

Also, petitions of the Trinity Methodist Episcopal Church, of Kingston, N. Y., and the consistory of the First Reformed Church of Hudson, N. Y., favoring national prohibition; to the Committee on Rules.

By Mr. PALMER: Petition of sundry citizens of Luzerne County, Pa., favoring national prohibition; to the Committee on Rules.

By Mr. SINNOTT: Petition of sundry citizens of Olea, Oreg., favoring national prohibition; to the Committee on Rules.

Also, petition of Branch No. 61, United National Association of Post Office Clerks, protesting against dismissal of employees of Washington (D. C.) post office on ground of old age; to the Committee on the Post Office and Post Roads.

By Mr. SAMUEL W. SMITH: Petition of sundry voters of Genesee County, Mich., favoring national prohibition; to the Committee on Rules.

By Mr. STAFFORD: Petition of the Hanover Street Congregational Church, favoring national prohibition; to the Committee on Rules.

By Mr. THACHER: Memorial of the Quarterly Conference of the Methodist Episcopal Church of Scituate, Mass., favoring national prohibition; to the Committee on Rules.

SENATE.

SATURDAY, July 18, 1914.

The Senate met at 11 o'clock a. m.

Rev. J. L. Kibler, D. D., of the city of Washington, offered the following prayer:

Our heavenly Father, we look to Thee as the Lord of heaven and earth and as the God of nations. Thou hast dealt bountifully with us as a Nation. Thou hast filled our storehouses, enlarged our commerce, multiplied our facilities, and blessed our homes. In wealth, and influence, and liberty, and power, and rapid progress Thou hast permitted us to become a mighty people. Grant that we may recognize Thy hand and follow Thy leadings. May we be faithful subjects of Thy kingdom. Lead Thou our leaders. Bless us in our national and international relations, and help us to master our problems for the honor of Thy name and for the accomplishment of Thy purposes. We ask it for Christ's sake. Amen.

The Vice President being absent the President pro tempore took the chair.

The Journal of yesterday's proceedings was read and approved.

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

The PRESIDENT pro tempore. The Senator from Mississippi suggests the absence of a quorum. Let the Secretary call the roll.

The Secretary proceeded to call the roll, and was interrupted by.

Mr. VARDAMAN. I wish to ask unanimous consent to withdraw the suggestion of the absence of a quorum.

The PRESIDENT pro tempore. The present impression of the Chair is that under the precedents of the Senate such a request is not in order. A Senator can not interrupt a roll call when once begun, and therefore the request can not be entertained.

The Secretary resumed and concluded the calling of the roll, the following Senators having answered to their names:

Ashurst	Culberson	Nelson	Sterling
Brady	Gronna	Norris	Stone
Brandegee	Hollis	Overman	Thompson
Bristow	Hughes	Page	Thornton
Bryan	Kenyon	Perkins	Tillman
Burton	Kern	Ransdell	Vardaman
Camden	Lane	Reed	Walsh
Catron	McLean	Sheppard	Warren
Chilton	Martin, Va.	Simmons	White
Clarke, Ark.	Martine, N. J.	Smith, Ga.	Works
Crawford	Myers	Smoot	

The PRESIDENT pro tempore. The roll call discloses that less than a quorum have answered to their names. The Secretary will call the names of the absentees.

The Secretary called the names of the absent Senators, and Mr. THOMAS and Mr. WEEKS answered to their names when called.

Mr. KERN. I desire to announce the unavoidable absence of my colleague [Mr. SHIVELY]. This announcement may stand for the day.

Mr. SMOOT. I desire to announce the unavoidable absence of the junior Senator from Wisconsin [Mr. STEPHENSON] and also the unavoidable absence of my colleague [Mr. SUTHERLAND].

Mr. CAMDEN. I wish to announce that my colleague, the Senator from Kentucky [Mr. JAMES], is unavoidably absent. He is paired with the Senator from Massachusetts [Mr. WEEKS].

Mr. PAGE. I wish to announce the unavoidable absence of my colleague [Mr. DILLINGHAM]. He has a general pair with the senior Senator from Maryland [Mr. SMITH]. I will let this announcement stand for the day.

The PRESIDENT pro tempore. Forty-five Senators have answered to their names. There is not a quorum of the Senate present.

Mr. MARTIN of Virginia. I move that the Sergeant at Arms be instructed to notify absent Senators to attend the session.

The motion was agreed to.

The PRESIDENT pro tempore. The Sergeant at Arms will carry out the order of the Senate.

Mr. CLARK of Wyoming, Mr. ROOT, Mr. SWANSON, and Mr. LEA of Tennessee entered the Chamber and answered to their names.

The PRESIDENT pro tempore. Forty-nine Senators having answered to their names, a quorum of the Senate is present.

Mr. MARTIN of Virginia. I move that the order directing the Sergeant at Arms to notify absent Senators that their presence is requested be vacated.

The motion was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the Speaker of the House had signed the enrolled joint resolution (H. J. Res. 304) authorizing the Secretary of War to loan certain saddles and bridles for the use of the national encampment, Knights of Pythias, to be held at Terre Haute, Ind., in July, 1914, and it was thereupon signed by the President pro tempore.

PETITIONS AND MEMORIALS.

Mr. SHEPPARD presented memorials of sundry citizens of Texas, remonstrating against national prohibition, which were referred to the Committee on the Judiciary.

Mr. BRISTOW presented a petition of the Woman's Home Missionary Society of the University Methodist Episcopal Church, of Salina, Kans., and a petition of sundry citizens of Norton, Kans., praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. WORKS presented petitions of sundry citizens of Chino and Los Angeles, in the State of California, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. ROOT presented memorials of sundry citizens of New York, remonstrating against national prohibition, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of New York, praying for the enactment of legislation to provide for Federal censorship of motion pictures, which were referred to the Committee on Education and Labor.

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

PUBLIC BUILDING AT NEWCASTLE, IND.

Mr. KERN. From the Committee on Public Buildings and Grounds I report back favorably without amendment the bill (H. R. 11317) to increase the limit of cost of the United States post-office building at Newcastle, Ind. The bill proposes to increase the limit of cost of the post-office building by \$15,000. It is found that the building can not be constructed under the present limit. I ask unanimous consent for the present consideration of the bill.

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

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

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

REPORTS OF COMMITTEES.

Mr. CATRON, from the Committee on Military Affairs, to which was referred the bill (S. 1151) to remedy in the line of the Army the inequalities in rank due to the past system of regimental promotion, reported it without amendment and submitted a report (No. 690) thereon.

He also, from the same committee, to which was referred the bill (S. 1985) to remove the charge of desertion from the military record of Capt. Daniel H. Powers, reported it with an amendment and submitted a report (No. 693) thereon.

Mr. CHAMBERLAIN, from the Committee on Military Affairs, to which was referred the joint resolution (S. J. Res. 136) to authorize the appointment of Charles August Meyer as a cadet at the United States Military Academy, reported it without amendment and submitted a report (No. 691) thereon.

He also, from the same committee, to which was referred the joint resolution (S. J. Res. 137) to authorize the appointment of Clifford Hildebrandt Tate as a cadet at the United States Military Academy, reported it with amendments and submitted a report (No. 692) thereon.

BILLS INTRODUCED.

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

By Mr. BRISTOW:

A bill (S. 6126) to increase the compensation of the janitor of the Federal building at Topeka, Kans.; to the Committee on Appropriations.

A bill (S. 6127) granting a pension to Maria C. Haney (with accompanying papers), and

A bill (S. 6128) granting a pension to Samuel H. Fisher (with accompanying papers); to the Committee on Pensions.

By Mr. CHAMBERLAIN:

A bill (S. 6129) granting a pension to Benjamin F. Klippert; to the Committee on Pensions.

By Mr. CRAWFORD:

A bill (S. 6130) granting a pension to Frank D. Brown (with accompanying papers); to the Committee on Pensions.

UNEXPENDED BALANCES OF RIVER AND HARBOR APPROPRIATIONS.

Mr. BURTON. I submit a resolution and ask for its immediate consideration.

The resolution (S. Res. 426) was read as follows:

Resolved, That the Secretary of War be requested and directed to transmit to the Senate a statement of the balances remaining unexpended on June 30, 1914, to the credit of the respective river and harbor projects of the country now under improvement.

Mr. SIMMONS. My attention was diverted. I wish to ask the Senator from Ohio what is the purpose of the resolution?

