg, S. C.
Ruden, A., 324 Freemason Street, Norfolk, Va.
Smith, P. H., Cleveland, Va.
Snyder, O. W., 718 First Street SE., Washington, D. C.
Taylor, O. M., 209 Front Street, Brownsville, Pa.
Uzzell, T. R., Wilson, N. C.
White, R. S., Camden, W. Va.
Wylie, S. M., Hickory Grove, N. C.
Zbytniewski, S. L., 6307 Connecticut Avenue, Washington, D. C.

DISBURSING OFFICE (NAVAL OPERATING BASE).

Asst. Paymaster J. Ashbrook, 750 North Fortieth Street, Philadelphia, Pa.
Asst. Paymaster C. G. Brown, Willoughby Beach, Va.
Asst. Paymaster H. C. Hamilton, Dalton, Ga.
Pay Clerk C. S. Evans, 5048 Larchwood Avenue, Philadelphia, Pa.
Crouch, T. C., 2625 Floyd Avenue, Richmond, Va.
McLaughlin, Joe, 657 East Chestnut Street, Canton, Ill.
Johnson, E., 1623 Floyd Street, Lynchburg, Va.
Brown, C. R., jr., Tazewell, Va.
Stanton, L. C., 1917 West La Fayette Avenue, Baltimore, Md.
French, R. P., 2706 Floyd Avenue, Richmond, Va.
Thornton, R. H., Chapel Hill, N. C.
Newhoff, M., 1815 Eutaw Place, Baltimore, Md.
Cate, K. S., Chapel Hill, N. C.
Brooks, H. F., 1450 Irving Street NW., Washington, D. C.
Kunstler, David B., 117 Essex Street, New York, N. Y.
Doswell, J. M., New Canton, Va.
Melbert, G. P., 1800 West Lexington Street, Baltimore, Md.
King, John D., Okalona, Miss.

SUPPLY STATION, HAMPTON ROADS, VA.

Wright, E. L., Prestonburg, Ky.

Sixth naval district.

DISTRICT HEADQUARTERS.

Burroughs, O. B., jr., Hendersonville, N. C.
Matthews, M. M., Jackson, Ala.
Bunting, F. C., 204 Atlanta Street, Marietta, Ga.
Pope, H. D., Sylvester, Ga.
Latimer, E., Waycross, Ga.
Cantrell, H. S., R. F. D. 3, Flowery Branch, Ga.
Malone, J. E., Albany, Ga.
Hadaway, J. L., Vaudelt, Ga.
Holliman, W. J., Merritt Avenue, Macon, Ga.
Bolynn, S. P., Mullins, S. C.
Martin, G. H., Conway, S. C.
Seignous, F. P., Orangeburg, S. C.
Burckhalter, O. A., 947 Reynolds Street, Augusta, Ga.
Gray, C. M., St. Petersburg, Fla.
Perkins, J. L., Darlington, S. C.

DISTRICT DISBURSING OFFICE.

Drake, J. R., 83 Tradd Street, Charleston, S. C.
Hernholm, E. A., 80 Ashley Avenue, Charleston, S. C.
Conway, W. P., 181 Meeting Street, Charleston, S. C.
Reynolds, R. H., 127 Coming Street, Charleston, S. C.
Wiggins, J. G., 615 West Thirty-seventh Street, Savannah, Ga.
Glover, J., jr., Marion, S. C.
Christman, O. E., 1628 Oak Street, Columbia, S. C.
Jones, W. P., 1809 Park Street, Columbia, S. C.
Groves, H. McD., Newbern, N. C.
Scott, B. W., White Pond, S. C.
Cappleman, J. D., jr., 200 Rutledge Avenue, Charleston, S. C.
Fisher, Newton, 615 Princess Street, Wilmington, N. C.
Wells, J. L., 117 North Third Street, Wilmington, N. C.
Lee, A. M., 538 Bolton Street, East Savannah, Ga.
Reynolds, J. O., R. F. D. 1, Batesburg, S. C.
Gamble, W. A., jr., 616 Forsyth Street, Macon, Ga.
Rogers, H. A., Bennetsville, S. C.
Netherton, C. F., Montezuma, Ga.
Palmer, S. W., Millen, Ga.

DISTRICT SUPPLY OFFICE.

Asst. Paymaster R. T. Etheridge, 1027 Leckie Street, Portsmouth, Va.
Pay Clerk J. M. Poulnot, jr., 117 Rutledge Avenue, Charleston, S. C.
O'Neill, F. J., 14 Pinckney Street, Charleston, S. C.
Trammell, G. M., P. O. Box 326, Columbia, S. C.
Eldan, J. E., Columbia, S. C.
Friedall, E. T., 2 Liberty Street, Charleston, S. C.
Register, D. G., 308 South Sixth Street, Wilmington, N. C.
Moore, A. V., 24 Navarro Flats, Macon, Ga.
Harmon, M. H., Macon, Ga.
Avery, V. G., Y. M. C. A., Wilmington, N. C.
Stafford, G. E., P. O. Box 278, Charleston, S. C.
Howell, R. I., Orangeburg, S. C.
Clayton, F. V., Central, S. C.
Drews, J. H., 230 Ashley Avenue, Charleston, S. C.
Phillips, M. W., Bonneau, S. C.
Kinard, L. H., 1724 Senate Street, Columbus, S. C.

NAVY YARD, CHARLESTON S. C.

Iler, D., Y. M. C. A., Charleston, S. C.
Jarvis, F. L., 370 Meeting Street, Charleston, S. C.
Murphy, J. F., 4 Radcliffe Street, Charleston, S. C.
Sanders, F. D., Inverness, Fla.
Aimar, Lucas, 16 Trumbo Street, Charleston S. C.
Aldert, H. K., 89 Wentworth Street, Charleston, S. C.
Fike, F. A., 131 East Bay Street, Charleston, S. C.
Fulton, P. G., Y. M. C. A., Charleston, S. C.
Hardwick, G. W., Wilmington, N. C.
Kuhn, F. L. Boyd, Fla.
Matthews, F. L., 16 Beaufain Street, Charleston, S. C.
McManu, B. A., 22 Morris Street, Charleston, S. C.
Sherrill, G. L., North Charleston, S. C.
Sosnowski, William S., 15 Gadsden Street, Charleston, S. C.
Law, Percy E., 2029 Main Street, Jacksonville Fla.
Partin, K. W., 911 Market Street, Wilmington, N. C.
Anderson, R. B., 379 Carolina Street, Charleston, S. C.
Briggs, Russell F., 379 Carolina Street, Charleston, S. C.
Carter, R. K., Meigs, Ga.
Conroy, J. J., 51 South Alexander Street Charleston, S. C.
Copleston, A. S., 89 Society Street, Charleston, S. C.
Du Vall, L. F., Wilmington, N. C.
Morris, D. L., Georgetown, S. C.
Buckheister, W. C., Charleston, S. C.
Hazard, J. L., jr., Charleston, S. C.
Lieberman E. S., 1 B Mill Street, Charleston, S. C.
Lockridge, E. P., 625 Parstetian Avenue, Atlanta, Ga.
Meekins, P. P., Bennetsville, S. C.
Monk, S. S., jr., Tifton, Ga.
Mowry, W. S., Bennetsville, S. C.
McFarlane, George, 352 Meeting Street, Charleston, S. C.
McGowan, H. F., Bamberg, S. C.
Page, D. T., 115 South Front Street, Memphis, Tenn.
Parry, H. P., Valdosta, Ga.
Pachelson, S. L., 214½ Hyde Park Avenue, Tampa, Fla.
Reenstjerna, H. W., 4 Orange Street, Charleston, S. C.
Robertson, W. D., 2215 Boulevard, Jacksonville Fla.
Sullivan, W. R., Lee, Fla.
Taylor, H. M., Sarasota, Fla.
Anderson, J. H., Ninety Six, S. C.
Brock, S. C., Georgetown, S. C.
Coker, A. O., Lake City, S. C.
Coleman, H. O. Valdosta, Ga.
Gray, R. A., Graycourt, S. C.
Hale, Garland, 1962 Post Street, Jacksonville, Fla.
Blake, C. C., 1213 Prince Street, Georgetown, S. C.
Fogle, O., Ridgeville, S. C.
Laird, F. S., 143 Glenwood Avenue, Atlanta, Ga.

Lewis, S. B., Mullins, S. C.
Margarahan, F. X., 912 Telfair Street, Augusta, Ga.
Newton, E. C., Southport, N. C.
Beatty, F. E., 324 Meeting Street, Charleston, S. C.
Skinner, S. B., Campville, S. C.
Porter, J. H., 316 Screven Street, Georgetown, S. C.
Schneider, W. W., 823 River Street, Troy, N. Y.

COST INSPECTION.

Beatty, C. H., Eutawville, S. C.

COMMUNICATION.

Bergen, C. B., 215 Red Cross Street, Wilmington, N. C.

INTELLIGENCE.

Carter, J., care of A. Sprunt & Son, Wilmington, N. C.
Spooner, M. A., 1139 West Washington Street, Petersburg, Va.

Seventh naval district.

DISBURSING OFFICE.

Pay Clerk E. G. Suarez, 1906 Pine Street, Tampa, Fla.
Toomey, T. A., 223 Divisadero Street, San Francisco, Cal.
Boghich, M. L., 602 North Hague Street, Pensacola, Fla.
Oblo, I., 89 Hooper Street Brooklyn, N. Y.
Floyd, M. B., 7 West Livingston Avenue, Orlando, Fla.
Whitman, H. C., 136 William Street, East Orange, N. J.
Savage, J. H., jr. 5023 Knox Street, Philadelphia, Pa.

HEADQUARTERS.

Greene, S. S., 93 McCormick Street, Clifton Forge, Va.
Weisbaum, H. E., 201 East Tenth Street, Hanford, Cal.
Peter, J. A., 2410 Farnon Street, St. Joseph, Mo.
Bevis, W. P., Tallahassee, Fla

MATERIAL SECTION.

Herman, S. H., 3821 Twenty-first Street, San Francisco, Cal.
Brandenburg, A., Waverly, Iowa.
Albright, H. J., 1492 Elbur Avenue, Cleveland, Ohio.

SUPPLY OFFICE.

Savage, R. T., 5023 Knox Street, Philadelphia, Pa.
Bevis, W. F., Bartow, Fla.
Blumberg, M. L., 4602 Fourteenth Avenue, Brooklyn, N. Y.
Marcus, J. L., 217 East Ninety-eighth Street, New York, N. Y.
Peacock, G. L., 1019 Fourteenth Street, Miami, Fla.

PUBLIC WORKS OFFICE.

West, R. J., Rockford, Ill.
Leifeste, L. J., Plant City, Fla.
Wilson, S. F., Ocala, Fla.

NAVAL STATION.

Curry, Samuel, Key West, Fla.
Moore, T. W., 617 Avenue B, Miami, Fla.
Wells, E. L., 1314 Avenue B, Miami, Fla.
Brannock, G. A., Anderson, Mo
Hovelsrud, J. W., 1004 Avenue K, Miami, Fla.
Sabins, H. K., 725 Caroline Street, Key West, Fla.
Lee, W. M., Orlando, Fla.
Lowe, W. J., Bedford, Fla
Gautier, D. M., Crescent City, Fla.
Wells, R. H., 1314 Avenue G, Miami, Fla.
Hanson, J. A., Tampa, Fla.
Middleton, T. B., 306 Laurel Avenue, Sanford, Fla.
Groscup, H. H., 241 Eureka Street San Francisco, Cal.
Fabina, E., Palmacela Park, Tampa, Fla.
Davis, E. F., 1828 Belmont Avenue, Fresno, Cal.
Thompson, K. O., Key West, Fla.
Kuhn, E. G., 19 Bridge Street, St. Augustine, Fla.
Neeld, P. S., 2302 Highland Avenue, Tampa, Fla.
Gleekman, C., York Beach Me.
Pastorius, J. W., 2014 Buckell Avenue, Miami, Fla.
Baillie, A. D., Elfers, Fla.
McCormick, S. P., 76 South Street, Jersey City, N. J.
Brown L. H., 19 Dwight Street, New Haven, Conn.
Brockbank, A. H., 136 Seventh Avenue, San Francisco, Cal.
Garibaldi, J. J., Amador City, Cal.

CENSORSHIP AND COMMUNICATION.

Strother, W. E., Mereta, Tex.
Hanna, A. J., Tampa, Fla.
Blanton, I. P., Largo, Fla.
Brownell, B., 1116 Market Street, Emporia, Kans.
Cleary, A. J., Miami, Fla.
Blitch, T. W., Poinsetta Hotel, Miami, Fla.

INTELLIGENCE.

Black, S. J., 272 Magdalen Street, San Angelo, Tex.
Deveneau, W., Fairdale, Ill.
Wells, E. J., 2023 Stillman Street, Selma, Cal.
Hodge, R. R., Fort Pierce, Fla.
Walker, G. T., Miami, Fla

MEDICAL DEPARTMENT.

Kinsinger, E. L., Lakeland, Fla.
Schumpert, C. S., Prosperity, S. C.
Cunningham, C. C., Oglethorpe, Ga.
Rees, J. F., Ellaville, Ga.

RECRUITING DUTY.

Weems, G. O., Lacoochie, Fla.
Nordblom, A. F., 1202 Clay Avenue, Bronx, N. Y.

Eighth naval district.

DISTRICT HEADQUARTERS.

Coker, James, 936 Washington Avenue, New Orleans, La.
Furr, C. C., Metarie Ridge, New Orleans, La.
Grenier, C. D., 2116 Bayou Road, New Orleans, La.
Harrison, Roy J., 619 South Roberts Street, El Reno, Okla.
Hessler, Ernest J., 3431 Dauphine Street, New Orleans, La.
Hopkins, J. K., 1736 St. Charles Avenue, New Orleans, La.
Johnston, Edward A., 319 South Lopez Street, New Orleans, La.
Klein, S., 3820 St. Charles Avenue, New Orleans, La.
Kuntz, F. H., 8000 St. Charles Avenue, New Orleans, La.
Perez, E. R., 1839 Valance Street, New Orleans, La.
Rosenberg, Isadore, 1627 Clio Street, New Orleans, La.
Stream, H. H., 5350 Prytania Street, New Orleans, La.
Wood, R. P., 1303 West Walker Street, Denison, Tex.

NAVY YARD, NEW ORLEANS, LA.

Arendale, Vernon A., Oakland, Miss.
Beatty, William H., 810 East Washington Street, Natchez, Miss.
Bishop, George A., 131 North Solomon Street, New Orleans, La.
Blake, Louis J., 1138 St. Charles Avenue, New Orleans, La.
Buckman, Charles A., 1933 Melpomene Street, New Orleans, La.
Cannon, Roland J., 210 Murray Street, Dallas, Tex.
Cloutman, William R., 3126 Dauphine Street, New Orleans, La.
Cohen, Louis M., 2415 Coliseum Street, New Orleans, La.
Cole, Earl F., 749 St. Charles Street, New Orleans, La.
Crowther, Eugen T., 715 East Madison Street, Yazoo City, Miss.
Cruice, Robert E. J., 227 Bermuda Street, New Orleans, La.
Curet, Camille M., Kiln, Miss.
Delesdernier, Chester O., Burrwood, La.
Dilts, William S., Flemington, N. J.
Duckworth, Zena M., 713 Second Avenue, Dallas, Tex.
Eckert, William A., 4728 Palmyra Street, New Orleans, La.
Ellis, Jay C., Rock Island, Okla.
Ernst, Leo A., 1817 Bienville Street, New Orleans, La.
Freeman, David, 1304 First Street, New Orleans, La.
Galbreath, Pinckney R., 1845 Baronne Street, New Orleans, La.
Goldenberg, Harold W., 1708 Roberts Street, New Orleans, La.
Gros, Victor J., 825 Burgundy Street, New Orleans, La.
Hart, Samuel F., 529 South President Street, Jackson, Miss.
Heitkamp, Simon A., 317 South Cortez Street, New Orleans, La.
Herzberg, Friend F., 308 East Madison Street, Pontiac, Ill.
Howell, Frank P., 1001 Farragut Street, New Orleans, La.
Jackson, William C., 508 Owing Street, Denison, Tex.
Johnson, Adolph B., 321 West Morton Street, Denison, Tex.
Johnston, Herbert G., 319 West Lopez Street, New Orleans, La.
Jones, David, Wye, Ark.
Leath, Erskine R., Wichita Falls, Tex.
Lichtentag, Alvin P., 1765 Coliseum Street, New Orleans, La.
Martinez, Harry O., 535 South Rocheblave Street, New Orleans, La.
Mayer, Sol L., 214 South Scott Street, New Orleans, La.
McCabe, Harry T., 217 South Salcedo Street, New Orleans, La.
McGrath, John W., jr., 2255 Carondelet Street, New Orleans, La.
Monteleone, Frank J., Monteleone Hotel, New Orleans, La.
Muller, William C., 3731 Canal Street, New Orleans, La.
Murphy, James B., 217 Sears Street, Denison, Tex.
Murphy, Thomas L., 201 West Sears Street, Denison, Tex.
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Noetzel, Oscar O., Riverton, Wyo.
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Pittman, William T., 3641 Magazine Street, New Orleans, La.
Riddle, Gordon H., 230 South Alexandria Street, New Orleans, La.
Rimboidt, Jules F., 926 North Dorgenois Street, New Orleans, La.
Scherer, Ludwig T., 216 South Johnson Street, New Orleans, La.
Scott, Clarence, 419 Candy Street, Denison, Tex.
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Shapard, Taylor H., 54 Neron Place, New Orleans, La.
Shaw, Roger F., 3351 State Street Drive, New Orleans, La.
Spearman, John P., 1822 Bessie Street, Fort Worth, Tex.
Tranchina, Felix J., 2408 Magazine Street, New Orleans, La.
Vila, Vincent J., 3723 Prytania Street, New Orleans, La.
Vittur, Adolph B., 5252 Camp Street, New Orleans, La.
Vittur, Joseph A., 5252 Camp Street, New Orleans, La.
Waldhorn, Samuel L., 4125 St. Charles Street, New Orleans, La.
Wilcox, Eugene W., 26 West Park Street, Albion, N. Y.
Williams, Harry R., Wesson, Miss.
Wilson, William F., 418 Common Street, New Orleans, La.
Worms, Samuel E., 3723 St. Charles Avenue, New Orleans, La.
Ziegler, Hugh G., 302 St. Joseph Street, Mobile, Ala.
Cartwright, Peter, Goree, Tex.

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Ross, Donald E., 70 North Lafayette Street, Mobile, Ala.
Norton, Joseph S., 173 South Broad Street, Mobile, Ala.
Brown, Leon H., Mangum, Okla.
Blank, S. H., 1527 South Fourteenth Street, Birmingham, Ala.
Groom, Marshall C., 106 North Hallett Street, Mobile, Ala.
Norris, John H., 301 St. Anthony Street, Mobile, Ala.

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Brantley, P. A., 218 South Bernadotte Street, New Orleans, La.
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Stathem, E. B., 3234 Florida Street, New Orleans, La.
Ulm, L. P., 3952 Constance Street, New Orleans, La.
Baker, W. A., Room 136 Grunewald Hotel, New Orleans, La.
Hatrel, T. J., 2928 Bell Street, New Orleans, La.
Babin, O. M., 838 St. Charles Street, New Orleans, La.
Wagner, J. I., 1003 Camp Street, New Orleans, La.
Serpas, O. J., 4510 St. Claude Street, New Orleans, La.

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Weiner, Abe Lee, 2415 General Pershing Street, New Orleans, La.
Smith, Porter J., 627 St. Charles Street, New Orleans, La.
Kern, Clinton H., 1340 Camp Street, New Orleans, La.

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RECRUITING STATION, NASHVILLE, TENN.

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Cronin, Edward P., Marengo, Iowa.
Darch, Frederick J., Harriston, Ontario, Canada.
Hafner, Walter, Chicago, Ill.
Hanson, Julius, O., Otranto, Iowa.
Larson, John C., 215 North Vernon Street, Princeton, Ill.
Millett, A. R., 120 West Mifflin Street, Madison, Wis.
Niemczewski, Stanley C., 2210 Powell Avenue, Chicago, Ill.
Peterson, Walter, 3728 Rokeby Street, Chicago, Ill.
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Erwin, Edward G., 5536 South Hermitage Avenue, Chicago, Ill.

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Pay Clerk Charles Summers, Winnetka, Ill.
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Gerstenberg, C. W., 6742 Newgard Avenue, Chicago, Ill.
Hansen, G. H., 935 North Lockwood Street, Chicago, Ill.
Jespersen, W. A., 4116 Cornelia Avenue, Chicago, Ill.
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Kosa, A., 6607 Drexel Avenue, Chicago, Ill.
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Maher, T. F., Chicago, Ill.
MacKay, A., Detroit, Mich.
Montgomery, F. L., Chicago, Ill.
Morrison, E., Waukegan, Ill.
Nielson, E. T., Chicago, Ill.
O'Brien, P. H., Cascade, Iowa.
O'Neill, J. H., Mattoon, Ill.
Orchard, S. A., St. Louis, Mo.
Pearson, E., Chicago, Ill.
Pitts, W. A., Chicago, Ill.
Potter, R., Chicago Ill.
Rhees, A., Indianapolis, Ind.
Rhino, A., Chicago, Ill.
Rinear, H. C., Chicago, Ill.
Schumacher, A. G., South Bend, Ind.
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Seidler, W. F., Chicago, Ill.
Sharkey, T. E., Chicago, Ill.
Sheridan, J. G., Chicago, Ill.
Sowers, R. G., Chicago, Ill.
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Smith, E. B., St. Marys, Ohio.
Squires, J. G., Chicago, Ill.
Stevens, H. G., Indianapolis, Ind.
Streff, V. M., Chicago, Ill.
Sweeney, L. A., Chicago, Ill.
Swenson, W. T., Chicago, Ill.
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Butler, William J., 213 West Superior Street, Ottawa, Ill.
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O'Brien, O. L., 502 Thirty-third Street, Milwaukee, Wis.
Reling, P. W., Chicago, Ill.
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Wohnke, Glenn R., 6352 Dorchester Avenue, Chicago, Ill.
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Eaton, T. A., 1150 West Park Avenue, Whiting, Ind.
Funk, Chester R., Wing, Ill.
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Krohn, Erwin A., 1015 Sixteenth Street, Milwaukee, Wis.
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Schuengel, G. W., 233 Fourteenth Street, Milwaukee, Wis.
Buggie, J. W., 729 South Fourth Street, La Fayette, Ind.
Johnson, Arthur G., 5229 South Morgan Street, Chicago, Ill.
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Rubenstein, I. R., 1254 North Hoyne Avenue, Chicago, Ill.
Burton, Alfred H., 214 North Mayfield Avenue, Chicago, Ill.

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Weimer, Albert E., 2309 West Adams Street, Chicago, Ill.
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Rosmacinski, A. A., Route No. 4, Green Bay, Wis.
Gorman, John P., 2616 A Street, Omaha, Nebr.
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Cameron, Donald D., 1919 Fourth Avenue, Bay City, Mich.
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Callan, James Jay, R. F. D. No. 1, Grandville, Mich.
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Manning, Harry, 118 North Jefferson Street, Waukegan, Ill.
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Price, Irvin I., 2548 Potomac Avenue, Chicago, Ill.
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Kean, Edward T., Navarre P. P., Oakwood, Mich.
McKenna, R. O., 429 East High Street, Jefferson City, Mo.
Zoernig, Herbert L., 236 South Prospect, Sedalia, Mo.
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Hoge, Arthur A., 1706 Chestnut Street, Milwaukee, Wis.
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Swanstrom, Edward G., 415 North Twenty-first Avenue, East Duluth, Minn.
Torke, Norton A., 789 Forty-first Street, Milwaukee, Wis.
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Felsenthal, Norman, 5312 Michigan Avenue, Chicago, Ill.
Conlin, William S., Detroit, Mich.
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Kells, Edward M., 1271 National Avenue, Milwaukee, Wis.

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Gonter, Edwin, Howe, Ind.
Kennedy, James J., 3418 West Adams Street, Chicago, Ill.

U. S. S. *Puritan*, South Chicago, Ill.:
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Kadlec, William J., 1753 Washburne Avenue, Chicago, Ill.

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McIntosh, W. B., Akron, Ohio.
Chilton, Floyd, Akron, Ohio.
Knapp, S. M., Akron, Ohio.
Alexander, V. R., St. Louis, Mo.
Ruedy, H. E., St. Joseph, Mo.

Western Electric Co., Chicago, Ill.:
Asst. Paymaster C. T. Roos, 100 Mott Avenue, Waukegan, Ill.
Knoll, C. F., 263 Virginia Street, Buffalo, N. Y.
Hollhan, J. J., 23 West Genesee Street, Baldwinsville, N. Y.
Murtaugh, J. F., 4101 Adams Street, Chicago, Ill.
Hickey, H. J., 1310 Albion Avenue, Chicago, Ill.
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Wellman-Seaver-Morgan Co., Akron, Ohio:
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Comen, L. M., 163 Oak Street, Bridgeport, Conn.
Hare, H. T., 5603 Angora Terrace, Philadelphia, Pa.
Holms, A. H., 286 Eleventh Street, Brooklyn, N. Y.
Le Fevre, C. P., 22 South West End Avenue, Lancaster, Pa.
Loman, H. J., 534 Columbia Avenue, Lansdale, Pa.
Mullarkey, J. A., 136 Hermit Street, Philadelphia, Pa.
McHugh, C. R., 149 Lombard Avenue, Oak Park, Ill.
O'Brien, F. J., 177 Rogers Avenue, Brooklyn, N. Y.
Shade, I. D., 77 Nebraska Street, Akron, Ohio.

Curtiss Aeroplane & Motor Corporation, Buffalo, N. Y.:
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Asst. Paymaster Julian L. Barnett, New York, N. Y.
Pay Clerk B. E. Vosteen, Buffalo, N. Y.
Bates, C. W., Detroit, Mich.
Bell, H. L., Ontario, N. Y.
Bethel, M. S., Athens, Ohio.
Boose, Everett, Decatur, Ill.
De Garmo, K. W., Chicago, Ill.
Fabel, E. R., Chicago, Ill.
Giddes, L. E., Plainfield, N. J.
Groff, G. B., Buffalo, N. Y.
Hammond, F. L., Chicago, Ill.
O'Connell, M. F., jr., New York, N. Y.
Reeves, W. M., Philadelphia, Pa.
Weber, O. F., Sheboygan, Wis.
Wheeler, R. K., Toledo, Ohio.
Abrams, L. C., Detroit, Mich.
Carlyle, H. K., Detroit, Mich.
Cockerham, J. L., Selma, N. C.
Cogdell, Fabrique, Kansas City, Mo.
Delaney, E. J., Buffalo, N. Y.
De Long, F. J., Copley, Ohio.
Drumm, Fred, Buffalo, N. Y.
Dysart, S. C., Cincinnati, Ohio.
Ehrne, E. J., Buffalo, N. Y.
Essman, W. C., Wellston, Ohio.
Hollopeter, H. A., Rockton, Pa.
Kean, W. J., Buffalo, N. Y.

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Lawrence, G. E., Cincinnati, Ohio.
Levy, Benjamin, New York, N. Y.
Lovelace, O. N., Lattimore, N. C.
McDonnell, T. J., Buffalo, N. Y.
Mead, E. C., Slater, Mo.
Packard, Stanley, St. Louis, Mo.
Pitt, Paul, Spring Creek, Pa.
Randall, T. M., Cincinnati, Ohio.
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Beatty, J. F., Saco, Me.
Berner, C. J., Buffalo, N. Y.
Brewster, J. N., Washingtonville, N. Y.
Bruttell, R. J., Detroit, Mich.
Cohen, Louis, Buffalo, N. Y.
Corey, Leonard, Fond du Lac, Wis.
Durkin, J. E., Corning, N. Y.
Ginther, F. W., Buffalo, N. Y.
Hepp, E. A., Buffalo, N. Y.
Hill, J. L., Olympia, Wash.
Jacobson, A. E., Muskegon, Mich.
Kahn, Robert, Milwaukee, Wis.
Kreiner, H. G., Buffalo, N. Y.
Leistikow, E. L., Milwaukee, Wis.
March, R. W., Worcester, Mass.
Miller, Albert, Sloan, N. Y.
Munger, G. A., Buffalo, N. Y.
Oelheim, Herbert, Buffalo, N. Y.
Rachow, L. C., Buffalo, N. Y.
Rieloff, A., Milwaukee, Wis.
Rugee, S., Milwaukee, Wis.
Schleider, H. J., Buffalo, N. Y.
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Meyer, William H., Cecil, Wis.
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Schwartz, Emanuel, 836 North Sheridan Road, Waukegan, Ill.

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Asst. Paymaster J. B. Jones, 13 Walnut Street, Batavia, N. Y.
Gibson, G. A., 918 West Sixth Street, Erie, Pa.
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McCaw, Henry, 255 West Sixtieth Street, Chicago, Ill.
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Denmark, C. J., 429 West Eleventh Street, Erie, Pa.
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Christensen, P., 1125 West Twenty-first Street, Erie, Pa.
Block, N. V., 309 Sassafras Street, Erie, Pa.
Link, O. C., 825 West Johnson Street, Madison, Wis.
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Thompson, Paul B., 1376 Montclair Avenue, St. Louis, Mo.
Rehrer, Hal Y., 530 West Berry Street, Fort Wayne, Ind.

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Muench, H. W., 6530 Green Street, Chicago, Ill.

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Fleischer, W. F., 216 First Street, Detroit, Mich.
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Soderlund, D., 1023 Rosewood Street, Brainerd, Minn.
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Cotter, C. A., 7052 St. Lawrence Avenue, Chicago, Ill.
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Billingsley, Charles B., 308 First Street, Defiance, Ohio.
Robertson, James F., 1526 Mississippi Avenue, St. Louis, Mo.
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Going, Lewis B., 2009 Sixth Street, Port Arthur, Tex.
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Miller, Shepard L., Seventh Street, Willoughby Beach, Va.
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Mr. STAFFORD. Mr. Speaker, I suggest that an order was made that the report (H. Doc. No. 1257) in response to the Madden resolution (H. Res. 372) in so far as the Navy Department is concerned should be referred to the Committee on Naval Affairs.

The SPEAKER. The gentleman is correct. The communication will be printed in the CONGRESSIONAL RECORD and referred to the Committee on Naval Affairs.

BASTILLE DAY (H. DOC. NO. 1256).

The SPEAKER laid before the House the following communication from the Secretary of State, which was read and referred to the Committee on Foreign Affairs:

DEPARTMENT OF STATE,
Washington, August 8, 1918.

HON. CHAMP CLARK,
Speaker of the House of Representatives.

SIR: I have the honor to inclose herewith a copy of a note from the French ambassador, wherein, by instruction of his Government, he asks that both Houses of the Congress of the United States be advised of the feelings of gratification with which the resolutions passed by them on the occasion of July 14, the French national fête day, were received by the Government and by the whole French nation.

A letter similar to this has been addressed to the President of the Senate.

I have the honor to be, sir,
Your obedient servant,
FRANK L. POLK,
Acting Secretary of State.

(1 inclosure: From French ambasador, July 31, 1918.)

EMBASSY OF THE FRENCH REPUBLIC TO THE UNITED STATES,
Washington, July 31, 1918.

HON. FRANK L. POLK,
Acting Secretary of State, Washington, D. C.

MY DEAR MR. SECRETARY: In accordance with instructions I have received from my Government I take the liberty of asking that you be so good as to inform both Houses of Congress of the feelings of gratification with which the resolutions voted by them on the occasion of the 14th of July were received by the Government and by the whole French nation.

The text of those resolutions evidenced once more that moral kinship existing between two peoples equally ready to fight absolutism, tyranny, injustice, brutality, and whose national fête days, both dating back from Revolutionary times, have the same meaning, which is emancipation.

We hope the end of the present conflict may be not far removed; we know that it will not occur before our common aims have been fully achieved and before what the 4th and 14th of July stand for has been definitely secured—the end of tyranny.

Believe me, dear Mr. Secretary,
Very sincerely, yours,
JUSSERAND.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. VINSON indefinitely, on account of important business.

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 bill S. 1419, the water-power bill. Pending that motion I desire to ascertain if we can not come to some agreement in respect to closing general debate. I will ask the gentleman from Wisconsin how much time he has ahead of me. In other words, how much more time have I consumed than has been consumed by the gentleman from Wisconsin?

Mr. ESCH. Mr. Speaker, at the time the House recessed the gentleman from Tennessee had used 4 hours and 33 minutes and I had used 2 hours and 35 minutes.

Mr. SIMS. That accords with my recollection. I ask unanimous consent that general debate close with the adjournment of the House to-day, so that we may begin the consideration of the bill under the five-minute rule to-morrow.

The SPEAKER. The gentleman from Tennessee moves 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, and pending that he asks unanimous consent that all general debate close with the adjournment of the House to-day. Is there objection?

Mr. ANDERSON. Mr. Speaker, reserving the right to object, we ought to include some arrangement whereby the time shall be equalized on both sides.

Mr. SIMS. Oh, yes; it is understood that the gentleman from Wisconsin is to have two hours more than I.

Mr. ANDERSON. I understand; but if we make an arrangement that debate shall close when the House adjourns no one will have any assurance when that time comes that there will have been an equal division of time.

Mr. FERRIS. Mr. Speaker, why not modify the request and ask unanimous consent that general debate close at the expiration of two hours, and let the gentleman from Wisconsin consume those two hours, and then have an agreement that upon the mooted question in respect to the recapture clause some time will be granted under the five-minute rule? I do not intend to use any time at all in general debate. Everyone knows that in general debate the Members all leave and no one is here. If the other side requires the two hours, let them use that and close debate and use some time under the five-minute rule to-day.

The SPEAKER. Does the chairman make that request?

Mr. SIMS. I would like to inquire what the gentleman from Wisconsin has to say.

Mr. ESCH. Mr. Speaker, I have requests from members of the committee that would consume more than two hours, which would take, possibly, three hours or three hours and a half.

Mr. SIMS. Then I shall submit this request: That general debate close in three hours and a half and that the gentleman from Wisconsin be entitled to all of that time.

Mr. FERRIS. Debate to be confined to the bill.

Mr. SIMS. Oh, we have tried that two or three times.

Mr. JOHNSON of Washington. Mr. Speaker, I would like to reserve the right to object for the purpose of asking the chairman of the committee if he will not adhere to his original sug-

gestion that debate close with adjournment to-day. A great number of Members are just returning and will not stay in their seats, and to have the bill taken up under the five-minute rule at 4 o'clock would cause a great deal of confusion.

Mr. ESCH. I think that we can agree upon the original proposition of devoting the day to general debate.

Mr. SIMS. Then I submit the request that all general debate upon the bill close with the adjournment of the House to-day, and I hope that that adjournment will not take place before the gentleman from Wisconsin has had opportunity to use all the time that he wishes.

Mr. FERRIS. Reserving the right to object, Mr. Speaker, I would like to ask the gentleman if this debate is to be confined to the water-power bill or is to be general debate.

Mr. SIMS. It is general debate on the water-power bill. Perhaps the gentleman was not present, but there was an attempt at the beginning to confine it to the bill, but that was refused.

Mr. ESCH. Let me say that I have no requests for speeches to be made upon any other subject than the bill.

Mr. FERRIS. Then why not let that go into the agreement.

Mr. CAMPBELL of Kansas. I hope that the nature of the general debate will not be limited now. Many of the speeches made on the other side were political speeches.

Mr. SIMS. No more on this side than on that.

Mr. CAMPBELL of Kansas. Yes; there were more speeches made on that side.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that general debate close with the adjournment to-day. Is there objection? [After a pause.] The Chair hears none.

The motion of Mr. SIMS to go into Committee of the Whole was then agreed to.

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

Mr. ESCH. Mr. Chairman, I yield 30 minutes to the gentleman from Minnesota [Mr. ANDERSON].

Mr. ANDERSON. Mr. Chairman, it is often stated as an indication of the necessity of legislation which will permit of water-power development that there are more than 60,000,000 potential horsepowers in this country going to waste. This statement is true only in the same sense as the statement that there are millions of tons of coal in the ground unutilized.

The utilization of potential water power is not presently limited by the supply but by other factors which likewise affect the utilization of any other similar resource. These factors, broadly, are (1) the available and prospective markets and (2) the investment and operation cost per horsepower in comparison with other power means.

In the case of water power there is still another limiting factor. About three-fourths of the potential undeveloped water powers are located on the public domain and in navigable streams. They are therefore subject to Federal control and can be developed only with the consent of Congress.

In this bill we are concerned with the terms under which this development shall be allowed to proceed. These terms are of the utmost importance and observe the most careful and painstaking consideration, for once fixed they are, as to those powers for which licenses are given, unchangeable.

It is claimed that the quickest and the largest development can be secured by turning over these powers to unrestricted private ownership. However much truth there may be in this claim, it is unthinkable that this last governmentally owned natural resource should now be turned over to unrestricted private exploitation.

At the other extreme are those who would have all the water-power sites of the country developed, owned, and operated by the Federal Government. Aside from the advantages or the disadvantages which might be urged against Government operation of water powers, as well as with reference to other public utilities, it is altogether unlikely that the Government will find itself in position either now or in the period immediately following the war to undertake as a governmental activity the development and operation of water-power plants.

The present bill represents a scheme of development between these two extremes, and contemplates development by private capital under leases of 50 years, which will reserve to the Government the right to supervision of operation and rates and provide for the recapture of the property on the expiration of the license period.

Development by private capital under these conditions is possible only if the terms of the license offer reasonable certainty that the developer will be permitted to earn a reasonable rate upon investment and the assurance that if the Government takes over the property at the end of the period under the right of recapture that the actual original and new capital invested will be returned to the investor.

The committee has endeavored in this bill to meet both of these requirements and at the same time preserve to the Government and to the people every right of regulation, control, and recapture.

Again, it is claimed by those who insist upon the policy of unrestricted private development that the regulation of rates by State and Federal commissions insures to the public every right to which it is entitled, and which is at the same time consistent with the idea of private development. With this claim I do not agree.

In fixing the rates to be charged by hydroelectric concerns the same difficulties are encountered as have been met in the attempts during the war to fix the price of commodities. The hydroelectric resources of a region are seldom sufficient to supply the power requirements of the community situated within the radius of efficient transmission. In other words, hydroelectric power is ordinarily sold in competition with steam power. High-cost power concerns are competing in the same community with low-cost power concerns. To illustrate, a rate which would permit a high-cost concern to live would return a very large profit to a low-cost concern, while a rate which would reduce the profits of a low-cost concern to a reasonable return would put a high-cost concern or a steam concern out of business.

These facts make it impossible to lay down a uniform rule as a matter of legislation fixing a basis of either rates or profits and illustrate the inefficiency and ineffectiveness of rate regulation as a means of curtailing profit.

In order to meet this situation the committee has provided in this bill that the license may contain provisions requiring the use of the surplus earnings in excess of the amount set aside for depreciation, renewals and replacements, and a reasonable net return in amortization or in rebating charges to consumers. The bill in these respects is sufficiently flexible to meet any situation which may arise.

I come now to the discussion of that feature of the bill around which most of the controversy centers. This is the basis of recapture, which determines the amount which must be paid by the Government or a new licensee in case the property is taken over or leased to a new licensee at the end of the license period.