Mr. BURTON. It is a request for a statement of the balances remaining unexpended to the credit of the respective river and harbor projects at the close of the fiscal year ended June 30, 1914.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

The resolution was agreed to.

Mr. BURTON subsequently said: I ask unanimous consent that the Senate reconsider a resolution which I introduced this morning, and which was passed, calling upon the Secretary of War for certain information. I move that the resolution be reconsidered; that when reconsidered it be amended by adding the words "and available" after the word "unexpended," and that when so amended it be readopted.

I ask unanimous consent to that effect.

Mr. OVERMAN. What is the request? I should like to know what it is.

Mr. BURTON. I submitted a resolution this morning calling on the Secretary of War—

Mr. OVERMAN. Oh, it is a resolution that has been passed?

Mr. BURTON. A resolution that was passed this morning. It calls on the Secretary of War for information as to the amount of money on hand to the credit of the respective river and harbor projects. I used the word "unexpended." In the form in which they keep their accounts they have two sets of figures, one of them unexpended, which may include provision for bills audited and which should be paid, and the other that which is unexpended and available.

Mr. OVERMAN. I have no objection.

Mr. BURTON. The words "and available" ought to go in after "unexpended."

The PRESIDENT pro tempore. The Senator from Ohio asks unanimous consent that the vote whereby Senate resolution 426 was agreed to may be reconsidered.

The motion to reconsider was agreed to.

Mr. BURTON. I understand that the resolution has already been forwarded to the Secretary of War. I ask unanimous consent that it may be recalled.

The PRESIDENT pro tempore. Without objection, the resolution will be recalled from the Secretary of War. The vote by which the resolution was agreed to will be reconsidered. The Senator from Ohio moves an amendment, which will be stated.

The SECRETARY. After the word "unexpended" it is proposed to insert the words "and available."

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The resolution as amended was agreed to.

GEN. ANSON MILLS.

Mr. ROOT. Mr. President, I ask unanimous consent to have printed in the RECORD of to-day's proceedings a letter written to me by Gen. Anson Mills, United States Army, together with a copy of the War Department's record of Gen. Mills. This is in the nature of a statement of his case consequent upon a speech which the Senator from Colorado [Mr. THOMAS] made some weeks ago. I have shown this letter to the Senator from Colorado, and he is of the opinion with me that it is an act of justice to permit this officer's own statement to appear in the RECORD, which contains the speech of the Senator from Colorado.

The PRESIDENT pro tempore. The Senator from New York submits a request that the letter referred to by him be printed in the CONGRESSIONAL RECORD. Is there objection? The Chair hears none, and it is so ordered.

Mr. ROOT. That order includes the copy of the record which is annexed?

The PRESIDENT pro tempore. It includes the entire request made by the Senator from New York.

The matter referred to is as follows:

INTERNATIONAL BOUNDARY COMMISSION,
UNITED STATES AND MEXICO,
AMERICAN SECTION,
2 Dupont Circle, Washington, D. C., June 25, 1914.

The Hon. ELIHU ROOT,
United States Senate.

SIR: My attention has been called to a speech of Senator THOMAS, of Colorado, delivered in the United States Senate, Monday and Tuesday, March 23 and 24 last.

Senator THOMAS attacks the entire course of the United States Government for the last quarter of a century with respect to an important question of public policy—the equitable distribution of the waters of the Rio Grande—but because of the manner and terms in which he questions the motives and impeaches the integrity of those officers of the Government who participated in the policy which the Senator deems to have been mistaken, which means practically all officers of the Government who have had anything to do with the matter in question. A Secretary of State and an Attorney General by name, other Cabinet officers, Senators, Congressmen, and Presidents by necessary implication, Republicans and Democrats, the living and the dead, alike are condemned. The exceptions prove the rule. The late Secretary of War, Mr. Lamont, escapes with his character at the expense of his "intelligence" (RECORD, p. 5343) or his attention to business; and the Reclamation Bureau, while conceded "integrity of purpose," should, in the opinion of the Senator, "be dismantled and its officials put into a lunatic asylum." (RECORD, p. 5352.)

Such being the Senator's opinion of the officers of the Government, their works naturally fare no better at his hands. The treaty of 1906 between the United States and Mexico for the equitable distribution of the waters of the Rio Grande, negotiated while you, Senator, were Secretary of State of the United States, and signed by you as the plenipotentiary of our Government and duly ratified by the President by and with the advice and consent of the United States Senate, is termed a "disgraceful treaty" (RECORD, p. 5351) "whose history is a scandal and a shame" (RECORD, p. 5352); "conceived in sin and brought forth in iniquity" (RECORD, p. 5347), "a huge speculative enterprise conceived by greed and fostered by governmental agencies" (RECORD, p. 6001); and, finally, "the consummation * * * of a sordid, shameful, and successful intrigue, conducted in the interests of private parties impelled by greed and gain." (RECORD, p. 5280.)

For this treaty so characterized, as well as for practically everything else which has happened in connection with the distribution of the waters of the Rio Grande for the past quarter of a century, I am held primarily responsible by Senator THOMAS. I am singled out for attack before all others, and held up for public obliquity by repeated and direct accusation and indirect suggestion, as one who, as an Army officer and American commissioner upon the International Boundary Commission, has prostituted his public trust for purposes of private gain. The Senator has used my name in his speech on the floor of the Senate no less than 52 times (including references to "this man Mills," etc.). He has charged that the motive behind a draft treaty which he says I drew "can not be reconciled with any honest or honorable purpose" (RECORD, p. 5284); and finally, he threatens me with an investigation in which I must "either vindicate the integrity of his [my] conduct, or receive the indignant but merited condemnation of honest men everywhere." (RECORD, p. 5352.)

Senator THOMAS's speech was delivered on the responsibility of his oath as a United States Senator, representing the great State of Colorado. By wise and necessary constitutional provision he may not be questioned for anything he has said therein "in any other place." And yet this speech does great wrong to many honorable men, some of whom are no longer living. In particular it does me wrong. And as I, too, may not be among the living (I am in my 80th year) when the investigation of which Senator THOMAS speaks comes to pass in its "proper season" (RECORD, p. 5352)—if it ever does—I respectfully request you, Senator, to present this communication to the Senate, and to ask the Senate of the United States, in fairness to me, to afford me the only redress which appears to be possible, pending the proposed investigation, by publishing this communication in the CONGRESSIONAL RECORD, in order that those who have read Senator THOMAS's attack upon me may have opportunity to read my reply. I address myself in this to you, Senator Root, first, because I am proud to have served under you when you were Secretary of State, and to have come to know something of your desire to do justice to all men; and secondly, because as Secretary of State you had personal and official knowledge of many of the matters dealt with in Senator THOMAS's speech.

A comparison of Senator THOMAS's speech, with the statement of one, Dr. Nathan Boyd, inclosed in a letter of said Boyd to the Secretary of State, dated May 26, 1902, and printed in Senate Document 154, Fifty-seventh Congress, second session, at pages 46 to 100, and with others of Dr. Boyd's communications to the department, such as his letter of June 30, 1902, July 11, 1902, etc., clearly shows that nearly every allegation and suggestion that the Senator has made in his long speech which reflects on me was derived from Dr. Boyd, whose interest

in this matter will appear hereafter. I understand, although I did not know it at the time, that these charges of Dr. Boyd have already been several times investigated by competent officers of the Department of State, and once by Chief Wilkie of the Secret Service; and in each case they were found wholly groundless and unworthy of serious consideration, and that Dr. Boyd, after he had gone so far as to threaten to horsewhip Secretary Hay, was denied the privilege of having personal conferences with the officers of the Department of State.

Under these circumstances I will confine myself in this letter to giving a summary as brief as may be, supported by references to some of the more important official documents, of my official connection with the matters referred to by Dr. Boyd and Senator THOMAS.

In 1888, being then a major in the Tenth United States Cavalry, while on leave of absence at El Paso, where I had resided before the war, I was requested by some of my friends "to project a remedy for the then decreasing water in the river, and the perishing of a great many farms, trees, orchards, and vineyards by the drought." ("Testimony submitted to the Committee on Foreign Affairs on bill (H. R. 9710) to provide for the equitable distribution of the waters of the Rio Grande between the United States of America and the United States of Mexico," etc., "Washington, Government Printing Office, 1901," p. 221.) On December 10, 1888, I wrote a letter to the Secretary of State, formally submitting to him an outline of a project which I had conceived for an international dam and water storage on the Rio Grande near El Paso, Tex. (Testimony, p. 209.) On April 12, 1889, I received an order from the War Department to proceed to El Paso, Tex., and assist the officers of the Geological Survey in an effort to redeem the areas of irrigable land in that valley within a radius of 60 miles above and below El Paso. On April 19 I received further instructions from Maj. Powell, Director of the Geological Survey, in which he took occasion to emphasize the international character of the questions involved, and directed me to consult with the Mexican officials and assure them of the desire of his office to proceed with due regard to the rights of Mexico. (See my report, testimony, pp. 180, 181.) I carried out my instructions, and on October 10, 1889, made my report giving the results of my investigations pursued in cooperation with the Mexican officials, and recommended the building of an international dam at one of two possible sites in the gorge above El Paso. (Testimony, pp. 180-208.)

On April 29, 1890, Congress passed a concurrent resolution entitled "Concerning the irrigation of arid lands in the valley of the Rio Grande River, the construction of a dam across said river at or near El Paso, Tex., for the storage of its waste waters, and for other purposes." (S. Doc. 154, 57th Cong., 2d sess., p. 9.) This resolution recites the exhaustion of the water of the Rio Grande available for irrigation, caused "by means of irrigating ditches and canals taking the water from said river and other causes," and the damage and confusion wrought by the annual floods on the river; and authorizing negotiations with the Government of Mexico for the purpose of remedying these difficulties. (S. Doc. 154, 57th Cong., 2d sess., pp. 9, 10.)

On October 30, 1893, I was appointed the first American commissioner upon the International Boundary Commission, United States and Mexico, under the convention of 1889, and thereafter on May 6, 1896, Secretary of State Olney and Señor Romero, the Mexican minister, signed a protocol reciting that it was essential for the conduct of the negotiations contemplated by the foregoing resolution that certain facts should be ascertained, and directing Señor Osorno, the Mexican commissioner, and myself to investigate and report upon the following questions:

"1. The amount of water of the Rio Grande taken by the irrigation canals constructed in the United States of America.

"2. The average amount of water in said river, year by year, before the construction of said irrigation canals and since said construction—the present year included.

"3. The best and most feasible mode, whether through a dam to be constructed across the Rio Grande near El Paso, Tex., or otherwise, of so regulating the use of the waters of said river as to secure to each country concerned and to its inhabitants their legal and equitable rights and interests in said waters." (S. Doc. 229, 55th Cong., 2d sess., p. 34.)

We proceeded in this investigation at a cost of several thousand dollars, found a suitable site for a dam in the El Paso Canyon, and reported to the two Governments plans and specifications for the dam and reservoir, and an estimate of its cost—about \$2,300,000. (S. Doc. 229, 55th Cong., 2d sess., p. 31 et seq., especially p. 40.) A tentative draft of a treaty providing for the construction of the proposed dam was drawn up as the result of informal conferences between the Mexican minister, Assistant Secretary of State Adee, and myself, and was formally submitted by the Mexican minister to the Secretary of State (S. Doc. 229, 55th Cong., 2d sess., pp. 180-182); and later on several bills to the same end were introduced in Congress.

Meanwhile, however, the project for an international dam at El Paso had attracted the attention of a group of men in El Paso and elsewhere, who conceived the idea of anticipating the erection of the proposed international dam by appropriating all the water which would be available therefor, by obtaining the right to construct a dam at some point higher up the river, thus putting themselves in an advantageous strategic position, enabling them to compel the United States Government to subsidize their project in order to discharge its treaty obligations to Mexico. (Testimony, pp. 7, 66, 70-71, 123, 124.) These gentlemen in 1893 organized the Rio Grande Dam & Irrigation Co., under the laws of New Mexico. On February 1, 1895, this company obtained the approval of the Secretary of the Interior, under the act of March 3, 1891, for its filings for a right of way and reservoir site in connection with a dam to be constructed at Elephant Butte, N. Mex. (S. Doc. 229, 55th Cong., 2d sess., p. 4) a point on the Rio Grande some 115 miles above El Paso.

Dr. Boyd, to whom reference has already been made, became interested in the new company early in its history, and soon became its leading spirit. (See his letter to the Secretary of State, July 11, 1902.) Not being able to finance the company in the United States he went abroad for capital, and succeeded, about 1896, in organizing an English holding company known as the Rio Grande Irrigation & Land Co. (Ltd.), to acquire by lease and assignment the franchises and rights of the Rio Grande Dam & Irrigation Co. On August 4, 1896, the Mexican minister, Mr. Romero, addressed a protest to the American Secretary of State against the activities of this company, on the ground that it would be useless to build an international dam at El Paso in order to secure to the Mexican landowners in the El Paso Valley their prior water rights, if the English company at Elephant Butte was to be permitted to appropriate all the water in the river. (S. Doc. 229, 55th Cong., 2d sess., pp. 2, 3.) The Secretary of State referred this protest to me, August 8, 1896, requesting my suggestions (S. Doc. 229, 55th Cong., 2d sess., p. 11); and on November 17, 1896, as soon as the investigations of the joint commission, regarding the amount of water

taken from the Rio Grande in the United States, and the former flow of the river, had been sufficiently completed, I made a report to the effect that there was not sufficient water to supply the projected dam of the English company, and the proposed international dam at El Paso, and therefore recommended that "if practicable the approval of the reservoir of the Rio Grande Land & Irrigation Co. (Ltd.), at Elephant Butte, be canceled or withdrawn, and, if not practicable to cancel or withdraw the same, that such executive or legislative restriction be placed upon it as to prohibit it from using any part of the flow of the river to which the inhabitants of either bank of the river below may have a prior right by appropriation." (S. Doc. 229, 55th Cong., 2d sess., p. 13.)

Further correspondence between the Departments of State, Interior, the War Department, and the Attorney General resulted in suit being instituted in the Federal courts by Attorney General McKenna to restrain the building of the dam by the English company. These proceedings were instituted upon the theory that the construction of the proposed dam at Elephant Butte, N. Mex., would impair the navigability of the Rio Grande in violation of the statutes of the United States and our treaties with Mexico. In the course of these proceedings I gave my testimony under oath, like any other witness, on behalf of the Government. The case went to the Supreme Court of the United States three times. The first time it was argued for the Government by Attorney General Griggs in person; the second time, under Mr. Knox as Attorney General, it was argued by Mr. M. C. Burch; and the third time by the late Solicitor General, Mr. Bowers (Mr. Wickersham being Attorney General). The litigation was finally terminated by a decree in favor of the Government, the unanimous opinion of the court being read by Mr. Justice Harlan (Mr. Justice McKenna not participating in the consideration or determination of the case). (215 U. S., 266.)

And yet Senator THOMAS regards the institution and prosecution of this suit as the result of a "conspiracy" (RECORD, p. 5343), in which of course, I am chief conspirator; qualifies Secretary Olney's conduct in this connection in "ignoring" an opinion of Attorney General Harmon as "the most sinister feature of all the sinister features of this affair from its beginning to its end" (RECORD, p. 5343); complains that "between the time of the bringing of this suit and its first termination by the court below the President of the United States and his Cabinet were fully advised of its purposes, the absence of its equities, and the effect of the suit, if successful, upon agricultural conditions in that section of the country" (RECORD, p. 5345); and finally says, in speaking of the decision of the Supreme Court of the United States enjoining the defendant company because it had failed to complete its work within the five-year period provided by the statute, that "the decree was as unjust as the suit. It was founded upon a falsehood, and the decree was consistent with its foundation." (RECORD, p. 5345.)

Furthermore, Senator THOMAS asserts that "the United States Government finally and reluctantly conceded that its proceeding against the Rio Grande Dam & Navigation Co. was a persecution and not a prosecution; that its cause of action was a pretense, and its final judgment a great wrong, and so it has agreed to reimburse those who financed the enterprise to the extent of the money invested." (RECORD, p. 5350; see also RECORD, p. 5280.) But the Senator appears to be in error. The United States has declined to recognize that there is any merit in the company's claim, and the claim of the English company is one of those which have been referred to arbitration under the convention between the United States and Great Britain of August 18, 1910, for the arbitration of pecuniary claims, and is therefore now pending before the arbitral court for settlement. The impropriety, under these circumstances, of Senator THOMAS'S remarks, in so far as they relate to this case, would seem too obvious for comment.