The basis heretofore adopted has always been unsatisfactory because of its indefiniteness both at the time of issuing the license and at its expiration. The committee has adopted a basis of recapture which we think is scientific and so susceptible of definite interpretation as to be in the interest of both the investor and the Government. This is the so-called "net-investment" plan.

This plan contemplates the return to the investor, in case of recapture, of the actual original cost of the project less credit balances accrued in depreciation account, unappropriated surplus, and the amount set aside for amortization.

In order to properly safeguard the interests of the Government in determining the elements entering into the various cost factors the bill provides that the commission may require the licensee to keep a system of accounts in accordance with the direction of the commission; that the commission shall have the right to examine books of the licensee at all times; to require reports and statements of assets, liabilities, capitalization, cost of project, cost of operation, and the production, transmission, use, and sale of power. The commission is also authorized to hold hearings and take testimony.

In addition, the licensee is required by the terms of the license to maintain the project works in a condition of repair adequate for the efficient operation of the same, to make all necessary renewals and replacements, to maintain adequate depreciation reserves, and to amortize the cost of the project in the event he earns a return in excess of a specified return stated in the license. The licensee is further required to operate and maintain the plant at the full capacity of the available market for the full term of the lease.

The advantages of this plan lie principally in the facility which it gives for governmental control and for the scientific ascertainment of the actual cost of the plant as a basis of recapture.

The gentleman from Oklahoma [Mr. FERRIS] opposes this plan in a minority report so misleading in its statement and so full of vicious innuendo that it is difficult to believe that the report could have been conceived in the mind of the gentleman from Oklahoma, who should know and does know a great deal about the questions and facts involved.

As a substitute for the plan proposed by the committee, he proposes a plan the only virtue of which is that it has been four

times adopted by the House because no better or more scientific plan was proposed. If his plan has any virtue he has utterly failed to make it apparent in the minority report.

He proposes to make the basis of recapture the fair value of the property at the time it is taken over. This basis is at best entirely vague and indefinite both as to the Government and the owner of the plant. Its very vagueness is as charming as its simplicity is complex and uncertain. Taken alone, it affords no assurance whatever that the owner will not be required to take less than his plant is worth or that the Government will not be required to pay more than the plant is worth, and this can only be justified on the ground that no more scientific or definite plan can be offered.

It should be stated that the amount represented by fair value under his proposal is limited by the qualification that the fair value as ascertained shall not exceed original cost. This limitation, however, is valueless at the end of the license period unless the accounts of the lincesee have been kept upon the net-investment plan, which would permit of the determination of the original cost.

Singularly enough, original cost in the mind of the gentleman from Oklahoma has virtues when applied as a limitation at the end of 50 years, but is utterly vicious when scientifically applied concurrently with the acquirement of the items comprising the cost.

His plan, if adopted, would require not only the payment to the investor of the full market value of his property, including every item which might be considered in a condemnation proceeding, except the unearned increment in lands and rights of way and the value of good will, prospective revenues, and the license granted by the Government, and in addition thereto the return of the amounts in the depreciation funds, unappropriated surplus, and the amount set apart for amortization.

If the project had been completely amortized at the end of 50 years the investor would receive under the plan proposed by the gentleman from Oklahoma the entire amount which he would receive under the net investment plan and in addition thereto the full market value of the property.

I wish now to direct the attention of the committee to the minority report of the gentleman from Oklahoma. The gentleman from Oklahoma says:

In this latter contention—

That the method of recapture should be made so onerous, ponderous, and difficult that neither the Government, State, county, nor municipality would be justified in actually retaking it—

by the net-investment amendment, which was not in the administration bill, they have succeeded and have secured precisely what they wanted. It has been accomplished by an amendment added to the administration bill in the Water Power Committee, and known and referred to as the so-called "net-investment amendment." It was not in the original administration bill.

The inference of this statement is that the net-investment amendment was surreptitiously inserted in the bill and did not and does not have the approval of the administration. It is true that this amendment was not in the bill as originally presented, but it was considered at least more than once by the committee, drawn and presented by the same gentlemen who drew and presented the original bill, and has been approved by all three of the Secretaries who will be charged with the administration of the law.

I quote again from the minority report:

In a word, this so-called net-investment amendment provides that the Government shall become an absolute insurer of all the money invested in the water-power plant. It requires, as a condition precedent to any retaking of the property whatever, 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. 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. * * *

This paragraph contains no single, accurate, or well-founded statement. The Government is in no sense the insurer of the money invested in the plant. It assumes no obligation whatever to take over the plant upon any basis. The obligations are all on the side of the water-power developer. He must construct the plant within the time fixed by the commission and maintain it to the full capacity of the market; he must operate it continuously; he must keep it in an adequate condition of repair; he must provide for its depreciation; he must make necessary additions and extensions; he must meet every requirement of the market by continuing operation at full market capacity during the entire period of the lease as a going concern. If he fails in any of these particulars he may be compelled to meet them or his license may be revoked.

In order to get a single dollar from the Government at the end of the license period the licensee must meet every requirement I have suggested; and this statement is a complete refutation by the terms of the bill itself of every statement made in the paragraph to which I have referred in the minority report.

It would, indeed, be surprising if the gentleman from Oklahoma should succeed in securing the adoption of his plan of recapture upon representations so wholly misleading and without foundation.

Now, I want to say one word in conclusion. Water-power development is necessary and essential now and in the future, both as a matter of conserving the man power of the country as well as conserving the natural resources which ordinarily are used for power purposes. We have by no means reached the end of the coal reserve, but it is not impossible that our coal resources and our ability to utilize them will be in themselves and by virtue of the man-power situation very much depreciated in the course of the next generation.

The development of water power is essential and necessary to meet this situation both now and after the war. The committee has given very earnest and careful consideration to this bill. We have argued out every phase of it upon which there has been a controversy, and I sincerely trust that the bill will pass substantially in the form in which it has been reported by the committee. [Applause.]

I yield back the balance of my time.

The CHAIRMAN. The gentleman yields back 10 minutes.

Mr. ESCH. Mr. Chairman, I yield 30 minutes to the gentleman from New Jersey [Mr. PARKER].

Mr. PARKER of New Jersey. Mr. Chairman, it is Shakespeare who says: It droppeth as the gentle rain from heaven upon the earth beneath." We know how gentle the dews and the rains are.

The gnarled mountains and deep ravines tell something of their power. Mathematics are not pleasant, and I have therefore sometimes tried to make an approximate arithmetic, and will only put the exact figures of what I say in the RECORD. One foot of rain upon a single square mile is over 1,000,000 (1,032,541) cubic yards. During the year our average rainfall is somewhere about 30 inches—more in the Eastern and extreme Western States—and that fall with every square mile averages therefore over two million and one-half (2,565,082) cubic yards in a year, over 2,000,000 (2,174,125) tons of 2,000 pounds each. We do not wonder at the work done by the rain when we think of such figures as these.

Now, if that rainfall over 1 square mile could be used with only 5 feet of fall it would give us over 1 horsepower. We have 3,000,000 square miles in the United States, with an average fall, or an elevation above the sea, which, if it could be used, is certainly much over 100 feet and probably nearer 500 feet. So that from the rainfall in the United States alone, if we had 500 feet average fall and could use it, there would be over 300,000,000 horsepower.

A horsepower is that which will lift 33,000 pounds, say, 16½ tons, 1 foot in a minute. There are, say, half a million (525,600) minutes in a year. The 2,000,000 tons of rainfall would furnish nearly 4 tons a minutes, or one-fourth a horsepower, at 1 foot fall, or a full horsepower with 5 feet fall.

Water power is usually reckoned at 15 second-feet, or 15 cubic feet falling 1 foot a second. This is 60 times that, or 900 cubic feet a minute, or at 62½ pounds as the weight of a cubic foot, 56,250 pounds instead of 33,000, allowing liberally for loss of power; 10 second-feet is a better figure with modern water-power machinery.

The fall on a single square mile, measured in gallons, is enough to supply over 13,000 people with 100 gallons a day.

These figures are not what can be done. The rain evaporates when it falls. It soaks into the ground. It gets away in floods; often there is none in certain parts of the year. The slope is too slow to be fully utilized between the sources of our rivers and the seas. The rainfall could be used if it could be stored, but it is too large a quantity to be stored. We find that out in the Mississippi floods. To store water that would give a thousand horsepower for a year with 5 feet of fall would need a pond a hundred square miles in size 10 feet deep. The powers of man are inadequate to create horsepower except in a very limited degree in special localities where large dams can be constructed.

The real stores of power for the world lie, as was well pointed out recently by the gentleman from Washington [Mr. LA FOLLETTE], in the great snow mountains, where at 10,000 feet above the sea the snows of winter are held up, melting and giving water power in summer with such a head that even a small quantity of water gives enormous power. Such mountains have always been the foundation of the irrigation of the world. Large tracts of irrigable land are not to be found except where there is a summer flow from snow mountains, whether it be on the Nile or in India or Italy or in our Western States under the mountains of the north or the Nevadas of the South. That great reservoir of power is in the far West and distant. In the East-

ern and Middle States with all the study I could give I have been unable to find out that we have any great reservoir of power except where nature has provided such a reservoir in the Great Lakes, to which the snow-clad mountains of Canada send down rivers from the north and where 180,000 second-feet flow over the Falls of Niagara with a fall from Lake Erie to Lake Ontario of 300 feet which will give, if fully utilized, over 5,000,000 horsepower at that one spot alone. A plan has been developed and set forth in a recent issue of the Scientific American in June last by which half that magnificent flow can be utilized without damage to the scenic beauty of the Falls. The plan was to put a dam across the river near Buffalo, where there is a slow flow and a broad river, which with flashboards and sluice gates will allow the whole flow to go by day without taking a bit away for the mills and dam it back by night, so that the mills would have half of this great power of 5,000,000 horsepower. It will be done some day. Below on the St. Lawrence, fed by the same Lakes, are rapids within our boundary line, and half the flow there amounts to 500,000 horsepower.

There is something to be done even in the East. The question is how to save our coal, how to relieve our people from the gases and injury that come from the use of coal, and how to get our share of what in time will be the great engine of civilization, and perhaps more largely in other countries, but we must make the most of what God has given us in our own.

Mr. Chairman, I have said a word to make people realize the greatness of this subject. There is about 30,000,000 to 60,000,000 horsepower in the country which is supposed to be available with the reservoirs we have, the snow mountains, and the Great Lakes.

Mr. RAKER. Will the distinguished gentleman submit to a question?

Mr. PARKER of New Jersey. With pleasure.

Mr. RAKER. The gentleman does not intend to convey to the House and the country that it is only upon those streams that have a summer flow that we will be able by building dams and reservoirs to hold back a sufficient amount of water to establish enormous hydroelectric plants for hydroelectric purposes and at the same time utilize it for irrigation as well as to prevent floods in the springtime?

Mr. PARKER of New Jersey. I do not mean to say that we can not do that in certain localities, but I do mean to say that on the whole in this country very little comparatively can be done with streams that have not a summer flow. Our experience in Pennsylvania, in New Jersey, and New York proves this. We have not room for the dams or for the ponds and they would have to be so large, if you calculate that, it is perfectly astounding. You have great dams in the West that are 300 feet deep.

Mr. RAKER. The only misfortune is that in most of this development you will find that some one individual that has a little ranch or a farm puts that above the enormous benefits which would come from the utilization of this by the entire territory.

Mr. PARKER of New Jersey. That is a question, sir, I do not care to go into. I can not do the arithmetic on my feet. I have done some. I have made up my mind that our real resources are in nature's ponds, in the snow mountains, and in the Great Lakes, and that you can not make by art anything that will be comparable with them. That is what I state. You can get something.

I see that I have used two or three minutes in this colloquy, and I hope I will obtain that much additional time if I need it. Let me now for a moment refer to the details of this bill. It is unnecessary to go over most of them. They are almost all in the bills that have come here before. Several matters are new.

One is the establishment of a water-power commission composed of the chiefs of the various departments that formerly had water power under their control. Part of it, which related to navigable streams, was under the War Department. Part of it, which related to the forests, was under the Department of Agriculture. Part of it, where Government lands were used, was under the Secretary of the Interior. With different heads, different rulings, and different laws we were not likely to do so well as by the establishment of this commission of the three Secretaries, which is a practical, sensible way of obtaining a consistent administration which will last through the years and decades. I commend it to the House as a good thing, one which is new in this bill.

I commend also to the House the new provisions to which, to my astonishment, objection has been made. There are two. One is a provision for keeping strict accounts of the real net investment made in the project, so that all will know from time to time what is being done. The second one is a provision which says that every contract shall contain an arrangement by which, if there be surplus earnings above a fair return on that investment, those surplus earnings shall be applied either in the paying off of and amortization of this investment or in the reduction of rates either by dividends back to the rate payers or otherwise.

These provisions will be found—and I will take the liberty to insert them in what I have to say—on page 27, section 3, in the definition of net investments, and in the provision under section 10, clause (d), on pages 36 and 37 of the bill, with reference to amortization. I will just give a single word to these.

Net investment means the actual legitimate original cost as defined and interpreted in the classification of the investment in road and equipment of steam roads, plus cost of additions and betterments thereof, minus certain items of unappropriated surplus, and so forth, which I will not read:

"Net investment" in a project means the actual legitimate original cost thereof as defined and interpreted in the "Classification of investment in road and equipment of steam roads, issue of 1914, Interstate Commerce Commission," plus similar costs of additions thereto and betterments thereof, minus the sum of the following items properly allocated thereto, if and to the extent that such items have been accumulated during the period of the license from earnings in excess of a fair return on such investment: (a) Unappropriated surplus, (b) aggregate credit balances of current depreciation accounts, and (c) aggregate appropriations of surplus or income held in amortization, sinking fund, or similar reserves, or expended for additions or betterments. The term "cost" shall include, in so far as applicable, the elements thereof prescribed in said classification, but shall not include expenditures from funds obtained through donations by States, municipalities, individuals, or others.

We are going here to do something that has been tried. The accounting system of the railroads is contained not merely in the little book referred to, but other books to which that one refers, in which it is provided that if a railroad build a new station the whole cost of the original station is deducted from the new cost of the other. This is only an example; these books contain hundreds of pages of rulings showing how the accounts shall be managed. It is therefore impossible under those circumstances for a man to take a license and then to charge everything from year to year, whether it be the repair of a dam, or whatever it may be, to his capital account, so as to increase apparent profits, and then say, "I have made tremendous profits and those tremendous profits fix the value of my plant and you have got to pay them to me." The bill establishes a system of accounting by which the United States will find out what the real profits were after charging what ought to go to repairs and maintenance to current account, and not charge them to the capital account. It makes for honesty and straightforwardness; and how anyone can object to it is hard to see. It prevents the mere kiting of a project, as has been done so often with railroads, which have paid dividends because they charge to capital account expenses which ought to have gone to their income. This system is devised in order to prevent that.

Now, it is fortified by the other provision. There is danger, even when you have a good system and good rules, that they may not be enforced from time to time unless you are looking after it from year to year.

Now, by the second clause, to which I have referred, it is the duty of the commission and will be the duty of everyone else to look after it from year to year, because every year there is an investigation to find out what the earnings have been. If they are less than a fair return upon the cost of the investment, they will go to the licensee. If they are more than a fair return—and what will be a fair return will be expressed in the lease—then they may be applied and shall be applied under the contract, either to the reduction of the original cost and of the amount that the Government shall pay on recapture, or else they will be applied to a reduction of rates, so that the public will get the benefit, because this provides:

That out of surplus earnings, if any, accumulated in excess of a specified rate of return upon the net investment of a licensee in any project or projects under license the licensee shall establish and maintain amortization reserves, which reserves shall, in the discretion of the commission, be held until the termination of the license or be applied from time to time in reduction of the net investment. Such specified rate of return and the proportion of such surplus earnings to be paid into and held in such reserves shall be set forth in the license.

But it does not stop there. There are cases that we have known where projects instead of making a fair return, we will say, whether it be 10, 15, or 25 per cent, have given 200 per cent. It has not been so with water power, but it has been so in some cases. It may have been so at Niagara, although I do not know anything about it, and I am not charging it. But if there be surplus earnings, such as we have known, at any rate, in public-service companies in old days, when they have been recapitalized and recapitalized until they got to a thousand per cent, because they had made it, we want to know what to do with the surplus. It ought to go back to the public. And in this case, the bill continues:

The license may provide, as to any balance of said surplus earnings, that the same, in whole or part, shall be used in reduction of rates and annually divided and repaid to and among the persons who have paid such rate, according to the amount paid by each such person during the year.

I believe these provisions to be new. I believe them to be just. I believe they can be worked out in such a way as to make liberal contracts which will be liberal to the person who takes the license, and at the same time so carried that he shall not make exorbitant, monopolistic profits, but that the whole enterprise shall be for the good of the public.

I commend the bill to the House for that. I commend it also on the very grounds objected to as to recapture. If there are no such provisions and no such accounts, and licensees may keep their accounts as they please, you come to the end of the term, and the owner says, "I have spent so much in the investment account," and nobody can properly revise it after 50 years. This clause provides that the investment account shall be carefully scanned every year for the purpose of this amortization process and reduction of rates, and that investment accounts shall be looked after yearly so that no such claim shall be made as to the value of the property at the end of the term. It provides for careful scrutiny of the property from time to time and from year to year, so that at the end of the term the Government can fairly pay to the party the fair value and cost of his property, not on the verdict of a jury, on the mere allegation that "we have made so much money and put in so much money," and with accounts that nobody can scan, unless gone over by experts in the past 50 years, but with adjusted, settled accounts, settled from year to year, so as to show always what is fair between the people and the persons who have taken licenses.

Mr. Chairman, I believe that this bill is so fairly drawn that it not only protects the people but it will protect investors because of the certainty that will come from these accounts and from the management of this commission. I believe, therefore, that the bill ought to be passed in its present form, and that no uncertainty as to future values should be injected into it. It should stand. The action of the license, if fair, should be recognized, and scanned from year to year; the moneys expended and received should be apportioned properly as between profits and investment, and a basis ascertained by which we can deal with them fairly in the future, as we intend to deal with them fairly now.

I believe, Mr. Chairman, that that is all I have to say in the general debate. It seemed to me that we were getting confused on too many matters. These three features are right: The commission is proper, the provisions as to investment accounts are proper, and so are those as to the accounts as to income and its appropriation, including the appropriation of any surplus income above a fair earning. These are the things which are new in this bill, and which I commend to the House as new and just methods of solving the problems in the management of great undertakings of this sort. [Applause.]

The CHAIRMAN. The gentleman has occupied 25 minutes of his time. He yields back 5 minutes to the gentleman from Wisconsin [Mr. ESCH].

Mr. ESCH. Mr. Chairman, I yield 10 minutes to the gentleman from Washington [Mr. JOHNSON].

The CHAIRMAN. The gentleman from Washington is recognized for 10 minutes.

Mr. JOHNSON of Washington. Mr. Chairman and gentlemen, I had expected to take some little time in the discussion of this bill, but I am inclined to think that interest in the arguments is running out; that is to say, the recess checked the interest that had been created during several hours of keen debate, and now other matters of supreme importance concerning the war program are awaiting consideration.

I would like, however, to take a minute at this time to congratulate the members of the entire committee on the work that they have performed in the preparation of the bill. Here is a bill certain parts of which have been in keen dispute for many years. Requests have come in for a compromise bill, and this committee, under the leadership of the chairman, Mr. SIMS, on the Democratic side, and our Republican on this side, Mr. ESCH, has produced a bill that I hope will go through.

And yet the bill in its present form is not satisfactory, although it is the best we can get. For myself, I shall never become fully reconciled to any measure that fixes the western public-land States so that they shall be, for all time to come, part commonwealths and part provinces. I think that is extremely unfair to the West. The time should come when these Western States should come into full and free title to all the land in their confines. Under a leasing system that can never happen. However, little can be gained now by the discussion of disputed features.

I inserted in the hearings of the committee, in part 1, at page 165, statements from three of the larger municipalities in the State of Washington with reference to section 19. These are resolutions of the city governments there, all of whom utilize water power, all of whom have municipal plants, and they have resolved to the same effect. I read the Tacoma municipal resolutions, as follows:

Whereas the city of Tacoma has a municipally owned light and power plant of the value of approximately $5,000,000, and said plant now has more than 20,000 customers, and the city is now contemplating the acquisition and development of a power site on the South Fork of the Skokomish River in the Olympic National Forest, or the Cowlitz River in Rainier National Forest; and

Whereas the President of the United States has recommended, and Congress is considering, the passage of additional legislation relating to the use of the lands of the United States for the development of water power, and a bill has been introduced in the House of Representatives during the month of January, 1918, known as the "Administration bill," and an examination of said bill discloses that no authority is expressly conferred upon the States or legal subdivisions thereof to condemn the rights of the licensees under the provisions of said bill: Now, therefore, be it

Resolved by the council of the city of Tacoma, That the city of Tacoma respectfully urges that Congress, in passing any water-power legislation, specifically authorize the several States and legal subdivisions thereof to condemn the rights of the licensees upon Government lands, upon making just compensation therefor under the provisions of the eminent-domain statutes of the various States; be it further

Resolved, That section 19 of said so-called "Administration" water-power bill be, and the same is hereby, approved by the city of Tacoma for the reason that the wording of said section relating to the regulation of the rates and management of the corporation developing the site upon the public domain is not prejudicial to the interests of the city. Congress, however, is expressly urged to refrain from amending said section to embody the provisions of the so-called "Shields" Senate bill, for the reason that under the said provisions of the "Shields" bill the city of Tacoma would be prevented from acquiring or developing the water-power site upon the public domain, since the provisions of said "Shields" bill make it obligatory that the licensee thereunder, whether a municipal or private corporation, shall be under the regulation of the State public service commission, whereas the municipalities of the State of Washington are permitted to, and do, regulate and govern their own publicly owned utilities.

I present that now for what it is worth. The committee has acted, and I am told that that part of the bill is satisfactory, although it is not the best that could have been given to us. As a matter of fact, a great deal of time has been wasted in theoretical discussion of the grand water-power proposition and how the thing shall be done. What do the theories amount to? Action is the thing—any kind of action is better than none. The district that I have the honor to represent is simply running wild with water power, and it is all put down in these lists as potential water power. From the Columbia River to the highest peaks of the Olympics and the Cascades is water power everywhere, and three-fourths of it will never be used in the next 100 years. In some parts of the district a population sufficient to use in full the potential water power could not be crowded into the mountainous acres, and mighty little of it can be used without the investment of great capital—millions. And capital in such quantities is not quick to come into grand, new projects in the far West. Under any kind of water-power legislation I can guarantee there must be great allurement and great possibilities—and some certainty. However, in certain parts of the State of Washington, which are now sagebrush wastes, cities of from ten to fifteen and even fifty thousand people can readily be developed.

I know now of one locality that, with legislation permitting action, will result in investing $30,000,000, if that amount can be had in war time, where an entire city is likely to be laid out, with parks, cheap municipal power, good offerings to manufacturers—in fact, a city full born the minute the water comes through the turbines as power. The profits of all who settle there will not come from the profits of the water power or all from the water that is raised and spread on the surrounding land, but from the making of a city out of the sagebrush. That is the way things are done in the West. I have here the appeal of the President for water-power legislation which I would like to read, because some of us may have forgotten it. It was his message read to Congress December 8, 1914. At that time, nearly four years ago, he said:

We have year after year debated, without end or conclusion, the best policy to pursue with regard to the use of the ores and forests and water powers of our national domain in the rich States of the West, when we should have acted; and they are still locked up. The key is still turned upon them, the door shut fast at which thousands of vigorous men, full of initiative, knock clamorously for admittance. The water power of our navigable streams outside the national domain also, even in the Eastern States, where we have worked and planned for generations, is still not used as it might be, because we will and we won't; because the laws we have made do not intelligently balance encouragement against restraint. We withhold by regulation.

I have come to ask you to remedy and correct these mistakes and omissions, even at this short session of a Congress which would certainly seem to have done all the work that could reasonably be expected of it. The time and the circumstances are extraordinary, and so must our efforts be also.

And, by the way, the whole objection to the grand conservation program, all very pretty in theory but fatal to the present generation, and in the case of some Western States fatal to the generation after the next in forcing those now out there to pay excess taxes for development, for road building, and all that, while they see the resources of the State withheld from them for posterity, and the leasing returns given largely to the Government and not to the State.

The President goes on to say:

Fortunately, two great measures, finely conceived, the one to unlock, with proper safeguards, the resources of the national domain, the other to encourage the use of the navigable waters outside that domain for the generation of power, have already passed the House of Representatives and are ready for immediate consideration and action by the Senate. With the deepest earnestness I urge their prompt passage. In them both we turn our backs upon hesitation and makeshift and formulate a genuine policy of use and conservation, in the best sense of those words. We owe the one measure not only to the people of that great western country for whose free and systematic development, as it seems to me, our legislation has done so little, but also to the people of the Nation as a whole; and we as clearly owe the other in fulfillment of our repeated promises that the water power of the country should in fact as well as in name be put at the disposal of great industries which can make economical and profitable use of it, the rights of the public being adequately guarded the while, and monopoly in the use prevented. To have begun such measures and not completed them would indeed mar the record of this great Congress very seriously. I hope and confidently believe that they will be completed.

That is the appeal of the President. It was made nearly four years ago, and we are still debating water power. But we are moving. This bill is the work of the special committee the President caused to be named, and represents their efforts at a compromise which he urged.

Gentlemen, we have had lots of time for discussion of water power. Let us hope that within the next few days enough time will be given for a free discussion of man power. Water-power legislation has waited a dozen years or more, but the man-power bill—the new draft bill—can not wait; but still it need not be railroaded through this House. With its clause for 18-year-olds, the bill is due to be reported this very afternoon. The hearings have been hurried. But let us know all about the absolute necessity for the bill as it stands before we vote on it. Let us have time for consideration of amendments that will be offered. If we find we must take the 18-year-olds, let us have an amendment that more than one son shall not be taken from a family until we have exhausted all other available man power. The wheel of fate makes queer turns. Two and three sons in single families were drafted last year, while other families went scot-free. Shall we take the 18-year-old from a family that has freely given up its 21-year-old and its 23-year-old? As reported in the newspapers the discussion of the development of the plan for drafting the males of the United States between the ages of 18 and 45 has taken such queer turns that I feel, as many Members feel, that if it is necessary we will take our boys of 18, but that if it is not shown to us to be immediately and absolutely necessary we will make a draft minimum age of 20 years.

At one time it was thought to be quite wrong to take a boy 18 years old, and yet now an appeal is specially made for 18-year-old boys, and with that same appeal comes the statement that a certain percentage of them—those who are in college—should be left in college, so that we would have some educated youths at the end of the war or for officers if the war continues. How unfair that would be. That would be an up-to-date exemplification of "to him that hath shall be given" with a reverse English.

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

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

Mr. JOHNSON of Washington. I was remarking that it has been stated—unofficially, of course—that we should exempt a few 18-year-old boys, so that they might finish their education in college. That would be the limit of unfairness. As a matter of fact, the age at which boys graduate from the high school is just about 18 years. I believe that the statistics show that 52 per cent of the boys who graduate from the high schools are 18 years of age.

Mr. Chairman, I was not able to go home during the recess—I live too far away—but I know the feeling of that district. It is for winning the war and for throwing in all the weight that we have. The people of that district will give the lads, the striplings, but they do not want to do it while available fighting men of maturer years remain. [Applause.] I could not visit my district, but I had an opportunity to go around in some of the neighboring States, making little war speeches, talking to patriotic citizens, and in several communities within the last two weeks I asked the committee in charge of the meetings to bring all of the 18-year-old boys they could, so that I might look at them. At one place when the meeting was called I asked those boys to stand up and they stood up. I tell you that in most cases they were mere striplings, all anxious and willing to go to war and fight, but, to my mind, not ready for the battle line. They had boyish minds in boyish bodies. I hope Congress will freely and fearlessly discuss this question. I hope the Committee on Rules will bring in a rule giving us plenty of time to talk over this matter of sending boys 18 years old over the seas. I would be willing to see the minimum age put at 20 years for the present, and I think that with the present population we might take them at 19 years at the outside, holding some of the youth of the land in our own hands as reserves. Further, I would like to see Congress keep in its hands the plan of letting 18-year-old boys be drafted now and put into a deferred class to be used at the will of the War Department. Congress is here and will be in session nearly all of this fall. The Congress will expire by limitation on the 4th of March, but if the war continues it seems certain an extra session will be called. Therefore, if later it becomes necessary to add 18-year-old boys to our fighting man power that we may have enough men to crush this foreign enemy of ours across the seas with numbers, let us make the call when we need it, instead of having the call placed on file in the War Department. If we have to have the young boys, Congress can call for them in five days. I think that is only a fair statement. I do not want to take too much time away from the discussion of the water-power bill. I think it is unfortunate that the water-power bill was not closed up four weeks ago, when the debate upon it was at white heat. Much that is being said on it now is merely perfunctory, and I presume many of the Members will do as I propose to do—swallow my objections, pay little attention to the minority report, and vote with the committee for a bill that will get us some kind of water-power legislation that will let some water go through the wheels to make industry go around. [Applause.]

Mr. ESCH. Mr. Chairman, I yield 15 minutes to the gentleman from Massachusetts [Mr. TREADWAY].

Mr. TREADWAY. Mr. Chairman, after the very plain and interesting description of the differences in the committee, as shown to us by the gentleman from Minnesota [Mr. ANDERSON] at the opening of the debate to-day, it seems to me that very little more need be said about the difference between the majority members of the committee and the gentleman from Oklahoma [Mr. FERRIS], who filed the minority report. We all realize that the day is here when this continuous postponement of proper legislation for the development of the water power of the country must come to an end. The lack of legislation to overcome the waste of water power is a source of just criticism at the present time.

I believe the last amendment to the general dam bill was passed in 1910, and that was made so stringent that since that time there has been practically no water-power development anywhere in the country. In reading the minority report of the gentleman from Oklahoma [Mr. FERRIS] it appears to me that for some reason or other people with money to invest are relegated to a sort of criminal class by him; that they are not people with whom we should have business dealings; and that, therefore, it is his object to secure an amendment to the report of the committee which practically will tie up water-power development in this country in the coming years exactly as it has been tied up during the past decade. In reading the clause to which he makes objection, I think any fair-minded man will agree with the committee report and with the remarks of the gentleman from Minnesota [Mr. ANDERSON] this morning. Here is the clause to which the minority report takes exception:

"Net investment" in a project means the actual legitimate original cost thereof as defined and interpreted in the "Classification of investment in road and equipment of steam roads, issue of 1914, Interstate Commerce Commission," plus similar costs of additions thereto and betterments thereof, minus the sum of the following items properly allocated thereto, if and to the extent that such items have been accumulated during the period of the license from earnings in excess of a fair return on such investment: (a) Unappropriated surplus, (b) aggregate credit balances of current depreciation accounts, and (c) aggregate appropriations of surplus or income held in amortization, sinking fund, or similar reserves, or expended for extensions or betterments. The term "cost" shall include, in so far as applicable, the elements thereof prescribed in said classification, but shall not include expenditures from funds obtained through donations by States, municipalities, individuals, or others.

Mr. Chairman, unless some such definition as that is finally enacted into law, it is absolutely impossible to secure any investment whatever of capital in water-power development. Either the United States Government itself must reach out into that branch of work and actually develop our waste water power with Federal capital, or we must meet the wishes to a

certain extent of people willing to invest capital. A period of 50 years may seem to our minds a long time, but in respect to investment it is not a long time. It is a short period, and unless there is a fair recapture clause, such as the committee report, the conditions as we now have them will continue indefinitely.

I am particularly interested in this situation as there is no more typical illustration of the waste of power than that which flows through a portion of my own district. An effort was made in the Sixty-second Congress to secure a special act in behalf of the Connecticut River, but for various reasons it failed. There is going to waste there daily a possible development of 40,000 horsepower, in a very thickly settled valley where that cheaper power would be of great advantage to manufacturing and industrial plants. Further than that, the Connecticut River proposition carries with it the possibility of navigation which means a great deal to that section of our country. The Connecticut River situation has been discussed on this floor so many times that I need not take up any considerable length of time in a repetition, but it is sufficiently typical of the exact situation that we desire to overcome by this bill that I beg the indulgence of the House for a brief reference thereto. Just above Hartford there is what is known as the Enfield Rapids, and in order to get around the falls there must be constructed locks and dams. For years private capital has stood ready to build the locks and dams for the purposes of navigation in exchange for the right to manufacture power under the act as submitted in previous Congresses. Numerous surveys have been made.

The last one by the War Department was reported in the Sixty-fourth Congress, first session, in which there is a very complete statement of the relation between private capital and the Federal Government. It is desired to secure a channel from Hartford to Holyoke, Mass., which is in the district I represent, of 12 feet in depth and 100 feet wide. The then Chief of Engineers, Gen. Kingman, in his report to the Secretary of War under date of November 12, 1915, recommended an appropriation of $1,870,000 for that purpose, with $65,000 annual appropriation for maintenance in the future. That was contingent upon an agreement being entered into with private capital which would build the locks and dams at an estimated cost of nearly $4,000,000. In other words, if an appropriation of $1,370.000 was made, private capital was to meet it with an appropriation of about $4,000,000. That arrangement can not be entered into as the result of the very stringent law now on the statute books; and if the amendment of the gentleman from Oklahoma [Mr. FERRIS] should be adopted to the present bill, it is my opinion, based on information that I have received from authoritative sources, that the same situation will be continued indefinitely. The result of securing a channel 12 feet deep extending from Hartford to Holyoke would be a very great diminution in the cost of freight transportation, as well as a reduction in the congestion of freight in all that section of New England at the present time. The congestion there has been something terrible during the past year. Last winter it was a question not whether fuel could be secured to carry on the business enterprises of the section but whether fuel could be secured to keep away the cold from the citizens and avoid suffering that would necessarily result.

There will be a saving on the transportation of over a million tons of coal of from 40 to 50 cents per ton. There will be a corresponding saving in transportation of manufactured products as well as on the raw material going into the section. All these features are very thoroughly covered in the report to which I have referred. There is a population in the places bordering on the river in Massachusetts to-day of over 200,000 people, aside from the adjoining territory, that would be naturally benefited very materially. So it seems to me that in view of such a typical illustration as that which I am citing there can be no question in the mind of the membership of this House as to the proper method of procedure. Here we have a bill originating in the departments having to do with the carrying on of work itself looking directly to securing the development of the desired power throughout the country combined with the opportunity for navigation. So that when suggestions are offered looking to a change of the phraseology of that bill it seems to me rather than conserving the natural resources of the country such change would be absolutely a continuation of the waste of the natural resources of the country which is the result of the legislation now on the statute books. I therefore sincerely trust that the illustration I have given the House will be the means of showing the need of this body abiding by the decision of the committee and supporting the majority report. There are, of course, opportunities to find defects in the bill, but it is the first constructive piece of legislation looking to the conserving of our natural resources and at the same time using those resources in the development of navigable streams that has been brought before the Congress since I have been a Member of it. I therefore shall give my most hearty support to the majority report.

Mr. Chairman, I yield back the remainder of my time, and I ask unanimous consent to extend my remarks in the RECORD.

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

Mr. JOHNSON of Washington. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Washington asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. ESCH. Mr. Chairman, I trust the gentleman from Tennessee will now yield some time.

Mr. SIMS. How much time did the gentleman from Massachusetts yield back?

Mr. ESCH. How much time did the gentleman from Massachusetts yield back?

The CHAIRMAN. Four minutes.

Mr. SIMS. Mr. Chairman, I yield 20 minutes to the gentleman from Porto Rico [Mr. DAVILA].

Mr. DAVILA. Mr. Chairman, the patriotic attitude taken by the people of Porto Rico on account of the war has caused the publication of many articles in American newspapers.

The tenor of those articles is to show that our patriotism was the outgrowth of a single war activity, and the error has been made by the writers of not dealing with the Porto Rican movement in all its phases and magnitude.

In connection with the conservation of food in Porto Rico very interesting articles have been published, but as these articles seem to limit our patriotism to that particular war activity I have considered it advisable to publish in the CONGRESSIONAL RECORD, if I can obtain unanimous consent, an article recently published by the New York Herald, which nevertheless fails to show in all its magnitude the extraordinary work of the people of Porto Rico in this war; yet the article contains a valuable exposition of the activities on the island with which it deals.

In fact, the loyalty of the people of Porto Rico has caused such great admiration that it has prompted many persons to seize the opportunity to appear before the American people as the leaders of this great patriotic movement.

I wish to say here, before the American Congress, that all the glory that may be derived from our loyalty to the allies' cause should belong solely and exclusively to the people of Porto Rico as a whole and not to any determined individuals.

It should be understood that an extraordinary movement of sympathy has taken place in the island toward the American Nation since President Wilson initiated his work in our behalf and since this Congress has granted us an organic law more democratic than the one we had. Therefore, President Wilson, who has labored so earnestly in our behalf, and the present Congress, which shaped his wishes into law, are the only personal influences that may have been responsible for the patriotic stand of the Porto Rican people about which so much is now being published.

There are certain broad reasons which justify the admiration and affection of the people of the island of Porto Rico for the President and people of the United States. This country is fighting for the freedom of the world, and Porto Rico, which is a part of the world, has been sighing for freedom for many centuries. Thanks to the efforts of the great American who presides over the destiny of this Nation, and at present over the destiny of the world, the great powers are advocating the liberty and self-determination of small countries, and Porto Rico is a small country. America is fighting for the sake of justice, and that is what Porto Rico needs—justice. So your principles are our principles, your cause is our cause, and our duty as American citizens imposes upon us the obligation of fighting against all the enemies of the United States, no matter what the cause of fighting is. Are not these powerful reasons to unite the island of Porto Rico, small as it is, in a perpetual brotherhood with this great part of the American Continent? What ought to be our attitude when not only Porto Rico but humanity is indebted to the United States for having converted the most terrible war which the world has faced into a fountain of justice, freedom, and democracy, with assurance of a permanent peace? Some months ago I wrote in Spanish a poem dedicated to Wood-

row Wilson, of which a free translation into English reads as follows:

EVANGELIC DEBT.

While Europe roars like a hunted beast at bay
In a horrible struggle, titanic and ferocious,
A man here in America waves a flag
And the tyrants tremble at the echo of his voice.

'Tis Wilson who in the high capitoline summits
Speaks an august language that was never heard before,
And causes the Andine Mountains to tremble
In a sublime tremor of redemption and peace.

Centuries ago, an intrepid mariner
Crossed the immense expanse of ocean
And, as in a divine dream, discovered a New World.
Europe educated and Christ welcomed it to His mercy.
And to-day America, in return, recrosses the same route
To offer liberty to the Old World.

[Applause.]

The debt has been paid. While Europe discovered a world for Christianity, America is discovering now the new world of liberty.

President Wilson has enunciated the broad policy of the United States in the following remarks delivered on May 27, 1917, which he has sought to emphasize by repeating on several occasions:

We believe these fundamental things:

First. That every people has a right to choose the sovereignty under which they shall live. Like other nations, we have ourselves no doubt once and again offended against that principle when for a little while controlled by selfish passion, as our franker historians have been honorable enough to admit; but it has become more and more our rule of life and action.

Second. That the small States of the world have a right to enjoy the same respect for their sovereignty and for their territorial integrity that great and powerful nations expect and insist upon; and

Third. That the world has a right to be free from every disturbance of its peace that has its origin in aggression and disregard of the rights of peoples and nations.

So sincerely do we believe in these things that I am sure that I speak the mind and wish of the people of America when I say that the United States is willing to become a partner in any feasible association of nations formed in order to realize these objects and make them secure against violation.