So far as the treaty of 1906 for the equitable distribution of the waters of the Rio Grande is concerned, Senator THOMAS is absolutely mistaken in thinking that I had anything to do with it. During President Roosevelt's administration the matter of the equitable distribution of the waters of the Rio Grande was placed in the hands of the Reclamation Service, under Dr. Newell. To the best of my recollection, I never was consulted by anyone, officially, regarding that treaty, and had no knowledge of its terms until after it was ratified and promulgated and I saw it in the press. In fact, the treaty was a great disappointment to me in that it abandoned the international dam at El Paso, which I had always advocated, in favor of a site which I did not believe was adapted to furnishing to the Mexican landowners in the El Paso Valley the water to which I have always thought they were entitled by virtue of their prior rights. If I could bring myself to regard an attack by any responsible man upon my personal and official honor as other than serious, I could not but regard it as a humorous circumstance to be charged with being the "Mephisto" of a treaty which I first saw in the newspapers.

Toward the close of the Senator's speech (RECORD, p. 5280) he states that if he is "correctly informed," I "disbursed and controlled" the \$50,000 appropriation for the Chamizal arbitration; and he thereupon proceeds to criticize (most unjustly, as I am advised) an item of expenditure out of this appropriation. The Senator has not been correctly informed. I neither disbursed nor controlled this appropriation nor a single penny thereof. I may add that all of my disbursements, something like \$500,000 of Government money, have passed the scrutiny of the proper accounting officers of the Government, and that no act of mine during my incumbency of over 20 years as boundary commissioner has been disapproved by my superiors.

I have served in the Regular Army over 55 years, the past 20 years' service with the Boundary Commission being as an officer of the Army, with pay and allowance as such, under a joint resolution of December 12, 1893. I was appointed by Secretary Gresham as the first international boundary commissioner under the treaty of 1889 with Mexico, and have served in that capacity continuously ever since to the satisfaction of the department under Secretaries Gresham, Olney, Sherman, Day, Hay, Root, Bacon, and Knox. I am now assailed by a United States Senator, acting under the high responsibility and privilege of his office, in a two days' speech on the floor of the Senate and accused repeatedly, both directly and indirectly, albeit always in terms as vague as they are reckless, of dishonesty in the discharge of my official duties. I am challenged either to "vindicate the integrity of his [my] conduct or receive the indignity but merited condemnation of honest men everywhere."

I assert the absolute honesty and integrity of each and every one of my official and personal acts and stand ready at all times to vindicate my integrity before any competent tribunal.

Very respectfully,

ANSON MILLS,

Mexican Boundary Commissioner and Disbursing Officer.

WAR DEPARTMENT,
ADJUTANT GENERAL'S OFFICE,
Washington, February 24, 1897.

Statement of the military service of Anson Mills, of the United States Army, compiled from the records of this office.

He was a cadet at the United States Military Academy, July 1, 1855, to February 18, 1857.

He was appointed—

First Lieutenant, Eighteenth Infantry, May 14, 1861.

Captain, April 27, 1863.

Transferred to Third Cavalry, January 1, 1871.

Major, Tenth Cavalry, April 4, 1878.

Lieutenant colonel, Fourth Cavalry, March 25, 1890.

Colonel, Third Cavalry, August 16, 1892.

He was brevetted captain, December 31, 1862, for gallant and meritorious services in the Battle of Murfreesboro, Tenn.; major, September 1, 1864, for gallant and meritorious services in the Battle of Chickamauga, Ga., and during the Atlanta campaign; lieutenant colonel, December 16, 1864, for gallant and meritorious services in the Battle of Nashville, Tenn.; and colonel, February 27, 1890, for gallant services in action against Indians, at Slim Buttes, Dak., September 9, 1876.

SERVICE.

He was on recruiting service July 19, 1861, to February 17, 1862, with regiment in Army of the Ohio, and Department of the Cumberland, to October 22, 1864, and acting insp. or general, district of Etowah, to February 25, 1865. He participated in the siege of Corinth, April 29 to June 5, 1862; Battles of Perryville, Ky., October 8, 1862; Murfreesboro, Tenn., December 29, 1862, to January 5, 1863; Hoovers Gap, Tenn., June 25 and 26, 1863; Chickamauga, Ga., September 19 and 20, 1863; siege of Chattanooga, Tenn., September 21 to November 4, 1863; Missionary Ridge, Tenn., November 24 and 25, 1863; Tunnel Hill, Ga., February 23 and 24, 1864; Buzzards Roost, Ga., February 25 and 26, 1864; Atlanta campaign, May 3 to September 8, 1864; Resaca, Ga., May 13 to 15, 1864; Dallas, Ga., May 24 to June 5, 1864; New Hope Church, Ga., May 29 to 31, 1864; Kennesaw Mountain, June 22 to July 3, 1864; Neal Dow Station, July 4, 1864; Peach Tree Creek, Ga., July 20, 1864, where he was slightly wounded; Utoy Creek, Ga., August 7, 1864; Jonesboro, Ga., September 1, 1864; and Nashville, Tenn., December 15 and 16, 1864.

He was on recruiting service from February 25, 1865, to November 15, 1865, when he rejoined his regiment and served with it in Kansas to March, 1866; on leave to October, 1866; (member of Board of Visitors at United States Military Academy in June, 1866;) with regiment at Fort Bridger, Wyo., to October, 1867, and at Fort Fetterman, Wyo., to May 10, 1868; on leave to July 10, 1868, with regiment at Fort Sedgwick, Colo., to April, 1869; and in Georgia and South Carolina to January 15, 1871.

He joined the Third Cavalry, April 15, 1871, and served with it in Arizona to December 1, 1871.

He commanded his troop at Fort McPherson, Nebr., January 17 to May 1, 1872; at North Platte, Nebr. (on leave December 2, 1872, to March 9, 1873), to August 13, 1874; in the field commanding the Big Horn expedition to October 13, 1874; on leave to January 18, 1875; commanding troop and post of North Platte, Nebr., to April 14, 1875; at Camp Sheridan, Nebr., to November 20, 1875; at Fort D. A. Russell, Wyo. (in field February 21 to April 26, 1876, being engaged in action against Indians at Little Powder River, Mont., March 17, 1876), to May 18, 1876; commanding battalion of regiment in the field on expedition against hostile Indians to October 24, 1876; being engaged against them at Tongue River, Mont., June 9, at Rosebud River, Mont., June 17, and at Slim Buttes, Dak., September 9, 1876 (where he commanded); commanding his troop at Camp Sheridan, Nebr., November, 1876, to May 21, 1877, and on leave of absence to February 27, 1878; on duty in Paris, France, with the United States commissioner, Paris Exposition, to November, 1878; and on delay to March, 1879.

He joined the Tenth Cavalry April 11, 1879, and served with regiment in Texas (on leave March 23 to June 30, 1880, and August 26, 1880, to March 21, 1881) to May 21, 1881; commanding battalion of regiment at Fort Sill, Ind. T., to November, 1881; on duty at Fort Concho, Tex., to July, 1882; at Fort Davis, Tex. (on leave October 26, 1883, to January 2, 1884), to April 1, 1885; commanding post of Fort Thomas, Ariz., to August 26, 1886; on leave to March 27, 1887; on duty at Fort Grant, Ariz., being frequently in field to September 24, 1888; on sick leave to May, 1889, on duty at Fort Bliss, Tex., assisting officers of the Interior Department in surveys (before congressional committee in this city January to March, 1890) to April 2, 1890; and on leave and under orders to July, 1890.

He joined the Fourth Cavalry July 13, 1890, and served at the Presidio, of San Francisco, Cal., to October 31, 1891; commanding regiment and post of Fort Walla Walla, Wash., to February 11, 1893.

He joined the Third Cavalry February 28, 1893, and commanded it and the post of Fort McIntosh, Tex., to June 21, 1893, and the post of Fort Reno, Okla., to August 12, 1893; on leave to October 26, 1893, and since then on duty as commissioner of the United States International Boundary Commission of the United States and Mexico.

(Signed) GEO. D. RUGGLES, Adjutant General.

ADDITION TO THE RECORD OF COL. ANSON MILLS, UNITED STATES ARMY, NOT INCLUDED IN THE ADJUTANT GENERAL'S CERTIFICATE OF MILITARY SERVICE.