There is nothing that the United States wants for itself that any other nation has. We are willing, on the contrary, to limit ourselves along with them to a prescribed course of duty and respect for the rights of others which will check any selfish passion of our own, as it will check any aggressive impulse of theirs.

Along the same lines the President has also stated in his address to the Senate on January 19, 1917:

No peace can last or ought to last which does not recognize and accept the principle that governments derive all their just powers from the consent of the governed, and that no right anywhere exists to hand peoples about from sovereignty to sovereignty as if they were property. The world can be at peace only if its life is stable, and there can be no stability where the will is in rebellion, where there is not tranquillity of spirit and a sense of justice, of freedom, and of right.

I would fain believe that I am speaking for the silent mass of mankind everywhere who have as yet had no place or opportunity to speak their real hearts out concerning the death and ruin they see to have come already upon the persons and the homes they hold most dear.

No nation should seek to extend its polity over any other nation or people, but that every people should be left free to determine its own polity, its own way of development, unhindered, unthreatened, unafraid, the little along with the great and powerful. There is no entangling alliance in a concert of power. When all unite to act in the same sense and with the same purpose all act in the common interest and are free to live their own lives under a common protection.

I am proposing government by the consent of the governed; that freedom of the seas which in international conference after conference representatives of the United States have urged with the eloquence of those who are the convinced disciples of liberty; and that moderation of armaments which makes of armies and navies a power for order merely, not an instrument of aggression or of selfish violence. These are American principles, American policies.

In his address at Mount Vernon on July 4, 1918, declaring the principles and hopes of America in war, the President said:

What we seek is the reign of law, based upon the consent of the governed and sustained by the organized opinion of mankind.

The President of the United States has placed this Nation in a most advantageous position by his concise presentation of the most noble principles of humanity and democracy and incomparable interpretation of the rights of the people, great and small, weak and powerful, to freedom, security, and self-government. For these statements the great and powerful will respect and render to this country the tribute of their admiration, while the weak, bearing to the President and the Nation eternal gratitude, will feel confident that when the hour arrives such a champion of democracy will not lend a deaf ear to their cries for freedom and liberty.

The Democratic platform of 1916 voiced these principles, and the Republican platform enunciated the same doctrine:

We hold that it is the duty of the United States to use all its resources not only to make itself safe at home but also to make secure its just interests throughout the world, and both for this end and in the interest of humanity to assist the world in securing settled peace and justice.

We believe that every people has the right to choose the sovereignty under which it shall live—government with the consent of the governed—that the small States of the world have the right to enjoy from other nations the same respect for their sovereignty and for their territorial integrity that great and powerful nations expect and insist upon; that the world has a right to be free from every disturbance of its peace that has its origin in aggression or disregard of the rights of peoples and nations; and we believe that the time has come when it is the duty of the United States to join with the other nations of the world in any feasible association that will effectively serve these principles and maintain inviolate the complete security of the highways of the seas for the common, unhindered use of all nations.

The confidence that the people of Porto Rico have in the United States is strengthened more and more every day by these illuminating remarks of the leaders of the Nation.

Full justice is yet to be granted to the people of Porto Rico, for we have not been given any voice in the appointment of our governors nor in the appointment of the attorney general, commissioner of education, or justices of the supreme court, yet the executive has the power of absolute veto granted him by this Congress.

But the people of Porto Rico feel that they have in President Wilson and the American Congress sympathetic friends, and they hope soon to obtain full recognition of their rights. The gratitude of the people of Porto Rico is great and intense for the concessions already made them, and their love for the American people will attain extraordinary proportions when this Congress does complete justice to our people, granting us all the power to which we are entitled in the management of our own affairs.

Fortunately for Porto Rico her destiny has been in the hands of a just and sympathetic administrator in the person of Gov. Yager, who made great efforts for the approval of our present organic law. To govern the people of Porto Rico in accordance with the spirit of American institutions a scheme of government should be devised under which the governor will be susceptible to public opinion, interpreting and administering our laws as was intended by Congress. Any governor who adheres to this policy is assured the affection and undivided support of the people of Porto Rico. Gov. Yager has our esteem and confidence, and the only objection that could possibly be urged against him is that he has not been selected by the people of Porto Rico, who have never been consulted in the appointment of their governors. Should he have been elected by our people or appointed with our consultation he would be the most beloved executive our country has ever known.

I do not hesitate to express before Congress these ideas with regard to the election of our governor, although I recognize that only the States of the Union have enjoyed this right since the birth of the American Nation. But we are not to be governed any more by precedents when precedents do not conform to the natural rules of justice. In these extraordinary times we are facing every day new events and unexpected problems and we have to prepare ourselves for the inauguration of the new policy which is going to renovate the world.

Full self-government should be granted.

The American Constitution recognizes only a republican form of government as the permanent status of any part of this country, and it is not a republican government at all under which the governor is not elected directly or indirectly by the people. A country can not be half republic and half empire. The policy of the United States must be consistent with the principles which made the Republic so great.

I know the argument which may be advanced in opposition to our political aspirations: "You are not yet prepared for the enjoyment of complete self-government." Porto Rico is able enough to control its own affairs. If any contrary opinion prevails among the people in this country we are sure that it is due to lack of knowledge of our social and political life and not to any selfish feeling. This argument of nonpreparation, which is as old as the world, is the excuse that strong nationalities often offer to justify their intervention in the internal affairs of small countries. The United States will not do that. This excuse may sound well in the lips of the old monarchies of Europe, but not in the lips of the young American Republic. This Nation is too great to make use of such a poor argument. Grant the people of Porto Rico the full enjoyment of their rights, and while Congress prepares a law to that effect let the President test the ability and capacity of the people of Porto Rico by the appointment of a governor, at the proper time, previously indorsed by the people of the island.

Porto Rico has been extremely patriotic in all phases of war activity in these days of peril for the American Nation. The success of the food commission constitutes only a part of the great contribution of Porto Rico to the national cause. The food commission is entitled to our recognition for the work done, and I should like to congratulate them in all their work, but the imposition of fines upon some people without due process of law, such as occurred in the case of Jose D. Padilla, has merited some criticism. The Federal food administrator must respect

the law if he wants it to be obeyed by our citizens. To impose fines as a court of justice without giving to the accused a day in court is to abuse the power granted by Congress to the Food Administration. The fact that these fines are collected for the Red Cross is not an excuse. There is no excuse for the transgression of law, above all when these transgressions are committed by the authorities who are bound to respect the law.

In a communication addressed on May 9, 1918, to Jose D. Padilla by the Federal food administrator in Porto Rico, the latter made the following statements:

From the investigation made according to the charges presented against you in relation with your bakery business in that city and the manufacture of crackers in contravention of the regulations of the national administration, I have arrived at the conclusion, after considering the proofs obtained and the declaration made by you when you appeared at this office the 29th of April ult., that you proceeded deliberately and maliciously in this case, and submitted the same to the United States Food Administrator, Washington, D. C. I have received by cable yesterday from this officer the following order:

That you, Jose D. Padilla, license No. B23776, in the bakery business, close your establishment for a period of six months, to take effect May 16, 1918, and further, that you subscribe the sum of $500 in behalf of the American Red Cross.

Send me the check in behalf of the mentioned institution for the stated sum of money and proceed to the closing of your establishment on the date indicated.

Respectfully,

ALBERT E. LEE,
Federal Food Administrator.

The illegality of this proceeding was consummated by the payment of the fine. Jose D. Padilla, fearing more drastic measures by the Federal Food Administration, and in obedience to the order issued against him, sent immediately a check of $500 to the Federal Food Administrator.

As I have already affirmed, most of the articles appearing in the American newspapers state that Porto Rico has shown its patriotism by the conservation of food. This information gratifies us very much because it shows the wonderful results achieved by one of our local organizations. In fact, all branches of the insular administration have worked with practically the same results. In the matter of food conservation our record is complete and perfectly clear. Long before the creation of a Food Administration in the United States was even talked about such a body was created by the Porto Rican Legislature, the food commission of that island having been created by the joint resolution introduced by Hon. Antonio R. Barcelo, leader of the majority party in the Porto Rican General Assembly on April 12, 1917, immediately upon the declaration of war. The United States Food Administration was not created by act of Congress until August 10, 1917, four months later. Therefore, it will be seen that the Porto Rican commission antedates those of either the Federal administration or any of the States.

Mr. Chairman, before leaving this subject I wish to call attention to the splendid service of Col. Orval P. Townshend, who has commanded the United States forces on the island and superintended the organization of the military forces in the manner which has elicited all this praise of which the American public has recently been reading. Col. Townsend has proven an able officer and an untiring worker and organizer, and he has the full confidence of the Porto Rican people.

I think that possibly the best exposition which has yet appeared of the activities of Porto Rico in this war was published in the New York Herald last Sunday, and I ask that I be allowed to insert it in the RECORD. In connection with it, however, I wish to say, in regard to what the author has to say about the sufferings of Porto Ricans under the Spanish Government, that it is only fair to point out that home rule had been granted by Spain to Porto Rico when the American Army took possession of the island. It is also an error to state that Porto Ricans had grown submissive to abuse. Porto Rico has never yielded to any kind of despotism. Under the Spanish Government, as well as under the American flag, we have always protested energetically against all abuses and arbitrariness committed in our country. It is true that entire freedom has never been granted to Porto Rico in spite of our efforts and sacrifices, but there is no man in the world who has a higher concept of liberty than the Porto Rican.

The matter referred to is as follows:

[From the New York Herald, Aug. 11, 1918.]

PORTO RICANS DEMAND THE RIGHT TO FIGHT FOR THE FLAG THAT AT LAST IS THEIR OWN—HENRY A. WISE WOOD, AN ENTHUSIASTIC AMERICAN, WRITES OF HIS EXPERIENCES ON THE FAMOUS ISLAND POSSESSION AND DESCRIBES THE ENTHUSIASM WITH WHICH ITS INHABITANTS INSISTED THAT THE PRIVILEGES OF THE MOTHERLAND AS WELL AS THE RESPONSIBILITIES BE APPLIED TO THEM IN EQUAL SHARE—COL. ORVAL P. TOWNSHEND, COMMANDING THE PORTO RICAN TROOPS, A DISTINGUISHED FIGURE OF THE MILITARY LIFE AND PREPARATION OF THE ISLAND.

(By Henry A. Wise Wood.)

As I approached the harbor of San Juan, P. R., the last shafts of the sun were touching with gold the battered and rusty walls of its ancient defenses. El Morro, "the nose," to the west, San Cristobal to the east—superb monuments of four centuries of Spanish occupation—were still watchfully holding within their grim charge that which Spain in the days of her glory thought a jewel of great price.

Scars of French shot and of Dutch, of shot of Drake and Hawkins, no soil of time has been able to efface from the Morro; these are fast in the pages of the history of the Spanish Main, than which none is more gloriously decked with beloved romance. The tales of the finding of the New World and its flailing for wealth by the old—sagas these of the first masters of the waters new found by the "Admiral of the Indian Seas"—are among the most treasured of all records of strong men at work upon rough deeds.

As the ship swung slowly beneath El Morro there came into view, perched high beyond the shoulder of this perhaps the oldest fortress of the Western Hemisphere, Casa Blanca—the White House—glistening against the evening's violet sky. Built, it is said, by one of Columbus's ship's company, San Juan's first governor, the searcher for youth and discoverer of the "Isla la Florida," the home of Juan Ponce de Leon, is still the seat of military power. But over it flies the American flag.

Sight of the flag brought me to the present, from which I had been endeavoring to escape. All that had occurred since first our flag flew above these historic piles crowded into mind, and bitterly I thought of the penalty we Anglo-Saxons are to pay for 20 years of blindness, of fatuous dream worship, of heedlessly following after history's ignis fatuus, a peace wrought of paper-clad security. Then I fell to wondering how these new people of ours are reacting to the emergency in which they have so little direct concern—what they are doing for the war. And I determined to find out.

How should be ascertained the mental attitude toward the war of these million and a quarter newly acquired people speaking the language of a neutral nation having enemy sympathies? First, it seemed to me by observing the reaction of their legislature. Had this been hostile or passive or actively favorable to Porto Rico's actual participation? Let us see.

MAKING AMERICANS.

On March 2, 1917, American citizenship was conferred upon the Porto Rican. For nearly two decades he had had a land but no country. For 19 years he had been knocking at our door, unable to enter or go elsewhere. The flag over his head was not his flag nor could he raise one of his own. So, only two months before our declaration of war the Porto Rican was not an American citizen. Would he, therefore, be willing to fight for our cause?

It was this query, possibly, that caused the War Department to hesitate when announcing the draft to apply it to Porto Rico. But this hesitation, whatever its cause, had a galvanic effect upon the people of the island. Instantly there arose an indignant protest and a demand that Porto Rico be permitted to supply its full quota to the Army whose flag at last was its flag. Not only would it fight, but the opportunity to do so it demanded as its right. The children of Columbus's conquistadors were willing and ready to support the liberties of the New World, the world that he and their ancestors had carved out with their swords.

Already had the Unionist Party sent a cable to the President of the United States announcing its support of the war, with the demand that "Porto Rico be assigned its full quota of sacrifice and suffering to obtain victory."

But how did the individual Porto Rican react? A month after the declaration of war the Porto Rico regiment of the United States Army was ordered to recruit its full strength and prepare for active duty. In three days it had enlisted 654 men, and so had filled its ranks; in two weeks, drilled and fully uniformed, the regiment was on its way. Again, when Col. Roosevelt's volunteers were being recruited, it is said, 1,700 selected men signed up in seven days.

On August 27 an officers' training camp was opened at Cayay, amid the tobacco fields in the center of the island, with 250 Porto Ricans, 95 per cent of whom were graduates of colleges or universities in the United States. So thoroughly was the work done in this camp that on November 26, 88 per cent of these men were commissioned.

The results of this experiment caused great popular enthusiasm, and another camp, within the Morro Fortress, was opened with 400 men on February 1, 1918, and was hard at work when I visited it. One of its companies is wholly composed of negroes, so that officers of the lower ranks shall be provided for the negro regiments which are to be drawn from the island. Here also is being trained the home guard of San Juan, of 1,500 men, among them the foremost judges and professional and business men of the place, as well as 500 Boy Scouts.

Porto Rico has caught the war fever, and is glad of it—which is the more remarkable, because its people are so little warlike that, although in the revolution belt, it has never known a revolt.

I had not pushed my inquiries far before it became plain that behind this enthusiasm for the war and ardent wish to serve in it was the stimulating influence of one man, an American Army officer. To such an astonishing extent does this soldier seem to have won the affections and confidence of these people that they have not only unquestionably put themselves into his hands in matters relating to the war but have requested the President to make him a brigadier general, so that the Porto Rican troops when they go to the front shall be commanded by him.

EAGER TO HONOR HIM.

A sheaf of these requests has fallen into my hands, from free translations of some of which I select the following excerpts:

The resolution of the House of Representatives of Porto Rico recites that "for some years there has lived among us a noble and generous son of America, directing with great foresight and commendable zeal the honorable and high duty of chief of the American troops in Porto Rico, whose name is well known by all—Orval P. Townshend"; that "Col. Townshend has gained the love and gratitude of this island of Porto Rico by his open and decided efforts for the welfare and prestige of our land, honoring it by an efficient propaganda useful to the good name of Porto Ricans"; that "Orval P. Townshend, as colonel of the Porto Rican troops, has recently successfully carried through an intensive and arduous task to satisfy the wishes of the mothers of the future soldiers who are to give up their lives for the liberty of the world and for the triumph of justice and the rights of humanity, to satisfy those unselfish women who asked that the cantonment for the military instruction of their sons be established in Porto Rico, for the instruction of the sons whose lives they themselves offered with noble patriotism for the defense of the cause upheld by the noble American people"; that "the people of Porto Rico realize the efforts of Col. Townshend to do full justice to Porto Ricans, and consider him one of their valuable champions"; and that, therefore, it is "resolved by this House of Representatives, first, to make a matter of record a vote of thanks and gratitude to Col. Orval P. Townshend for his well-guided purpose in the performance of his

official duties; second, that the Government be requested by cable, as a special favor, that Lieut. Col Orval P. Townshend be promoted to the rank of brigadier general."

The work of this man can not be summed up better than by the statement that he has put these new citizens of ours in the mind to make war and to make it with a will. Therefore, when the beautiful palm-shaded, seagirt cantonment, Las Casas, is finished, and Porto Rico's first contingent is called to the colors, its men may be expected to come with a rush, for to be an American soldier is the fashion in Porto Rico.

It is evident that the people are deeply contented with the island's lot. During the 405 years of Spanish occupation Boriquen, as it was called, suffered every conceivable cruelty at the hands of the mother country and its representatives, as well as at those of the enemies of Spain. It was repeatedly plucked from within and plundered from without until it had lost hope and all powers of resistance.

But 20 years of American civil helpfulness and kindly military control have made a new people of these harried islanders, who had grown submissive to abuse—a people who can be made a valuable factor in American life. Not without great reward, I am certain, shall we have "put the conscience of the American people into the islands of the sea," as McKinley once said, and founded human liberty in Porto Rico. The first fruits of this action we are already reaping in the alacrity with which the island's new generation is rushing to our, now its, colors, in defense of the freeman's institutions which it has at last been permitted to embrace.

The food-conservation movement also is having extraordinary and wholly unexpected results. Here is a luxuriantly fertile island set in the tropical seas, peopled with nearly a million and a quarter of agriculturists, and still its inhabitants are physically undeveloped, because underfed. Care is taken to raise well what these people sell—sugar cane, some fruits, and coffee—but no thought at all is given to the cultivation of their own foodstuffs. These, besides the local fruits, consist for the most part of corn meal, rice, beans, and codfish, which are purchased in the "States," notwithstanding that the three vegetable staples can be made to flourish upon their own soil and Porto Rican waters abound in edible fish. Even the table sugar consumed by the more prosperous on this sugar-growing island we ship them.

FOOD SITUATION IN HAND.

In 1917, for instance, Porto Rico imported 7,834 tons of corn meal, 7,480 tons of beans, and, more curious still, 4,666 tons of white sugar—all at higher prices a pound than it received for its principal export—raw sugar. A losing business this.

Into this situation stepped the Food Administration with absolute power. As a consequence of its work, I am informed by John M. Turner, its local chief, none of the vegetable staples, aside from rice, need be imported this year. Sufficient acreage has been planted, he says, to supply the island's normal needs as well as those of Camp Las Casas. Thus, the drain upon our own resources should be lessened and the food cost of the island reduced, while Porto Rico should become not only a self-feeding community but one capable of exporting foodstuffs to its neighbor islands and the mainland.

A remarkable and permanent change in the island's life, I am convinced, may be expected to follow the military training its young men are about to undergo and the revolution which Mr. Turner and his associates are so intelligently making in its food supply.

Here we have reversed our figure of thought and find ourselves dwelling not upon what Porto Rico is doing for the war but upon what the war is doing for Porto Rico. What better example could be found of the unexpected returns that follow upon the exercise of an unselfish patriotism?

No examination of Porto Rico's reaction to the war would be accurate that failed to give weight to the effect produced by the superb insular police force that is conducted by Col. George R. Shanton. New York's "finest" is not so attractively clad nor does it look so much the military body. Of these well trained and disciplined officers which comprise the only police force on the island there are, roughly, only 800 to look after a populace of a million and a quarter, spread throughout a more or less mountainous island 35 miles wide by 90 long.

Truly, aside from a small but needed-to-be-watched element, composed of German and Spanish residents, the sunny and cheerful island of Porto Rico may confidently be classed among the war assets of the United States.

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

Mr. ESCH. Mr. Chairman, I yield one hour to the gentleman from Oregon [Mr. SINNOTT].

Mr. SINNOTT. Mr. Chairman, on account of the sharply divergent views persisted in with great tenacity by the respective advocates of Federal and State ownership and control of our water-power resources Congress has no more perplexing legislation to vex it than that embodied in the bill now before the House.

It is useless to indulge in mutual recriminations. Suffice to say that these two heretofore seemingly irreconcilable views are in a great measure, together with the present revocable permit, to blame for the failure to develop one of the greatest resources of the country. The American people will no longer tolerate or condone the failure of Congress to enact needed legislation to develop our water-power resources variously estimated at 60,000,000 and with storage at 200,000,000 horsepower, with each horsepower equivalent to the consumption of about 10 tons of coal annually or 30 barrels of oil.

The public is demanding that Congress "play ball" and quit quarreling over the selection of the umpire.

There should be enough statesmanship in Congress, representing both the State and national viewpoint, to enact wise and considerate legislation, to use the language of Chief Justice Marshall in Gibbons *v.* Odgen, in—

> that spirit of harmony and conciliation which ought always to characterize the conduct of governments standing in the relation which that of the Union and those of the State bear to each other.

I believe the bill we are now considering was drafted in that "spirit of harmony and conciliation" which Chief Justice Marshall said should characterize our counsels. It does not fully represent my views of the purpose and scope of the correlative rights and powers of the State and National Government. It may not represent your views. Nevertheless, as most legislation is a compromise, this bill is as fair a compromise as can be expected to issue from ingenious and positive minds wedded to pet theories of government, unwilling to stultify long preconceived convictions, but regardful that the needs of the country demand that the deadlock which has for years tied up one of our most valuable resources should be broken.

RECIPROCAL RIGHTS OF STATES AND NATION.

Unquestionably, both the State and the Federal Governments have rights to be considered and protected in water-power legislation. This House surely has the probity and wisdom "to render to Cæsar the things that belong to Cæsar," to render to the State, to render to the National Government the things that belong to each, respectively. This, I believe, will be done when the many misconceptions which prevail concerning the reciprocal rights of the State and General Governments are cleared away.

In considering this legislation four principles should be kept clearly in mind:

First, the people of each separate State own in common the water resources therein, subject, however, to the right of the General Government to control navigation.

Second, the General Government, under the commerce clause of the Constitution, is supreme in its power to regulate and control interstate navigation.

Third, under the decision in the Utah Power Co. case, in Two hundred and forty-third United States, 389, the power of Congress is exclusive respecting the lands of the United States which may be needed for power sites or rights of way.

Fourth, that while the State has the supreme dominion over its streams it is subject to the control of navigation, and, further, "a State can not by its legislation destroy the right of the United States, as the owner of lands bordering on a stream, to the continued flow of its waters; so far, at least, as may be necessary for the beneficial uses of the Government property." (United States *v.* Rio Grande Co., 174 U. S., 690.)

In theory at least the bill before the House was drafted in fair recognition of the above correlative rights. It may be argued that the regulative and antimonopolistic provisions of the bill impinge upon State rights concerning such matters. Perhaps they do. If so, it may be said in justification that these regulatory provisions are such as are found in all wise State legislation where there has been an honest attempt to protect the rights of the public in any State.

While such matters may technically belong to the jurisdiction of a State, I feel warranted, in the interest of power development, in acquiescing in these provisions. They will at least permit the inauguration of great water-power development. If they are illegal excrescences the Supreme Court will soon cut them out and leave the State to its proper jurisdiction over any power plants that may be developed under this bill. This House has gone on record so often on these regulatory provisions that we know as a practical proposition that it is impossible to pass through the House any bill which does not embody these principles.

FEDERAL REVENUE NOT CONTEMPLATED.

I was glad to read in the testimony of Secretary Lane and the Chief Engineer of the Forest Service, voicing the views of the three Secretaries, that there is no intention to exact rentals any further than to meet the expenses of administration. This, to my mind, is the proper theory of this legislation, for subject to the rights of the General Government, which I have enumerated, the people of each State have a property right in the water-power resources situated in that State. It was vigorously argued in the committee that the water-power resources of the country should be made to render substantial returns to the Federal Treasury on the ground that these resources belong to the Federal Government. It was also suggested in debate that these water-power resources should be exploited for the benefit of the Federal Treasury. It has been suggested that a dollar a horsepower should be charged. To this I most strenuously object. Unless the water-power development has some legitimate relation to the improvement of navigation or to the use of the public lands, I am firmly convinced that the exaction of any substantial revenue would be an encroachment upon the property rights of the people of the State where such development is had. Any such revenue will only be shifted by the power companies to the consumer. If it is wise to make substantial rental charges these rentals should belong to the people of the States owning the water resources.

I think, from a legal standpoint, that section 10 of the bill should be amended so as to limit rental charges to meeting legitimate administrative expenses, except where the use of public lands is concerned or the development has some legitimate relation to the improvement of navigation; and, as a matter of policy, it is wise in most cases to so limit the rentals, otherwise they will only be shifted to the consumer. While it is the announced policy of the present administration, under the provisions of section 10, to charge rentals sufficient only to meet administrative expenses, yet there is no protection in the bill against the imposition of substantial charges should a change of policy or administration take place. The matter of these charges should not be left to the varying policies of changing administrations. The people of the several States have substantial property rights in their water-power resources that should be protected and not surrendered by their Representatives to the Federal Government. My convictions on this question are grounded on the genesis of our Government and the decisions of the Supreme Court of the United States.

THE PEOPLE OF EACH SEPARATE STATE HAVE A PROPERTY RIGHT IN THE WATER-POWER RESOURCES OF THEIR STATE.

The genesis of our Government shows that prior to the formation of our Federal Constitution the thirteen original States were sovereign independent States; that each sovereign independent State separately held in trust for its people the ownership, dominion, and control of its waters. All the advantage, usufruct, profit, and emolument that such waters held belonged to the people of each State where such waters were located, subject to the legislative control of the State, for the benefit of the people therein. The control of navigation, the right to the fish in the streams, and all other benefits, rights, and privileges in their waters, including the development of power, belonged to the citizens of these sovereign, independent, original thirteen States.

Our Government, according to the repeated decisions of the Supreme Court, is one of delegated and enumerated powers, and for this reason all powers not surrendered in the Constitution of the United States to the General Government were reserved to the original thirteen States. These older States now retain all rights and powers in and to their waters not surrendered to the General Government. Likewise, the people of the new States, having been admitted into the Union on a footing of equality with the thirteen original States, have the same rights in their waters as were possessed by the people of the thirteen original States on the adoption of the Constitution of the United States.

These principles are frequently lost sight of by those who look upon the water-power resources of the country as resources belonging to the General Government. These principles are particularly ignored by those who advocate the imposition of substantial revenues to be paid into the Federal Treasury for permits to develop water power on our streams and rivers.

WATER RIGHTS RESERVED TO THE STATES.

What rights were surrendered to the Federal Government affecting the waters of the thirteen original States?

For the purposes of this bill we are concerned only with section 8, article 1, of the Constitution of the United States, for in that section only are found whatever rights were surrendered to the General Government over our water powers that need concern us in the consideration of this bill.

In section 8, article 1, there was surrendered to the General Government the power—

to regulate commerce with foreign nations, and among the several States, and with the Indian tribes.

Chief Justice John Marshall, in the famous case of Gibbons *v.* Ogden (9 Wheat., 1), decided that the word "commerce," in section 8 of the Constitution, included "navigation"; that, therefore, the power to regulate commerce included the power to regulate and control navigation. Accordingly, subject to the control of navigation by the General Government, all other rights, privileges, and advantages in the waters of the several separate States were reserved to the people therein as their common property, to be used for their exclusive benefit and advantage. For this reason I contend that if revenues are to be exacted for the development of water power, such revenues belong to the people owning the water powers developed, to be expended for the betterment of their schools, their highways, for irrigation, or such other internal improvement as the people or their legislatures deem most wise.

I believe that the people of my State are quite as competent as any Federal agency to expend therein any proceeds that may accrue at a dollar a horsepower, or any other sum, on the many millions of potential horsepower development located in the State of Oregon. I only wish my State had the same jurisdiction over the expenditure of the $12,000,000 of the reclamation fund derived from the sale of lands in the State of Oregon. And doubtless the gentleman from Oklahoma [Mr. FERRIS] wishes the same, as his State has been similarly treated.

If the General Government has a right to exploit the water-power resources of the several States as a money-making proposition, then the rights reserved and not surrendered in the Constitution were mere shadows and not the substance of substantial rights.

The General Government, as well as an individual, should be amenable to the legal maxim "sic utere tuo ut alienum non laedas"—so use your own right as not to injure the right of another.

Many decisions have been rendered by our Supreme Court showing that the rights reserved to the people of the several States in the Constitution of the United States were substantial property rights in their water resources, that these rights so reserved were not mere shadows, and when these decisions are read and understood they should appeal to the legislative probity and intellectual honesty of the House against the exploitation and confiscation of such rights for the benefit of the Treasury of the United States. For this reason I feel that the attention of the House should be directed to a few of the more important and controlling decisions where the line of demarcation between the rights of the General Government and the several States in their waters are clearly and forcibly stated.

These reserved rights can not be confiscated by tagging or labeling legislation "navigation." The Supreme Court will certainly, in view of its repeated holdings, ignore the sham and pretense of a legislative lie and protect these reserved rights where the legitimate objects of navigation are not concerned.

The first case to which I wish to call your attention is Martin *v.* Waddell (41 U. S., 410), wherein it is stated:

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

The doctrine in this case has been restated in every decision of the Supreme Court where the subject matter has been considered.

Another leading case is Pollard *v.* Hagan (3 How., 229), showing the ownership in the navigable waters and soil by Alabama, and that such ownership was not granted to the United States, but was reserved to the States, subject to the control of navigation, and to that alone.

In the case of Pollard against Hagan, Third Howard, 229, the Supreme Court of the United States 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 between her and the United States could diminish or enlarge these rights. * * * 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.

Hardin against Jordan holds, lands under water subject to State regulation and control, State may dispose of the usufruct, may lease oyster beds, grant fisheries, laws of each State govern use of waters and lands under them, tidewaters in this country synonymous with navigable rivers.

In Hardin against Jordan, One hundred and fortieth United States, 381, it is said:

Such title being in the State, the lands are subjected to State regulation and control, under the conditions, however, of not interfering with the regulation which may be made by Congress with regard to public navigation and commerce. The State may even dispose of the usufruct of such lands, as is frequently done by leasing oyster beds in them and granting fisheries in particular localities; also by the reclamation of submerged flats and the erection of wharves and piers and other adventitious aids of commerce. * * *

This right of the States to regulate and control the shores of the tidewaters and the land under them is the same as that which is exercised by the Crown of England. In this country the same rule has been extended to our great navigable lakes, which are treated as inland seas; and also, in some of the States, to navigable rivers, as the Mississippi, the Missouri, the Ohio, and in Pennsylvania, to all the permanent rivers of the State; but it depends on the law of each State to what waters and to what extent this prerogative of the State over the lands under water shall be exercised. In the case of Barney *v.* Keokuk (94 U. S., 324) we held that it is for the several States themselves to determine this question, and that if they choose to resign to the riparian proprietor rights which properly belong to them, in their sovereign capacity, it is not for others to raise objections.

Upon American Revolution title and dominion in tidewaters vested in several States. New States have same rights as

original States, use of shores and uplands subject to sovereign control, of each State.

Grants by Congress of portions of the public lands within a territory to settlers thereon, though bordering on or bounded by navigable waters, convey, of their own force, no title or right below high-water mark, and do not impair the title and dominion of the future State when created; but leave the question of the use of the shores by the owners of uplands to the sovereign control of each State, subject only to the rights vested by the Constitution in the United States. (Shively *v.* Bowlby, 152 U. S., 1.)

In this case the court further decides:

Upon the American Revolution the title and the dominion of the tidewaters and of the lands under them vested in the several States of the Union within their respective borders, subject to the rights surrendered by the Constitution to the United States. In the original States, by various laws and usages, owners of lands bordering on tidewaters were allowed greater rights and privileges in the shore below high-water mark than they had in England. The new States admitted into the Union since the adoption of the Constitution have the same rights as the original States in the tidewaters and in the lands under them within their respective jurisdictions. Upon the question how far the title extends of the owner of land bounding on a river actually navigable, but above the ebb and flow of the tide, there is a diversity in the laws of the different States; but the revealing doctrine now is that he does not, as in England, own to the thread of the stream. The title and rights of riparian or littoral proprietors in the soil below high-water mark are governed by the laws of the various States, subject to the rights granted to the United States by the Constitution.

Ownership and sovereignty over lands covered by tidewaters belong to the respective States; held by the people of the State in trust for the common use.

In the case of Illinois Central Railroad Co. *v.* People of Illinois (146 U. S., 387) it is said:

It is the settled law of this country that the ownership of and dominion and sovereignty over lands covered by tide waters within the limits of the several States belong to the respective States within which they are found, with the consequent right to use or dispose of any portion thereof, when that can be done without substantial impairment of the interest of the public in the waters, and subject always to the paramount right of Congress to control their navigation so far as may be necessary for the regulation of commerce with foreign nations and among the States. This doctrine has been often announced by this court and is not questioned by counsel of any of the parties.

* * * * * * *

The soil under navigable waters being held by the people of the State in trust for the common use and as a portion of their inherent sovereignty, any act of legislation concerning their use affects the public welfare. It is therefore appropriately within the exercise of the police power of the State.

State may change common-law rule of riparian rights and permit appropriations of flowing waters for such purposes as it deems wise, subject to right of General Government, to secure navigability of navigable streams, and subject to Government's riparian right for beneficial uses of Government's property. State of New York may appropriate its waters and the United States may not question the appropriation, unless the navigability of the Hudson River is disturbed.

In the case of United States *v.* Rio Grande Dam & Irrigation Co. (174 U. S., 690, 702–706), the Supreme Court, in an opinion by Mr. Justice Brewer, said:

The unquestioned rule of the common law was that every riparian owner was entitled to the continued natural flow of the stream. (Quoting 3 Kent Com. sec., 439.)

While this is undoubted, and the rule obtains in those States in the Union which have simply adopted the common law, it is also true that as to every stream within its dominion a State may change this common-law rule and permit the appropriation of the flowing waters for such purposes as it deems wise. Whether this power to change the common-law rule and permit any specific and separate appropriation of the waters of a stream belongs also to the legislature of a Territory, we do not deem it necessary for the purpose of this case to inquire. We concede arguendo that it does.

Although this power of changing the common-law rules as to streams within its dominion belongs to each State, yet two limitations must be recognized:

First, that in the absence of specific authority from Congress a State can not by its legislation destroy the right of the United States, as the owner of lands bordering on a stream, to the continued flow of its waters, so far, at least, as may be necessary for the beneficial uses of the Government property. Second, that it is limited by the superior power of the General Government to secure the uninterrupted navigability of all navigable streams within the limits of the United States. In other words, the jurisdiction of the General Government over interstate commerce and its natural highways vests in that Government the right to take all needed measures to preserve the country even against any State action.

Notwithstanding the unquestioned rule of the common law in reference to the right of a lower riparian proprietor to insist upon the continuous flow of the stream as it was, and although there has been in all the Western States an adoption or recognition of the common law, it was early developed in their history that the mining industry in certain States, the reclamation of arid lands in others, compelled a departure from the common-law rule and justified an appropriation of flowing waters both for mining purposes and for the reclamation of arid lands, and there has come to be recognized in those States, by custom and by State legislation, a different rule—a rule which permits, under certain circumstances, the appropriation of the waters of a flowing stream for other than domestic purposes.

In the United States *v.* Rio Grande (174 U. S.) Mr. Justice Brewer further says:

The Hudson River runs within the limits of the State of New York. It is a navigable stream and a part of the navigable waters of the United States so far, at least, as from Albany southward. One of the streams which flow into it and contributes to the volume of its waters is the Croton River, a nonnavigable stream. Its waters are taken by the State of New York for domestic uses in the city of New York. Unquestionably the State of New York has a right to appropriate its waters, and the United States may not question such appropriation unless thereby the navigability of the Hudson be disturbed.

Government of the United States is one of enumerated powers with no inherent powers of sovereignty; its powers found in the Constitution and in that alone; all powers not granted reserved to the people; no power in the United States to control flow of stream, except to preserve or improve navigability.

In Kansas *v.* Colorado (206 U. S., 46) it was said:

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 the Constitution of the United States, and in that alone; that the manifest purpose of the tenth amendment to the Constitution is to put beyond dispute the proposition that all 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 those waters is, subject to the exception named, vested in the State.

Lands underlying navigable waters belong to respective States; each new State admitted has same rights and powers regarding its waters as the older States.

In the case of Scott *v.* Lattig (227 U. S., 229, 242), Justice Van Devanter, in rendering the opinion of the court, said:

It was settled long ago by this court, upon a consideration of the relative rights and powers of the Federal and State Governments under the Constitution, that lands underlying navigable waters within the several States belong to the respective States in virtue of their sovereignty and may be used and disposed of as they may direct, subject always to the rights of the public in such waters and to the paramount power of Congress to control their navigation so far as may be necessary for the regulation of commerce among the States and with foreign nations, and that each new State, upon its admission to the Union, becomes endowed with the same rights and powers in this regard as the older ones. (County of St. Clair *v.* Lovingston, 23 Wall., 46, 68; Barney *v.* Keokuk, 94 U. S., 324, 338; Illinois Central Railroad Co. *v.* Illinois, 146 U. S., 387, 434–437; Shively *v.* Bowlby, 152 U. S., 1, 48, 50, 58; McGilvra *v.* Ross, 215 U. S., 70.)

States may establish rules of property for both navigable and nonnavigable streams, also ownership of land forming their beds and banks.

In United States *v.* Cress (243 U. S., 316), decided March 12, 1917, Mr. Justice Pitney said:

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., 661, 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.* Water Comrs., 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.)

CASES INVOLVING FISHERIES ANALOGOUS TO PROPERTY RIGHTS OF STATES IN WATER POWERS.

Many cases have been decided by the Supreme Court of the United States holding that the separate States have an exclusive property right in the fish, oysters, and sponges in their navigable and nonnavigable waters, and that in the grant to Congress by virtue of the commerce clause of the Constitution, of the right to control navigation, there was no cession of the fisheries, the oysters, or sponge beds; that these remain the common property of the citizens of the State where such fisheries and beds were located.

It was further held that while these rights of fisheries were subject to the control of navigation by virtue of the commerce clause of the Constitution, yet even under that clause it was held that the United States had no right or authority to grant a license to anyone to take fish or oysters from the waters of a State. Defendants arrested under State laws frequently plead in justification a license from the United States, frequently plead the control of navigable waters by the United States under the commerce clause of the Constitution, but the Supreme Court of the United States invariably held the license of the General Government no justification for taking the property of a State, and invariably refused to hold that the fisheries were embraced within the commerce clause of the Constitution, saying that the States made no cession of their fisheries by virtue of the United States Constitution to the General Government. It has always seemed to me that there is a clear analogy between the rights of the States in and to their fisheries and their rights to their water-power resources; there is no distinction in principle between their rights to their fisheries and their rights to their water-power resources; and as the Supreme Court holds that there was no cession of the fisheries to the General Govern-

ment, by parity of reasoning it may be said that there was no cession of the water powers to the General Government. Both the fisheries and the water powers are held subordinate to the right to control navigation, and to that alone, all other rights in these vast and valuable resources belong to the citizens of the several States in which they are situated. If these resources are to be made a source of revenue, that revenue belongs not to the General Government, but to the people of the separate States.

The first of these decisions, involving the property rights of the States in their fisheries, is the case of Corfield *v.* Coryell, volume 4, page 378, Washington's Circuit Court Report; the decision was rendered by Judge Bushrod Washington, a nephew of George Washington, and while the decision was rendered by Judge Washington, sitting as a judge in the circuit court for the third district, he was, when the decision was rendered, one of the associate justices of the Supreme Court of the United States, and was one of the justices who sat in the case of Gibbons *v.* Ogden (9 Wheat., 1), when Chief Justice John Marshall rendered the famous decision in the Gibbons *v.* Ogden case, holding that commerce included navigation, which decision laid the foundation for all such subsequent decisions giving Congress authority to control navigation. Judge Washington considered the case of Gibbons *v.* Ogden as full authority for the principal he states.

He held that in the grant to Congress to regulate commerce on the navigable waters of the several States there was no cession of territory or of public or private property; that the fisheries remained the common property of the citizens of the State to which they belonged, to be regulated by the laws of the State. That these fisheries did not become the common property of the citizens of all the other States; that the right to regulate the navigable waters granted to the General Government did not impair the right of the State government to legislate upon the subject of fisheries, provided they did not interfere with the regulations of Congress concerning navigation.

Judge Washington decided:

> Commerce with foreign nations and among the several States can mean nothing more than intercourse with those nations, and among those States for purposes of trade, be the object of that trade what it may, and this intercourse must include all the means by which it can be carried on, whether by the free navigation of the waters of the several States or by a passage over land through the States, where such passage becomes necessary to the commercial intercourse between the States.
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> It is this intercourse which Congress is invested with the power of regulating, and with which no State has a right to interfere. But this power which comprehends the use of and passage over the navigable waters of the several States does by no means impair the right of the State governments to legislate upon all subjects of internal police within their territorial limits, which is not forbidden by the Constitution of the United States, even though such legislation may indirectly and remotely affect commerce, provided it does not interfere with the regulations of Congress upon the same subject.

Further, Judge Washington decided:

> The grant to Congress to regulate commerce on the navigable waters belonging to the several States, renders those waters the public property of the United States for all the purposes of navigation and commercial intercourse, subject only to congressional regulations. But this grant contains no cession, either express or implied, of territory or of public or private property. The jus privatum which a State has in the soil covered by its waters is totally distinct from the jus publicum, with which it is clothed. The former, such as fisheries of all descriptions, remains common to all the citizens of the State to which it belongs, to be used by them according to their necessities or according to the laws which regulate their use. * * * If then the fisheries and oyster beds within the territorial limits of a State are the common property of the citizens of that State, and were not ceded to the United States by the power granted to Congress to regulate commerce, it is difficult to perceive how a law of the State regulating the use of this common property, under such penalties and forfeitures as the State legislature may think proper to prescribe, can be said to interfere with the power so granted.
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> That this exclusive right of taking oysters in the waters of New Jersey has never been ceded by that State, in express terms, to the United States is admitted by the counsel for the plaintiff; and having shown, as we think we have, that this right is a right of property, vested either in certain individuals, or in the State, for the use of the citizens thereof it would, in our opinion, be going quite too far to construe the grant of privileges and immunities of citizens as amounting to a grant of cotenancy in the common property of the State to the citizens of all the other States.

In McCready *v.* Virginia (94 U. S., 396) it was held that the States own the waters and the fish therein; that there was no cession or grant of power over the fisheries to the General Government; that the fish are the common property of the people of each State; that they have a property right in them; that the State could grant to its own citizens the exclusive right to take these fish; that "commerce has nothing to do with land while producing." This last sentence is significant, for what indeed has the commerce clause of the Constitution to do with land or water, while producing water power, other than protecting navigation?

I quote:

> The principle has long been settled in this court that each State owns the beds of all the tidewaters within its jurisdiction, unless they have been granted away. (Pollard's Lessee *v.* Hagan, 3 How., 212; Smith *v.* Maryland, 18 How., 74; Mumford *v.* Wardwell, 6 Wall., 436; Weber *v.* Harbor Commissioners, 18 id., 66.) In like manner the States own the tidewaters themselves, and the fish in them, so far as they are capable of ownership while running. For this purpose the State represents the people, and the ownership is that of the people in their united sovereignty. (Martin *v.* Waddell, 16 Pet., 410.) The title thus held is subject to the paramount right of navigation, the regulation of which, in respect to foreign and interstate commerce, has been granted to the United States. There has been, however, no such grant of power over the fisheries. These remain under the exclusive control of the State, which has consequently the right, in its discretion, to appropriate its tidewaters and their beds to be used by its people as a common for taking and cultivating fish, so far as it may be done without obstructing navigation. Such an appropriation is in effect nothing more than a regulation of the use by the people of their common property. The right which the people of the State thus acquire comes not from their citizenship alone, but from their citizenship and property combined. It is, in fact, a property right, and not a mere privilege or immunity of citizenship. (McCready *v.* Virginia, 94 U. S., pp. 394–395.)
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> The planting of oysters in the soil covered by water owned in common by the people of the State is not different in principle from that of planting corn upon dry land held in the same way. Both are for the purposes of cultivation and profit, and if the State in the regulation of its public domain can grant to its own citizens the exclusive use of dry lands we see no reason why it may not do the same thing in respect to such as are covered by water. And as all concede that a State may grant to one of its citizens the exclusive use of a part of the common property, the conclusion would seem to follow that it might by appropriate legislation confine the use of the whole to its own people alone.
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> Neither do we think this case is at all affected by the clause of the Constitution which confers power on Congress to regulate commerce. (Art. I, sec. 8.) There is here no question of transportation or exchange of commodities, but only of cultivation and production. Commerce has nothing to do with land while producing, but only with the product after it has become the subject of trade. (McCready *v.* Virginia, U. S. 94, p. 396.)

In Manchester *v.* Massachusetts (139 U. S., 240) the defendant, holding a license to fish under the laws of the United States, was convicted of a violation of the laws of Massachusetts. The Supreme Court of the United States held that there was no grant of power over the fisheries to the General Government; that the regulation of fisheries within the territorial limits of a State was not a regulation of commerce; that the power to regulate fisheries was left by the Constitution with the State.

In Mancheser *v.* Massachusetts (139 U. S., 258–9) it is said:

> In Dunham *v.* Lamphere (3 Gray, 268) it was held, Chief Justice Shaw delivering the opinion of the court, that in the distribution of powers between the General and State Governments the right to the fisheries and the power to regulate the fisheries on the coasts and in the tidewaters of the State was left by the Constitution of the United States with the States, subject only to such powers as Congress may justly exercise in the regulation of commerce, foreign and domestic. In the present case the court below was asked to reconsider that decision, mainly on the ground that the admiralty and maritime jurisdiction of the courts of the United States was not considered in the opinion and that the recent decisions of the Supreme Court of the United States on the power of Congress to regulate commerce required that the decision be reconsidered; but the court stated that no recent decisions of this court had been cited which related to the regulation of fisheries within the territorial tidewaters of a State, and that the decisions of this court which related to that subject did not appear to be in conflict with the decision in Dunham *v.* Lamphere, and that it never had been decided anywhere that the regulation of the fisheries within the territorial limits of a State was a regulation of commerce.
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> It is further contended that by the Constitution of the United States the judicial power of the United States extends to all cases of admiralty and maritime jurisdiction and is exclusive; that this case is within such jurisdiction; and that, therefore, the courts of Massachusetts have no jurisdiction over it. In McCready *v.* Virginia (94 U. S., 391) the question involved was whether the State of Virginia could prohibit the citizens of other States from planting oysters in Ware River, a stream in Virginia where the tide ebbed and flowed, when her own citizens had that privilege. In that case it was said that the principle had long been settled in this court that each State owns the beds of all tidewaters within its jurisdiction unless they have been granted away; and that, in like manner, the States own the tidewaters themselves and the fish in them, so far as they are capable of ownership while running; and this court added in its opinion: "The title thus held is subject to the paramount right of navigation, the regulation of which, in respect to foreign and interstate commerce, has been granted to the United States. There has been, however, no such grant of power over the fisheries. These remain under the exclusive control of the State, which has consequently the right, in its discretion, to appropriate its tidewaters and their beds to be used by its people as a common for taking and cultivating fish, so far as may be done without obstructing navigation. Such an appropriation is in effect nothing more than a regulation of the use by the people of their common property. The right which the people of the State thus acquire comes not from their citizenship alone, but from their citizenship and property combined. It is, in fact, a property right and not a mere privilege or immunity of citizenship."

Concerning the case of Manchester against Massachusetts, which I have just referred to, I quote from Judson on Interstate Commerce, edition of 1916, page 24, where it is stated:

> In the case cited from Massachusetts the courts held valid an act of that State prohibiting fisheries in the waters of Buzzards Bay, except under regulations prescribed by the act, and held that it applied to a vessel which had a license to fish under the laws of the United States. There has been no grant to Congress of power over fisheries, and these remain under the exclusive control of the States. The extent of the territorial jurisdiction of the State of Massachusetts over the sea adjacent to its coast was held to be that of an independent nation, and except so far as the right of control over this territory had been granted to the United States, the control remained with the State, subject, of course, to the admiralty and maritime jurisdiction of the United States.

In the case of the *Abby Dodge*, Two hundred and twenty-third United States, page 167, the case of a libel against the steamer *Abby Dodge* for bringing sponges into Florida in violation of an act of Congress prohibiting the importation of sponges taken from the Gulf of Mexico or Straits of Florida, it was contended that the act was invalid in that it prohibited the landing of sponges even if taken in the waters of the State. The Supreme Court of the United States held that if the act could be construed to apply to sponges taken in the waters of a State, the act would be invalid as encroaching on the proper right of the State. The court held the statute applicable only to sponges taken outside of the local waters of the State, but held the libel defective for not negativing the fact that the sponges may have been taken from the waters of the State, a subject not within the constitutional authority of the United States.

Advocates of Federal revenues from water powers are no doubt surprised that the Supreme Court in this case did not take the position that under the authority to control navigation the act of Congress in question should apply legally to the navigable waters of Florida. A supple logic would have found that in the right to control navigation there was embraced the right to control the fisheries.

I quote from this decision:

Broadly, the act, it is insisted, is repugnant to the Constitution because in one aspect it deals with a matter exclusively within the authority of the States, and in another because, irrespective of the question of the State authority, the statute regulates a subject not within the national grasp and hence not embraced within the legislative power of Congress. The first proceeds upon the assumption that the act regulates the taking or gathering of sponges attached to the land under water within the territorial limits of the State of Florida, and it may be of other States bordering on the Gulf of Mexico, prohibits internal commerce in sponges so taken or gathered, and is therefore plainly an unauthorized exercise of power by Congress. The second is based on the theory that even if the act be construed as concerned only with sponges taken or gathered from land under water outside of the jurisdiction of any State, then its provisions are in excess of the power of Congress, because, under such hypothesis, the act can only apply to sponges taken from the bed of the ocean, which the National Government has no power to deal with.

We briefly consider the two propositions. If the premise upon which the first rests be correct—that is to say, the assumption that the act when rightly construed applies to sponges taken or gathered from land under water within the territorial limits of the State of Florida or other States—the repugnancy of the act to the Constitution would plainly be established by the decisions of this court. In McCready *v.* Virginia (94 U. S., 391), the question for decision was whether the State of Virginia had such exclusive authority over the planting and gathering of oysters upon the soil in tidewaters within the territorial limits of the State as not only to give the State the power to control that subject, but to confer the right to exclude the citizens of other States from participating. In upholding the statute exerting such powers the doctrine was declared (p. 394) to be as follows: "The principle has long been settled in this court that each State owns the beds of all tidewaters within its jurisdiction unless they have been granted away. (Pollard's Lessee *v.* Hagan, 3 How., 212; Smith *v.* Maryland, 18 How., 74; Munford *v.* Wardwell, 6 Wall. 486; Weber *v.* Harbor Commissioners, 18 id., 66.) In like manner the States own the tidewaters themselves, and the fish in them, so far as they are capable of ownership while running. For this purpose the State represents its people, and the ownership is that of the people in their united sovereignty. (Martin *v.* Waddell, 16 Pet., 410.) * * * The right which the people of the State thus acquire comes not from their citizenship alone but from their citizenship and property combined. It is, in fact, a property right, and not a mere privilege or immunity of citizenship." True it is that the rights which were thus held to exist in the States were declared to be "subject to the paramount right of navigation, the regulation of which, in respect to foreign or interstate commerce, has been granted to the United States," but with that dominant right we are not here concerned.

Again, in Manchester *v.* Massachusetts (139 U. S., 240), in upholding a statute of the State of Massachusetts regulating the taking of menhaden in Buzzards Bay, the doctrine of the case just cited was expressly reiterated. True, further in the case, probably having in mind the declaration made in the opinion in the McCready case—that fish running within the tidewaters of the several States were subject to State ownership "so far as they are capable of ownership while so running"—the question was reserved as to whether or not Congress would have the right to control the menhaden fisheries. But here also for the reason that the question arising relates only to the sponges growing on the soil covered by water, we are not concerned with the subject of running fish and the extent of State and national power over the subject. (223 U. S., pp. 174–5.)

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While it is true that it would be possible to interpret the statute as applying to sponges taken in local waters, it is equally certain that it is susceptible of being confined to sponges taken outside of such waters. In view of the clear distinction between State and National power on the subject, long settled at the time the act was passed and the rule of construction just stated, we are of opinion that its provisions must be construed as alone applicable to the subject within the authority of Congress to regulate and, therefore, be held not to embrace that which was not within such power. (223 U. S., p. 175.)

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As by the interpretation which we have given the statute its operation is confined to the landing of sponges taken outside the territorial limits of a State, and the libel does not so charge—that is, its averments do not negative the fact that the sponges may have been taken from waters within the territorial limits of a State—it follows that the libel failed to charge an element essential to be alleged and proved in order to establish a violation of the statute. (United States *v.* Britton, 107 U. S., 655, 661–662, and cases cited.)

As we deem that it has no relevancy to the power of Congress to deal with a subject not within its constitutional authority—that is, the taking of sponges within the exclusive jurisdiction of a State. (223 U. S., p. 177.)

In Lee against State of New Jersey, Two hundred and seventh United States, 67, plaintiffs in error were convicted for dredging upon certain oyster beds contrary to the statute of New Jersey.

The court, by Justice Day, in rendering the decision, said:

It is the contention of the plaintiffs in error that this statute violates the right of free navigation and undertakes to regulate interstate commerce in violation of section 8, Article I, of the Federal Constitution, and deprives the plaintiff in error of the rights secured by the fourteenth amendment.

The power of the State to regulate the oyster industry, although the same is carried on under tidal waters in the State, is not contested and could not successfully be. (Smith *v.* Maryland, 18 How., 71; McCready *v.* Virginia, 94 U. S., 391; Manchester *v.* Massachusetts, 139 U. S., 240.)

Why has not the State the same right to regulate its water powers?

Water power as well as fisheries are public rights under State control.

In Holyoke Water Power Co. *v.* Lyman (82 U. S., 153), in rendering the opinion Mr. Justice Clifford said:

Rivers, though not navigable even for boats and rafts, and even smaller streams of water, may and often are regarded as public rights, subject to legislative control, as the means for creating power for operating mills and machinery, or as the source for furnishing a valuable supply of fish, suitable for food and sustenance. Such water power is everywhere regarded as a public right, and fisheries of the kind, even in waters not navigable, are also so far public rights that the legislature of the State may ordain and establish regulation to prevent obstructions to the passage of the fish and to promote the usual and uninterrupted enjoyment of the right by the riparian owners. * * * Water rights of the kind, whether the streams are used for mill purposes or merely as fisheries, are justly entitled to public protection, as they are in many cases of great value to the community where they exist.

CONCLUSION TO BE DRAWN FROM FISHERY DECISIONS.

The conclusion to be drawn from these decisions is that the people of the separate States actually reserved, subject to the commerce clause of the Constitution of the United States, substantial property rights in their waters, that can not be disparaged except by the paramount right to control navigation, and unless power development has some substantial relation to the improvement of navigation as a legitimate object, such development is a property right, the gains belonging to the people of the several States. Any other interpretation would make the reservation, referred to by the Supreme Court, of the beds and waters by the States a vain, empty, and worthless reservation, leaving to the States, perhaps, the scenery of our mountain streams and navigable rivers. Is it reasonable that the framers of the Constitution, jealous of the rights of the people of their respective sovereignties, contemplated such a bootless reservation when they declared in Article IX of the Constitution:

The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people.

That our navigable rivers are the highways of commerce, subject to the paramount control of Congress as to navigation, no one will deny. Congress may prevent the obstruction of the rivers in the interest of navigation. In many of our best rivers for fish it is necessary to place therein to catch the fish all kinds of obstructions, such as piling for fish traps and other kinds of stationary gear. In the Columbia River there are many miles of such piling driven into the bed of the river. The Secretary of War, under authority of Congress given him to control navigation, requires that such piling be so located as not to interfere with navigation. No one has ever suggested that this control of navigation gives the Government the right to exact rentals for the privilege of catching the fish, which, according to the decisions of the Supreme Court, are the property of the people of the State. Many million dollars' worth of fish are yearly caught in our navigable rivers, necessitating the placing therein of more obstructions than ever will be necessary for power development.

The seeker for Federal revenues has overlooked this ample source of revenue. Yet, if water-power resources are legally subject to a Federal rental, then our fisheries are subject to such revenue. If we are searching for revenues under the pretext of controlling navigation, do not overlook the wharves and docks encroaching on the waters of our navigable rivers, lakes, and harbors. Considering these wharves and docks, what a plenteous, copious, and affluent source of Federal revenue would not a trip on the Great Lakes disclose. Then down the Mississippi, on the Ohio and Missouri Rivers, a trip to the Gulf of Mexico, up the Atlantic coast line, then in New York Harbor. These are all waters subject to the commerce clause of the Constitution and to control by the Government in the interests of navigation.

If our water highways of commerce are subject to this Federal rental, why not exact a charge for any garage, hotel, or other structures or public convenience abutting any of our interstate highways, canals, or railroads?

All such highways of commerce are subject to the control given Congress in the commerce clause of the Constitution, for,

as one writer states, the commerce clause was written in the days of the stagecoach. Judge Washington, in the case of Corfield against Coryell, which I have referred to, says "commerce includes all the means by which it can be carried on, whether by the free navigation of the waters of the several States or by a passage over land through the States, where such passage becomes necessary to the commercial intercourse between the States."

Judson, on Interstate Commerce, writing on the instrumentalities of commerce, quotes the language of the Supreme Court:

> They extend from the horse with its rider to the stagecoach, from the sailing vessel to the steamboat, from the coach and steamboat to the railroad, and from the railroad to the telegraph, as these new agencies are successively brought into use to meet the demands of increasing population and wealth. They were intended for the government of the business to which they relate at all times and under all circumstances.

Justice Brewer on the power of the General Government over natural and artificial highways:

> It may be suggested that the cases are not parallel, in that in the present there is a natural highway, while in that suggested it is wholly artificial. But the power of Congress is not determined by the character of the highway. * * * The power * * * springs from the grant of power to regulate commerce.
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> We are so much accustomed to see artificial highways, such as common roads, turnpike roads, and railroads, constructed under the authority of the States and the improvement of natural highways carried on by the General Government that at first it might seem that there was some inherent difference in power of the National Government over them. But the grant of power is the same. There are not two clauses of the Constitution each separately applicable to a different kind of highway. The fee of the soil in neither case is in the General Government but in the State or private individuals. The differences between the two are in their origin—nature provides the one, man establishes the other. (Monongahela Navigation Co. *v.* United States, 148 U. S., 342.)

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

Mr. SINNOTT. Certainly.

Mr. WALSH. Is it the gentleman's contention that Congress would have the power to control the navigable streams in other respects, but if it seeks to control them with respect to water power that any revenues derived therefrom should go to the State?

Mr. SINNOTT. It is my contention, over and above the administration expenses. My contention is that water powers on navigable streams belong alone to the State, subject to the dominant control of Congress concerning navigation.

Mr. WALSH. But, if the gentleman will permit there, if that be so, of course Congress would have the power so to frame the administrative regulations or statutes as to preclude there being any revenue for the States, would it not?

Mr. SINNOTT. Then the States would step in and exact the revenue themselves. Congress could not preclude the State from collecting rentals.

Mr. WALSH. Well, are they inhibited from doing that under this bill?

Mr. SINNOTT. Are the States inhibited?

Mr. WALSH. From stepping in if this bill becomes a law?

Mr. SINNOTT. They are not legislatively, but as a practical proposition they may be. If rentals are exacted too high above the necessary administration expenses it may make the water powers too expensive. It will increase the price to the consumer, and in that way it will make them, in a great many cases, practically prohibitory. That is what I am objecting to. The charge should be limited in the bill.

It is argued that the decision of the Supreme Court in the case of United States against Chandler-Dunbar Co. is authority for a Federal rental of water power. In that case the United States had secured by condemnation the riparian lands, had itself constructed the dam to improve navigation, and also created the power. Under these circumstances it was that the court declared:

> If the primary purpose is legitimate, we can see no sound objection to leasing any excess of power over the needs of the Government.

This case is certainly not authority for the general leasing by the Federal Government of our water-power resources.

In connection with the Chandler-Dunbar case, it is well to keep in mind the statement of Justice Marshall in Cohens against Virginia, Sixth Wheaton, and since reiterated in numerous decisions:

> It is a maxim, not to be disregarded, that general expressions, in every opinion, are to be taken in connection with the case in which those expressions are used.

It is further argued that inasmuch as Congress has the right to control commerce and for that purpose has the control of navigation in our navigable streams, its will is supreme, even though under the pretext and guise of controlling navigation it exacts rentals that amount to a practical confiscation of the reserved rights of the State in its water resources.

Were that the law it would be inequitable to enforce it.

> O, it is excellent
> To have a giant's strength, but it is tyrannous
> To use it like a giant.

But it is not the law; the power to regulate commerce did not divest the States of the control of their local affairs.

A similar contention of the supremacy of the control of commerce was made in the recent child-labor case, decided last June. The decision of the Supreme Court is an answer to the argument that the commerce clause of the Constitution has no limits.

In the child-labor-law case Mr. Justice Day, delivering the opinion of the court, said:

> The grant of power to Congress over the subject of interstate commerce was to enable it to regulate such commerce, and not to give it authority to control the States in their exercise of the police power over local trade and manufacture. * * *
>
> The control by Congress over interstate commerce can not authorize the exercise of authority not intrusted to it by the Constitution. (Pipeline case, 234 U. S., 548, 560.) The maintenance of the authority of the States over matters purely local is as essential to the preservation of our institutions as is the conservation of the supremacy of the Federal power in all matters intrusted to the Nation by the Federal Constitution.
>
> In interpreting the Constitution it must never be forgotten that the Nation is made up of States to which are intrusted the powers of local government. And to them and to the people the powers not expressly delegated to the National Government are reserved. (Lane County *v.* Oregon, 7 Wall. 71, 76.) The power of the States to regulate their purely internal affairs by such laws as seem wise to the local authority is inherent and has never been surrendered to the General Government. (New York *v.* Miln, 11 Pet., 102, 139; Slaughterhouse cases, 16 Wall., 36, 63; Kidd *v.* Pearson, supra.) To sustain this statute would not be, in our judgment, a recognition of the lawful exertion of congressional authority over interstate commerce, but would sanction an invasion by the Federal power of the control of a matter purely local in its character and over which no authority has been delegated to Congress in conferring the power to regulate commerce among States.
>
> We have neither authority nor disposition to question the motives of Congress in enacting this legislation. The purposes intended must be attained consistently with constitutional limitations and not by an invasion of the power of the States. This court has no more important function than that which devolves upon it the obligation to preserve inviolate the constitutional limitations upon the exercise of authority, Federal and State, to the end that each may continue to discharge, harmoniously with the other, the duties intrusted to it by the Constitution.

NO NEED OF CONFLICT.

There need be no conflict between the right of the General Government with regard to navigation and the right of the State to its water resources; each can be exercised with due regard to the other; and it is our duty as legislators, representing State and Nation, to see that this equitable principle is enforced.

But rather than see these vast and valuable resources going to waste, I am willing to make concessions. I want development, whether that development is by State or Nation or half State and half Nation. I feel in the frame of mind Lincoln was in when he wrote to Greeley and said:

> What I do about slavery and the colored race, I do because I believe it helps to save the Union; and what I forbear, I forbear because I do not believe it would help to save the Union.

So what I do in this matter I do because I believe it helps to save this waste; it helps to bring about development of one of our greatest resources. What I forbear I forbear because I do not believe it would help to bring about development.

OREGON'S INTEREST.

No section of the country has a greater interest in legislation that will promote water-power development than the States in the Columbia River basin. Here is one-third of the potential 60,000,000 horsepower estimated to be in the United States. "Millions of horsepower in 'white coal' are here going to waste" is the language of the State engineer of Oregon, John H. Lewis, who has done much to awaken interest in the water powers of Oregon and the Columbia River drainage basin. His Bulletin No. 5 is a valuable collection of facts concerning the water powers of that region. It may be obtained by addressing him at the State capitol, Salem, Oreg.

DESCHUTES RIVER.

Water-Supply Paper 344 of the United States, prepared by the Geological Survey in cooperation with the State of Oregon, is another valuable compilation of facts concerning one of the most unique rivers in the United States.

From Benham Falls to the mouth of the Deschutes, at its junction with the Columbia River, a distance of 180 miles, the Deschutes River has a fall of 4,000 feet; at Benham Falls the minimum flow is approximately 1,500 second-feet; in 12 miles from Benham Falls it drops 600 feet. In the last 111 miles the Deschutes River, rushing in a gorge 1,000 feet deep, drops 1,400 feet and has a minimum flow of 5,000 second-feet; 5,000 second-feet would require a conduit about 70 feet wide and 70 feet deep flowing a foot a second. This drop of 1,400 feet is in a distance of 21 miles less than the distance from Washington to Philadelphia by the Pennsylvania Railroad.

The flow of this river is constant and dependable and in the last 111 miles is 2,000 second-feet more than the dependable flow of the Potomac River at Chain Bridge in the District of Columbia. In this distance of 111 miles on the Deschutes River 504,000 horsepower can be developed, almost equaling the present development at Niagara, which is 540,000 horsepower.

The development of this power on the last 111 miles of this river would permit the irrigation of from 300,000 to 500,000 acres in the upper stretches, with the aid of storage reservoirs, with little impairment of the power possibilities on the lower river, for the slope of the country and the substrata is such that the water will return by seepage to the lower river.

Water-Supply Bulletin No. 344 of the United States Geological Survey pronounces this river as the most remarkably uniform in flow of any other river in the United States comparable with its size "and its economic value almost incalculable."

Fancy a river almost double the dependable volume of the Potomac, with a fall of 1,400 feet between the cities of Washington and Philadelphia, capable of developing 504,000 horsepower, idle on account of our failure to enact legislation to encourage development.

State Engineer Lewis, to whose reports I am indebted for many of my figures, says that "something like 3,300,000 horsepower is now running to waste in Oregon. To produce this power, steam engines would consume 36,000,000 tons of coal annually, which, at $4 a ton, would be worth $144,000,000."

But with this difference, the coal would be consumed, but the water power or "white coal" is never consumed but will serve mankind forever.

From the Deschutes Valley may be seen lofty snow peaks of perpetual snow from 7,000 to 12,000 feet, rearing to the heavens their mantle of white to give assurance of perpetual waters, the gift of Providence. Are we wise enough to enact legislation to take advantage of such a bounty?

THE DALLES POWER.

At The Dalles, on the Columbia, is one of the most colossal power possibilities in the world. I have brought to the House to show the membership a picture of this site. This small picture, 6 inches by 8½ inches, was enlarged by Glenn M. Hauté, the photographer of the Reclamation Service, to 20 inches by 3½ feet. This narrow channel you see here is about 150 feet wide; directly above it the river is, at low water, as you see it now, 1,600 feet wide. Through this narrow channel the river flows with great velocity. The river, as you see it in this picture, flows about 50,000 cubic feet a second. For the benefit of those not familiar with the term cubic feet, used in water measurements, I should explain that a cubic foot a second is commonly called a second-foot; it is a body of water a foot wide, a foot deep, flowing at a velocity of 1 foot a second. A second-foot falling 8.80 feet creates 1 horsepower.

Mr. STAFFORD. Will the gentleman yield?

The CHAIRMAN. Will the gentleman from Oregon yield to the gentleman from Wisconsin?

Mr. SINNOTT. Certainly.

Mr. STAFFORD. Will the gentleman advise the committee as to the industrial establishments that can utilize this tremendous undeveloped horsepower?

Mr. SINNOTT. Well, it can be used by many industries; also in the fixation of nitrogen and various chemical processes. We have driven such industries to Canada.

The minimum flow of water for the past 20 years through this narrow channel has been over 50,000 second-feet; that is, a body of water approximately 225 feet wide and 225 feet deep continuously flowing at the rate of 1 foot a second. This Hall of the House of Representatives is 36 feet deep from the ceiling overhead to the pit in front of the Speaker's stand and it is 93 feet wide.

It would take a conduit approximately 1,300 feet wider, or fourteen times wider, than this Hall, and of the same depth from the ceiling to the floor, to carry the low-water flow, running a foot a second, at this point on this picture.

The drainage area of the water flowing through this narrow gorge is 237,000 square miles, five times the area of the State of New York. At high water the flow has reached 1,170,000 second-feet.

With a dam 25 feet high on top of these bluffs I am pointing to, a drop of 105 feet would be secured one and a half miles below, at the Big Eddy. This would develop 800,000 horsepower for 8 months of the year and 480,000 horsepower for the entire 12 months.

The report shows that 600,000 acres of arid lands could be irrigated by aid of this project.

The State of Oregon and the United States have made very extensive investigations of this power site, each spending $15,000 for that purpose. The results of that investigation are set forth elaborately in this large printed report which I hold in my hand. It contains 118 pages.

This report shows available for 12 months 480,000 horsepower; for 11 months, additional power, 120,000 horsepower; for 10 months, additional power, 100,000 horsepower; for 8 months, additional power, 100,000 horsepower. Primary and secondary total horsepower of 800,000 for 8 months.

The primary power here could be sold for $9.02 per horsepower if financed at 3 per cent, for $10.35 if financed at 4 per cent, and $15.15 if financed at 6 per cent.

If the surplus power over the primary 480,000 horsepower could be sold at rates equivalent to 80 per cent of the value of the primary power for 11 months' service, 60 per cent for 10 months', and 30 per cent for 8 months' service, the selling price of primary power would be reduced to $6.63 horsepower financed at 3 per cent, $7.85 at 4 per cent, and $11.02 at 6 per cent.

The first cost for water-power development at the great hydroelectric plant at Rjuken, Norway, according to H. J. Pierce, a well-known expert, is $9.37 per horsepower. He says the cheapest price in Europe is $12 per horsepower.

Forty miles below The Dalles on the Columbia River, at the Cascade Falls, is another power site where 200,000 continuous horsepower can be created. This latter project is highly recommended by State Engineer Lewis as the most logical for early construction. His Bulletin No. 5 contains tentative plans and estimates of more than a score of projects capable of developing 2,000,000 horsepower.

IN A FUTURE AGE.

I do not suppose any engineer would be rash enough to indulge in the speculation I am going to indulge in, but no one can safely forecast the future or what the demands of a future age may be when a greatly multiplied population will occupy the Columbia River basin.

I call your attention in this picture to the hills on the Washington shore; we call them hills in the West. Those hills are about 2,000 feet high; these bluffs I am pointing to are solid basaltic rock bluffs several hundred feet high. On the Oregon side of the river are similar hills to those you see on the Washington shore. Between those bluffs a dam could be constructed, at least 500 feet high, that would develop over 3,000,000 horsepower, almost one-half the Nation's present hydroelectric development.

Mr. JOHNSON of Washington. How far is it from this possible water power to the point where the city of Portland secures its water power?

Mr. SINNOTT. It is less than 100 miles from there to Portland. You can supply Spokane, Seattle, Portland, and Takoma and all those sections from this one power—all Oregon, Washington, and parts of Idaho.

Mr. JOHNSON of Washington. Except those cities will be supplied from other sources, too. The city of Portland has its supply from the White Salmon River.

Mr. SINNOTT. Some of it.

Mr. GILLETT. Will the gentleman yield?

Mr. SINNOTT. I will.

Mr. GILLETT. How high would this dam be? The dam contemplated in the report was 25 feet. This would give a fall of 105 feet in 1½ miles.

Mr. SINNOTT. You can have a dam here of 400 feet. That would back the water up to Hermiston. Of course, that is not going to be contemplated for generations; but the possibility is there, and when they estimate our water-power resources a project like that is never figured on.

Mr. WALSH. Will the gentleman yield?

Mr. SINNOTT. Yes.

Mr. WALSH. With what project was this Government investigation made?

Mr. SINNOTT. It was made by the Reclamation Service and the State of Oregon.

Mr. WALSH. How many years ago?

Mr. SINNOTT. About four years ago.

Whether this larger dam, 400 or 500 feet, will ever be essayed, time only will tell; the possibility is there. Balboa's vision, slighted by his emperor, of a canal connecting the two oceans, took 400 years to become a reality. Others had the same vision, who—

> * * * like stout Cortez, when with eagle eyes
> He stared at the Pacific, and all his men
> Looked at each other with a wild surmise,
> Silent upon a peak in Darien.

If some future age, "where rolls the Oregon," finds itself coalless, it may venture on this gigantic undertaking and develop the possible 3,000,000 horsepower latent in the stream at this point. Such a project with its dam would make a lake from one to sev-

eral miles wide and some 80 miles in length, to some point below Hermiston, where the elevation is 458 feet. Such an immense storage lake perhaps would vitally and beneficially affect the climate and rainfall of the arid sections of eastern Oregon and Washington. Apart from the railroads on the two banks of the river, the lands that would be submerged, in comparison to the direct and indirect advantage of this colossal project, may in a future age be considered of relatively little value.

However, the economics of this great water power must be left to "the never ending flight of future days."

It is at least a possibility that affords interesting speculation.

Mr. SIMS. May I interrupt the gentleman there?

Mr. SINNOTT. Yes.

Mr. SIMS. Is this location on public land or on State land?

Mr. SINNOTT. There is not any public land there. This is a navigable stream. There may be a little bit of public land, but I think there is practically none.

Mr. SIMS. Is it navigable above this narrow space?

Mr. SINNOTT. There are several miles of locks along here, and this dam would remove a number of those obstructions and dispense with a part of the canal.

COAL AND OIL SHORTAGE.

Mr. Chairman, the Fuel Administration estimates our coal consumption for 1918 at 710,000,000 tons. One annual hydroelectric horsepower would save 10 tons of this coal; our 60,000,000 estimated water power would, if only partially utilized, relieve the coal situation. The President, conscious of our coal shortage, has extended special consideration to the coal miners in the draft classification to encourage production. Our coal consumption for this year will exceed last by 14.4 per cent if this increase continues, or even the normal increase of 7 per cent per annum. A noted expert tells us, basing his figures upon the coal estimates of the United States Geological Survey, that the time is in sight when we must cut down our rate of increase of coal consumption. The oil consumption for 1916 was 312,000,000 barrels, production 296,000,000, a deficiency of 16,000,000 barrels. For 1917 it was estimated there would be an oil shortage of 70,000,000 barrels.

With our water power developed we need have no concern for our fuel supply, either of oil or coal.

This Aladdin's genii of exhaustless electric energy, dormant and locked up in our mountain streams and rivers, should be released to dispense light, heat, and energy for mankind.

Let us release the legal shackles from our water powers and put on the harness of industry. We are mobilizing our man power, let us mobilize our water power and reduce the drain on our oil and coal. Wise and considerate legislation will accomplish this object.

Make it easier for the manufacturers to obtain cheap power, and cities and villages will grow up along our streams. Make it easier for the irrigationist to obtain power, and millions of acres of arid lands now producing nothing but sagebrush and cactus will spring up in farms of grain, alfalfa, and other food products.

This bill, if enacted into law, will help accomplish these blessings.

It offers opportunity to municipality, State, Nation, or private capital to minister to our comforts.

I wish to discuss two important features of the bill: First, the definition of navigable waters; second, net investment and fair value.

DEFINITION OF NAVIGABLE WATERS UNSOUND.

I wish to call the attention of the House to a paragraph that I think should be eliminated; that is, the definition of navigable waters in section 3, which defines navigable waters:

"Navigable waters" means all streams or parts of streams and other bodies of waters or parts thereof over which Congress has jurisdiction under its authority to regulate commerce with foreign nations and among the several States.

This definition of navigable waters is neither true in fact nor in law. The consequences of such a definition, if we could so define navigable waters, no one can forecast.

This definition, if valid, might change many titles and rules of property.

Only last March an important decision was rendered in the District Court of the United States for the Western District of Oklahoma in the case of the United States, as trustee for the Osage Indians, against an oil company. The case was decided by Judge Cotteral. It involved the ownership by the Osage Indians of valuable oil lands in the bed of the Arkansas River. The oil company leased the oil lands from the State. The State claimed ownership of the leased land on the ground that the river was a navigable river. The court held the river to be nonnavigable and decided the title in favor of the Indians.

Yet this Arkansas River, at the point in question, is under the jurisdiction of Congress, under its authority to regulate commerce, to preserve the navigability of the navigable parts of the river below the point in controversy. Under the definition of navigable waters in this bill the Indians would have lost their oil lands.

All the nonnavigable tributaries of navigable streams are under the jurisdiction of Congress, to preserve the navigability of the main stream. Congress in the act of March 3, 1899, assumed jurisdiction over such nonnavigable tributaries when it prohibited in section 13 of that act the depositing or throwing into the tributaries of any navigable river of any refuse matter which could float or be washed from the tributary to the navigable water. The act of March 3, 1899, also provides that before any bridge may be constructed across navigable water consent of Congress must be obtained, or else consent of the Secretary of War, at a penalty of from $500 to $2,500, with or without imprisonment. Now, if all these tributaries of navigable streams are to be classed as navigable waters, as they will be under this definition in section 3, before the local county officials can bridge their mountain streams they will be compelled to seek the consent of Congress or the Secretary of War.

If this definition of navigable waters in section 3 obtains no irrigation dam can be put in any of our mountain streams tributary to navigable waters until the approval of the Secretary of War and the Chief of Engineers is obtained.

Surely all this embarrassment should not be put upon the local community desiring to bridge the tributary streams or to place therein irrigation dams. As a matter of law Congress has no right, in my opinion, to so define navigable waters if the ordinary incidents of navigable waters are to follow. The Supreme Court has repeatedly decided that waters are navigable in law which are navigable in fact. It is beyond the power of Congress to change this well-settled rule of law and property. Many rights of property have been built up under the definition laid down by the Supreme Court. It certainly would be very unwise for us to try to change the well-accepted definition of navigable waters.

On this question I quote from the United States against Cress, Two hundred and forty-third United States:

Many State courts, including the court of appeals of Kentucky, have held, also, that the legislature can not by simple declaration that a stream shall be a public highway, if in fact, it be not navigable in its natural state, appropriate to public use the private rights therein without compensation. * * * This court has followed the same line of distinction. That the test of navigability in fact should be applied to streams in their natural condition was in effect held in the Daniel Ball (10 Wall., 557), a case which turned upon the question whether Grand River, in the State of Michigan, was one of the "navigable waters of the United States" within the meaning of acts of Congress that regulated vessels carrying merchandise and passengers upon such waters. Mr. Justice Field, speaking for the court, after showing that the tidal test was not applicable in this country, said (p. 563): "A different test must, therefore, be applied to determine the navigability of our rivers, and that is found in their navigable capacity. Those rivers must be regarded as public navigable rivers in law which are navigable in fact. And they are navigable in fact, when they are used, or are susceptible of being used, in their ordinary condition, as highways for commerce, over which trade and travel are or may be conducted in the customary modes of trade and travel on water."