He left West Point in 1857, went to the frontier of Texas, and engaged in engineering and land surveying; laid out the first plan of the city of El Paso; in 1859 was surveyor to the boundary commission establishing the boundary between New Mexico, Indian Territory, and Texas; in February, 1861, on submission to the popular vote of the State of Texas the question of "separation" or "no separation," he cast one of the lonely two votes in the county of El Paso against separation to 1855 for separation; in March, 1861, he abandoned the State, going to Washington, and there joined the military organization known as the "Cassius M. Clay Guards," quartered, armed, and equipped by the United States Government, and served there protecting Federal officers and property, until relieved by volunteer forces called out by the President. On May 14, 1861, was appointed first lieutenant Eighteenth Infantry on the following recommendation from the then first class at the Military Academy:

UNITED STATES MILITARY ACADEMY,
West Point, N. Y., April 30, 1861.

LORENZO THOMAS,
Adjutant General, Washington, D. C.

DEAR SIR: We, the undersigned, members of the first class at the United States Military Academy, respectfully recommend to your favor-

able consideration the claims of Mr. Anson Mills, an applicant for a commission as second lieutenant in the United States Army.

Mr. Mills was formerly a member for nearly two years of the class preceding ours, when he resigned.

During that time his habits and character conformed to the strictest military propriety and discipline, and we feel assured that he would be an honor to the service, and that its interests would be promoted by his appointment.

Respectfully submitted,

James F. McQuesten, Chas. E. Hazlett, Henry B. Noble, Francis A. Davies, John I. Rogers, J. W. Barlow, W. A. Elderkin, A. R. Chambliss, Emory Upton, Eugene B. Beaumont, J. Ford Kent, J. S. Poland, Addebert Ames, A. R. Buffington, C. E. Patterson, Leonard Martin, Sheldon Sturgeon, Wright Rives, Chas. C. Campbell, M. F. Watson, Ohio F. Rice, Erskene Gittings, Franklin Howard, Chas. Henry Gibson, J. H. Simper, H. A. Dupont, J. Benson Williams, Chas. M. K. Leaser, R. L. Eastman, Leroy L. Janes, Guy V. Henry, N. W. Henry, John Adair, Jr., Judson Kilpatrick, S. O. Sokalski, Samuel N. Benjamin, J. B. Rawles, L. G. Hoxton.

During the four years of the war he was never absent, either on leave or from sickness, and was present in all of the engagements of his regiment.

Fox's "Regimental Losses" states, on page 3, that his regiment—Eighteenth Infantry—lost more in killed and mortally wounded than any other regiment in the Regular Army, and that his company—H. First Battalion (p. 420)—lost more in killed and mortally wounded than any company in his regiment.

He invented the woven cartridge belt (and loom for manufacture), now adopted and exclusively used by the Army and Navy of the United States.

He stands No. 24 on the lineal list of 71 colonels in the Army.

Private resolution No. 1.

Joint resolution permitting Anson Mills, colonel of Third Regiment United States Cavalry, to accept and exercise the functions of boundary commissioner on the part of the United States.

Resolved, etc., That Anson Mills, colonel Third Regiment United States Cavalry, having been nominated by the President and confirmed by the Senate as a commissioner of the United States under the convention between the United States of America and the United States of Mexico concluded and signed by the contracting parties at the city of Washington March 1, 1889, is hereby permitted to accept and exercise the functions of said office of commissioner: *Provided*, Said officer shall continue to receive his emoluments in pay and allowances as colonel in the Army while holding said office of commissioner the same as he would receive were he performing such duty under military orders, and no other or additional pay or emoluments for his services as such commissioner.

Approved, December 12, 1893.

STATUTE OF GEORGE WASHINGTON GLICK.

The PRESIDENT pro tempore. There being no resolutions coming over from a former day, morning business is closed.

Mr. MARTIN of Virginia. I move that the Senate proceed to the consideration of House bill 17824, being the general deficiency appropriation bill.

The PRESIDENT pro tempore. The Chair will call the attention of the Senator from Virginia to the fact that, by a resolution heretofore adopted, exercises appropriate to the acceptance of a statue of George Washington Glick were to take place immediately after the completion of the routine morning business to-day.

Mr. MARTIN of Virginia. I will say to the Chair that I make the motion with the consent of the junior Senator from Kansas [Mr. THOMPSON] that the bill to which I refer shall be now considered.

The PRESIDENT pro tempore. Does the junior Senator from Kansas make the request that the order be temporarily laid aside?

Mr. BRISTOW. How long will the bill moved by the Senator from Virginia take? I do not want delay.

Mr. MARTIN of Virginia. The bill perhaps will not take 30 minutes. There is no controverted matter in the bill.

Mr. BRISTOW. Why not wait until the regular order is disposed of?

Mr. MARTIN of Virginia. Very well. I spoke to the junior Senator from Kansas, and my request was agreeable to him; but if the Senators from Kansas can not agree about the matter, I will withhold it.

The PRESIDENT pro tempore. The Senator from Kansas [Mr. BRISTOW] having objected to the request of the Senator from Virginia, the regular order will be the exercises appropriate to the reception and acceptance of the statue of George Washington Glick from the State of Kansas.

Mr. THOMPSON. Mr. President, I present a letter from the governor of Kansas and ask that it may be read.

The PRESIDENT pro tempore. In the absence of objection, the Secretary will read as requested.

The Secretary read as follows:

STATE OF KANSAS, GEORGE H. HODGES, GOVERNOR,
Topeka, June 29, 1914.

To the Senate and House of Representatives, Washington, D. C.

GENTLEMEN: Among the many distinguished Kansans who have patriotically devoted their lives to the service of the State, helped make its splendid history, promoted its material growth and prosperity, and marched in the forefront of the van of spiritual and social progress,

there is no man who ranks higher than its one-time governor, the late George W. Glick.

Grateful for his eminent services and proud of his history and attainments in behalf of the State, the legislature, at its regular session of 1913, adopted a concurrent resolution and made an appropriation for the purchase of a suitable statue, as a tribute to his memory, to be placed in Statuary Hall, where the Nation has granted to his people the privilege of placing it. This rare privilege is gratefully accepted by the State of Kansas, and the statue, done in imperishable marble, is now ready for acceptance by the Government; and, in behalf of the Legislature of Kansas and of the people I represent, I here avail myself of the honor and pleasure of presenting it to the people of the United States and their Representatives in Congress assembled.

Respectfully, yours,

GEORGE H. HODGES, Governor.

Mr. THOMPSON. Mr. President, I submit a concurrent resolution, and ask that it may be read and considered at this time.

The PRESIDENT pro tempore. The Senator from Kansas introduces a concurrent resolution, which the Secretary will read.

The Secretary read the concurrent resolution (S. Con. Res. 28), as follows:

Resolved by the Senate (the House of Representatives concurring). That the statue of George Washington Glick, presented by the State of Kansas to be placed in Statuary Hall, is accepted in the name of the United States, and that the thanks of Congress be tendered the State for the contribution of the statue of one of its most eminent citizens, illustrious for his distinguished civic services.

Second. That a copy of these resolutions, suitably engrossed and duly authenticated, be transmitted to the governor of the State of Kansas.

The Senate, by unanimous consent, proceeded to consider the concurrent resolution.

Mr. THOMPSON. I present a communication from Hon. ROBERT L. OWEN, senior Senator from the State of Oklahoma, and ask that it may be read by the Secretary.

The PRESIDENT pro tempore. The Senator from Kansas presents a communication, which he asks may be read by the Secretary. Unless there is objection, that will be the order.

The Secretary read as follows:

[Cablegram.]

JULY 18, 1914.

Hon. WILLIAM H. THOMPSON,
United States Senate, Washington, D. C.:

I greatly regret my inability to be with you to-day. I especially desire to pay my great respect for Gov. Glick in person. He was an honor to the great State of Kansas. His upright, useful life, his great integrity, and his patriotic devotion to the public interest will always remain a model and an inspiration to the youth of Kansas and our whole country. May his splendid example be forever perpetuated by the noble monument which you to-day erect in the National Capitol.

My sympathy and good wishes are with you. Extremely sorry I am prevented being present.

ROBERT L. OWEN.

Mr. THOMPSON. I also present a telegram from Representative GEORGE A. NEELEY, of the seventh district of Kansas, which I ask may be read.

The PRESIDENT pro tempore. The communication will be read, unless there is objection. The Chair hears none, and the Secretary will read.

The Secretary read as follows:

[Telegram.]

HUTCHINSON, KANS., July 18, 1914.