NET INVESTMENT AND FAIR VALUE.

One of the most controverted features of the bill involves the question as to whether or not, on the recapture of the power project under section 14, there shall be paid therefor the net investment of the licensee in the property or the fair value of the property. The committee voted in favor of the net investment idea. The gentleman from Oklahoma [Mr. FERRIS] has filed a minority report favoring "fair value" as a measure of payment on recapture.

MINORITY REPORT.

In justice to the committee it must be said the minority report is hardly fair to the committee. It would not be too captious or critical to say that the minority report is actually disingenuous. At least, it is not frank. The minority report sets forth the recapure clause of the original bill as the one agreed upon by Secretaries Lane, Baker, and Houston.

This contains the fair-value plan which the author of the minority report [Mr. FERRIS] supports in opposition to the net-investment plan. He sets forth in the report "recapture proposal known as the 'net-investment amendment,' as provided by the majority members of the committee"; if the inference is sought to be conveyed that the net-investment plan orignated with the committee, in opposition to the plan of fair value first proposed by the three Secretaries, then the inference is not warranted by the facts. The proof of the matter is that the "net-investment" plan was communicated to the committee by the three Secretaries. They appeared before the committee in support thereof. Their letter communicating the net-investment amendment is on page 29 of the report. Secretaries Baker and Houston both appeared before the committee in support of this amendment, the net-investment plan.

As the gentleman from Minnesota [Mr. ANDERSON] intimated, I sometimes have misgivings as to whether the gentleman from Oklahoma [Mr. FERRIS], with his usual courtesy to members of the committee, is entirely responsible for that report. It is not frank——

Mr. FERRIS. I will relieve the gentleman's embarrassment about that by saying that I drew the report. Wherein does the gentleman——

Mr. SINNOTT. If the gentleman will let me go ahead I shall give attention to it.

On page 466 of the hearing is Secretary Lane's letter in support of "net investment."

On page 44 of the minority report the inference is left that land, good will, and intangible values are to be paid for under the net-investment plan.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SINNOTT. Will the gentleman from Wisconsin yield me 15 minutes more?

Mr. ESCH. Yes; I yield to the gentleman 15 minutes.

The CHAIRMAN. The gentleman from Oregon is recognized for 15 minutes longer.

Mr. SINNOTT. If this is not the inference designed to be left, I am at loss to understand why the following insinuating language is found on page 44 of the minority report:

> Thus it will be observed that on each occasion the House of Representatives provided that at the expiration of the term the developer should be paid the fair value for his property and no more. Thus it will be observed that on each occasion they provided that in no instance should lands, good will, etc., be paid for in the event of retaking. By consulting the CONGRESSIONAL RECORD it will be observed that each of the four times when water-power bills have passed the House of Representatives an attempt to tamper with or override this well-defined principle as to a correct recapture clause has been voted down overwhelmingly, emphatically, and to such an extent that it would seem that the matter should have been put at rest. By a consultation of the CONGRESSIONAL RECORD it will be observed that when these bills were finally passed on each of the four occasions above mentioned they passed by practically unanimous vote and without any discussion or objection from any source.

This language is very misleading if it is to be understood therefrom that the elements of value heretofore excluded in former legislation are to be included in the net-investment plan. On the contrary, the net-investment plan specifically provides for the exclusion in the payment on recapture of all intangible values, the exclusion of the value of any lands, rights of way, or other property of the United States, the exclusion of good will, going value, or prospective revenue. Without the explicit exclusion in the bill the very definition of "net investment" contained in the "classification" of the Interstate Commerce Commission would exclude them. The exclusion in the bill is mere surplusage. None of these elements of value are taken into consideration in the recapture provision of section 14. I can not think that the author of the minority report intended the obvious inference in the language which I have quoted from page 44, for every property value, every intangible element, excluded under the "fair value" plan is likewise excluded under the net investment plan, except under the net investment plan a different treatment is accorded depreciation.

In view of this I am at loss to know why this language I have quoted was inserted on page 44. I am at loss to know why a constant reference is made in the minority report to the fact that the "net investment" idea was not in the administration bill, that it has been accomplished by an amendment added to the administration bill. Four times reference is made to the administration bill, leaving the inference or implication that the net investment idea is in conflict with the administration plan. The fair value recapture clause "agreed upon by Secretaries Lane, Baker, and Houston" is referred to. The "recapture proposal, known as the net investment amendment, as provided for by the majority members of the committee," is referred to. Why these repeated insinuations? Are they calculated to prejudice the House or are they mere inadvertencies? I know of no better way of getting the views of the Secretaries on the "net investment" plan than by listening to their testimony and reading their letters in favor of this plan. This I have done. I know of no better way—at least for a Republican—to learn whether or not a bill or an amendment is an administration measure than to find that it has the approval of three members of the President's official family and Cabinet—the Secretaries of War, of the Interior, and of Agriculture. I hope that no one in the House will be misled by the devious language in the minority report.

The minority report refers, with evident approval, to the principles heretofore adopted by the House to govern payment on recapture. I doubt if the author himself, in the light of the further study we have all given to this matter, would now approve, unqualifiedly, the very provisions he seemingly approves. For instance, the recapture clause of the Ferris water-power bill which passed the House August 24, 1914, set out on page 42 of the minority report, would allow, in payment on recapture, for the appreciation in value of structure and fixtures erected, machinery and transmission lines, and for appreciation in value of all other property taken over, save rights of way, water rights, lands, and interests therein; franchise, good will, or profits to be earned on pending contracts, or any other intangible element was not to be considered, but appreciation in value of all other property, with the exceptions mentioned, was to be paid for.

The recapture clause of the Ferris bill which passed the House on January 8, 1916, is set forth on page 42 of the minority report.

This clause would allow for the appreciation of lands other than public lands and rights of way, also for appreciation of structures and fixtures, machinery, and transmission lines, also for the value of "going concern," often an important element of value.

In the case of the city of Denver against Denver Water Co., decided by the Supreme Court of the United States last March, "going value" on the company's plant was allowed at $800,000.

The Adamson bills of August 4, 1914, and July 14, 1916, are set out on page 43 of the minority report. Both of these would allow payment for increases or appreciation in value of machinery, fixtures, transmission lines, and structures. In the latter bill appreciation could not carry the value beyond actual cost. All of these matters are excluded in the net investment plan; some of them, as I shall hereafter show, are still retained in the "fair-value" plan favored by the minority report. I say this not captiously, for these are all matters that require the most careful study and scrutiny and were generally inadvertently overlooked by the House when they were considered before. But these former bills should not, in the light of the information we now have, be held up as models of legislative integrity, and another and better plan, originating with and supported by Secretaries Lane, Baker, and Houston, stigmatized as "an attempt to tamper with or override this well-defined principle as to a correct recapture clause."

The attempt "to tamper with and override" has served a good purpose; it is to be commended, not censured.

"VALUE" UNSCIENTIFIC AND UNCERTAIN.

Secretary Baker, on page 673 of the hearings, stated that "net investment" was "a clearer definition of exactly the same intention as had been expressed in the original phrases." Secretary Houston, on page 651, said that the use of the phrase "net investment" instead of "fair value" would make it more certain what the Government would pay and more certain what the licensee would receive. On page 659 he said the difference is one of "definiteness and clearness"; that under the amendment "both parties would know more clearly how to proceed." On page 694 Secretary Houston said "net investment would furnish a certain basis for the commission in establishing rates, which fair value does not. You would have to debate each time what was meant by 'fair value' and haggle over it."

On page 854 is set out Secretary Houston's letter of March 29, 1918, concerning the relative merits of "fair value" and "net investment." He wrote:

> The term "fair value not to exceed actual cost" is, at the best, indefinite. It was believed advisable, therefore, from the standpoint of the public interest as well as that of the private investor, to make this most important provision of the bill as definite as possible. The term "net investment" has accordingly been used. The maximum price that can be received in event of recapture under this definition is "the actual legitimate original cost" of the property taken. This amount may be considerably reduced by the subtraction to the extent they have been accumulated from earnings in excess of a "fair return" of the items specified in the definition, namely, unappropriated surplus, depreciation balances, amortization reserves, and amounts expended in extensions and betterments. Since this definition by its very language completely excludes from the purchase price every item named in lines 17 to 24 on page 21, those lines are mere repetition of language and were canceled. If there is any possible doubt on this point, the lines could be retained after changing "fair value," in line 17, to "net investment." The use of the term "net investment" made necessary the changes in lines 9 and 10 of page 21. I consider that the amended draft affords the most satisfactory basis for purchase from the public standpoint that has yet been proposed.

Secretary Houston was exactly correct in his analysis of these respective phrases.

No term in economics or jurisprudence has been more debated than the word "value." Its meaning and proper application have been the subject of endless disputation and litigation.

Courts and economic writers in vain have sought to free it from its ambiguity and unscientific character. I do not pose as an expert, but have had some little experience in eminent domain and other cases which taught me the wide and varied interpretation and application of the term "value," whether qualified as "fair value" or "market value," "intrinsic value" or "speculative," and so forth.

"Fair value" without any further limitations would permit the consideration of many tangible and intangible elements of property value. It permits appreciation to be considered, as well as depreciation, and one may offset, increase, or diminish the other. "Fair value," unqualified or unrestricted in meaning or application, varies with the case in which it is employed. It is a "jack-in-the-box" springing up at new and ingenious angles and with a different aspect each time. Its capers elude the most circumspect. Doubtless it was supposed to have been defined and shackled and circumscribed in the form appearing in the original bill, in the form now approved in the minority report. But there, defined and strait-jacketed as it is, it has a vigor and versatility Houdini-like.

We knew, as circumscribed in the original bill, we could lower "fair value" by depreciation, but we did not realize that we left him the vaulting pole of appreciation to raise himself as high, at least, as the bar of actual cost.

To be more explicit, section 14 of the original bill, as printed in the minority report, provided for the United States taking over the project—

upon the condition that before taking possession it shall pay the fair value, not to exceed actual cost of property taken. * * * *Provided*, That such fair value shall not include or be affected by the value of any lands, rights of way, or other property of the United States, licensed by the commission under this act, by license or by good will, going value, or prospective revenues: *Provided further*, That the values allowed for water rights, rights of way, land, or interest in lands shall not be in excess of the actual reasonable cost thereof at the time of acquisition by the lessee.

In every decision involving "fair value" appreciation is allowed, as well as depreciation, the only limitation in paragraph 14, which I have read, on appreciation on structures, fixtures, transmission lines, and machinery, and perhaps on other property, is that appreciation shall not make the property valued exceed actual cost. You may have a plant costing $1,000,000 depreciated since construction $250,000, but on account of the increased cost of labor and materials so appreciated that it would cost $1,250,000 to reproduce. The increased cost of reproduction would offset the depreciation, and accordingly the Government would have to pay the $1,000,000 for the plant, the original cost, despite the $250,000 depreciation.

Nothing is said in the attempted limitation about not considering present profits, nothing about the State franchise, which may have appreciated in value. Is the limitation "not to exceed actual cost" applicable to the plant as a whole as an integer or to its component parts? All the factors of "fair value" inhere, unless stricken out, by the limitations of section 14.

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

Mr. SINNOTT. How much time can I have?

Mr. ESCH. Ten minutes.

The CHAIRMAN. The gentleman from Oregon is recognized for 10 minutes more.

Mr. SIMS. How much time was yielded first?

Mr. ESCH. Fifteen minutes first and 10 minutes now.

Mr. SINNOTT. Who is wise enough to know that fair value is "cabined, cribbed, coffined, and confined," as we should like to have it? It is risky to try to place a new definition or interpretation on a well-known legal phrase.

In the Denver City Water case the city ordinance in its preamble recited that the water company was without a franchise. Judge Holmes held this to be true, and that for rate-making purposes the property might be considered junk, but the majority opinion held that the franchise could be considered.

Secretary Houston was right when he said "fair value not to exceed actual cost is at best indefinite"; that "the difference is one of definiteness and clearness."

Are you going to estimate fair value by original cost to date, less depreciation, or by reproduction cost now, less depreciation? It has been done both ways. Also market value as a going concern has been considered.

If by the reproduction method, will you allow $140,000, as was allowed by one master, for the estimated cost of taking up a city pavement to relay gas mains?

Fair value also furnishes the measure for rate regulations. Do you want to rehearse these questions every time there is a contest about rate regulation? Secretary Houston well said, "You will have to debate each time what was meant by fair value and haggle over it."

In the case of the City of Denver *v.* Denver Water Co., decided last March by the United States Supreme Court, in determining the value for rate purposes—

lands and water rights were appraised at their present market values; estimates of the cost of reproducing the structures were made, and from this cost allowance for accrued depreciation was deducted, so as to determine the reasonable value of the structures in their present condition; and in estimating the cost of reproduction, it was assumed that the work would be done under contract after fair competitive bidding and with reasonable costs for engineering and superintendence, in addition to the contract cost.

All this increased cost and appreciation of labor, materials, engineering, and superintendence above what it was when the plant was constructed went to offset the depreciation. The city of Denver and the water company haggled for four years, and after eight years the Supreme Court of the United States made the decision I have quoted.

Do we want such complications when we take over these plants? I certainly prefer the "net investment" plan, affording daily data and information for rate regulation, and immediate information of the net investment at the expiration of the license period.

The courts have always treated value for rate-making purposes differently from what they do for acquisition purposes. The minority report would have the same peg for a square and round hole.

In the Texas Midland valuation case, before the Interstate Commerce Commission, nearly 3,000 pages of briefs are on file, largely devoted to the argument as to the meaning of the term value as used in the act of Congress March 1, 1913; 8,224 pages of testimony were taken to determine the value of the Texas Midland road. All of this would be obviated under the net-investment plan.

Mr. Chairman, as I said, I do not claim to be an expert on valuation, but I have made some study of the subject.

One of the most noted experts in the United States is the present commissioner of interstate commerce, Clyde B. Aitchison. He was formerly one of the railway commissioners for the State of Oregon. While acting in that capacity he was selected by the valuation committee of the National Association of Railway Commissioners to act as its solicitor, to reside in this city of Washington. He was subsequently appointed by President Wilson interstate commerce commissioner, which position he now holds.

While solicitor for the valuation committee of the National Association of Railway Commissioners, Mr. Aitchison prepared a brief on valuation, which I have had the pleasure of reading. He shows by numerous quotations from authors and court decisions the ambiguities and embarrassment inherent in the use of the term "value."

The first consideration in water-power legislation should be safeguarding of the public interest. After this, if development is had by private capital, with the right of recapture reserved to the public, fairness and definiteness as to the price on retaking should be provided. I am going to quote from Mr. Aitchison's brief certain observations of authors and courts on the term "value." The author states:

Value is a relative term, and when used for one purpose with respect to a public-utility property, identifies a different concept than when used for another purpose as to the same utility.

He adds:

That the term "value" was currently used by valuation experts and writers as representing different concepts, which varied with the purposes of the appraisal, abundantly appears.

He quotes from the 1911 report of the National Association of Railway Commissioners on "Railroad taxation and plans for ascertaining the fair value of railroad property":

We have shown, too, that the term "value" is meaningless unless made with reference to some particular purpose, and that any attempt to find a common single basis of valuation is futile. Progress toward a correct solution of any valuation problem can only be made by directing our thoughts solely toward the specific purpose involved.

He shows that valuation varies with the purpose, whether for taxation, accounting and capitalization, public purchase, or rate making.

Whitten on valuation is quoted:

As the valuation problem develops it becomes increasingly clear that the term "value" may be used in several different senses, and that what is value for one purpose is not necessarily value for another.

Another text writer is quoted in Hammond against Hayes:

It is therefore important in any comprehensive study of the question of values of property to determine how far the methods of valuation employed must be modified to produce the true present value for any one of these four purposes, i. e., rates, taxation, capitalization, public acquisition.

Many writers on this subject have contended that the fair present value of a property must be the same for whatever purpose such value may have been determined, and that in consequence there can be but one method by which the true present value can be obtained. That such is not the case will be apparent when the entire subject of valuation has been fully discussed.

Other experts are quoted:

It is evident to a student of railroad values that it may be quite reasonable to suppose that there may be different methods of arriving at value, depending upon the purpose of arriving at value, depending upon the purpose of determining the value. (Report on revaluation of railroads and canals, New Jersey, Charles Hansel, p. 44.)

The decisions of the Supreme Court and other tribunals on questions of valuation in the rate cases, where the question at issue is as to the reasonable return a corporation is entitled to receive under a public regulation of rates, must be distinguished from eminent domain and analogous cases, where a right of purchase of the property of public utility companies is exercised by municipalities under reserved contract rights, and also from cases of valuation for taxation where the ascertainment of relative value under construction of statutory standards is involved. (Interstate Commerce, F. N. Judson (2d ed.), sec. 124, p. 195.)

Mr. Aitchison writes:

There is not space for a present discussion of the senses in which the term "values" is used by economists as a technical term in their science. Since the days of Aristotle it has been recognized that it has been used in the world of industry in widely different meanings.

The author quotes Jevons:

I must, in the first place, point out the thoroughly ambiguous and unscientific character of the term "value." Adam Smith noticed the extreme difference of meaning between value in use and value in exchange; and it is usual for writers on economics to caution their readers against the confusion of thought to which they are liable. But I do not believe that either writers or readers can avoid confusion so long as they use the word. In spite of the utmost feeling of danger, I often detect myself using the word improperly, nor do I think that the best authors escape the danger.

He quotes from the Missouri Rate case, decided by the United States Supreme Court:

It may be that we may at some future date reach a condition where a single valuation of public-service property could be made to answer all governmental purposes. We have not yet reached that condition. In no case, so far as we are informed, has tax appraisement been accepted by the public utilities commission.

Is it credible that all the doubt and uncertainty expressed in these citations has been solved by the restrictive phraseology accompanying the term "fair value" in the original bill?

Have we any assurance that, guarded as it is, there do not still lurk in ambush elements of value to surprise and plague us?

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

Mr. SINNOTT. Could I have 20 minutes more?

Mr. ESCH. Mr. Chairman, I yield to the gentleman 20 minutes more.

The CHAIRMAN. The gentleman from Oregon is recognized for 20 minutes more.

Mr. SINNOTT. It is apparent that a plan adopted and followed by the experts of the Interstate Commerce Commission rather should be followed than the empirical formula contained in the original bill.

I do not know how this term of wide and varied meaning is going to be interpreted by the courts, even hedged in as you think you have it hedged.

We thought we had the Ferris and Adamson water-power bills of 1914 and 1916 safeguarded, but we bungled.

In the Monongahela Navigation Co. case (148 U. S., 341) a case where the United States resumed the control of a river, the defendant company had a franchise to operate steamboats granted by the State. The United States contended that when it resumed control of navigation the State franchise was destroyed. The court held that compensation must be paid, saying "but it can no more take the franchise which the State has given than it can take any private property belonging to an individual."

In the face of the ingenuity of the courts to protect private property, are you satisfied that you have properly restricted this term in derogation of property?

A superficial acceptance of the meaning of the term "net investment" may lead some to think that every dollar invested in the property is to be returned at the end of the license period, and that obsolescence and depreciation are to be ignored in the recapture price. This is not the case. Especial consideration is given to these subjects in section 10, paragraph C, where the licensee is required to make necessary renewals and replacements for the obsolescence he is required to maintain depreciation reserves for that purpose. All of this is under the direct control and authority of the commission.

At the end of the term any sum in the depreciation reserve in excess of a fair return will be deducted from the net investment. There also will be deducted from the net investment unappropriated surplus, amortization reserves, expenditures for additions or betterments, in so far as they are accumulated from earnings in excess of a fair return. All this will be a matter of continuous current record under the direction and supervision of the commission provided for in this bill.

"Fair value" takes no account of these deductions, but at the end of the period deducts depreciation, to be ascertained, doubtless at the end of a long controversy or litigation, involving the vexatious questions of cost to date, less depreciation, and the further question of the legal interpretation of "fair value" as defined and limited. Also there will enter into the "fair-value" determination a dispute as to the proper assignment of various expenditures, whether to operating expenses or capital account, all matters of current record and adjustment under net investment, properly assigned and explained in the classification account of Interstate Commerce Commission. If the adequate depreciation reserves are maintained, as they are required to be under "net investment" for each unit of property, they will represent the difference between the first cost of that unit and the value of its remaining useful life, to be available by the Government on recapture, added to its other advantages.

Surely the certainty and definiteness accompanying "net investment" will result in cheaper interest in financing any project to be reflected in cheaper rates to consumer. While with "fair value," for the contrary reason, higher interest rates, and consequently higher rates to the consumer, will ensue.

For these reasons I believe the recapture price should be governed by the rules adopted by the Interstate Commerce Commission.

WHERE ROLLS THE OREGON.

Mr. Chairman, I want to see the development of the 40,000,000 horsepower accredited to the West, the 20,000,000 horsepower accredited to the Columbia River basin. It was there I was born, at The Dalles, at the end of the "old Oregon Trail," near the edge of what was once known as the Great American Desert. Here the beautiful panorama of the Columbia River spread before the pioneer. Here it was that the weary immigrant homeseeker, after months of toilsome trekking across the plains, "shook the depths of the desert gloom with his hymn of lofty cheer" as the Columbia came into view.

Here he embarked in the bateau of the Hudson Bay voyageur for the evergreen of the Willamette Valley.

THE INLAND SEA.

A great inland sea once covered eastern Oregon, Washington, and parts of Idaho, so geologists tell us, and immediately west of The Dalles it broke through the barrier of the Cascade Range in some titanic convulsion of nature.

The Indian legend is that Mount Hood and Mount Adams, once espoused, engaged in a mighty marital combat, whose struggles broke the mountain barrier, and the inland sea disappeared through the gorge of the Columbia.

The Indian's awe even now bears witness to the tribe's tradition. From his canoe, as he glides through the Columbia's gorge, he sees the two mythical mates of a Miocene age, Hood and Adams, now hiding behind the towering hills, ever and anon, through favorable gaps in the gorge, stealing furtive peeps each at the other.

It may be so. Perhaps the Indian "who sees God in the wind" witnessed some colossal cataclysm of nature. The surroundings bear evidence of the epochal. A broad river suddenly turns on edge at train speed, rushes through a gash in the lava flow. Palisades, a sheer thousand feet, dwarfing the Hudson's, rise from the water's edge. Giant causeways abound, dwarfing Erin's.

CRATER LAKE.

Southward, Crater Lake, "the sea of silence," cauldronlike and circular, 7,000 feet high, is perched amid the peaks. Perpendicular sides of slaggy lava rise over 1,000 feet from waters of indigo blue 6 miles across and 2,000 feet deep. To the scientist, a mighty volcano collapsed within itself, Mount Mazama, 15,000 feet high, telescoped.

To me a shell hole of a war of worlds. Who knows?

Could the great blind poet have seen this marvel ere his pen had Lucifer and his host of rebel angels—

Hurled headlong flaming from the etheral sky
With hideous ruin and combustion, down—

in Miltonic imagery here he'd have found the impact.

OUR RESERVOIRS.

Amphitheaterlike the hills rise and radiate from the Columbia to the cardinal points, hill piling on hill, rising in the blue-purple haze of twilight like billows, suddenly stilled on the crest, till the rim of the amphitheater and horizon from central Oregon is pillared with a dozen lofty, eternal, snow-capped peaks, once blazing beacons, now only reflecting above the dusk of the valleys, from lofty eminences of snow and ice, the soft pink glow of the setting sun as the day drops into the westward waters of the Pacific.

These snow caps eternal are our reservoirs.

THE HAND OF THE GREAT ARCHITECT.

Whether you look at the sublime landscape with the eye of the scientist or through the Indian's legendary lore you see how the hand of the Great Architect hewed for the future.

The waters, once slowly seeking the inland sea, now toss and tumble in cataracts from "the Cascade's frozen gorges," exhaustless in energy and power, awaiting man's will.

I have seen much of the development of this part of the West—the final retreat of the Indians to their reservations, the departure of the cattle baron, the advent of the sheepman, the coming of the homesteader, each contesting proprietorship.

Though we had many favored localities, we were wont to question the wisdom of the Master Hand that heaped the mountains when some sojourner told us of the easily tilled prairies of the corn belt. When he spoke of the copious rains and abundant crops of his home we envied that clime and questioned the wasteful hand of the Great Architect that scattered the immense arid and semiarid belts and plateaus of the great inland empire. We could see no Divine foresight or plan in the great depth of prolific and fertile volcanic ash, covering immense areas, devoid of all save a scanty rainfall, with snow-clad mountains pouring their inaccessible waters into deep gorges and canyons.

From a scenic standpoint all seemed majestic and sublime, but we felt we were surfeited with scenery. From the point of utility we would have improved on the designs of the Great Architect.

Our finite minds could not fathom the infinite purpose. We did not appreciate the "precious jewel" in all that seemed ugly and forbidding when pioneer-day material wants alone were considered.

The possibilities of "white coal" were way beyond the ken of the pioneer; they are almost beyond the scope even of our own imagination. But we have at last come to a realization of the rich resources the prodigal and bounteous hand of nature has placed at our disposal.

We are skeptics no longer.

The development, through the slow processes of the past, the requirement of countless acres for the bleating, lowing herds, the slow upbuilding of a frontier by the weary and intermittent toil of the homesteader with meager means to improve, the idle year of the summer fallow, the drought, the parch and shrivel of the eastern wind, will no longer be witnessed if we are wise enough to pass laws to put the turbine in our mountain torrents, the life-giving waters on our arid, thirsty soils.

Thus, and only thus, will His design be consummated "where rolls the Oregon." [Applause.]

Mr. Chairman, I am going to set out in the RECORD two or three examples, and in some of these cases you will find that on recapture the price paid under net investment is much below the price paid under the fair-value plan upheld and defended by the minority report. But I shall not further trespass upon the time of the House in going into those matters. This is such a big, broad subject, and it has so many ramifications to it, that it is almost impossible to discuss it in an entire day, and I appreciate the patience of the committee. [Applause.]

I append to my remarks the following:

Here are sets of tables showing comparison between the prices which will be paid for a property under the recapture provisions of the water-power bill, according to whether the price is based upon "fair value not to exceed actual cost," or upon "net investment."

The price to be paid on the "fair-value" basis will vary in proportion to the relative prices of labor and materials at the date of construction and at the date of recapture. The price to be paid on the "net-investment" basis will vary according to the prosperity of the business—that is, according to whether the licensee receives earnings which will permit of establishing depreciation and amortization reserves.

In all cases it is assumed that the original cost of the property is $5,000,000; that the accrued physical depreciation at the end of the license period is 20 per cent; that the "aggregate credit balance" of depreciation reserves is $1,000.000; and that the total of the amortization reserve when set up is also $1,000,000.

The figures for the "fair-value" basis assume three conditions: First, a 20 per cent increase in prices of labor and materials; second, no change in prices of labor and materials; and, third, a 20 per cent decrease in prices of labor and materials.

The figures on the "net-investment" basis assume three conditions: First, that depreciation reserves set up by the licensee are at the expense of a "fair return," and that no amortization reserves at all are established; second, that the licensee is able to earn a fair return in addition to maintaining the depreciation reserve, but does not earn enough to set up an amortization reserve; and, third, that the licensee is able to earn a fair return and to maintain both amortization and depreciation reserves.

Each of the three examples on the "net-investment" basis should be compared with each example under the "fair-value" basis; for example, when, under the assumption of constant prices, the licensee would receive $4,000,000 for his property on the "fair-value" basis, he might receive on the "net-investment" basis $5,000,000, $4,000,000, or $3,000,000, according to whether he had or had not been able to maintain depreciation and amortization reserves in addition to a fair return. Similarly, with the condition of rising prices, on a "fair-value" basis, the example given would require the payment of $4,800,000, while the price on the "net-investment" basis might be $5,000,000, $4,000,000, or $3,000,000. It by no means follows, therefore, that the "fair-value" basis of settlement is more favorable from the public standpoint. On the "fair-value" basis the licensee assumes all risk of loss and is not required to share any profits with the public; that is, it is on a wholly speculative basis. Under the "net-investment" basis, on the other hand, the element of risk is largely eliminated; and the public, which fixes, through its governmental agencies, the rate of return which a licensee may receive, will share in the profits of the enterprise if they exceed in any degree a fair return upon the investment.

The chief value of the "net-investment" basis, from the standpoint both of the licensee and the public, is the elimination of uncertainties and the reduction of the speculative element to the minimum. This means a less cost of capital, and, consequently, a less cost for the service.

In figuring these examples I have not taken into consideration the possibility of the court construing "fair value" more liberally than the construction its proponents place on it, but have accepted their construction.

I.

On basis of "fair value."

	A. Prices of labor and material increasing during license period.	B. Prices of labor and material unchanged through license period.	C. Prices of labor and material decreasing during license period.
Original cost of property	$5,000,000	$5,000,000	$5,000,000
Replacement cost of property	6,000,000	5,000,000	4,000,000
Accrued physical depreciation	1,200,000	1,000,000	800,000
Licensee will receive for property	4,800,000	4,000,000	3,200,000

II.

On basis of "net investment."

	A. Licensee unable to maintain depreciation reserves, except at the expense of "Fair return." No amortization reserves maintained.	B. Licensee able to earn "Fair return" and to maintain depreciation reserves in addition, but not to maintain amortization reserves.	C. Licensee able to earn "Fair return" and to maintain in addition both depreciation and amortization reserves.
Original cost of property	$5,000,000	$5,000,000	$5,000,000
Reserves in excess of "fair return" depreciation		1,000,000	1,000,000
Amortization			1,000,000
Licensee will receive for property	5,000,000	4,000,000	3,000,000

Mr. SIMS. Mr. Chairman, I yield to the gentleman from Oklahoma [Mr. FERRIS] such time as he desires to use.

The CHAIRMAN. The gentleman from Oklahoma is recognized.

Mr. FERRIS. Mr. Chairman, four times within the last six years the House of Representatives have passed water-power bills, two coming from the Public Lands Committee, of which I have the honor to be chairman; two coming from the Interstate and Foreign Commerce Committee, and each time they have contained, either as originally reported or pursuant to amendments made on the floor, the salient features of correct water-power policy. Whenever any of the salient features of the water-power policy were wanting in the bills as they came from the committee, the House of Representatives have promptly amended them, whipped the several bills into shape, and sent them to the Senate in proper form.

The salient features of a correct and adequate water-power policy are so well understood, so well marked out, that it is scarcely necessary to again recite them, but in the interest of clarity and in the interest of the fact that this bill by a committee amendment materially departs from a correct water-

power policy, it is well to again enumerate them. They are as follows:

First. No legislation, Executive order, or departmental ruling should permit the patenting or the title in fee to pass out of the Federal Government under any conditions. The fee title should be reserved in perpetuity to the United States.

Second. The dam sites should be leased for a period of time not longer than 50 years, without any entangling alliances or phrases difficult to understand on which the courts might quibble or debate as to the relative rights of the Federal Government and the lessee after the term has expired.

Third. The recapture provision should provide that all nonperishable property, such as land, water rights, dam sites, good will, and so forth, should go back to the Federal Government at actual cost, and that all perishable property in connection with the plant should come back to the Federal Government at the end of the lease at its fair value. In both cases the interest of the public is conserved and made certain.

Fourth. Strong, clear, well-understood provisions should be inserted in the lease contract for the revocation of the permit for a violation of the conditions thereof.

Fifth. Provisions should be inserted in the lease requiring diligence and prompt construction of the plant, so that the property may not be held for speculative purposes.

Sixth. A royalty or rental for the use of the dam sites and the property of the Federal Government should be required in all cases, except for municipalities which furnish current to consumers without profit.

Seventh. The Federal Government should at all times maintain its paramountcy and full control.

Eighth. Annual reports should be exacted from the power companies, so that the public might at all times know of their acts and doings.

Ninth. The Federal Government should reserve to itself full power to fix rates for service, capitalization, bond issues, and so forth, in interstate projects and, where there is no public utilities commission for this purpose, in intrastate projects.

Tenth. Each lease, permit, or consent of Congress should contain a provision that upon proof that any such permittees, lessees, or grantees have conspired to prevent the development of water power or to limit the output of already constructed plants the lease should be revocable in a court of competent jurisdiction.

Of the salient features just enumerated by me the one most important of all is what is commonly known as the "recapture clause." The recapture clause, of course, is that provision in the bill which lays down the measurement of the damages or the price the Government must pay to regain their property which has been licensed or leased away for a term of years. The only thing that distinguishes a license or lease for a term of years from a grant in perpetuity is our ability to regain or recapture it, get it away from the grantee, and return it to the original grantor. If the recapture clause be carefully written and is in the public interest, it will be easy to recover it to the Government or the rightful owner thereof; but, on the contrary, if the recapture clause is poorly written, complexly written, and with phrases of doubtful meaning, it will be difficult for the licensing power to recapture, regain it, retake, and again possess it, and again have it for the benefit of the people to whom it belongs.

[Extract from the recapture clause of the water-power bill from the Public Lands Committee, which passed the House Aug. 24, 1914.]

That bill contained the following proposal:

* * * upon condition that it shall pay, before taking possession, first, the actual costs of rights of way, water rights, lands, and interests therein purchased and used by the lessee in the generation and distribution of electrical energy under the lease, and, second, the reasonable value of all other property taken over, including structures and fixtures acquired, erected, or placed upon the lands and included in the generation or distribution plant, and which are dependent as hereinabove set forth, such reasonable * * *.

Thus it will be observed that the correct principle is here preserved. Thus it will be observed that at the time of retaking neither the Government, State, county, or municipality who seeks to retake it and make it their own is compelled to pay for anything they do not get. The increase in the growth of the nonperishable property is preserved for the grantor instead of allowing it to accumulate for the benefit of the grantee, to the detriment of and the expense of the people who must ultimately pay the price of its retaking. This is thought to be clearly in the public's interest. It is thought that this provision contains the correct principle. This is thought to give the investor all he is entitled to and at the same time preserve in the public interest the rights of the Government.

[Extracts from the recapture clause of the water-power bill as it passed the House on Jan. 8, 1916, from the Public Lands Committee.]

* * * before taking possession the fair value of such property, such value to be determined by mutual agreement between the Secretary of the Interior and the lessee, and, in case they can not agree, by proceedings instituted in the United States district court for that purpose: *Provided*, That such fair value shall not include or be affected by the value of any public lands, rights of way, franchises, or other property leased or granted under this act by the United States or by the good will or prospective revenues.

Again it will be observed that after most careful scrutiny by members of the committee, by Members of the House, by Secretary Lane, and by all of the water-power experts who had given attention to the subject, the bill passed, carrying an adequate recapture clause and all the other salient features of a correct and adequate water-power policy.

Thus it will be observed that the bill as it then passed and was agreed to carried no assurance on the part of the Federal Government that they would pay back to the water-power developer all of this investment, as is provided for in the committee amendment to the pending bill.

[Extracts from recapture clause of the water-power bill from the Interstate and Foreign Commerce Committee, which passed the House Aug. 4, 1914.]

* * * Before taking possession, the United States or the person authorized by Congress shall pay therefor (1) the actual cost of the grantee of lands or any interests therein purchased and used by the grantee in the generation and distribution of power, and (2) the fair value of other properties taken over, together with the cost to the grantee of the lock or locks or other aids to navigation and all other capital expenditures required by the United States in assuming all contracts for electrical energy extending beyond the granting period which have had or may have the approval of the Secretary of War and which were entered in good faith and at a reasonable rate.

Thus it will be observed that the Committee on Interstate and Foreign Commerce and the House of Representatives on that occasion again passed a bill carrying a correct recapture clause, so that the people might pay the fair value of the property without becoming an insurer of the investment, without relieving the water-power developer of any risk in connection with the transaction, and without in any sense departing from the combined judgment of all of the departments, both of the committees who had had jurisdiction of the water-power legislation and the House of Representatives, who had gone into this matter in great detail and reached a careful conclusion about it.

[Extracts from the recapture clause of the Adamson substitute of the Shields bill which passed the House July 14, 1916.]

The following provision is to be found in section 10 of the Adamson bill, which provides the method of retaking, recapturing, and the measurement of damages to be paid upon its retaking. It is as follows:

* * * upon condition that it shall pay before taking possession, first, the reasonable value, not exceeding the actual costs of the dam or diversion structure and locks, and all other aids to navigation constructed under the approval of plans and specifications, rights of way, water rights, lands, and interest therein purchased or taken over by it. * * *

It will be observed that it contains no assurance that the Government will return every dollar of the capital invested and thereby become an insurer of all the money invested in a given project, and I submit that that is as it should be.

It will be remembered that this bill was unanimously reported from the Public Lands Committee, was unanimously passed through the House of Representatives, had the unanimous indorsement of all the departments, and was carefully scrutinized during long tedious hearings wherein departmental officers attended, participated in, and helped to make certain that the correct principles were incorporated.

Again, it will be observed that in this instance the public, in order to regain the property, is only compelled to pay as a condition precedent the reasonable value, which in no instance shall exceed the actual cost.

Again, it will be observed that the public interest is thus conserved by only being required to pay the actual value of the thing retaken as distinguished from paying the actual amount invested.

[Extracts from the recapture clause of the administration water-power bill as it was originally prepared without the committee amendment.]

Section 14 of the administration water-power bill, as it was prepared and agreed upon, contained the following language:

* * * upon the condition that before taking possession it shall pay the fair value not to exceed actual cost of property taken, plus such reasonable severance damages, if any, as may be caused by the separation of said property from property valuable, serviceable, and dependent as above set forth, but not taken, and shall assume all contracts entered into by the licensee with the approval of the commission.

Thus it will be observed that the administration water-power bill as originally framed and as originally presented provided that in the event of retaking, the Government or the licensing

authority shall only be required to pay the fair value, which shall not in any case exceed the actual cost of the property thus taken.

I submit this is the correct rule, and is as it should be. I submit there can be no justification for Congress providing that the licensing authority shall pay a greater sum at the time of recapture than the property is actually worth at its fair value, and they should not in any event pay more than the actual cost.

It should at all times be remembered that this bill in its original form was drafted through the joint efforts of Secretaries Lane, Baker, and Houston. It should at all times be remembered that this bill in its original form was delivered to President Wilson as a net result of their combined efforts. It should at all times be remembered that the bill in this form was by President Wilson presented at a White House conference to a subcommittee of the House Public Lands Committee, Interstate and Foreign Commerce Committee, the Agricultural Committee, and the Rules Committee, and that at the time it came up to the Capitol for consideration it had no net investment provision. It had no provision making the Government an insurer as to every dollar invested by the promoter, but adhered strictly to the provisions contained in the four previous water-power bills that had passed the House of Representatives after the greatest deliberation and consideration.

[Extracts from the recapture clause as proposed in the net-investment provision in the committee amendment in sec. 14.]

* * * upon the condition that before taking possession it shall pay the net investment of the licensee in the project or projects taken, plus such reasonable damages, if any, to property of the licensee valuable, serviceable, and dependent as above set forth, but not taken, as may be caused by the severance therefrom of property taken, and shall assume all contracts entered into by the licensee with the approval of the commission.

It will be observed that this provision differs from all the others in that this provision is entirely new, that this provision does not only require the Government at the time of retaking to pay the actual fair value of the property, but instead provides as a condition precedent to any retaking of the property that they must pay the net invesment of the project or projects of the licensee, plus any reasonable damages, if any, to the property of the licensee, either valuable, serviceable, or dependent thereon.

This would require the Government, the State, the county, or the municipality at the time of retaking not to pay what the property was actually worth in order to recover it, but they must pay the actual net investment, which, stripped of all the mysticism, means they must pay back to the investor every dollar he put into it.

I submit that no such principle can be defended here or elsewhere. I submit this shifts all the risk, hazard, and dangers incident to development from the shoulders of the speculator and the developer over on to the shoulders of the Government of the United States.

I submit this requires the Government, who now owns the property, to part with it and at the same time insure the licensee who uses it that in no event can he lose a cent he puts into it, and which to me is a one-sided bargain, an inequitable trade, an unconscionable performance that neither this Congress or any that succeeds it should ever countenance or assent to.

FOUR LEADING CONTENTIONS OF WATER-POWER DEVELOPERS.

The water-power interests of the United States may be classified into three groups:

First. The water-power developers and promoters.

Second. Bond brokers who lend the money at high rates of interest on promotion schemes.

Third. Hydroelectric engineers who are either associated with the water-power developers or expect to secure employment from them.

These three classes of citizens have for the last number of years been vigilant in their efforts to secure the passage of water-power legislation which should be fashioned along the lines of their desires. The principal and salient provisions they have voted for are as follows:

First. It has been their determined effort to secure from the Government the Nation's valuable water-power resources in perpetuity as distinguished from a term of years.

Four times in previous Congresses this contention has been denied them, and it has been denied them in this bill. They made a vigilant effort to secure it, as the hearings will disclose. But the committee, in their wisdom, would have none of it, and preserved in the bill the provision which provides that the license or lease shall not extend for a greater period than 50 years.

Their second contention was that the grant should be made free from any rental or royalty to the Government of the United States. In other words, they wanted the Government to part from its property without rental and without price. Four times this contention has been passed upon by the House of Representatives and four times the House of Representatives have refused it to them. They were unsuccessful in getting it incorporated in this bill. They were unsuccessful in getting a maximum rate beyond which the Government could not go.

Your Committee on Water Power has succeeded in holding the bill intact and making it possible for the Federal Government to get some revenue from these valuable properties that they are thus asked to part with.

Their third contention has always been to avoid as far as possible Federal control or regulation of any sort. Four times in preceding Congresses this contention has been passed upon, and each time the House of Representatives has refused them their wishes. It has been refused them in this bill. I hope it will be refused them in all succeeding bills. The Government should at all times maintain full power over the water-power interests of the country. It deals with such a vital necessity that the Government should never part company with it but should always retain control over it.

Their fourth contention has always been if it were impossible to secure a grant in perpetuity, then to secure the adoption of recapture clause, which would be drafted in such a way that neither court, Government, Cabinet, or constituency could ever get it away from them.

Four times in preceding Congresses this effort has aborted and the Congress has refused them what they asked. On this occasion, tacked on as a committee amendment to the administration water-power bill that had been previously carefully drawn and carefully agreed upon, they have inserted the so-called net investment proposal heretofore referred to, which requires the Government to become an absolute insurer of the investment of the promoter and as a condition precedent to any retaking of the property every dollar of his investment must be refunded to him, repaid to him, before the Government can reassert its rights, and get hold of its property, which it is by this bill asked to part company with.

I have no more responsibility for this legislation than any other Member of the House. I have little water power in my entire State. I am not prompted by an active constituency on this proposition. They know little of it. They have been little educated on the subject. They are not for the moment actively or vitally interested in it. What I have said has been prompted by a conscience that the 60,000,000 potential horsepower of hydroelectrical energy in the United States should not be allowed to slip away from us, get into the hands of monopoly where extortion either could or would be practiced.

I may be oversensitive, I may be overwrought about the dangers incident to the parting with this most extraordinary of all our natural resources, but to me the fact that it is unlike all other resources, and the further fact that nothing is consumed in the using, and the further fact that we can trace this most material agent, the water, every step of the way, as it finds its way from ocean to cloud, from cloud to rain, from rain to stream, from stream to river, from highlands to lowlands, and back again to the mother ocean from whence it came. And we can again follow it step by step on its way, ceaseless and never ending in its limitless and continuous orbs. By preserving these water-power sites where the water falls from the highlands to the lowlands and by attaching to it modern machinery, turbine wheels, and other electrical paraphernalia, we halter it, bridle it, harness it, and it brings heat, light, and power to every living thing.

The water as it passes on over the turbine wheel may be used for domestic purposes, irrigation, or even again and again for electric purposes without diminution, without deterioration, without any resource being consumed in the using.

I confess this most interesting subject to-day is used by every citizen, from the humblest to the greatest; it lights our streets, our homes; it lifts our elevators; it runs our traction lines; it cooks our food—in short, it heats, it lights, it moves the world. It is the greatest agency of all agencies. It is ours. They ask it of us. It is ours to give. It is theirs to receive. Do we do wrong in using caution in incorporating conditions for its use that will retain this blessing for all the people as distinguished from a few of the people?

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

Mr. FERRIS. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD, as I have spoken without preparation.

The CHAIRMAN. The gentleman also asks to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. SIMS. Mr. Chairman, how much time did the gentleman use?

The CHAIRMAN. Twenty minutes.

Mr. SIMS. Mr. Chairman, I yield 20 minutes, or so much of that time as he may need, to the gentleman from New Mexico [Mr. WALTON].

Mr. WALTON. Mr. Chairman, I am going to ask the indulgence of the Members of this House and not speak to the bill under discussion. I want to take the time allotted to me to reply to a vicious and slanderous attack upon the loyalty and the patriotism of over 50 per cent of the people of the State of New Mexico which appeared in a recent issue of a well-known publication. I can not allow such an attack to go unchallenged. I believe, Mr. Chairman, that after I have proceeded for a very few moments you will agree that I am justified in making this digression; that I could not do otherwise.

Mr. Chairman, at a time when the United States is engaged in a war for the most sacred rights of humanity—a war in which all patriots are burying their personal differences in the great common cause for liberty; a war in which it is of the utmost importance that all of us should work together with all our physical, mental, and moral strength—at such a time it seems inconceivable that there should be in all this land a man with a mind so dark and a soul so small as to utter a monstrous libel against a large body of patriotic Americans who are doing all and giving all for their country.

It seems even more inconceivable, Mr. Chairman, that where such a man exists there should be found in the United States a magazine recognized as a reputable publication which would give utterance to his libel; would send forth through the mails, with utter disregard for truth or without stopping to ascertain the truth, a glaring, flagrant attack on the people of the State which I have the honor to represent—a people who are as true and loyal as live within the borders of any State in this Union.

And yet, Mr. Chairman, my attention has been called to a contribution on pages 312, 313, and 314 of the August number of the North American Review, entitled "America's Unguarded Gateway," bearing the signature of Henry Wray, Kansas City, Mo., which for absolute and overwhelming mendacity puts to shame anything ever written by the most accomplished liar in the pay of the German Kaiser, and which, for the effect that it is calculated to produce in this time of war, might well have been written by one of the Kaiser's agents.

The lies are so innumerable in this contribution that they can not all be quoted. Suffice it to say, it is alleged that New Mexico is governed by Penitentes; her courts and juries are owned by Penitentes; "Americans who learn too much are found on the highways, their hearts decorated with neat perforations. It is whispered that no one can talk against the conditions of New Mexico and live."

The Federal and State courts—

It is alleged—

obey the mandates of the Penitentes, and no Penitente is ever convicted in court, whatever the evidence. If any juror votes for a verdict contrary to the instructions of this organization, he moves quickly or forever after ceases to move.

In the lower courts the accused is presumed to be guilty until he proves his innocence.

Americans tried by a Penitente jury for an offense against the Penitentes are likely to be held indefinitely in a filthy jail kept by a Penitente sheriff; some have been so held, without trial or attention, until they died.

After Villa made his raid on Columbus the Mexican population of the State openly boasted of what they intended to do. On the Denver & Rio Grande Railway between Alamosa, Colo., and Santa Fe the natives made the male passengers hurrah for Villa and inflicted unprintable outrages upon the women passengers. * * * At Lamy the Mexicans boasted of what they were going to do to the Americans, and the Americans moved.

The Interior Department has allowed homestead sites where the land can not be cultivated. These sites are used chiefly to obstruct roads and annoy the Forest Department and real settlers. Congress has legalized the stealing of millions of feet of lumber from Government lands. * * * Mining districts are idle. * * * Elections in New Mexico are farces, and bribery is rampant. * * * As far north as Colorado newspapers speak of Americans as "foreigners." A state of treason exists in this part of our country. * * * New Mexico confidently expects to rise and again join the mother country. * * * The native population awaits the hour to strike. When some German emissary furnishes the money to some pirate in Mexico that hour will be at hand.

It is declared that, tracing the route from El Paso to Santa Fe and Alamosa, you have outlined the way—

along which an invading (Mexican) army could pass unhindered, unresisted, and not unwelcomed. Over nearly the entire route the enemy would be acclaimed, fed, quartered, equipped, and recruited.

Were it not that some of the people of the United States have seemed to be in absolute ignorance of conditions in the West, and especially the Southwest, I would not expend the breath necessary to make an answer to this classic in libel and epic in vicious slander. Were it not that the North American Review is a magazine of standing in contemporary periodical journalism and its editor a man who for many years has played a conspicuous rôle in the political history of his time, I would be content to let the infamous libel expend itself on the empty air of an unheeding circulation. I hope, Mr. Chairman, that facts may develop to show that the editor of the magazine has been imposed upon in the publication of this article, for I believe him to be a man big enough, of sufficient broad mind, to realize the wrong that he has done, and that he will endeavor to make suitable and proper reparation. But the times and the circumstances demand that the lies should not go unchallenged, and I shall ask the indulgence of this House while I briefly refute a wretched slander upon a large portion of my constituency and tell the truth about a brave, a loyal, a patriotic, and a progressive people.

The gist of the argument of "America's unguarded gateway" is that the Spanish-American population of New Mexico is not loyal to the United States; that a Mexican army, raised by German influence and paid by German gold, would have no difficulty in invading this country through New Mexico; but, on the other hand, it would be encouraged, recruited, and rationed by the Spanish-Americans of that State.

This lie is so grotesque Mr. Chairman, that it would be cause for laughter did it not attack the honor and patriotism of a proud and sensitive people. The record of New Mexico during the Civil War speaks for itself. The showing of the State in the War with Spain proves conclusively that not only is the native population of New Mexico loyal to America, but it is loyal even against Spain itself.

When trouble with Mexico became acute in 1916 and the National Guard was called out to guard the Mexican border it was the New Mexico National Guard, Mr. Chairman, composed of about one-half Spanish-American boys, that was first to respond and that was first on duty on the border. They were stationed at Columbus, one of the danger points of the entire boundary line. They spent 11 months of the hardest sort of camp drudgery and were the last of all the National Guard units to be relieved from service. And these Spanish-American boys, called upon to protect their State from Mexican invasion, made as fine a showing as any guardsmen on the border. These are the people, Mr. Chairman, that are denounced in the North American Review as disloyal—as being willing to support and ration a Mexican army under German influence for the invasion of the United States.

Thousands of Spanish-American youths are now proudly wearing the khaki of the American Army, some of them having already made the supreme sacrifice for the cause of liberty. Millions of dollars invested by Spanish-American citizens of New Mexico in liberty bonds and war saving stamps attest their devotion to the country which has protected them and for which they are willing to give their lives.

Buttressing this lie, which is the mainspring of his argument, the Kansas City correspondent tells so many smaller lies that it is impossible for me to reply to them in detail in the time allotted me. The one that "New Mexico has remained Mexican in every sense of the word" is plainly intended to convey an inference that the Spanish-American population of New Mexico is one in sympathy and interest with the peon of Mexico.

The Spanish-Americans of New Mexico are descendants of the Conquistadores, who wrested the Southwest from the savage tribes of Indians. The blood of nobility flows in their veins. They are courageous, truthful, upright, and honorable. For 75 years they and their ancestors have been living under progressive American institutions. They are law-abiding, peaceful, and industrious.

In this article, Mr. Chairman, the charge is made that Spanish is largely spoken in New Mexico. This is true to an extent, just as it is true that French is spoken in Louisiana, Scandinavian in the Northwest, Finnish in Michigan, and "57 different varieties" in New York, Chicago, Boston, and other large centers. The State constitution provides that the public schools shall always be conducted in English, and the only exceptions are where Spanish is taught as a separate subject or where Spanish may be used in explaining the meaning of English words to Spanish-speaking pupils who do not understand English. And, Mr. Chairman, there is no more beautiful language in the world than Spanish, and especially at the present time is a knowledge of the Spanish language becoming more and more important in our commercial and our business life. To possess a knowledge of Spanish is a qualification of which anyone may be proud.

And, speaking of New Mexico schools, Mr. Chairman and gentlemen of this committee, I wish that each of you could go, as I have gone, through some of the rural schools of New Mexico and see these little Spanish-American children who, with their parents, are the subject of this libel. All over the State new schoolhouses—clean, well-ventilated, well-lighted—dot the land-

scape. Over each schoolhouse is an American flag. In every schoolroom the little ones are taught what that flag means; that it means freedom within the law, equal opportunity, justice, and right. They are taught to sing the patriotic American songs. They are taught what it means to be an American. And I say to you here that they are growing up to be far better Americans in every essential sense of the word than the man who uses his half-baked knowledge of the English language and of American history to traduce them and their people.

In that part of the attack on New Mexico which refers to the so-called "Penitentes" the correspondent of the North American Review has merely in his article repeated a lot of old women's tales which have in times past been told of this organization and which have been stoutly denied and repudiated. The statement that "the deserts are dotted with their Calvary crosses, at which human crucifixions are annually carried out," and that "the Federal and State courts obey the mandates of the Penitentes and no Penitente is ever convicted in court, no matter what the evidence," are simply bald lies, which no one with ordinary reasoning powers and ordinary opportunities for observation could conceivably be brought to believe.

I believe, Mr. Chairman, that I have touched upon all of the principal points in this publication affecting the Spanish-American people of New Mexico which can be considered of the least importance, but in order that nothing may be overlooked, I desire to emphatically brand as unqualifiedly false the statements that the use of the Spanish language, when necessary for the proceedings of court, the legislature, or other assemblies constitute any just reflection upon the loyalty of the people; that there is any secret or other organization that improperly influences the court, the legislature, election machinery, local administration, or any element of public or private life; that the United States Government or any of its departments has wrongfully deprived any of our citizens of their rights or improperly extended any of their privileges.

I have lived in New Mexico for more than 27 years, and I believe that if anybody knows the Spanish-American people of that State I do. In my personal relations with them I have always found them warm-hearted, generous, and hospitable. In politics no man can claim the Spanish-American vote as his own, for they vote their convictions and they divide along lines of principle and their own conception of what is right, Mr. Wray to the contrary notwithstanding.

Mr. Chairman, I would consider myself unworthy to hold a seat in this House if I sat silent in the face of this cruel, wanton, and deliberate slander. The people of New Mexico have been systematically abused for years by all sorts of publications. We have grown accustomed to the slanders and libels; we have become calloused to the assaults of the ignorant and vicious; but this insult is just a little more than we can stand, because it strikes at our honor.

So, for God's sake, Mr. Chairman, if there must be some among us to rock the boat at this time; if there must be some who have not enough to do fighting the Hun and must fight their fellow Americans, let them, in the name of decency, tell the truth. [Applause.]

Mr. SIMS. Mr. Chairman, I yield to the gentleman from Kansas [Mr. DOOLITTLE].

Mr. DOOLITTLE. Mr. Chairman, before I proceed I ask unanimous consent to extend and revise my remarks.

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

Mr. STAFFORD. Mr. Chairman, reserving the right to object, are they the remarks of the gentleman from Kansas?

Mr. DOOLITTLE. They are a summary of the Federal Trade Commission report on the packers' investigation.

Mr. STAFFORD. It does not include any printed articles written by outside persons?

Mr. DOOLITTLE. It consists of extracts from the report and parts of the evidence.

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

Mr. DOOLITTLE. The matter is as follows:

THE MEAT OF THE MEAT PACKERS' COMBINATION.

(Extracts from Federal Trade Commission's report to President Wilson.)

The Federal Trade Commission, at President Wilson's direction, has made a year's searching investigation of the five big packers—Swift, Armour, Morris, Wilson (the old Schwarzchild & Sulsberger Co. under a new name), and Cudahy Packing Co.—in their relation to the food industry, and the President has given the public the facts. The following is a digest, in form of quotations, of the more important points in the 50-page summary of the report:

The commission's letter submitting the summary says:

"Answering directly your question as to whether or not there exist 'monopolies, controls, trusts, combinations, conspiracies, or restraints of trade out of harmony with the law and the public interest,' we have found conclusive evidence that warrants an unqualified affirmative.

"This evidence in summary form accompanies this letter, and will be set forth in more detailed form in seven reports in support of our findings and recommendations. * * *.

"If these five great concerns owned no packing plants and killed no cattle and still retained control of the instruments of transportation, of marketing, and of storage, their position would not be less strong than it is."

"Out of the mass of information in our hands one fact stands out with all possible emphasis. The small dominant group of American meat packers are now international in their activities, while remaining American in identity. Blame which now attaches to them for their practices abroad, as well as at home, inevitably will attach to our country if the practices continue. * * * This urgently argues for a solution which will increase and not diminish the high regard in which this people is held in international comity.

"Some show of competition is staged by the five great packing companies. It is superficial. There is the natural rivalry of officials and departments, and this is made much of as indicating the existence of real competition. It is not real. * * *

"Some independent packers exist by sufferance of the fire, and a few hardy ones have survived in real competition. * * *."

Speaking of the commission's staff on this investigation, the letter says:

"These men have met and overcome every obstacle that ingenuity and money could devise to impede them. Space forbidding individual mention, we make this general acknowledgment, and this seems the proper time to call to your attention again and especially the work of Mr. Francis J. Heney, whose conduct of the case, because of its success, has met with condemnation, misrepresentation, and criticism. We contrast Mr. Heney's legal ethics with the legal ethics of the men by whom he was opposed."

The summary of the report is closely packed with facts and with copies of letters and documents found in the files of the packers. The summary states:

"The detailed evidence, including hundreds of documents taken from the files of the packing companies, about 9,000 pages of sworn testimony, and many thousand pages of field reports of agents of the commission has been carefully analyzed and digested, and will be laid before the President as rapidly as the various sections can be put in final form."

Of the untrustworthiness of the packers' reports to the commission, the summary says:

"* * * The reports of some of the most important corporations and the statements of their officials could not be accepted. Thus, Armour & Co. in their report, attested by the vice president, Arthur Meeker, among other falsifications, omitted the company's interest in the Chicago Stock Yards, amounting to $1,552,000. * * *."

As an evidence of the willfulness of this omission, it cites that "* * * Arthur Meeker, on June 6, 1916, stated before the Committee on the Judiciary of the House of Representatives that 'the Armour people have no interest in the Chicago stockyards.'

"The commission is also in possession of documentary evidence that a committee was formed by Swift & Co. to 'coach' employees who might be called upon to testify or give information to the agents of this commission and other Government bodies."

Again, the commission says:

"The combination among the Big Five is not a casual agreement brought about by indirect and obscure methods, but a definite and positive conspiracy for the purpose of regulating purchases of live stock and controlling the price of meat, the terms of the conspiracy being found in certain documents which are in our possession. * * *

"The Armour, Swift, Morris, and Wilson interests have entered into a combination with certain foreign corporations by which export shipments of beef, mutton, and other meats from the principal South American meat-producing countries are apportioned among the several companies on the basis of agreed percentages. * * *

"Since the meat supplies of North and South America constitute practically the only sources from which the United States and her allies can satisfy their needs for their armies, navies, and civil populations, these two agreements constitute a conspiracy * * * to monopolize an essential of the food of the United States, England, France, and Italy.

"The power of the Big Five in the United States has been and is being unfairly and illegally used to manipulate live-stock markets; restrict interstate and international supplies of foods; control the prices of dressed meats and other foods; defraud both the producers of food and consumers; crush effective competition; secure special privileges from railroads, stockyard companies, and municipalities; and profiteer.

"The packers' profits in 1917 were more than four times as great as in the average year before the European war, although their sales in dollars and cents at even the inflated prices of last year had barely doubled. In the war years—1915, 1916, 1917—four of the five packers made net profits of $178,000,000."

EXTENT OF CONTROL.

On the extent of the Big Five ownership and control some of the points are as follows:

"In 1916 the Big Five's percentage of the interstate slaughter (animals whose products go into interstate commerce), including subsidiary and affiliated companies, was as follows: Cattle, 82.2; calves, 76.6; hogs, 61.2; sheep and lambs, 86.4. * * *."

"Swift & Co. is the greatest butter distributor in the United States, handling in 1916, in round figures, 50,000,000 pounds, or nearly as much as the combined sales of the two largest nonpacker organizations.

"Judged conservatively by trade estimates, the Big Five packers handle at least half of the interstate commerce in poultry and eggs and in cheese. * * *

"The Armour Grain Co. is a close corporation, in which J. Ogden Armour owns 64 per cent of the stock and other members of the family 22.9 per cent. * * * Its eight terminal elevators at Chicago and its two elevators at Kansas City constitute 25 per cent of the total elevator capacity of these cities. In 1917 it handled 75,000,000 bushels, or 23 per cent of all receipts, of grain at Chicago, the greatest market in the world. * * *

"Vegetable-oil products are becoming increasingly important as substitutes for animal fats. The most abundant and widely used of the vegetable oils in the United States is cottonseed oil, of which 31.8 per cent was refined by the five big packers in 1916. The most important by-product of the cottonseed-oil industry is cottonseed cake, which is in great demand by live-stock producers. * * *

"The packers, controlling the disposal of more than two-thirds of the offal produced in the packing industry, have become the most important

factors in the manufacture of animal fertilizer ingredients and have strongly entered the field of production of mineral ingredients. In mixed fertilizers they produce 19 per cent of the total.

"Armour's drive into the rice market in a single year is perhaps the most striking instance of the potentialities in this direction (packer extension into staple groceries). Early in 1917 Armour & Co. first undertook the handling of rice and in that one year sold more than 16,000,000 pounds of rice, thus becoming at a single move, on the statement of the vice president of the company, 'the greatest rice market of the world.' * * *"

The summary also cites the facts regarding extent of packer control of leather and canned goods.

INSTRUMENTS OF CONTROL AND MONOPOLY.

On this subject the commission says:

"The Big Five have intrenched themselves in what may be called the strategic positions of control of food distribution. These * * * are stockyards, with their collateral institutions, such as terminal roads, cattle-loan banks, and market papers; private refrigerator-car lines for the transportation of all kinds of perishable foods; cold-storage plants * * *; branch-house system of wholesale distribution; banks and real estate. * * *

"* * * They are closely linked with a large number of banks, trust companies, and railroads, which connections are utilized, often unfairly if not illegally, for the promotion of the packers' interests in the food industry."

STOCKYARDS, CATTLE LOAN COMPANIES, AND LIVE-STOCK MARKET PAPERS.

Twenty-seven of the important stockyards are cited in which the packers own from 60 to 100 per cent of the capital shares. As to the cattle loan banks, it says:

"* * * How jealously this monopoly of making loans at the yards is guarded appears from the example at East St. Louis, where the packers would not permit the establishment of a rival bank within half a mile.

"Direct control by ownership of market papers and other trade periodicals was definitely established by the commission in the case of six papers, and there are a number of others controlled by various indirect but effective methods. Control of market papers is important, both for their actual and potential influence over shipments and prices by the character of statements published and put on the wires, as well as for protection against criticism. How important this may be is shown by a letter written by the editor of a Texas paper to Henry Veeder, referring to the marked change in the policy of his papers, as he expressed it, 'before and after taking' two loans of $5,000 each from Armour and Swift. * * *

"One of the trade journals frequently quoted as a source of authoritative information regarding the meat industry is the National Provisioner. An editor of this journal for years received a joint annual subsidy of $5,000 from Armour, Swift, and Morris.

"The big packers * * * are the largest, and in some cases practically the only, buyers at these various markets, and as such hold a whip hand over the commission men, who act as the intermediaries in the sale of live stock. * * *

"The Big Five own 93 per cent of the total of all kinds of cars owned by interstate slaughterers, including refrigerator, stock, tank, box, flat, and gondola cars. * * *

"The Big Five own 91 per cent of all refrigerator cars properly equipped for the shipment of fresh meat that are operated upon the railroads of the United States. The railroads have almost no equipment suitable for shipping dressed meat. * * * The smaller independents, therefore, confine themselves either to pork packing or to cattle slaughter for local consumption.

"Icing stations advantageously located on the lines of the trunk railroads between St. Louis, Chicago, and the Atlantic seaboard are owned and operated by three of the five packers. * * * Besides serving as a particular advantage to the owners in that their own ice service is secured at cost, these stations put them in a position to secure valuable information concerning the shipments and customers of competitors. * * *

"The big packers' cars have been carefully handled, promptly returned, and used only for the shipment of the packers' own commodities. The small packers, on the other hand, have been subject to extreme delays. * * *"

"* * * The railroads have also been accustomed to take liberties with the independents' cars, as, for example, permitting their beef cars to be used for the shipment of onions."

"The freight tonnage controlled by the big packers has for years given them a great leverage in all their dealings with the railroads. Until the Interstate Commerce Commission interfered this power was used to obtain money rebates and in recent years to secure special privileges and concessions * * *."

BRANCH HOUSES AND CAR ROUTES.

"The packers' distribution of their products is effected through a system of branch houses located in the large towns and cities and a system of refrigerator 'peddler car' routes which reach the smaller communities. * * * This system of wholesale distribution through branch houses and peddler cars is the bulwark of monopoly."

The number of branch houses of the Big Five is cited as 1,093; car routes, 1,297; towns covered by car routes and auto trucks, Armour 24,681, Swift 23,376.

EVIDENCE OF THE COMBINATION.

Among the evidences of combination the commission presents a chart of 108 companies in which the Big Five are jointly interested, nearly all of which they control.

Historically it cites the United States Senate committee's report in 1890, which found agreements between Armour, Swift, Morris, and Hammond to refrain from competition, with collusive prices and divided territory.

From 1893 to 1896 there was a pool of the same companies with the Cudahy Packing Co. and one other, meeting every Tuesday afternoon, Henry Veeder acting as secretary. This was testified by Veeder in 1912. Territory was divided, volume of business apportioned, penalties assessed for violation. From 1898 to 1902 there was a new pool, to which Schwarzchild & Sulsberger was an added party.

In 1902 the Department of Justice filed charges of conspiracy and restraint against the big packers, and in 1903 a permanent injunction was issued against them. Meantime the Big Five planned a $60,000,000 merger of their companies which fell through because of the panic of 1903, but a number of the independent plants they had secretly bought for it were turned over to the National Packing Co., a $15,000,000 corporation owned by Armour, Swift, and Morris. Veeder was secretary, and the directors met at the same hour on Tuesday afternoon as in the old pool. This effective plan continued till 1912, when, after failure of a criminal suit, threat of a civil suit caused dissolution of the National Packing Co., its plants being turned over to Armour, Swift, and Morris.

THE COMBINATION TO-DAY.

The old pool of meat shipments has now been replaced by a simpler, more effective "live-stock pool" or division of all live stock coming to market on agreed percentages, the cattle percentage being: Swift, 34 per cent; Armour, 27 per cent; Morris, 18; Wilson, 11; and Cudahy, 9. Since 1913 these percentages have held year by year, with scarcely 1 per cent variation. This agreement is an automatic regulator of the volume of packing-house products of the Big Five; it relieves them of any fear of competition, either in buying stock or selling meats. Each market has its own agreed percentages, but these are so adjusted as to give each packer his agreed share of the total of all markets.

Thus, even without any collusion beyond the agreement to divide purchases, the price to the producer "is bound in the long run to be the lowest price which will keep the producers raising cattle, hogs, and sheep and sending them to the stockyard."

A personal memorandum book kept by Germon F. Sulsberger of meetings of the combination is one source of evidence. These memoranda and other documents "form conclusive evidence of a criminal business conspiracy."

Sulsberger's memorandum of a meeting of White (vice president of Armour & Co.), Wilson, Edward Swift, and himself on June 4, 1914, at Armour's office, is clear evidence of an international pool with other Argentine companies for the shipment of meat from Argentina and Uruguay both to Europe and the United States.

JOINT FUNDS FOR INFLUENCING LEGISLATION AND PUBLIC OFFICIALS.

In the vault of Henry Veeder were found documents relating to joint funds maintained by the big packers and oleomargarine manufacturers:

"To employ lobbyists and pay their unaudited expenses; to influence legislative bodies; to elect candidates who would wink at violations of law and defeat those pledged to fair enforcement; to control tax officials and thereby evade just taxation; to secure modifications of governmental rules and regulations by devious and improper methods; to bias public opinion by the control of editorial policy through advertising, loans, and subsidies, and by the publication and distribution at large expense of false and misleading statements.

"Henry Veeder, the manager of the Veeder pools of the nineties, is the assessor, collector, and paymaster of these joint funds. * * *"

The purposes of the combination are named by the commission:

"To monopolize and divide among the several interests the distribution of the food supply not only of the United States, but of all countries which produce a food surplus, and as a result of this monopolistic position to extort excessive profits from the people not only of the United States, but of a large part of the world. * * *

"Among other well-known methods of unfair competition used by the big packers of which the commission has evidence may be mentioned the following: Bogus independents, local price discriminations, short weighting, acquiring stock in competing companies, shutting competitors out of live-stock markets.

VIOLENT PRICE FLUCTUATIONS IN LIVE-STOCK MARKETS.

"Our information shows that there are three principal causes for these violent price fluctuations:

"First. Collusive manipulation by the big packers to drive the prices either up or down, depending upon whether they are overstocked with fresh and cured meats and want to sell in a high market, or are understocked and want to buy in a low market.

"Second. Violent price fluctuations also occur as the result of disagreements among the Big Five. * * *

"Third. Unnatural price fluctuations are created when the packers controlling a particular live-stock market decide to keep some competitor out by raising prices. * * *"

ADVERTISING.

With reference to the Swift's widely published advertisements of $1.29 profit per head the commission quotes a letter of Charles H. Swift to Louis F. Swift and Edward F. Swift, which says:

"If ours and Libby's cattle were thrown together for the period, without including sausage or anything for good measure, it would bring ours up over $2 per head. (Libby, McNeill & Libby, canners, a subsidiary of Swift & Co.) * * *."

The commission further says:

"The packers, in their recent public statements and advertisements, have striven to create the impression that they have grown to their present size solely as a result of superior efficiency, and that whatever improper or illegal practices were discovered in connection with their business were merely incidental. The conclusion, however, that is produced by a study of their history and present activities is that they have attained their dominant position primarily as a result of unfair practices and illegal methods. * * *."

Mr. ESCH. Mr. Chairman, I ask unanimous consent to have printed in the RECORD a report or review on the testimony of Sir Adam Beck, of the Province of Ontario, Canada, before our committee on the pending bill by Mr. John Roemer, for years chairman of the Railway Commission of the State of Wisconsin. He has made a study of water-power development not only of the United States but also of the various Provinces of Canada, and I think the review is very instructive——

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection? [After a pause.] The Chair hears none.

The matter referred to is as follows:

CHICAGO, *July 8, 1918.*

Hon. JOHN J. ESCH,
House of Representatives, Washington, D. C.

MY DEAR MR. ESCH: For some time I have been interested in the development of water powers in this country. My interest has not been a financial one, as might be inferred from some of my activities. I am counsel for several public utilities in water-power States who at present have developments and might be affected by new legislation. This fact, however, does not in the slightest influence my judgment, as I do not represent or pretend to represent them in the matter of legislation.

While I was on the railroad commission of Wisconsin I was very much interested in the Canadian laws and the operations under them. Since then I have made considerable investigation, and have come to the conclusion that Americans would never submit to conditions prevailing in Canada.

I read with interest the remarks of Sir Adam Beck, delivered before your commission at Washington on the 15th of April last. In his statements I find some inaccuracies which I desire to bring to your attention. Also I think the impression he evidently sought to create, namely, that the hydroelectric system of Ontario is an ideal system and that the result of its work has been to create prosperity in Ontario, is not in accord with the facts.

In the first place the scheme may be briefly described as a scheme whereby the various municipalities involved give the commission a signed blank check, thereby enabling the commission to enter upon any expenditure it thinks wise and charge this expenditure on an alleged proportionate basis to the municipalities.

The last act or amendment to the Hydroelectric Commission act of 1918 even goes so far as to allow the commission, at the expense of the municipalities, to conduct experiments, buy and sell patents, and to manufacture electrical appliances or apparatus, the loss or profit on this new branch of the business to be charged up to the municipalities who have given the blank checks.

The municipality that goes into this scheme and is financially responsible, first, for 100 per cent of its local distribution system, and, second, for its proportion of the transmission plants cost, has absolutely no control or say as to how its money is to be expended; no control of its own distribution rates or anything else in connection with its expenditures.

The entire control of the expenditure of the enterprise is in the hands of the Hydroelectric Commission, which is conceded to be a one-man commission consisting of Sir Adam Beck, although nominally there are two other members.

Sir Adam, when before the committee, dwelt at some length on his statement that drastic as their powers under the various hydro commission acts appeared to be, nevertheless these powers had never been used in a drastic way and were just given them and added to year by year for the purpose of their moral effect on those who might be opposed to their wishes or methods.

This is partly true, and while the commission has acquired certain properties by negotiation, it is an exaggeration to call them "friendly negotiations" as does Sir Adam. The truth is that the same relation prevails between the victim companies absorbed and the Hydro Commission as exists between the unarmed innocent wayfarer and the hold-up man with a loaded revolver.

Sir Adam's methods, as I interpret them, in acquiring private properties or operating companies has been one of intimidation first and then ruthlessness.

He first emphasizes that he has the right to duplicate their systems and sell power at cost without including dividends or taxes, and with money borrowed at the lowest rate.

He intimates to his intended victims that he can seize their property and pay what he likes for it because no individual can bring him or his commission before the courts for review of his actions. He is a law unto himself.

He then intimates to the victim that if he desires to arbitrate as to the value of his property he may do so, but that he, Sir Adam, will select the single arbitrator who will fix the price, and that the sole qualification of this arbitrator need be that he is "skilled in the valuing of real property." (6 George V, ch. 19, sec.. 5.)

On the whole, the victim is persuaded it will be better for him to take any price that Sir Adam cares to offer rather than go through the farce of such an arbitration.

In speaking about some of the properties acquired by the Hydro, Sir Adam referred to the Trent Valley Canal Co. This was a company whose corporate name was the Electric Power Co. Its power was generated from the waste waters of the Trent Valley Canal, and its rights of generation were granted it by the Federal Government, and included several water falls that were held by the company for additional development when the power available from developed plants was disposed of.

Sir Adam brought into play all his methods of intimidation, but the company, relying on its Federal grants, refused to accept the low value put on its property by the Hydro engineers. Sir Adam then threatened suit by the Ontario government against the Federal Government to determine whether the Federal Government had the right to derive revenue from these water powers or whether they belonged to the Province. The revenues were small, and the Federal Government not wishing to stand suit agreed to cancel the development rights to all undeveloped concessions.

These undeveloped concessions were then placed at the disposal of the Hydro, and the Electric Power Co. was robbed of its reserve which it had held to meet its growing power market which it had created by years of pioneer work.

Sir Adam then renewed his "unfriendly negotiations" and threatened the company with competitive service from power generated from the company's former reserve.

The result was that the company sold its properties for about the amount of its bonded indebtedness, whereas its stockholders had built up a business of some potential value that they were unable to benefit from.

The rates for power in the communities served formerly by this particular company have not been reduced, and the municipalities have been unable to collect the taxes formerly received from the company.

In the case of the Ontario Power Co. the same general policy was followed. The company had an agreement with the Ontario government enabling it to generate as much power as it could obtain by the use of three pipe lines from a certain located intake to a certain located power house. The first pipe line constructed was of 18-foot diameter, and the plan indicated the location of two additional lines.

The Ontario government commission accepted the plan, and upon receiving notice from the company that it was about to proceed with the construction of a second pipe line issued orders that 18 feet was the maximum diameter it might be.

The Ontario Power Co. protested that its agreement did not limit the area but complied with the order.

It subsequently financed and commenced construction of its third pipe line, when without warrant or agreement and solely for the purpose of stealing the water from it for the use of the Hydroelectric Commission in its Chippewa project, the Ontario government commission refused it the right to proceed with the construction.

The company had already contracted to supply a large part of the power to be generated by the water through this third pipe line, and was purchasing power from another company during the construction period. As it was unable to renew the arrangement for this temporary purchase of power it was obliged to sell its magnificent property which it had promoted, financed, constructed, and operated up to a point where it was paying a dividend on its stock. The potential value of this stock consisted largely of the value to the company of the output of its third pipe line and represented a fair return after years of pioneer work in building up its business.

These are some of Sir Adam Beck's methods, which he calls "friendly negotiations."

In 1903 the Ontario government had granted charters and generating rights to three companies at Niagara Falls. Each of these agreements contained a clause providing that the government would not themselves make use of the waters of the Niagara or Welland River for the purpose of generating power. Without this protection the companies would have been unable to raise the large amount of capital they required.

Sir Adam Beck has now induced the government to rescind these charters as far as this clause is concerned, and after the capital has been obtained and tied up in plant has had an act passed saying that the government has changed its mind and is going to construct a plant of colossal size.

This act is entitled "An act respecting the public development of water power in the vicinity of Niagara Falls."

The act states that the government of Ontario has decided to go into the power generation business and after several clauses stating that it would build a plant to generate power from the waters of the Niagara or Welland Rivers, winds up with the following clause:

"7. The exercise of the powers which may be conferred by or under authority of this act, or any of them, shall not be deemed to be a making use of the waters of the Niagara River to generate electric or pneumatic power within the meaning of any stipulation or condition contained in any agreement entered into by the commissioners for the Queen Victoria Niagara Falls Park."

This commission for the Queen Victoria Niagara Falls Park is and was an honorary commission acting for the Ontario government, and its agreements with the three power companies which were violated by this act were all ratified by the government itself.

Sir Adam Beck referred several times during his remarks to the Toronto Power Co. and its subsidiaries, the Toronto Electric Light Co., the Toronto & Niagara Power Co., and the Electrical Development Co. of Ontario (Ltd.).

In connection with the Toronto Electric Light Co., he stated that the Hydro commission offered to purchase the stock of the company before duplicating its distribution system in Toronto.

This is a misstatement of the facts. No offer was ever made the shareholders. What happened was that the Hydro commission offered, if the light company would or could cancel its contract with the Toronto & Niagara Power Co. for the whole supply of Niagara power (which was known to be impracticable, as the power company had financed its whole undertaking on the strength of this and another contract for sale of power), then the Hydro would recommend that the city of Toronto would pay the company a sum of money for its plant that would enable it to pay its shareholders $125 per share for their holdings, which shares had sold a short time previously as high as $165 in the market.

When the light company had constructed its plant, it had an agreement with the city of Toronto which, while not explicitly giving it the exclusive right to the power and light market of the city, was secured by a general act covering the Province, which stated that in case a municipality had granted a franchise to a public utility company to operate in its borders, and in case the municipality desired to itself go into the business of the particular kind of utility business covered by the franchise, then the municipality had first to offer to purchase the assets of the existing company. Failing to reach an agreement, a board of three arbitrators was to be appointed, one of whom would be selected by the municipality, one by the company, and the third by certain judges of Ontario, which board should appraise the assets of the company.

If the company refused to accept the amount awarded by this board of arbitrators, then the municipality had power to duplicate its system.

This act was abrogated when the Hydro Commission was created, thus removing this valuable protection to the investments made during pioneer days by the company's shareholders and bondholders.