Senator W. H. THOMPSON, Washington, D. C.:

Matters over which I have no control deprive me of the pleasure of being present at the proceedings in Congress upon the acceptance of the statue to the memory of the late Gov. George W. Glick. Time has only tended to magnify the splendid qualities that made him the foremost Kansan of his day, and it is indeed a happy day for the people of our State, irrespective of party, that this remembrance of his life, service, and activities is to be thus recognized.

GEORGE A. NEELEY.

Mr. THOMPSON. I also present and ask to have read a telegram just received from Hon. B. P. Waggener, of Atchison, Kans.

The PRESIDENT pro tempore. In the absence of objection, the Secretary will read as requested.

The Secretary read as follows:

[Telegram.]

ATCHISON, KANS., July 18, 1914.

Hon. W. H. THOMPSON,
United States Senate, Washington, D. C.:

As member of legislature for many years and as chief executive of Kansas, George W. Glick accomplished more for State than any of her public men. While he was not a brilliant orator he was a constructive statesman, and Kansas honors herself by perpetuating his memory.

B. P. WAGGENER.

Mr. THOMPSON. Mr. President, the statutes of the United States provide:

The President is authorized to invite all the States to provide and furnish statues in marble or bronze not exceeding two in number for each State of deceased persons who have been citizens thereof and illustrious for their historic renown or for distinguished civic or military services, such as each State may deem to be worthy of this national commemoration, and when so furnished the same shall be

placed in the old Hall of the House of Representatives in the Capitol of the United States, which is set apart, or so much thereof as may be necessary, as a national statuary hall for the purpose herein indicated.

This proceeding, therefore, involves two propositions: First, the presentation by the State of Kansas to the United States of a marble statue of the late George Washington Glick; and, second, the formal acceptance of that statue by the Congress of the United States.

Sir William Jones, the noted English linguist and jurist, furnished to the literature of the world the following beautiful sentiment in verse:

What constitutes a State?
Not high-raised battlement or labored mound,
Thick wall or moated gate;
Not cities proud with spires and turrets crowned;
Not bays and broad-armed ports
Where, laughing at the storm, rich navies ride;
Not starred and spangled courts
Where low-browed baseness wafts perfume to pride.
No! Men, high-minded men,
With powers as far above dull brutes endued
In forest brake, or den,
As beasts excel cold rocks and brambles rude,
Men who their duties know,
But know their rights, and, knowing, dare maintain,
Prevent the long-aimed blow,
And crush the tyrant while they rend the chain,
These constitute a State,
And sovereign law, that State's collected will,
O'er thrones and globes elate,
Sits empress, crowning good, repressing ill.

Sumner said: "The true grandeur of nations is in those qualities which constitute the greatness of the individual."

The causes which shape the fortunes of individuals and the destinies of nations are substantially the same. That nation is the greatest which produces the most noble men and faithful women. It has frequently been demonstrated in battle that success does not depend so much upon the number of men and guns as it does upon the character of the men behind the guns. The principal elements of success in life consist in innate capacity and pronounced determination to excel. Where either is wanting, failure is almost certain. It is therefore proper on occasions like the present to make a study of successful lives, to serve both as a source of information and as a stimulus and encouragement to those who have the capacity to emulate their example. Longfellow furnishes an important lesson in this connection in his expression, "We judge ourselves by what we feel capable of doing, while we judge others by what they have already done."

George Washington Glick, the ninth governor of Kansas, was born at Greencastle, Fairfield County, Ohio, July 4, 1827. His great-grandfather, Philip Glick, a Revolutionary soldier, was one of five brothers who came to Pennsylvania from Germany. His grandfather, George Glick, served in the War of 1812, as did also his mother's father, Capt. George Sanders. Gov. Glick's father, Isaac Glick, was a man of influence in the community where he lived, who took an active interest in State and local politics, and held many positions of public trust. His mother, Mary Sanders, was of Scotch parentage, and a woman of marked and lovable character. Both parents lived to a good old age.

Gov. Glick was reared on his father's farm near Fremont, Ohio, and there acquired the habits of industry, economy, and self-reliance that have made his later life so successful. At the age of 21 he entered the office of Buckland & Hayes as a law student, and was admitted to the bar two years later at Cincinnati by the supreme court. Rutherford B. Hayes, one of the members of this firm, afterwards became President of the United States. Gov. Glick began the practice at Fremont and soon won an enviable reputation as a hard-working and faithful lawyer. He fully sustained this reputation after coming to Kansas. Whatever else may be said of the legal fraternity, it can not be successfully denied that members of the bar have been more prominent in public affairs than any other class of citizens. Gov. Glick was a natural leader of men and consequently began early in life to take a hand in politics. When but 31 years of age he was nominated for Congress by the Democracy of his district in Ohio, but declined to accept the nomination. The same year he was nominated for State senator and made the race against Gen. R. P. Buckland, his former law preceptor. He was defeated, but ran 1,750 votes ahead of his ticket.

Locating at Atchison in the spring of 1859, about the same time that Senator Ingalls also located there, he formed a partnership with Hon. Alfred G. Otis, who afterwards became a prominent judge of the State, which partnership lasted until 1874, when an affection of the throat compelled him to relinquish the active practice of the law. This firm soon became one of the best law firms in the State. Hon. Balle P. Waggener,

of Atchison, the present general attorney for the Missouri Pacific Railway Co., and one of the most prominent Democrats of Kansas, and whose sixty-seventh birthday is being celebrated to-day, read law in this office when he was a young man and was admitted to the bar from this firm. Mr. Waggener is also the author of the resolution for the presentation of the Glick statue to the Nation, which as State senator he introduced in the last legislature. Gov. Glick soon took a leading place at the Kansas bar. His practice extended throughout all the courts, and he was a salaried attorney for two railroads and a number of large business concerns. His fees were often very large, but at the same time he did much legal work for the poorer settlers without compensation, and he never willingly saw a man sent out of court without a hearing because he was unable to pay a lawyer. At the bar he won marked prestige by reason of his thorough understanding of the law and his constant devotion to his clients' interests. He prepared his cases with precision and exactness, studied the question at issue from every conceivable standpoint, and was thus ready to meet not only the expected but also the unexpected, which happens so frequently in the courts.

Notwithstanding he was an active Democrat and lived on the Missouri River in close proximity to the State of Missouri, he was an uncompromising free-State man, and was perhaps as much responsible for the State enlisting in the free-State cause as any other person. He helped to prepare and adopt the constitution upon which the State of Kansas was admitted to the Union. He served in the first legislature and again and again in following legislatures until the policy of the State was firmly established. He was elected by the Democrats to the Kansas Legislature in 1862, without opposition, something unprecedented in that Republican State in those days. He was re-elected by the Democrats against strong Republican opposition in an overwhelmingly Republican district in 1863, 1864, 1865, 1866, 1868, 1876, and 1882, serving almost constantly for 18 years, giving him the longest service in the Kansas Legislature of any man in either political party.

During his long and active service as a legislator he introduced and secured the passage of many needed and important laws that have fixed and settled the policy of the State on many matters of vast interest, and that have stood the test of time and experience. Mr. Glick in 1863 prepared and secured the passage of the first law in Kansas regulating the rate of interest on money, changing the then prevailing rates of from 5 and 3 per cent per month to 10 per cent per annum, with penalties for exacting usury. Also the first law relating to marriage, and providing for a record of the same, making it easy to prove the marriage and to establish the legitimacy of children and the title to property belonging to heirs. This law, passed in 1863, has been amended, but the original requirements of a license and a record of the marriage have not been changed. The occupying-claimant law, the law relating to wills, and the mechanics' lien law, with many others passed in the early sixties, that have stood the test of time and extended by amendments to conform to changed conditions, but not changing their theory or purpose, are now part of the settled policy of the State. Gov. Glick, as chairman of the judiciary committee, in 1868, in revising the laws, prepared and secured the adoption of sections 5046 and 5047 of the civil code, which have had a most important bearing on the proceedings of the supreme court.

Section 5046 provides that in all cases decided by the supreme court it shall be the duty of the judges of the supreme court to prepare and file with the papers of the case the opinion of the court upon the questions of law arising in the case before any mandate shall issue to the court below.

Section 5047 provides that the judge writing the opinion of the court shall prepare a syllabus of the points of law decided in the case, and file the same with the papers in the case, and in all cases a copy of the syllabus must accompany the mandate to the court below. Previous to the adoption of those two sections of the code in more than half of the cases tried and decided by the supreme court no opinions were filed, and litigants never knew on what grounds the cases were decided; and the lower courts, when cases were reversed, were left in ignorance of the reasons for reversal. These amendments to the code met with the universal indorsement of the bar of the State, and Gov. Glick received many thanks from district judges and members of the bar commending his acts in securing the passage of these statutes.

In 1876 Gov. Glick was made speaker pro tempore of the house of representatives, although that body was strongly Republican. As a presiding officer he proved eminently fair and an expert parliamentarian. During his years in the legislature he was recognized as one of its strongest members. He was a ready debater and on the alert to detect all schemes aimed at the public treasury or at the rights and liberties of the people,

and knew the full meaning and import of every bill passed. He was at the head of the judiciary and other important committees, and to him is largely due the credit for the complete and successful revision of the laws of Kansas made by the judiciary committee in 1868.

He was a delegate to the Democratic national conventions in 1856, 1868, 1884, and 1892. He was the choice of the Kansas Democracy in 1884 for Vice President, and the Kansas delegation in the Democratic national convention at Chicago that year presented his name to the convention as its candidate for Vice President after the nomination of Grover Cleveland for President.

He was nominated for governor in 1868 and made the race in obedience to his party's call, although his defeat was inevitable. In 1882 he was again the unanimous choice of his party for governor and made a memorable campaign, and, though fighting against great odds, among them being a Republican majority of over 52,000, he defeated that distinguished Republican and Prohibitionist, John P. St. John, by 8,079 votes. The campaign of 1882 was an extremely lively contest. It was the first political campaign that I ever became interested in. My father, John F. Thompson, made his first political race in Kansas on the Democratic ticket for probate judge of Nemaha County, and I was naturally interested in the outcome, although only a mere boy. I remember especially the activity of Gov. Glick in that campaign. I learned from him at that time my first lesson in politics. He made a personal campaign, speaking in practically every county in the State, and when the votes were counted he had overcome the fifty-odd thousand Republican majority. Gov. Glick was the only Democrat elected on the State ticket in 1882. Gov. Glick was our first and only Democratic governor until the present administration, and our present governor was also the only Democrat elected on the State ticket in 1912.

While in the election of 1882 the resubmission question cut some figure in the contest, as prohibition had only recently been adopted in the State, and most people who were opposed to the amendment at that time, regardless of political affiliations, naturally voted the Democratic ticket, yet, after all, the fight against the third term for St. John was really the controlling factor that brought success to the Democrats. No one in any party has ever been elected for a third term for governor in Kansas, and very few men have been elected for a third term to any office. Resubmission, when submitted alone, has always been defeated, and always will be. Resubmission was like a millstone around the neck of the Democratic Party so long as it gave encouragement to this issue. General success never came to the party on principle until it freed itself of this burden. None of the old recognized leaders of the party now stands for resubmission. In fact, none of the leaders of any of the political parties now advocates it. It is a dead issue in Kansas, except to only a few politicians who refuse to recognize the settled policy of the State in this regard, and who occasionally attempt to resurrect it simply to cause trouble. Although the resubmissionists claimed to have elected Gov. Glick, their cause never received any consideration or encouragement during his administration, and before he died, like David Overmyer and other former great leaders, he repudiated the doctrine.

Gov. Glick was inaugurated January 8, 1883, and his administration was marked by dignity, intelligence, and a careful and discreet management of the material and financial interests of the State. His long experience as a legislator gave him an intimate knowledge of the State's needs, and many valuable reform measures recommended in his message to the legislature were accomplished. He entered an earnest protest against the burdens imposed upon the agricultural classes by the railroads, and asked that legislation be enacted to prevent these exactions. A law creating a railroad commission and embodying substantially a the improvements asked by him was passed and proved of great benefit to the people of the State.

Among other measures suggested by him and adopted by the legislature may be cited the first good-roads law enacted by the State; more just and equitable assessment laws for taxation; the establishment of a live-stock sanitary commission, with a State veterinary surgeon; and laws providing for the better care of public money, since the adoption of which not one dollar has been lost to the State.

A wise economy without stinginess marked his management of the State's finances, and the various educational and charitable institutions of the State were admirably cared for. He was renominated for governor in 1884, but was defeated by Col. John A. Martin, also of Atchison, although running 15,000 votes ahead of his ticket.

In 1885 he was appointed by President Cleveland pension agent at Topeka, and so satisfactorily discharged these duties that he was reappointed without solicitation on his part when Mr. Cleveland again came into office. During Gov. Glick's two terms as pension agent at the Topeka agency he received over \$87,000,000, which he disbursed to ex-soldiers, and holds the Government's acknowledgment for the faithful disbursement of that large sum without the loss of one cent to the Government or to the old soldiers. Among those who served as employees under Gov. Glick while pension agent there are still employed in the Pension Bureau in this city 15 men, who have contributed the following statement for these proceedings, which I am pleased to present:

We found in that closer relationship of employer and employee all he demanded, as the one in charge of this important Government position, was faithful, earnest and honest endeavor to do and perform all duties assigned us the same as would be expected of us in any other field of human activity. He demanded the same requirements in public service as in private life. He exacted no more and was satisfied with no less. He insisted upon faithfulness in the performance of duty. He was decidedly averse to subterfuge, unmoved by flattery, and observant of the absolute rights of others. An unrelenting foe to unfaithfulness he ever admired fidelity of purpose, honesty of endeavor, and uprightness of conduct. Whether in private, public, or official life, he believed the same rules should be conscientiously applied. Officially or privately he was easily approachable, listened with interest, advised with candor, and judged with mercy.

With the exception of his immediate associates during the Civil War and perhaps a very few close friends in his social, public, or political life, it was not generally known that he served in a humble station during the Civil War. Still fewer of his immediate friends knew that he was wounded during his service. Inquiry of one of his closest friends, an important appointee during his term as governor of the State brought an emphatic denial of his service, because, as he said, "Had the governor been a soldier he would certainly have told me."

Men who campaigned with him when such a statement would have largely benefited his chances made no claim along that line, because they did not know it. He was decidedly averse to making use of this fact, even for political gain. That he took this course is characteristic of the man. Experience and observation have shown that length of service is of far less importance than the fact of service. His country called; he obeyed the call, served the term required by the Government, was in a battle, received wounds, and when discharged retired to civil life, as did thousands of others, to resume the obligations, duties, and labors of citizenship.

Guy O. Taylor, disbursing clerk for the payment of pensions; Cass Carr, John Hovenden, Lawrence A. McDonald, Mark P. Miller, Emmett Turner, Leonard S. Fortome, Isaac D. Huntsberger, O. B. Martin, C. D. Nichols, J. P. Wilson, Samuel C. Garrard, Rufus G. Kessler, E. E. Miller, William H. Ruff.

For 30 years Gov. Glick was engaged in farming. He was the owner of a valuable tract of land of about 640 acres 4 miles west of the city of Atchison, and there he successfully carried on stock raising, making a specialty of breeding shorthorn cattle. A number of times he was paid as high as \$1,000 for a single head, and among stock dealers he obtained a wide reputation, shipping cattle all over the United States. He was a close personal and political friend of Senator William A. Harris, who distinguished himself in this body. They had many things in common, and were especially mutually interested in high-grade stock and intensive farming.

He was one of the organizers of the State board of agriculture, and served several terms as its president, and at the time of his death was still a member. He was a member of the Kansas Historical Society and its first vice president. He was a ready and vigorous writer, and contributed many valuable essays on agriculture, stock raising, and kindred subjects to various periodicals and public meetings. He was one of the Kansas commissioners at the Centennial in 1876 and a member of the board of managers at the Columbian Exposition in 1893. He was president of the Kansas board of managers at the Trans-Mississippi and International Exposition in 1898 at Omaha.

Gov. Glick served in the Second Kansas Regiment under Col. M. Quigg, and was in a number of engagements on the border. He was wounded at the Battle of the Big Blue. He enlisted as a soldier in the Mexican War, but peace was declared before he saw active service. He was a Mason, and was one of the charter members of the Knights Templar Commandery at Atchison.

Always an uncompromising Democrat, Gov. Glick had the respect and esteem of Kansas people of all parties. His sagacity and courage in treating public questions, his detestation of trickery, and his fair treatment of all won and kept him many loyal friends.