In connection with the Electrical Development Co. and the Toronto & Niagara Power Co., the only rivals of the hydroelectric system, with the exception of the Dominion Power & Transmission Co. of Hamilton, you will remember that Sir Adam Beck stated that it is the intention of the Government of Ontario to make a monopoly of the electric distribution in Ontario in favor of the hydro.

To eliminate its main competitor, namely, the Toronto & Niagara Power Co., the Hydro Commission opened "friendly negotiations." It asked what price the company would take for its properties. The company replied that it would sell it. generating company's plant (the Electrical Development Co., owning a generating plant at Niagara of 125,000 horsepower capacity), its transmission company (the Toronto & Niagara Power Co., owning transmission lines to Toronto, Welland, and Thorold, etc.), and its Toronto distribution company (the Toronto Electric Light Co., owning an extensive distribution system in the city of Toronto and suburbs).

The terms asked by the Toronto Power Co. were the repayment to it of the money invested in its properties. This offer was never considered, but immediately the ruthless destruction of the rights of these companies was commenced.

The vital part of this system is its distribution rights, as without its ability to transmit and distribute its product its generating properties would be reduced to a scrap basis.

The Hydro Commission, the city of Toronto, the Association of Hydro Municipalities, and the Ontario Government all combined to seek legislation from the Federal Government, from whom the distribution company obtained its rights, to seek the cancellation of these vested interests not only for the future but the legislation sought made the annulment retroactive for 12 years so as to cover all the plants constructed by the company.

The Senate of Canada threw out the clause sought by this powerful combination and reaffirmed the powers of the company, merely placing it under the regulatory control of the Dominion Railway Board, who were given authority to supervise any future construction of the company, with a view to public safety.

The House of Commons of Canada has not yet acted on the measure, which is now before them, and concerning which numerous deputations and lobbies have been sent to Ottawa to influence the members, the organs of the hydro in Ontario all the time threatening reprisals if the confiscatory measure is not put through.

I will not burden you with the details of the persecution of the Electrical Development Co., but suffice it to say that the Ontario government has been persuaded to enter action in the courts to attempt to restrict the company's operations in such a way as to make it unprofitable for it to continue in its undertaking. This suit seeks to confiscate part of the plant erected with the approval of the government commission.

The net result of the Hydroelectric Commission propaganda is to discourage absolutely the enterprise of capitalists in the development of water power and the distribution of electric power in Ontario. No water-power rights are obtainable and must remain idle until such time as the commission or Sir Adam Beck decides to develop them.

The creation of this condition has resulted in a large shortage of power required for the normal growth of the industrial life of the communities, and it is acknowledged even by the Hydro Commission that at present this shortage is over 100,000 horsepower in the Niagara district alone.

This result was primarily caused by the refusal of the Hydro Commission and the government to allow the Ontario Power Co. to install its third pipe line above referred to, which pipe line alone would have supplied power adequate for the present demands.

Sir Adam told you that Ontario is an industrial Province. He did not tell you that the average increase in demand for power is about 15 per cent per year, nor that during these war times this average is too low.

He did not tell you that the plants already built for the manufacture of munitions of war, many of which were constructed on the assurance of contracts for power with the Hydro Commission, have been unable to operate in whole or in part due to lack of power covered by their agreements.

He did not mention the millions of unproductive dollars invested in these manufacturing plants, unproductive because of failure on the part of the Hydro Commission to comply with the terms of their contracts, and that no redress was allowed these users because of the default of the Hydro Commission, as the commission is protected by law from suits for breach of contract unless they are a consenting party to such suits.

Somewhat categorically we take up Sir Adam's speech and find:

He states that in 1900 the leases of three companies at Niagara had been made as follows:

	Horsepower.
Canadian Niagara Power Co	100,000
Electrical Development Co	125,000
Ontario Power Co	180,000

The facts are that these agreements were for Canadian Niagara Power Co. not less than 110,000 horsepower with no limit, except that plans should be approved.

Electrical Development Co. for "125,000 horsepower for commercial use."

The Ontario Power Co. for all the water required by three pipe lines from a located intake to a located power house, with no limit in horsepower or size of pipe line.

The Electrical Development Co. agreement was dated January 29, 1903, not "1900."

Sir Adam Beck stated: "The Province of Ontario, we claim, is the manufacturing district for the whole of Canada."

The facts are that this was partly true until the advent of the Hydroelectric Power Commission, but since that date, say 1910, the manufacturing from the Montreal and Quebec districts has made enormous strides and challenges Ontario in her supremacy.

Recently the British-American Nickel Co., a corporation financed by the British Government, after an investigation of over a year, have decided to locate in the Province of Quebec largely because of their inability to make a fair arrangement with the Hydro Commission for power.

Sir Adam Beck states that the operating cost of hydraulic power is from 50 cents to $1 per horsepower.

The facts are that if we include taxes and Government rentals, insurance, wages, etc., the experience of the Niagara companies is that the cost, without including interest, is from $2 to $2.50 per horsepower of plant capacity.

Sir Adam states that the Ontario municipalities were given authority to generate power in 1902.

The facts are that this act referred to any group of municipalities and made no mention of Government guaranty of bonds or any breach of the Government's undertaking not to generate power at Niagara, which it had granted to the existing Niagara companies.

Sir Adam Beck states the Hydro Commission in calculating cost allowed 5 per cent for depreciation, whereas, as well as can be judged from the meager reports published, this depreciation is figured at about 3 per cent or less.

Sir Adam Beck states that his power of taking over existing properties is based on arbitration.

He neglected to state that the values are to be arrived at by a single arbitrator approved of by the Ontario government, whose sole qualification shall be a knowledge of real estate values.

Sir Adam stated that there is no profit to the State or to the municipality from the hydro operations.

He neglected to state the amount of taxes lost to the municipalities and the Province on the valuation given of $70,000,000 in hydro construction. Taxes on a low valuation represent a loss of over $1,400 000 per year to these municipalities without taking in war and income taxes and capital stock taxes.

Sir Adam states he has avoided duplication of plant.

His provincial commission has duplicated the high tension transmission lines Niagara to Toronto—80 miles—of the Toronto & Niagara Power Co. In Toronto, Hamilton, and London complete duplication of distribution systems was ordered by Sir Adam Beck's commission at a cost of about $13,000,000.

Sir Adam states he wants to create a real monopoly and states he set to work to acquire existing corporations and companies. He states that to establish hydro in a municipality it requires a vote of the people to a by-law.

Sir Adam Beck omitted to state how these by-laws were obtained.

In the case of the largest hydro municipal consumer (the city of Toronto) a plebiscite of the people was taken on the question, "Are you in favor of electric power at cost?" The result was a vote of 3 to 1 in favor of "power at cost." This plebiscite was then legalized by act of the legislature as a money by-law vote (for which the law states only property holders should vote), which enactment stated that this expression of opinion from every man entitled to vote for alderman, whether the voter owned property or not, was the same as if it had been properly voted on in the regular way, and the city officials were duly authorized to spend the necessary money for an $8,000,000 distribution system and to give Sir Adam's commission the city's credit, allowing him to draw on it in whatever figures he required for all time to come for transmission of power, generation works, experimental work, laboratory experiments, taking out or buying patents, manufacturing anything that is used electrically, whether apparatus or appliances, purchase of property of all kinds, and in fact everything the commission desires to use the money for time ad infinitum, without once asking the city for further approval.

Sir Adam Beck states his estimates of cost are always conservative.

The facts are his Chippewa development works were first estimated at $15,000,000, then, after the work was commenced, this was changed to $18,000,000, and later to $24,000,000.

Sir Adam Beck states that politics has not interfered with the Hydro Commission, but he does not say that the hydro has not interfered with politics.

The facts are that with the credit of 200 of the principal municipalities of Ontario in his hands to do what he likes with, the commission is stronger politically than any political party in the Province. Both political parties realize this and do not therefore dare to call their souls their own when the chairman of the Hydro asks for further arbitrary power. At the least show of resistance Sir Adam gives the S. O. S. signal, and deputations, sometimes 3,000 to 4,000 strong, invade the seat of government and demand that the Hydro's desires be satisfied. So far the pressure has been successful, even to the extent of making the Government repudiate its agreements granted on the honor of the Crown.

Sir Adam Beck stated:

"We can not expend money or undertake the construction of any works without an order in council from the Government.

"We could not expend any money, borrow money, issue any bonds without an order in council. The commission is entirely under the control of the Government."

The facts are that in law the above statements are correct, but in practice they are not, as the commission spends money regardless of any constraint and is not subject to provincial audit.

As an example of this might be cited the fact that in April, 1917, the Government appropriated $1,000,000 for the fiscal year for the Chippewa development. In nine months Sir Adam publicly declared he had spent $4,000,000. He stated publicly that he presumed the Government would produce the money, although it had not done so up to that time.

No proper audit of the hydro accounts has ever been published, and it has been a matter of public controversy. The Government of Ontario has been unable to secure a proper statement of the operations or expenditures. Such an audit has been ordered by the Parliament over 18 months ago, but has not been forthcoming.

The abnormally low rates charged by the Hydro Commission for power are not to be taken as an evidence of value.

The service rendered has been inferior, and on account of the long transmission and complicated operating conditions due to the large loads carried interruptions have been frequent and serious.

Eight and ten hour interruptions have been more or less frequent, and in view of the fact that the contracts of the commission are in no way binding on the commission it has frequently happened that power has been withdrawn entirely from a consumer, resulting in great loss.

The lost taxes, as stated above, would amount to at least $1,400,000 annually, and when Sir Adam Beck stated, as he did, that he was effecting an annual saving in rates to consumers of $2,380,000, he made no calculation of these taxes

He also neglected to say that this saving was based on a comparison with steam rates existing before the advent of hydraulic power. In Toronto the Toronto Electric Light Co. operated a steam plant, and in 1907 it purchased part of its power from the Toronto & Niagara Power Co. and was about to reduce its rates to a fair hydraulic basis, but the city made its so-called agreement to go into the Hydro ring of municipalities and compete with "power at cost"; the private company then decided to maintain its rates until compelled by competition to reduce them.

These steam rates are what Sir Adam uses in his comparison.

The Toronto Electric Light Co. had but 15,000 customers before the advent of the Hydro. It has now over 27,000 due to its superior services, and charges about 20 per cent higher rates than its competitor.

Sir Adam Beck's whole statement is bristling with inaccuracies and it is of little use to pursue them further.

The House Committee on Water Powers seemed anxious to find out the usual conditions of water-power grants in Canada, and Sir Adam was only able to speak of the Ontario agreements. These he quoted as being limited to a period of 40 years.

He was probably referring to concessions in connection with woodpulp grants.

The Niagara agreements were probably the last power-development agreements granted by the Ontario government before the Hydroelectric Commission came on the scene and put a stop to private enterprise in water-power development.

These Niagara agreements were for a term of 110 years, subject to a revision of rentals after the first 50-year period and every 30 years thereafter.

The rentals average $25,000 annually for the first 20,000 horsepower; $7,500 annually for from 20,000 to 30,000 horsepower; and 50 cents per horsepower per year above 30,000 horsepower.

So that a plant generating 100,000 horsepower would pay per annum:

First 20,000 horsepower	$25,000
20,000 to 30,000 horsepower	7,500
30,000 to 100,000 horsepower	35,000
100,000 horsepower for total of	67,500

or an average of 67½ cents per horsepower.

In closing I would submit that the Hydroelectric Commission of Ontario so far has not realized its object; that is, to produce ample power in Ontario and to make it available for all the people of Ontario.

It is true it has had a measure of success, but when all the facts of the case are considered it has fallen down badly. It undertook a large order, namely, to supply all the people in Ontario (for it is a provincial undertaking) with all the power they required. It acknowledges in this war crisis that it is over 100,000 horsepower short of what it could use without extending its present lines.

It has effectually put a stop to the investment of private funds in power or electrical development or traction development, especially interurban lines, and has undoubtedly caused an acute shortage in the output of munitions from Ontario plants by the prohibition it placed

on the right of the Ontario Power Co. to construct its third pipe line at its Niagara plant in 1916, which it (the hydro) is now compelled to build in as a temporary measure and in a temporary way.

The Hydro is able, through its political influence referred to above, to expend from $2,000,000 to $4,000,000 annually on a new power development that Sir Adam estimates will produce power in 1922.

No other public work of size not connected with the war is allowed to proceed, as all available money is required for war purposes.

I have written at some length and am inclosing under separate cover several documents which will be of interest to you if you have time during your vacation to examine them.

Yours, very truly, JOHN H. ROEMER.

Mr. ESCH. Mr. Chairman, I yield 20 minutes to the gentleman from Iowa [Mr. HAUGEN].

Mr. HAUGEN. Mr. Chairman, the proposed bill has been discussed in detail and at length. It is not my purpose to detain the committee. However, I desire to refer to one or two provisions in the bill.

According to estimates we have somewhere near 60,000,000 horsepower available for development under this bill. The proposition is to turn it all over to a commission composed of three secretaries—the Secretary of War, the Secretary of the Interior, and the Secretary of Agriculture—that commission to be given the power to dispose of it as in its wisdom it may seem wise through the issue of licenses running for 50 years, and so forth. The Federal Government is to be compensated to the extent of 10 or 15 cents per horsepower, or an amount sufficient to pay the administrative expenses, and the State service commissions are to fix the rate which the consumer shall pay. In this country we have State service commissions in a number of States fixing water-power rates. In Canada they have a municipal ownership operated under the Hydroelectric Power Commission of the Province of Ontario. In determining this all-inportant proposition it may be well to take into consideration the results of the experiment in Canada.

If so, a brief review of Sir Adam Beck's statement relating to Canada's experience may be of interest and value. In response to an invitation extended by the committee, Sir Adam Beck, chairman of the Hydroelectric Commission of Ontario, Canada, who has been identified with the Hydroelectric Power Commission since 1903, made a most interesting and instructive statement before the committee. According to Sir Adam Beck, Canada has given much consideration to water-power development as a public project or a provincial project. Its first attention was given to it in 1900 by the board of trade of the city of Toronto, which in 1900 did apply to the legislature for power to undertake the development and transmission of power from Niagara Falls. Up to that time leases of rights had been granted by the Province to the three companies, the Canadian Niagara Power Co., the Electric Development Co., and the Ontario Power Co., to generate 100,000 horsepower, 125,000 horsepower, and 185,000 horsepower, respectively, or a total of about 400,000 horsepower at Niagara Falls. The city of Toronto, which has a population of about 500,000 people, made application to the legislature for authority to generate power. Its application was rejected and a lease was granted to the Electric Development Co. Though disappointed, two years later a large convention was called of municipalities in the southwest part of the Province of Ontario; the Niagara district extended 250 miles west, 80 miles east, and 150 or 200 miles north. A commission was appointed to confer with the view of securing authority for the municipalities to undertake the development, distribution, and transmission of electricity as a municipal undertaking, also to generate power unless power could be procured on favorable terms from the three existing companies at Niagara Falls. An act was passed authorizing the municipalities to borrow money, to generate, transmit, and deliver power, and to appoint a commission of three to five members; a commission of four was appointed, and an expert electrical engineer, expert accountants, expert hydraulic and electric engineers were employed, and after 18 months a report was submitted, which Sir Adam Beck says was a revelation to the people as to what could be done and what a great benefit it would be to the communities where power could be had practically at cost. As to cost Sir Adam Beck expressed himself in this language:

Now, when I speak of cost, I speak of it as covering all charges that are applicable to a business interest, charges, sinking fund, charges capable of discharging the whole indebtedness in 30 years; that is the whole of the investment made by the municipalities was to be retired by a charge included in the charge for power, the price of power delivered to the municipalities. Also a depreciation charge averaging 5 per cent, which was to provide for renewals or for the general depreciation of the system, the operating cost, the maintenance cost, and administration.

The question of whether the water-power and natural resources of the country should be developed for the good of the common people was made an issue. Though the proposition was characterized as radical, the party pledged to legislation making it possible for municipalities to undertake the development of power on their own account carried by a large majority and authority was granted to municipalities to acquire, by purchase or otherwise, and to hold shares in any incorporated company carrying on the business of developing, supplying, and transmitting electric power, to appropriate the lands, waters, water privileges or water power, powers or works, machinery and plants apportioned thereof of any person owning or operating under lease or otherwise, which in the opinion of the commission should be purchased, acquired, leased, taken, appropriated, and developed or used by the commission for the purpose of the act, all subject to arbitration. Though that drastic power was granted, up to the present time every property and right acquired, including 86 different plants, has been acquired by negotiations. The commission now operates 12 systems, which has contracts with 225 municipalities; of those, about 30 are townships. All the 12 systems are under one control, thus avoiding duplication of administration and operation, and thus getting the maximum of economy and efficiency. In Canada, as in every other country when new policies are suggested, opposition generally develops, and too often when in the interest of the people in general. Notwithstanding the vigorous opposition, the construction of 12 municipalities was approved in 1906 by an enormous majority, some ten to one. From then on all kinds of obstacles were thrown in the way.

As to the estimates, Sir Adam Beck stated:

We were able, notwithstanding the provincial treasurer was somewhat convinced by the information that was placed on his table from those unfriendly to us, that our first undertaking would cost $12,000,000, we had estimated it would be under $4,000,000. We built it at the contract price, and we were several hundred thousand dollars below the estimates that we submitted to the municipalities. This created confidence in the minds of the people and also the municipal authorities.

The commission offered to buy the Toronto Electric Light Co.; it offered to assume all bonded debt of the company and to pay $135 for the common stock, which amounted to five or six million dollars. The company refused it and sold the plant to the McKenzie group, which controls the Niagara Power Co. Since then, of the 205 municipalities 56 privately owned distributing systems have been acquired. The Hydroelectric Power Commission has purchased 28 privately owned distributing and generating systems or stations. The commission began operation in the fall of 1910 by supplying 750 horsepower.

They pay primary interest charges, practically all 4 per cent, some from 5 to 6 per cent; sinking fund of 1.8 per cent, which retires the debt in 30 years; pay all the line losses, depreciation charges, operation, administration, and so forth.

The commission up to date has invested $53,000,000 in transmission, distribution, and generating system. The municipalities have invested $17,000,000, which makes a total investment of $70,000,000. The commission anticipates that by 1921 more than $100,000,000 will be invested in a hydroelectric power system in the Province of Ontario. Three hundred and ten thousand horsepower is being distributed and 750,000 horsepower will be available for the use of the people in the Province. As to the rate charged, Sir Adam Beck, chairman of the Hydroelectric Commission of Ontario, had this to say. I refer you to page 714, hearings, April 15, Part III:

The average price of power or cost of power delivered to 225 municipalities in the Province of Ontario is under $18 a horsepower. We have made reductions annually. We were obliged to make reductions because the excess surplus earnings of the municipalities were such that if we had continued the rates that were originally established, based on one-half the cost that they were buying or securing power for previous to our coming into the field, we would have had such a large surplus that the whole debt of the municipality would have been wiped out in 10 or 15 years.

On page 716, Sir Adam Beck had this to say:

We transmit power, as I said, over these various districts as far as 250 miles, we have between five and six thousand miles of double transmission lines. We have competition in the cities of Hamilton, Toronto, Ottawa, and Windsor, where the Edison Co., of Detroit, are doing business. I may say that we have bought out the Edison Co. in the Essex district, opposite Detroit. Our total market there at the present time is only five or six thousand horsepower. We are able to sell power to the citizens of Windsor, which has only 25,000 population, immediately opposite Detroit, where they have over half a million population, at 40 per cent lower rates than they are receiving in the city of Detroit. And we are meeting all our obligations. In Toronto we are selling power at one-half the rates you have in the city of Buffalo, 20 miles from the Falls; Toronto is 84 miles from the Falls.

We have small towns, such as Galt, 89 miles, St. Thomas, 120 miles, from Niagara Falls, where the rates are just one-half the rates that the company in Buffalo is charging for its light and power.

Buffalo prices were fixed by your public-service commission, and I think they were reduced by 20 or 25 per cent a year or so ago, but they are still twice as high as the average price we are supplying 200 municipalities. I am not saying this with any reflection on anybody. Their capital investment may be enormously larger and interest charges may be higher, and the stock, of course, has to be taken care of.

The CHAIRMAN. We want the facts whether they reflect on anyone or not.

Sir ADAM BECK. They are facts: we have a pretty big organization watching us, not only in Canada but in the United States. And perhaps some of you had a copy of that issue, "An expensive experiment," that was liberally distributed by the thousand in Canada and the United States.

We are going on increasing our developments, and by 1921 we will have increased our plants to, I hope, 750,000 horsepower; we began with 750 horsepower seven years ago.

On page 711 Sir Adam Beck had this to say of the Ontario Power Co., which was acquired last August:

Negotiations were entered into, and the Hydroelectric Power Commission acquired the plant and took possession after about a year's negotiation. This is the company that has a contract with the commission for 100,000 horsepower.

The remaining 60,000 is under contract to the Niagara-Lockport Co. We assumed the whole of the bonded indebtedness of the company, amounting to about $15,000,000. We acquired the common stock of the company and paid them $8,000,000 in 40-year Hydroelectric Power Commission 4 per cent bonds, guaranteed by the Province of Ontario, a transformer station, and a short system of lines in the immediate vicinity of the plant itself; we reduced the cost of operation by over $40,000 a year; we have two firm contracts, one with the municipalities and one with the Niagara-Lockport Co., expiring in 1950; our revenue will be sufficient to maintain the plant to the highest point of efficiency, provide for renewals and depreciation charges and operation; we will have sufficient revenue to retire the whole of the debt in 25 years—that is, instead of the Ontario Power Co. owning this plant, we will, in 25 years, out of the reserves that we are setting aside, pay off the whole of our indebtedness and own the plant, free of debt, in 25 years from last August.

The CHAIRMAN. Without increasing the cost to the consumer?

Sir ADAM BECK. Yes.

Speaking of the benefits accrued, Sir Adam Beck had this to say:

You may like to know what benefit has accrued to the country on account of all this expenditure. We have reduced by five or six million tons per annum the consumption of bituminous coal in the Province of Ontario. We have reduced the freight haul on all this coal (the use of cars to haul the coal), and the obnoxious smoke that is created by the use of coal for manufacturing purposes in towns and villages. Electric power has been made available to every community, small or large, from a township to the largest city prepared to make a contract with the commission and assume the liability that accrues on account of such an undertaking. There is no discrimination. The small user buys electricity at the same price as the large user. There is a standard rate in every community, which applies whether you use 10 horsepower or 10,000 horsepower. In the case of domestic users, the small consumer buys it for less than the large user. There is no such thing as a flat rate to any consumer. When we took over these companies, we found that there were some individuals in a community that got a very much lower rate for power than others. We found that the large user got power at a low price and the small user had to pay four or more times as much as the large user paid. We wanted to encourage the wagon maker, the blacksmith, the industry that might use a small amount of power, so we fixed an equitable, fair, and just rate for all users. In case of the domestic users we make a service charge. A house with 1,000 square feet floor space pays 30 cents per month for service, whether they use light and power or not. A larger house with 3,000 square feet pays 90 cents. The small householder with 1,000 square feet had all the privileges and right to use electricity for 30 cents a month for which the larger house paid 90 cents. He had the further privilege that when he exceeded 30 kilowatt hours his rate is 1 cent, as in the case of the city of London, 125 miles from Niagara Falls. We pay 2 cents for the first 30 kilowatt hours used for domestic purposes. In excess of that it is 1 cent per kilowatt hour up to 60, and then we pay half a cent a kilowatt hour for cooking, the heating of water, fans, vacuum cleaners, irons, and so on. At any rate, the small householder, a working man, who lives in a small house, secures electricity at the same rate that I do, his service charge is lower, and he secures a reduction in the rate before I do, as I must use 90 kilowatts before I get a 1-cent-a-kilowatt-hour rate, and I must use 180 kilowatt hours before I receive a half-cent rate per kilowatt hour.

On page 715 Sir Adam Beck has this to say:

The saving to the users of electricity—that is, the rates in existence in 1912 and the rates in existence in 1916—for household purposes alone was $2,380,000 per annum. That is the saving to the householders in the various municipalities. The total accumulated surplus to the credit of the municipalities and the commission in 1917 is over $6,000,000. The surplus is all reinvested in the plants—none of the money can be taken out of the various systems. Take the city of London last year: After paying interest and sinking fund and maintaining the plant, keeping it all in first-class operating condition, up to original standard, had a surplus on an investment of $750,000 of $76,000 applicable to depreciation or renewal account. The plant value, because of the reserves being reinvested in extensions and improvements in the plant, is $1,200,000.

So you see they have the earning power of a million and a quarter—they have practically half a million dollars invested in the plant on which they do not pay any interest charges, only maintenance, operation, and depreciation charges. The sinking fund pays the bonds that are issued in 30 years, so that the plant in 30 years will be free of debt in the city of London. A corporation or company would naturally have issued three quarters of a million of common stock, and that common stock, if the surplus had been used to pay dividends, would have paid 10 per cent on the common stock, on an equal amount of stock as the bonded debt amounted to. Money so invested in the plants amounts to $2,000,000. The sinking fund and depreciation reserve amounts to $4,500,000 in six years. Some of the municipalities, of course, have only been in operation a year or two. The net surplus is $1,500,000. That is after writing off 5 per cent for depreciation. The commission's reserve and surplus is $1,600,000. The total reserve surplus of the municipalities and the commission is $7,670,000 on a total investment of some $70,000,000.

As to the cost, on page 703, Sir Adam has this to say:

The operating cost is from 50 cents to $1 per horsepower, while the fixed charge on the capital invested, interest, sinking fund, and renewal fund or depreciation is from six to eight dollars per horsepower, so you see how small an amount of the cost of power constitutes labor or operating power.

As to cost, Sir Adam Beck says:

Now, when I speak of cost I speak of it as covering all charges that are applicable to a business—interest charges, sinking-fund charges, capable of discharging the whole of the indebtedness in 30 years. That is, the whole of the investment made by the municipalities was to be retired by a charge included in the charge for power—the price of power delivered to the municipalities. Also a depreciation charge averaging 5 per cent, which was to provide for renewals or for the general depreciation of the system, the operating costs, the maintenance cost, and administration.

In hydroelectric development the operating cost is from 50 cents to $1 per horsepower, while the fixed charges on the capital invested, interest, sinking fund, and renewal funds, or depreciation is from $6 to $8 per horsepower. So you see how small an amount of the cost of power constitutes labor or operating cost.

Gentlemen, I suggest before passing this bill a careful reading and consideration of Sir Adam Beck's statement to the committee. If you do, I believe that but one conclusion can be reached, and that is that under this bill we are turning over to a number of bonding companies and exploiters resources which in the light of experience and according to rates fixed in the past by State service commissions, who are to continue the fixing of rates, will net the exploiters at least $1,000,000,000 a year in excess of a reasenable return upon their investments and the return of their capital several times over during the term of the license to be granted.

According to Sir Adam Beck's statement, under municipal ownership and under proper regulations and profits the consumer would pay from $9 to $18 per horsepower. Not only would the consumer have had the use of the power at one-half the cost likely under this bill, but every dollar invested, together with liberal profits and interest on the investment, would be returned to the investor. Under the proposed plan, if the State service commission continues as it has in the past, it will permit excessive charges and exorbitant profits, the consumer will pay twice the rate per horsepower, the promoter, the investor, the licensee will collect twice the rate sufficient to pay a liberal profit and a reasonable rate of interest on his investment of every nature, including operating expenses, and an amount equal to his investment every few years; besides, if 60,000,000 horsepower is developed an annual rake-off of at least a billion dollars, and when I say a billion dollars that, of course, is a most conservative estimate—an excess charge of $17 per horsepower on 60,000,000 horsepower would make up the billion. The chairman called attention to consumers paying $110 per horsepower, which is probably close to $100 in excess of a reasonable cost. At any rate, it is safe to say that if rates are to be fixed by commissions, as proposed, the annual excess cost to the consumer and the excess profit to the licensee would be at least a billion dollars a year. At the rate we are spending money a billion dollars a year, more or less, may not be of much consequence, but there may be a time coming when a billion-dollar income or saving annually may come in handy.

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

The CHAIRMAN. Will the gentleman from Iowa yield to the gentleman from Wisconsin?

Mr. HAUGEN. Yes.

Mr. STAFFORD. The gentleman has just referred to the comparative prices charged for electric power in Detroit, on the American side, and Windsor, on the Canadian side, and at Buffalo, on the American side, and 200 municipalities in Canada. Will the gentleman advise the committee whether the power that is charged for on the American side, in Buffalo and in Detroit, is hydroelectric power or whether it is generated from steam?

Mr. HAUGEN. It is hydroelectric power.

Mr. FERRIS. All generated at the same place.

Mr. HAUGEN. All generated at the same place and from the same source.

Mr. STAFFORD. As far as Detroit is concerned, I think the gentleman is in error, because there, I know, the Edison Co. manufactures its power, which supplies, largely, Detroit, from steam.

Mr. HAUGEN. I am quoting Sir Adam Beck, who is the chairman of the Hydroelectric Power Commission of the Province of Ontario, and who, I believe, knows more about hydroelectric power and the operation of it than any other man living.

Mr. FERRIS. The gentleman is entirely right as to Buffalo.

Mr. STAFFORD. My question was not only as to Buffalo, of which condition I am not acquainted, but as to Detroit, of which I have some acquaintance.

Mr. FERRIS. I answered as to Buffalo, because I was up there with an inspection committee a couple of years ago.

Mr. DOREMUS. If the gentleman will pardon me, according to the testimony of Sir Adam Beck, in many municipalities of Canada domestic consumers of light are getting it from the various cities at from 2 to 3 cents per kilowatt hour.

Mr. SIMS. The average is one and a quarter cents to domestic consumers throughout all of Canada.

Mr. STAFFORD. I am aware of this fact, which may be disclosed by the hearings, that the power generated by the hydroelectic power of Canada, where the charges are under the supervision of Sir Adam Beck, has been more than utilized, so that manufacturing plants in Ontario and otherwheres in Canada to-day can not acquire any additional power for manufacturing purposes. The Hydroelectric Co. there, however, is preparing to install additional machinery at Niagara Falls so as to accommodate the growing demand for power in lower Ontario.

Mr. DOREMUS. And it may be also interesting to know that this very nominal charge is sufficient to amortize the debt at the end of 30 years.

Mr. HAUGEN. Sir Adam Beck's statement was this: That the operating cost was from 50 cents to $1 per horsepower and the fixed charge on the capital invested, sinking fund, interest, and renewal or depreciation is from $6 to $8 a horsepower. The average charge in Canada in 200 municipalities is less than $18 per horsepower. The charge on our side is twice that charged in Canada. I suggest a careful reading of Sir Adam Beck's statement. If you will give it a careful study you will find that there is only one conclusion to be reached, and that is that we are turning over Uncle Sam's most valuable resources without compensation; and the result will be this: That the consumer will pay twice the price he would pay under the Canadian policy. Under it or under proper legislation the consumer will have the use of the power at half the price.

The money will be returned to the Government or the investor with a liberal profit, with a reasonable rate of interest, and the property will belong to the Government or the municipality after a certain number of years. On the other hand, if this bill is passed and if the State service commissions continue as they have in the past, the consumer will pay twice as much and the investor will have his investment returned to him every few years besides. He will be able to reap a profit of at least a billion dollars a year, while all the Government will receive will be the administrative expenses.

This, I believe, is sufficient to prove that rates to be fixed by the commission and the State service commission will be largely in excess of cost and liberal profits to the developer. There is no way of estimating the amount, but judging from what is being done it is safe to say from $9 to $50 per horsepower. Some have estimated it at $33 to $42 per horsepower. For the sake of argument, we will say half of that amount; if so, and if 60,000,000 horsepower is developed, they have an annual rake-off of over $2,000,000,000 a year.

With the experience we have had in Government ownership and operation regulations, with the increased cost in transportation under Government control, which resulted in an additional $900,000,000 burden pinned onto the American people annually, the expense of postal systems, the high cost of Government printing—in fact, the high cost of everything which the Government undertakes—one naturally hesitates in even referring to, much less suggesting, Government ownership or operation. Be that as it may, the fact that Government ownership or operation has proven a failure in our country and the fact that it most likely will prove a failure, the mixing of politics and business generally spells ruin, and as politics is bound to mix with Government business there seems to be no prospect for a successful Government ownership and operation here; but that is no reason for giving away our most valuable resources, in many instances to be exploited by greedy financiers, or the so-called high financiers, at the expense of the American people. But the contention is that unless we pass this bill there will be no hydroelectric-power development.

If one is to give it all away and if, as stated by the chairman, that the high rate charged by steam generating and other plants will necessarily have to be the rate charged for hydroelectric power then there is nothing to be gained by the consumer, the Government, or anybody except the licensee. Another contention is that the Government has no property rights. If the Government has no property rights, or no right to charge for the power, it has no right to charge as provided in section 10, page 37, subdivision D, which provides as follows:

> The licensees shall pay to the United States a reasonable annual charge in an amount to be fixed by the commission.

Nor has it a right to charge as was suggested in the administration bill, the minimum charge of 10 cents per horsepower, which amount, I take it, reflects on the judgment of the three Secretaries who prepared the bill and who are to be given power to fix rates, a rate which in all probability will be the rate fixed by the commission. That rate is, of course, absurd, and instead of providing for any such absurd rate, the committee, to avoid it appearing ridiculous in the matter, struck out the 10 cents and reported the bill in its present form. I take it that all will agree that rather than make a charge of 10 cents for a concession worth from $10 to $50, the Government had better give it all. If the policy adopted by Canada or that by Government ownership or operation is not adopted, we should provide in this bill first for reasonable charges to be paid by the consumer—a charge that would insure a liberal profit to the investor and to amortize the project in 20 to 50 years, and that when every dollar expended, together with a liberal return of the investment, has been earned or paid to the licensee, the licensee shall then turn the property over to the Government. The Government can then operate it, lease it, or turn it over to the municipalities. If the Government needs the revenue it can make a reasonable charge; if not, its use can be turned over for the benefit of the people in general. If so, subdivision D, section 10, page 36, should be amended. The amortization reserve referred to should be made compulsory. There should be no ifs and ands about it. We should provide for recapture for amortization reserve pure and simple, and when once the improvement of the plant has been amortized or paid for it should be returned to the Government, its owner. The bill and the license should provide for a fixed annual charge for the use of the water power sufficient to pay all Government expenses and to amortize the project in an estimated period of years.

The annual rent should either be credited to the Government or be applied as part payment for the improvements or the investment made by the licensee, or be paid into the Treasury and set aside for the purchase of the licensee's property at the expiration of the license, and when the amounts paid equal every dollar invested, including interest and a liberal profit on the investment, or, in other words, when every legitimate and proper claim has been fully paid, the licensee should return to the Government its property, the water power and improvements paid for as earned by the use of the Government property, and release all his claims, the same as in the case of a farmer borrowing money from the Federal loan bank, who gives his mortgage and pledges his farm as security for the loan. He pays interest and part of the principal annually, or he pays it all at maturity, and when his debt is fully paid the mortgage is canceled, and his farm is returned to him free of incumbrance. So in this instance the licensee pledges his improvements or investment as security for the use of the water power and Government property, and when his indebtedness to the Government for rent is equivalent to his claim his claim is exhausted, and the property should be turned over to the Government; if not, he should be made to do so.

Under such an agreement the bondholders and investors, for whom there is so much anxiety, need have no fear of losing a dollar so far as the Government is concerned. They will have in their possession not only their own property as security but the Government property as well, until they are fully reimbursed, and nobody can dispossess them of the premises until every claim which they may have has been fully satisfied. Certainly, when every claim has been fully satisfied they should be willing to give up the property, same as the mortgagee who releases his claim after the mortgage has been fully paid and satisfied; if not willing, they should be made to give it up. In that respect the recapture and amortization provision should be written so plainly that he who runs may read. Our experience in that respect has been most deplorable; only a few years ago we paid railroad companies millions to vacate Government property here in the District, to which the railroads had no legal or moral claim. Another striking example is that of the Government leasing the land on which the property of the Washington Market Co. is located. According to the committee's report (No. 558, 65th Cong., May 1, 1918) accompanying H. R. 10893, a bill to repeal an annual 99-year lease granted and made to the company by act of Congress. According to the report the title to the land upon which the market building stands has been in the United States since the location of the Federal city in 1802.

Prior to the granting of the lease the site was occupied by the municipal market building under the control of the city government. Stalls were leased. The receipts, after paying expenses for some years previous to May 20, 1870, the net earnings of the Municipal Market Co. amounted to about $14,000 annually. The annual rental fixed in the lease was $25,000, which was in 1873, three years later, reduced to $7,500 a year by the Legislative Assembly of the District. The committee's report calls attention to a funded debt of approximately $22,000,000 which was imposed upon the District of Columbia, a very large part of which was incurred for improvements which became valueless in a few years, such as defective street improvements. On page 3 of the report it is stated that the District of Columbia and the United States have contributed approximately $25,000,000 to pay debts and interest, for which the District of Columbia received little benefit and the United

States none whatever. For more than 20 years the United States and District of Columbia hired as an armory portions of the second and third floors of the building of the Washington Market Co. at a rental of $8,000—$500 a year more than the entire ground rent paid by the company—and is now paying $14,000 a year for a portion of the second floor of the building, or $7,000 a year more than the entire ground rent. The charter provides that after a lapse of 30 years from 1870 the lease may be canceled by paying the market company the value of the building on the site. The rent paid by the company is estimated to be only six-tenths of 1 per cent of the value of the land. The Government is now paying exorbitant rents, in some instances from one to three dollars per square foot, for office space. New buildings covering blocks have been erected; many more are needed. Numerous efforts have been made to terminate the lease and to appropriate it for Government use. Notwithstanding that, there seems to be no prospect of Congress asserting its rights in that direction. Numerous other instances might be referred to.

When we consider the number of deals put over, one wonders how it happens that these valuable resources were not discovered and appropriated before. Think of it. A billion or two annual excess profit dangling in the air all these years unappropriated. Several attempts have been made to have them appropriated, but so far without success. Why turn it all over now, I know not, except upon the claim as a war proposition, which, of course, falls to the ground when confronted with the fact that neither money, material, nor labor can be had to develop hydroelectric power. Even if money, material, or labor can be had. the cost would be so enormous that no prudent concern would undertake it at this time.

Only a few years ago several enterprising gentlemen undertook to gobble up a few sections of Government coal lands. That scheme was, of course, only a drop in the bucket as compared with this. An investigation was ordered, and, fortunate for the country, the Government is still hanging onto some of its coal lands. If we shall in one little bill, in one stroke, part with all these valuable resources without compensation, without so much as "thank you," if so important and wise, to accommodate these enterprising people, who, with their attorneys, have been knocking at the doors of Congress all these years, why not include the coal, minerals, and forests, and the job will be complete. Uncle Sam's resources will then be exhausted and future Congresses will not need to be concerned about conserving his resources; it can then devote all its time to taxation and providing soft berths in the public crib for worthy and deserving applicants. In my opinion, that is not the wise course to pursue. When this war is over we shall have interest to pay, probably many billion dollars—no one knows—taxation and bond issues also have a limit, and it may be that a billion or two of revenue from this source annually might be desired. Many seem to think that this war is going to be expensive; all agree that if it runs along a year or more we shall appropriate at least fifty or a hundred billion dollars. This bill, these resources, can be made to pay every cent of it. Before parting with it would it not be well to ascertain our national future need and to bear in mind that a billion or two is not so easily picked up annually. In amount it is equivalent to the cost of all the wheat made into flour and sold for consumption in the United States this year at the price of $2.40 per bushel, the price finally fixed in the Agricultural bill, and over which there has been so much contention. One billion dollars a year for 50 years is approximately four times the estimated value of all the land in the United States in the year 1900 and two and one-half times the value of all farm property in the same year; almost ten times the individual deposits in 1,606 loan and trust companies in 1916; twelve times the individual deposits in 15,450 State banks; five times the individual deposits in 7,589 national banks; and approximately two and a half times the total individual deposits in all our National, State, private, savings banks, and loan and trust companies for 1916. Fifty billion dollars is one and a half times the total production of gold and silver in the world since the discovery of America, and more than eleven times the total money in the Treasury and in circulation in the United States in 1916. Gentlemen, to me it seems that a concession running for 50 years, valued at more than a billion dollars a year, should not be granted, especially at this time, without compensation, except to pay administrative expenses.

Now, Mr. Chairman, I do not care to take up any more time at this time. [Applause.]

Mr. ESCH. Mr. Chairman, I yield 15 minutes to the gentleman from Idaho [Mr. FRENCH].

The CHAIRMAN. The gentleman from Idaho is recognized for 15 minutes.

Mr. FRENCH. Mr. Chairman, I do not know that I shall use all the time, and I would like at this time to ask unanimous consent to extend my remarks in the RECORD on this bill.

The CHAIRMAN. The gentleman from Idaho asks unanimous consent to extend his remarks in the RECORD on the water-power bill. Is there objection?

There was no objection.

Mr. HAUGEN. Mr. Chairman, I make the same request.

The CHAIRMAN. The gentleman from Iowa makes the same request. Is there objection?

There was no objection.

Mr. FRENCH. Mr. Chairman, we are all interested in water-power legislation. The country is interested in it. And brushing aside a lot of camouflage and a lot of considerations that are important and yet are minor in character, the essential thing that demands our thought is to so frame the bill under consideration that private or corporate interests may not tie up perpetually the water power of the country and make for their own benefit a gigantic monopoly to which the people will pay tribute.

Private interests have tried for years to induce Congress to pass a law under which perpetual grants could be made by the Government, or to have the Government remove all strictures so that they could apply to the States for perpetual grants. The Congress has steadfastly refused to meet the terms demanded. Failing in their demands, corporate interests have tried to obtain the most favorable terms possible for themselves and the most difficult possible for water-power development by States and municipalities. They have urged for themselves long leases; they have urged in the name of legislation that would not "frighten capital" such conditions as would make difficult or impossible bars for municipalities to meet; they have not failed to notice a very general demand for municipal development, and they have stood for legislation touching the recovery or recapture of a power project that private capital might develop that would be so extreme as to make the recapture quite out of the question. In a multitude of other ways those who have stood for private development of the electric energy in our country by means of water power have tried to impose impossible conditions that would discourage the taking over of projects already developed.

Now, I am not blind to the fact that in many sections of our country the sentiment is pronounced in favor of development of water power by private interests, the sections apparently feeling that through Federal or State control the people will be abundantly protected. However, for my part I am not so sanguine, and I shall indicate in my remarks the reasons why I am not.

I personally believe that municipal development of water-power systems of our country will mean for the greatest interest of our people, and I want to see the bill we are considering so shaped that if there must be private development of water power in some places, there may also be ample opportunity for municipal development of hydroelectric energy wherever the people may be willing to assume that responsibility, just as they have already assumed the responsibility of maintaining their schools, building their roads, and engaging in many other activities that are commonly felt can be better managed by the people acting as a group rather than by private interests. I was one of the Members of Congress four years ago who opposed the Shields water-power bill. I am opposed to the water-power bill that has come over to the House from the Senate, and I congratulate the special committee of the House on framing a substitute bill that is incomparably better than the proposition that was handed to them when they began their deliberations upon the question.

I am going to propose a series of amendments, however, to the House bill, looking to the end that still greater opportunity may be given for municipal development of hydroelectric energy; and while my remarks now will in part pertain to the amendments that I shall propose, I shall discuss them more fully under the five-minute rule, and shall now call attention to a few outstanding matters connected with this whole problem.

OUTSTANDING REASONS WHY SOMETHING MUST BE DONE.

Few bills, aside from those immediately pertaining to the war, have been before the Congress in recent years that were of such tremendous interest to the people of our country and the people who will make up the citizenship of this country in the years to come as the water-power measure that we are now considering. This question is of tremendous importance for several reasons.

In the first place, it is of tremendous importance because there is a constantly increasing demand for power in industry, for heat to be generated by some means, for light to be used in

business and in private homes, and for the multitude of uses that hardly can be classified as industrial and yet are of vital importance to the individual families throughout the land.

The fuel supply of the world must necessarily grow smaller day by day. Our coal can not last forever. We are already talking of the time when the coal supply of the world will be eliminated. Our oil and gas supplies can not last forever. We are using them to-day in prodigal manner, and yet we have been told that we have reached the apex, or well-nigh the apex, of oil and gas production in our country, and it will not be long before the annual supply of coal and oil and gas will probably be considerably less than in years preceding.

In a well-written article in the Railway Review for August our attention is again called to the increase in price of coal, and the authority points out that while the immediate cause for this increase in price is due to the war the diminution of labor both in the mines and in connection with transportation agencies and the necessity for transportation agencies to be used in large extent for other things besides coal, there must be a swinging back of the price of coal when the war shall be over, and yet, he says, that in all likelihood the price of coal will never approach to within about 30 or 40 per cent of the prices that prevailed before we engaged in the war.

Not long ago the fuel question was in large part met by the timber supply of our country. More and more this supply is being exhausted until to-day in all of our larger cities wood does not enter largely as a fuel factor.

The available water power in the United States is estimated at more than 60,000,000 horsepower by the Geological Survey without resorting to storage facilities. However, by resorting to storage facilities there appears to be practically a maximum storage of close to 200,000,000 horsepower. At present some six or seven million horsepower has been developed.

Herbert Knox Smith, in his report upon the water-power development of the United States a few years ago, indicated that for every horsepower developed hydroelectrically there was a saving of 5½ tons of coal. Upon the basis then of more than 6,000,000 horsepower used in the United States there is a saving of 35,000,000 tons of coal every year.

You can figure for yourself the millions of dollars that would be saved by translating the tons of coal into its selling price.

Consider then the development of 60,000,000 horsepower hydroelectrically and you have a net saving of 330,000,000 tons of coal annually, which at the present prices would aggregate more than the entire cost, in normal conditions, of administering the affairs of our country.

In an article by E. A. Palmer in a recent Railway Review he points out in graphic manner tendencies in electrification of the railway system of the United States. He says there are 260,000 miles of railroads in our country and that on this entire distance more than 66,000 steam locomotives are hauling the products and passengers from place to place.

He points out that operation by electric motive power has hardly scratched the surface of possibilities of electric use in the railway world.

Mr. Palmer says that the horsepower that may be utilized on electrified railroads is almost without limit. He points out the conspicuous example of the electrification of the Elkhorn grade of the Norfolk & Western Railway. He points out that in 1906 the traffic amounted to 280,000,000 ton-miles, while 10 years later, or the first year after electrification, in 1916, the traffic amounted to 593,000,000 ton-miles, or an increase of 110 per cent, resulting in only 10 per cent increase in transportation expenses.

He points out that on the New York, New Haven & Hartford Railroad 100 electric locomotives are handling passenger, freight, and yard business on approximately 600 miles of tracks, which includes some of the busiest four-track railroads in the world.

The Pennsylvania Railroad during the last 18 years has been extending electrification of its lines. The Chicago, Milwaukee & St. Paul Railroad is now handling by electric locomotives the 440 miles on the Rocky Mountain & Missoula division and is electrifying the 211 miles embraced within the Cascade division. The power generated on the Rocky Mountain & Missoula division is from water, and annually the utilization of water power for the motive energy of this division alone of the Chicago, Milwaukee & St. Paul upon present tonnage will save not less than 200,000 tons of coal and 425,000 barrels of fuel oil. Mr. Palmer translates this tremendous saving of energy in this language:

> Expressed in popular terms, the Rocky Mountain division will save sufficient fuel this year to supply 90 transports of 13,000 tons displacement bearing troops and munitions from the United States to France and return.

What then shall we say of the saving in fuel of all kinds in the electrification of many thousands of miles of railways within our country? What shall we say of the application of hydroelectric power in running our factories, in lighting our cities, in the operation of the machinery of our mines? And we must remember that in large part even the electric power that is now being utilized for all these purposes is being generated by steam that is produced by coal or fuel oil.

The development then of hydroelectric energy means the conservation of fuel of all kinds. It means thereby the extension of use of fuel into the indefinite future, and it means the opportunity to use fuel in the places where it can be used to better advantage than can electric energy.

In connection with this thought it must be borne in mind that in the utilization of water powers of our country in the development of hydroelectric energy we are not exhausting or diminishing the source of supply. The common sources of energy that I have indicated—timber, coal, fuel oils, and gas—are exhausted by use; not so with hydroelectric energy. Here is a power that is developed from the water of our streams which if not used flows on to the ocean, having contributed nothing of energy that is potentially within it.

In 100 years from now, though using hydroelectric power all that time, and using all we will be able to develop, there will exist the same capacity for producing hydroelectric energy that exists to-day. In fact, in all probability the natural opportunities for the development of hydroelectric energy in 100 years from now will be greater than they are to-day, for the reason that with the extension of agriculture, with the cultivation of our lands, with the widening of zones in semiarid regions that are productive under irrigation and the growing of forage, of timber, of other kinds of plant life, we create the very conditions that retard and hold back the flow of streams and, in fact, in some places increase the potentiality to such an extent that we may say that in all probability in the very use and development of the water power of our country it will be another case where "giving is a gaining," and the children of other years will have even more, notwithstanding our greatest use, than if we had not used at all.

Now, if it is important to consider the development of the hydroelectric energy in our country, there are several questions that are vital in connection with the same. A very cursory examination of the matter reveals the fact that, for the most part, the hydroelectric power that is used in our country to-day is concentrated within and under the control of a very limited number of large concerns. More than that, the very nature of the business seems to be such that unless the Government shall take a hand in the question there must be a still greater concentration of control and ownership of the hydroelectric business. This is a class of business that must be engaged in on more than a minute scale. If the electric-power company in your city charges extortionate rates, a new company can not very satisfactorily be organized, enter the business with limited capital, and proceed to compete with the older and probably large institution already in existence. The earlier institution in all probability will have the most available source for the development of hydroelectric power; in all probability the second company to enter the field would need to expend vastly more in the development of plant than the company already in existence, and the very conditions surrounding this industry keep out competition. The fact that the plant for the development of the water power must depend upon rivers and streams, reservoir sites, waterfalls, and other natural agencies that can not be placed at will by people, however interested, means that the hydroelectric business tends to become a monopoly. As the people of the country are vitally interested in the question, and as prices to the consumer can not meet the ordinary laws of competition, we must consider the question of the people's interests from the standpoint either of Government ownership—and by Government I mean Government either of Nation, the State, or the municipality—or we must handle this business, which is essentially a public-service business, by means of definitely constituted commissions, whose province will be to fix the rates that will be charged for the service rendered.

As I shall indicate later, I do not believe this latter will prove satisfactory, and, as I shall point out, municipal plants are rendering the same service for less cost to the people than are private concerns.

SHALL WE ENCOURAGE MUNICIPAL DEVELOPMENT?

Shall we encourage municipal development of hydroelectric energy? So far as I am personally concerned I have no hesitation in answering affirmatively, and I shall tell you why.

Reviewing the history of our country from the beginning from the standpoint of municipalities' or States' participation in affairs that might be done by the private individual, it is interesting to note the line of cleavage that at an early date began to assert itself.

There never was a time in the history of our country or in colonial history when the question of taxation was not handled by the State or some municipality under the State—contrasting markedly with the condition that existed in the Roman Empire 2,000 years ago when the franchise or right to raise taxes in a certain province would be sold to some individual or group of individuals who were supposed to have ability to meet their obligation to the State and who in turn would collect the taxes from the people. Something of this same system has been employed in other countries in later times, but, as I said, in the United States and in the Colonies prior to their organization into our Federal Government we had gotten by that stage, and the State or some municipality thereunder has uniformly exercised this function of government.

With regard to road building, it was somewhat different in our own country. While road building from the very earliest days was, in large part, a community matter, a county, or State matter, and even 100 years ago a matter for the Federal Government, yet there were many roads built and maintained by private owners, and the people generally were compelled to pay tribute in the way of tolls to the owners of these roads. I have driven by the old toll stations in Pennsylvania, in Massachusetts, and elsewhere. I recall even that in so new a State as Idaho there were toll roads, certain highways were maintained by means of the private franchise granted to the individual, the grantee maintaining the road and recouping himself by charging a fee for traveling the same. But we are abolishing private roads; we are abolishing tollgates.

In connection with toll roads, I should not omit to mention ferries and ferryboats, which in many States even to-day are maintained as private institutions under franchises granted by State authority. The owner of the franchise maintains and operates his ferryboat; the people who cross the river pay toll for the service rendered.

Even bridges are sometimes constructed by private individuals under franchise. Across the Snake River, between Idaho and the State of Washington, there was built the great Lewiston-Clarkston bridge, a bridge that for many years was maintained by private interests which received a revenue from the traveling public for the use of the bridge. Later this bridge was purchased by the States of Washington and Idaho.

Our rivers have been handled in much the same way as have our highways. Many of our rivers from very early times have been improved almost exclusively by the State or by different States or by the State in the larger sense—the Federal Government. On the other hand, many of our rivers have been improved by those to whom franchises have been granted for logging or other purposes, the grantee having the right of use of the river in compensation for the improvements made.

More and more, however, we are drifting away from this system of river improvement, and the Federal Government and the States, secondarily, are carrying forward this great work.

With our harbors, for the most part, the work of improvement has been carried on by the Federal Government or by the State. True even here, through a system of private ownership of dockage facilities, private interests have, to some extent, helped in this work, and have recouped themselves by charges made for the use of our docks.

Now, it is perfectly conceivable that all harbor-improvement work on our thousands of miles of coastal line could be carried on by private individuals and corporations which would be under the Federal Government to insure faithful execution of their work and which would recoup themselves and make their profits by charging the people for the use of the harbors. This would be a perfectly feasible system, and the Government could receive some revenue through leasing harbor rights. Yet who would seriously consider private development of our harbor facilities?

So we could carry on our river-improvement work through our country; so our highway-improvement work; so our bridges could be constructed; so our ferries could be maintained; so even taxes could be collected; so our schools could be maintained; so, in fact, could many of the agencies of the Government that for many years we have come to recognize as essentially belonging to the Government as it is manifested in some form from the large superstructure, the Federal Government, on down to the government of the community, the township, or the school or road district.

The line of cleavage that seems to separate the large class of business that is handled by the individual, the agricultural business, merchandising, the various trades and professions, on the one hand, and the business of maintaining such institutions as roads, harbors, navigation, and so forth—I say the line of cleavage seems to be one that has relation to the amount of service expended in comparison with the amount of public good received.

Probably no institution that we maintain results in such tremendous general good to the public in comparison with the amount of money expended in maintaining the same and in comparison with the number of men employed, and necessarily employed, in extending and keeping up the same as the public highway. Very close to the public highway from this standpoint are our coastal harbor facilities, our rivers, public schools, and other institutions that I could mention. On the other hand, the Government, the State, would probably be quite loath to enter the field of agriculture or merchandising or maintain blacksmith shops or garages throughout the country because of the very large amount of individual attention and detail necessary for the delivery of service.

Now, let us make the application: We have here the question that has been considered for several years—the working out of the best way for the development and utilization of hydroelectric power of our country. There are some who say let the State keep its hands off; let the Government treat this business as it does farming or as it does the trades and professions. And yet is there not a very close analogy between the amount of capital to be expended, the amount of attention in upkeep, in maintaining a hydroelectric power system and the maintaining of a highway or a harbor in New York City or Philadelphia? Can not those who urge the theory that to private initiative and private development belong the great hydroelectric possibilities of the present and of the future argue by the same processes of reasoning that to the private individual belongs the right to develop the harbor in New York, Philadelphia, Boston, or San Francisco? In maintaining our harbors in these places I have mentioned, or in maintaining a river as available for safe and economical navigation, we can not overlook the fact that natural resources or advantages exist that belong not to a few but to all the people.

It is this one condition very largely that helped us from the beginning, unconsciously or otherwise, to shape the very course that we have followed. Likewise it is true when the question of development of hydroelectric power is considered, the great natural resources belong to the people. True, they are not valuable for power purposes for the development of hydroelectric energy until they have been harnessed, but the harbor at New York is not available for the ships of the world if it is filled with snags and bowlders and its channel so massed with débris that ships can not enter with safety.

Now, when a private individual is granted a right or franchise to develop a water power, true enough he invests some capital, he installs modern machinery, he assumes some risk, but the very large and constant part of that which makes his investment worth while is the contribution that the public makes in the way of the water power that it furnishes in the franchise.

MUNICIPAL AND PRIVATE POWER PLANTS AS MEASURING STICKS.

I utterly fail to see the logic of those who stand exclusively for private development of hydroelectric energy. As I see it, no harm can come; but, on the other hand, probably much good, from municipal development. Most of the development that has occurred in the past has been through private means. Yet not all.

In the report of the Senate Committee on Public Lands in the Sixty-fourth Congress on the water-power bill, Secretary Lane is quoted as advising that out of 7,000,000 horsepower developed in the United States in 1913, 20 companies or groups of interests controlled 6,267,318 horsepower. Further, he advised that in the Western States of California, Colorado, Idaho, Montana, Nevada, Oregon, Utah, and Washington, out of 1,135,400 developed horsepower, large corporations controlled and owned 1,023,700, leaving but 111,700 horsepower in the hands of small developers.

He states that in California 92 per cent of the developed power is owned by large corporations and 8 per cent by small owners. In Oregon 90 per cent is owned by large companies, 10 per cent by small.

He further states that with but few exceptions the valuable power sites on lands not owned by the Federal Government have passed into private ownership in perpetuity.

There are upward of 100 cities in the United States to-day that have developed electric power for their people's use. With the close analogy between the development by municipalities of electric power and the maintenance of a municipal water system, as is very common, why is it not the part of wisdom to permit municipalities to engage in developing electric power if they so desire?

Municipally owned plants and privately owned plants would serve to check each the other. The people would soon learn whether through public management waste exists and whether through private ownership inordinate rates are charged.

The other day I was talking to a gentleman who had been a professor in the University of Idaho for several years, and he told me of a remark made to him by the manager of one of the large private hydroelectric power companies in the West that must face the competition in the region of country that is served by a municipal plant that exists for the purpose of serving a city of some 12,000 people. The manager of the private concern told the college professor that it would be worth $1,000,000 to his company if they could be rid of this vexatious municipal plant in their midst. Now, how would it be worth $1,000,000? Why, because there would be no measuring stick in the community by which the people could be constantly gauging the question of justice or injustice that was meted out to them by the private concern in rates charged and in service rendered. So it would work out in other places.

Another reason why I am in favor of making the opportunities greater for municipal development instead of relying upon the acquisition of properties after they shall be developed by private individuals and when the leases shall have expired is because I want to avoid the difficulty of handling the question of values when power plants shall be taken over by the Government or by the State or municipality.

We all know the habits of individuals, and especially of corporations. Directors are anxious to make the best showing possible for their stockholders by magnifying the value of properties that are in their possession.

I recall that Sir Adam Beck, in his testimony, told how a group of men some years ago at Ottawa secured the rights to generate power and secured control of lands for which, as I understand, $1,400 was paid. Nothing was done with this, and the Hydroelectric Power Commission, desiring to take over the rights of this group of men in the development of power for the city of Ottawa, approached the owners of the rights and asked them for a price. What did the owners ask for the rights? One thousand four hundred dollars plus a reasonable rate of interest? Not at all.

Would they have been content with merely doubling their money? Not at all. They were not content by multiplying their investment by 10, by 100, or 1,000; but they asked of the municipal organization of the Province $3,000,000 for property that had cost them $1,400 not many years before. You have all heard of instances of that character. Within the present Congress it has been pointed out time and time again how property right here in the District of Columbia, where assessment records are available, where property values can be obtained with the minimum of time and care, suddenly assumes an enormous value when the Government wants the property.

The same was true, as I recall, touching those who purchased some of the land and buildings down at Jamestown that were utilized in connection with the Jamstown Fair and then were quite willing in this war emergency to part with them to the Government at a price that was outrageous in comparison with that which it had cost. We fought that question out a year ago.

The adoption of the amendments that I shall propose will remove the necessity of meeting just such problems as these.

THE ONTARIO SYSTEM—AN INTERESTING OBJECT LESSON.

One of the most interesting things in connection with the study of development of hydroelectric power is the history of the Hydroelectric Power Commission of the Province of Ontario in our neighboring country to the north.

The use of electric power for manufacturing purposes and even for lighting in its largest aspect has a comparatively short history. The great development in hydroelectric power has been practically limited to the last 25 or 30 years. The people of the Province of Ontario some 18 years ago began to realize not only the great opportunities for the use of electric power, they realized that they were remote from coal and fuel oils, and they realized further that they were paying very high rates for the power that was furnished them by private institutions. Accordingly, in 1900 the Board of Trade of the City of Toronto made application to the legislature of the Province for authority to undertake the development and transmission of electric power from Niagara Falls.

At that time the Province had already granted leases to several private concerns. The application on the part of the city was rejected but the agitation continued, and two years later a large convention was called of municipalities from the great southwestern portion of Ontario, embracing towns and cities in a region some 150 or 200 miles north and south by probably more than 300 miles east and west. A committee was appointed from this convention to confer with the Government with the object in view of securing legislation that would enable the municipalities to undertake the development of electric power.

The Province proceeded rather deliberately, and a commission of inquiry was appointed under the legislation that was enacted in 1905. The chairman of this commission was Sir Adam Beck, whose testimony appears in part 3 of the Water-Power Hearings before the special committee of the House of Representatives. This commission was made up of men of very responsible character; Sir Adam Beck, himself a manufacturer, and one or two other manufacturers were upon the commission, and in addition an eminent electrical engineer and expert, Prof. Fessenden.

This commission went into the subject carefully and made its report, and the Legislature of Ontario, by act of May 14, 1906, created the Hydroelectric Power Commission of Ontario. Sir Adam Beck was appointed chairman and was, in fact, made a member of the Province cabinet without portfolio.

The testimony of Sir Adam Beck before the committee is intensely interesting. He tells the history of how the commission began the development of its work in Ontario, and how for a number of years its work consisted largely in being a sort of go-between or middleman between the large producers of electric power and the municipalities in Ontario. He tells further of the acquisition of plants and systems and franchises that had been granted to private concerns. He tells of the development of projects from the very beginning whose development has been carried forward under the commission. He tells of absorption by the commission of 86 different plants and the taking over of the great work that they were doing. He tells further of supplying electric power to 225 municipalities, of which thirty-odd are townships throughout Ontario. He tells of various systems that are being operated under this commission and of the development of resources and assets of the combined municipalities until to-day they have a value of something like $70,000,000, and upon the basis of plans that have already been laid out they will have a value of $100,000,000 within about three or four years.

The practically important part of the history that Sir Adam Beck told to the committee is that which has to do with the price for which electricity is furnished to the people of the Province. I have been accustomed to paying for the electric lighting of my home at the rate of 10 cents or 11 cents per kilowatt hour, whether in the city of Washington or in my home in Idaho. I am somewhat familiar with the rates that are being charged to other consumers throughout the United States by private concerns. It was a striking commentary on the work of this Ontario commission when I discovered in the testimony of Sir Adam Beck that the highest rates per kilowatt hour in the 225 municipalities that have become part of this greater municipality was a little more than 3 cents per kilowatt hour, and that in all the homes in the cities where service could be rendered most advantageously the cost was as low as 1 cent; the average was between 2 cents and 3 cents and not 7 cents, 8 cents, 10 cents, or more, as is the case within the United States.

Now listen further. Sir Adam Beck's testimony in the matter of comparative rates charged consumers in various cities of the Province of Ontario is highly illuminating. He points out that in Toronto in 1912, before the municipal commission began to supply power to the city, the rates charged the people were 8 cents per kilowatt hour, plus 25 cents per month meter rental. By 1916 the rates had been cut down to 2¾ cents per kilowatt hour, and last year the commercial rates for lighting averaged 2 cents per kilowatt hour in Toronto, and no charge, as I understand, was made for the meter.

More than that, in 1912 there were 11,959 consumers of electricity, as against 52,000 consumers under municipal control last year.

With regard to the city of Hamilton, Sir Adam Beck said that prior to the entrance of the municipal commission into the business of supplying electric power to the people they were charged by private concerns 8 cents per kilowatt, plus 25 cents per month meter rental. Under the municipal competition the rates were promptly scaled down to 2¾ cents, with no charges on the meter, and last year the rates averaged 1.32 cents per kilowatt hour and no extra charges. In Hamilton, in 1913, there were 6,550 consumers, while in 1916 there were 13,000.

Take Kitchener, a smaller city, with only 15,000 inhabitants, domestic rates were 11 cents per kilowatt hour, plus 25 cents per month for meter rent, prior to the entrance of the municipal commission into the field. After the latter entered the field the cost was reduced to 3.5 cents per kilowatt hour.

In Galt, another city of 12,000 or 15,000, the rates were reduced from 11 cents to 2.8 cents after the commission entered the field.

Sir Adam Beck further says that the domestic and commercial rate averages in the Province of Ontario have been reduced to 2¾ cents per kilowatt hour.

He has pointed out in his testimony how the rates have been scaled down year by year, and upon the basis of saving, in a population made up of 1,500,000 people, there was saved in

the year 1916, in comparison with the year 1913, the vast amount of $2,380,000.

The demand for municipal service is not limited in the Province of Ontario to the members of a political party nor to a class. The demand, as nearly as I can gather it, seems well-nigh universal. The merchant wants it because of the economy in lighting and heating of his store; the manufacturer wants it because of the saving in power charges; the newspaper publisher wants it because of the convenience of electric power and the small cost to him in his business; the dairyman, the farmer, the miller, the warehouseman all demand this power, and it is remarkable how many are the people in Canada who are utilizing electricity at this time, apart even from those who ask for municipal development that they may obtain light and that in that cold climate they may obtain a cheap and convenient and clean method of heating their homes which is common practice.

CRITICISM OF THE ONTARIO SYSTEM.

In referring as I have to the Ontario system and to the testimony of Sir Adam Beck, the chairman of the hydroelectric commission, I would not have it understood that there is no opposition. If we may judge by the votes that have been cast in Ontario, it would seem that the people are almost unanimously in favor of the system; but there is a severe criticism in the volume entitled "An Expensive Experiment," published in 1913, from the pen of a distinguished American, Mr. Reginald P. Bolton, member of the American Institute of Consulting Engineers and numerous other organizations, that suggests the eminence of this authority.

I do not know what Mr. Bolton's idea may be to-day, but his idea five years ago was unfavorable to the Ontario system. He States that the popular approval in Canada as indicated by the vote is apparent rather than real, because of the fact that those eligible to vote do not represent the entire voting population. He further points out that the Province itself is burdened by the hydroelectric commission, and that thereby the people of the Province, whether they use electricity or not, are, in part, paying for a service that is rendered to only a limited number of people. He urges that the experiment has not added to the economic welfare of the community to any appreciable extent, but that it has involved the Province and the municipalities in a large addition to their existing indebtedness. He urges that competition has been unfair toward those who have owned private plants in that private-plant owners have burdens to keep up that the municipality does not have, and that the municipal commission has certain prerogatives not possessed by private concerns.

He urges again that the expense of furnishing electricity is not altogether capable of being measured under the present system in terms of kilowatt-hour charges, but that some expenses must be borne by what might be regarded as taxation in the nature of improvement taxes, as, for instance, where abutting property owners are charged a certain amount by the extension of the system along roads or thoroughfares.

Again, he urges that it is unfair to the public that the hydoelectric power commission has been productive of considerable inequality, that facts are concealed from the public, and that the financial affairs of the organization were not at the time he made his study of satisfactory character,

I felt that it would not be just in me to refer to the testimony of the chairman of this hydroelectric commission of the Province of Ontario without at the same time calling attention to the fact that criticisms are leveled against the work of the commission. I will say, however, I am profoundly impressed by the testimony of Sir Adam Beck, and surely it is worth while for our municipalities to examine into the question if even one-half that he has told should be found applicable to conditions within the United States.

THE SENATE BILL CONTRASTED WITH THE HOUSE BILL.

At this point you might be interested in noticing just what the essential points of difference are between the Senate bill and the House bill. The Senate bill applies only to navigable streams. The House bill applies to navigable streams and nonnavigable streams. The Senate bill places the power entirely in the hands of the Secretary of War. The House bill creates a Federal power commission composed of the Secretaries of War, the Interior, and Agriculture.

Both bills provide for a leasing system.

The Senate bill fixes an arbitrary period of 50 years for which leases may be issued; the House bill provides that the lease period may not be more than 50 years. The Senate bill provides that at the expiration of 50 years the project may be acquired by the Government at a "value" attained upon agreement by the Secretary of War and the grantee. The House bill provides that at the expiration of the lease the Government may take over the improvements and works that have been added by the lessee at a cost to the Government of net investment on the part of the company or lessee. Both bills attempt to provide against restraint of trade, against combinations looking to the holding up of prices charged; and the House bill specifically provides that the State may have the authority of fixing the service charges, and in the absence of State machinery for the carrying forward of this work the responsibility shall be placed in the commission. The House bill further provides that the Government itself may undertake the development of water power, and apparently authorizes the commission to give preference in the issuance of licenses to States and municipalities.

In my judgment the House bill is far more in accord with the needs and demands of the time than is the Senate bill. It is more in accord because it meets the entire situation touching our public waters and their use. It is more in accord because there is the possibility lodged in the commission of making a lease for a shorter period of time than 50 years; and it is more in accord, in my judgment, because I believe the terms of what may be known as the recapture clause are more satisfactory in the House bill than in the Senate measure.

There is one question, however, that it seems to me has not been given the attention that it deserves in either the Senate bill or in the bill reported in the House, and that is the proposition of opportunity for the people to develop hydroelectric power through States or municipalities. True enough on the face of things, it appears from the House bill that the opportunity is held out to States and municipalities to engage in hydroelectric development of power. True enough States and municipalities may be given something of a preference in the issuance of permits, but I believe we have failed to recognize this fact, that States and municipalities are slow to act and that no matter what public sentiment may be, no matter if it is entirely crystallized in favor of municipal ownership, under the cumbersome means that exists for the expression of opinion upon the part of the municipal body or upon the part of a State, the most valuable water-power sites will pass into the hands of private individuals or corporations before the States or municipalities will have an opportunity under the law to assert their rights. If they do, and then if municipalities develop more difficult projects, you can well understand the unfair comparison that would constantly be made between the two systems, it being overlooked that the private concerns have the easy projects and the municipalities the hard.

Mr. Chairman, I shall print with my remarks, for the convenience of Members, the amendments that I have referred to and that I propose to offer, and shall plan to give attention to each one of them as they shall be reached under the five-minute rule.

In brief, these amendments provide:

First, that within the definition of a municipality shall be "hydroelectric districts";

Second, that for a period of five years after any temporary permit or license shall be issued to a private concern, the State in which the power project is located, or the municipal district to which it pertains, shall have the option of taking over the project upon compensating the private concern in an amount not greater than the expenditures it has incurred, together with interest upon the same;

Third, that the maximum term of lease shall be not to exceed 30 years instead of 50 years;

Fourth, that the commission shall give preference to applications for permits to States or municipalities rather than to permit the commission to do so in its discretion; and

Fifth, that at the expiration of a lease, preference for its continuance shall be given by the commission to the State in which the power project is located or the municipality to which it pertains.

PROPOSED AMENDMENTS BY MR. FRENCH.

Amend page 25, line 19: After the word "district" insert ", hydroelectric district."

Amend page 29, line 11: After the colon, following the words "herein provided," insert the following: "*Provided*, That when application for temporary permit or license shall be made by citizens, association of citizens, or corporation, the commission shall certify the application and the terms of the same to the governor of the State and to the chairman of the board of county commissioners or other similar supervisory county board of the county or counties to which the application for temporary permit or license pertains, and shall cause a copy of said notice to be published once every week for four successive weeks in a newspaper of general circulation in said county or counties, and the State, county, hydroelectric district, or other municipality within which the application for temporary permit or license last mentioned pertains shall have the option for a period of five years of taking over as though having made the original application for license all rights, leases, and project property of every description of said citizen, association of citizens, or corporation, paying therefor an amount not in excess of the total amount of money expended on said project, including interest, by such citizen, association of citizens, or corporation, and thereupon the commission shall take up any preliminary permit or license theretofore

issued and issue a new preliminary permit or license, as the case may be, to said State or municipality, and in case the grantee of the preliminary permit or license and the State or municipality shall be unable to agree upon the amount due the grantee of the preliminary permit or license from said State or municipality, then, and in that event, the commission shall determine the amount to be paid, and the amount so determined shall be final under the terms of the preliminary permit or license."

Amend page 32, line 24: Strike out the word "fifty" and insert in lieu thereof the word "thirty."

Amend page 33, line 11: Following the word "commission" strike out the remainder of the line 11 and all of lines 12, 13, and 14, and insert in lieu thereof the following: "shall give preference to applications thereof by States and municipalities conserving and utilizing in the highest."

Amend page 33, line 17: Strike out the word "likewise."

Amend page 43, line 8: Strike out period and insert colon and the following: "*Provided*, That preference shall be given to the State in which the project is situated or the municipality to which it pertains in the issuance of a new license in event of application therefor."

Amend page 49, line 25: Strike out the words "retain the same" and lines 1, 2, and 3, on page 50.

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, the water-power bill, and had come to no resolution thereon.

LEAVE OF ABSENCE.

Mr. BRAND, by unanimous consent, was given leave of absence indefinitely, on acount of important business.

CALENDAR WEDNESDAY.

Mr. SIMS. Mr. Speaker, general debate on the bill having been closed, I ask unanimous consent to dispense with the business of Calendar Wednesday to-morrow.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to do away with the business on Calendar Wednesday to-morrow. Is there objection?

Mr. STAFFORD. Reserving the right to object, will the gentleman have any objection to coupling with that a request that we consider unobjected bills on the Unanimous Consent Calendar to-morrow until 2 o'clock p. m.? The reason I make the suggestion is that when the last Unanimous Consent Calendar was called there were some 30 or 40 bills not reached. Unanimous-consent day was passed on Monday, because of the death of Senator GALLINGER. The next unanimous-consent day will fall on Labor Day, and last year we adjourned because of that holiday. There are many Members interested in bills which they would like to have passed. I think the calendar could be called and the unobjected bills disposed of by 2 o'clock.

Mr. SIMS. I will agree to the gentleman's request.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to do away with the business on Calendar Wednesday to-morrow, coupled with the further request that after the prayer, the reading of the Journal, and the disposition of the business on the Speaker's table, the Unanimous Consent Calendar be taken up and considered not later than 2 o'clock. Is there objection?

Mr. WALSH. I object.

The SPEAKER. Does the gentleman object to the whole request?

Mr. WALSH. Yes.

Mr. SIMS. Does the gentleman object to dispensing with the business of Calendar Wednesday?

Mr. WALSH. I do.

Mr. STAFFORD. Mr. Speaker, I demand the regular order.

ADJOURNMENT.

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

The motion was agreed to; accordingly (at 4 o'clock and 27 minutes p. m.) the House adjourned until to-morrow, Wednesday, August 21, 1918, at 12 o'clock noon.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

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

By Mr. DEWALT: A bill (H. R. 12786) to authorize the Philadelphia, Harrisburg & Pittsburgh Railroad Co., its lessees, successors, and assigns, to construct a bridge across the Susquehanna River, from the city of Harrisburg, Dauphin County, Pa., to the borough of Lemoyne, Cumberland County, Pa.; to the Committee on Interstate and Foreign Commerce.

By Mr. HENRY T. RAINEY: A bill (H. R. 12787) to amend the narcotic act; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

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

By Mr. ASHBROOK: A bill (H. R. 12788) granting a pension to Jacob L. Cunningham; to the Committee on Invalid Pensions.

By Mr. FULLER of Illinois: A bill (H. R. 12789) granting an increase of pension to Stacey E. Hartley; to the Committee on Invalid Pensions.

By Mr. POU (by request): A bill (H. R. 12790) for the relief of the heirs of R. F. Graves, jr.; to the Committee on Claims.

By Mr. POLK: A bill (H. R. 12791) granting an increase of pension to David A. Conner; to the Committee on Invalid Pensions.

By Mr. ROUSE. A bill (H. R. 12792) granting an increase of pension to Greer T. Neal; to the Committee on Pensions.

By Mr. SHERWOOD: A bill (H. R. 12793) for the relief of Nathan Manzer; to the Committee on Military Affairs.

Also, a bill (H. R. 12794) granting a pension to Etta A. Hood; to the Committee on Pensions.

By Mr. TIMBERLAKE: A bill (H. R. 12795) granting an increase of pension to Nelson Aumick; to the Committee on Invalid Pensions.

By Mr. WINGO: A bill (H. R. 12796) granting an increase of pension to George W. Tilman; to the Committee on Invalid Pensions.

PETITIONS, ETC.

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

By Mr. ASHBROOK: Resolutions of the Presbyterian, Methodist, and United Brethren Churches, of Pataskala, Ohio, in favor of amendment 18 to the Constitution; to the Committee on the Judiciary.

By Mr. FULLER of Illinois: Papers to accompany a bill to increase the pension of Stacey E. Hartley; to the Committee on Invalid Pensions.

Also, petition of citizens of Roscoe, Ill., opposing the Angelus resolution; to the Committee on the Judiciary.

By Mr. SCULLY: Resolution from Rev. James G. Mason, of Metuchey, N. J., favoring war-time prohibition; to the Committee on the Judiciary.

By Mr. SIMS: Petitions of various citizens of Scotts Hill, Tenn., against reducing the draft age to 18 years; to the Committee on Military Affairs.

By Mr. SMITH of Idaho: Resolutions of the Rotary Club and of the Greater Twin Falls Club, both of Twin Falls, Idaho, favoring the enactment of House bill 12774, to provide revenue to defray war expenses, and for other purposes; to the Committee on Ways and Means.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *August 21, 1918.*

The House met at 12 o'clock noon.

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

Good Lord, deliver us from the hyphenated American, the pro-German, the spy, the profiteer, the pacifist, the slacker, and all who would retard the prosecution of the war for human rights, human happiness, in the establishment of a permanent, world-wide peace; for Christ's sake. Amen.

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

MERCHANDISE DONATED TO THE RED CROSS.

Mr. HULL of Tennessee. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 12704) to authorize the importation without the payment of duty of sundry articles for the American National Red Cross to be donated or used by it solely to or for the benefit of the land or naval forces of the United States or its allies, or for the relief of the civilian population of the United States or of its allies.

The SPEAKER. The gentleman from Tennessee asks unanimous consent for the present consideration of the bill H. R. 12704. Is there objection?

Mr. STAFFORD. Mr. Speaker, the bill has been reported only recently, and I think it should be read first.

The SPEAKER. The Clerk will read the bill.

The Clerk read as follows:

Be it enacted, etc., That during the continuance of the state of war now existing, and during the period of one year thereafter, there may be imported into the United States free of the payment of any import