His inflexible determination to make Kansas respected and entitled to the respect of the Nation forced him into a position of prominence and responsibility. His unswerving attitude through all the changes and vicissitudes of the State made his name a household word. Until the day of his death he represented in his own individuality the best history and attainments of the State of Kansas. More than to any other man is due him the credit for the construction of the important rail-

roads of the State of Kansas. He was a charter member of the Atchison, Topeka & Santa Fe organization, which line started from the city of Atchison, as its eastern terminus. He helped to build up the farming industries of the State, and was always consulted in all matters of farming and stock raising. His natural instincts were in harmony with an agricultural region. He was the best representative of an agricultural State.

Gov. Glick was married in 1857 to Elizabeth Ryder, of Massillon, Ohio, whose grace and dignity adorned his home and added honor to his official life. Mrs. Glick still lives at Atchison in comfort and happiness, enjoying the rewards of a well-spent life. A son, Frederick H., and a daughter, Jennie, are the fruits of this union. Gov. Glick died at his home April 13, 1911, and was buried at Mount Vernon Cemetery, Atchison, Kans. Thus ended the earthly career of one of the ablest, most active, and useful citizens who ever lived in Kansas, and whose achievements are indelibly written upon the pages of history of the State for more than a half century. It is therefore clear that for his historic renown and distinguished civic services he is in every way worthy of national commemoration by the State, and it is entirely fitting and proper that his statue in marble should be presented by the State of Kansas and accepted by the Congress and placed in the National Statuary Hall.

Mr. BRISTOW. Mr. President, George W. Glick was a resident of Kansas for more than 50 years. He devoted much of his life to the promotion of the agricultural interests of the State. He was a genial, affable gentleman, who had attractive social qualities and made many personal friends. His professional and political career was not conspicuous. He was a member of the legislature of the State for many years, served on the State board of agriculture, I believe, from its organization to the time of his death, and was governor for two years.

He was the only real Democrat ever elected governor of Kansas, except the present incumbent of that office. L. D. Lewelling and J. W. Leedy were elected governors over their Republican competitors, but they were both Populists, and were elected on a fusion ticket supported by the Populists and Democrats. Mr. Glick was elected governor in 1882, defeating Gov. John P. St. John, who was running for the third consecutive term. During St. John's incumbency of the office the prohibitory amendment to the constitution was adopted, and he began a vigorous crusade to enforce it. As a result the anti-prohibition Republicans bolted and voted for Glick, who had been nominated by the Democrats on a strong antiprohibition platform.

It is an interesting coincidence in Kansas history that Gov. Glick, the only avowed antiprohibitionist who has ever been elected governor of Kansas since the prohibitory amendment was adopted, is to be honored by the people of his State with a statue in Statuary Hall, though the issue upon which he was elected governor, that of opposition to the prohibitory amendment, has passed away. I have been told by friends of Gov. Glick that before his death he admitted that prohibition had been beneficial to Kansas. And the party which nominated him and denounced prohibition in the most violent terms has now repudiated its antiprohibition declarations and at this time is standing for the prohibitory law and its enforcement. So that, in fact, Gov. Glick and the party which he represented now admit that the issue upon which he was elected governor was a false one. The temporary victory which the Democratic Party won in the State by the election of Mr. Glick resulted in no legislation adverse to the prohibition law of the State. In fact, the law has grown stronger year by year, and to-day is more strongly entrenched in the minds of the people of Kansas than at any time since it was adopted, 34 years ago.

If I had had a voice in the selecting of the second Kansan to be commemorated by a statue in the National Capitol, there are many others that I would have chosen in preference to Gov. Glick. But the legislature, upon whom the responsibility is imposed, has made this choice, and I am glad to commend his good qualities and personal virtues.

Mr. STONE. Mr. President, for more than 25 years my home was at Nevada, Vernon County, Mo., located in the southwestern section of the State. Vernon County adjoins Bourbon County, Kans., of which Fort Scott is the county seat. These cities are about 20 miles apart. Fort Scott is the most important city in southeastern Kansas, and Nevada is one of the most beautiful, progressive, and important cities in southwestern Missouri. Because of the proximity of these counties and cities the people residing in them, respectively, were constantly brought into intimate intercourse with each other. Years ago I had a somewhat extensive acquaintance with the people of that part of Kansas tributary to Fort Scott. Back in the seventies and

eighties I participated, more or less, in political campaigns in the Sunflower State, particularly in the southeastern section. In the campaign of 1882 George W. Glick was the Democratic candidate for governor. I was complimented with an invitation to deliver several addresses in support of the ticket of which he was the head, and it was during that contest that I first became acquainted with Mr. Glick. Mr. Glick was elected governor in that somewhat memorable struggle. His victory was the occasion of great rejoicing among his political followers throughout Kansas, heartily shared in by thousands of Missourians of his political faith, especially along the western border of that State. I met him frequently afterwards, and although I can not say that I ever knew him intimately, I did know him well. He was a strong, virile, intellectual man, whose heart was full of kindness and sympathetic regard for his fellow men. He was broad minded and large hearted. He was a typical man of the then new and rapidly expanding West. He was one of the big men of Kansas—patriotic, clean in his life, devoted to the higher duties of citizenship, and withal brave and fearless.

He rendered numerous valuable services to his State and country, and justly held a high place in public esteem. His long and distinguished life was closed among the people to whom he had become greatly endeared, and when he died his countrymen felt that a great man had fallen.

Among the States that make up our Union, Kansas, because of her exceptional history and marvelous development, stands forth as somewhat unique and remarkable. She is one of the great States of our federation, and for her the spirit of promise stands like a shining figure beckoning her onward. Gov. Glick bore a conspicuous part as a builder in making Kansas beautiful and great. It is well, therefore, that the people of Kansas should honor the memory of this man who was so useful to them and the country by giving him a place in Statuary Hall among the mute marble images of so many of the great sons of America.

Mr. REED. Mr. President, the home of Gov. Glick for many years was within a few miles of Kansas City, where I reside. It therefore happened that I had occasion to follow with some degree of accuracy his career.

George W. Glick was a warrior on the battle fields of progress. He was one of those men, all too rare, who place principle above popularity and subordinate private interests to the public weal.

For a half century he waged a desperate struggle on behalf of the principles of a party hopelessly in the minority in his home State. During at least 40 years of that time not a single star of hope illumined the dark horizon. His contention therefore was without expectation of emolument or reward. No man in Kansas could anticipate political preferment who marched under the banner of Democracy. His fidelity through the long years to that cause is certain proof that he found his inspiration in duty.

In this long and desperate contest his spirits never flagged, his zeal never abated. After each disaster his was the first hand to raise the stricken banner from the dust. His voice rang loud and clear as he rallied the scattered hosts. His valor always inspired the hearts of others with courage. So he continued from early manhood until the day of his death to contend for great principles the adoption of which he believed essential to the welfare of the Republic. He saw those principles grow in popularity and strength. He lived to witness the crystallization into law of many reforms for which in the beginning his voice resounded almost alone.

It is eminently proper that the Federal Government unite with Kansas in paying honor to the lofty citizenship of such a man. It is to men of his fiber and character the country owes its onward march. Sincerity in public life, self-sacrifice, and high courage are the qualities which in the end make up the sum of human progress. It has been such architects as George W. Glick who have laid the foundation and erected the walls of the temple of civilization.

Mr. THOMAS. Mr. President, George W. Glick was a type of the early westerner, the man who cast his fortunes and utilized his talents upon the frontier in the stirring days when there was a frontier. In those days the venturesome and the ambitious were attracted by the El Dorado of the West, and, obeying that instinct which has impelled the human race westward from the dawn of civilization, he entered upon a career having its beginning in a rude western and uninhabited land and its full fruition in its redemption from barbarism and its occupation by the white man.

Gov. Glick was elected to the chief magistracy of the State which he helped to found at a time when questions of internal interest and importance had weakened the loyalty of the great majority party to its ticket. He became conspicuous by rea-

son of the fact that he was the first Democratic governor of the State of Kansas; but with the eyes of the country upon him in consequence of that unique circumstance, he bore the burdens of his position with dignity and discharged its duties with eminent success.

It is altogether fit and proper, Mr. President, that the marble effigy of such a man should be the companion piece from the State of Kansas of that of the great Senator, John J. Ingalls, who was conspicuous for so many years in the Senate Chamber.

The PRESIDING OFFICER (Mr. CLARK of Wyoming in the chair). The question is on agreeing to the concurrent resolution submitted by the Senator from Kansas [Mr. THOMPSON].

The concurrent resolution was unanimously agreed to.

DEFICIENCY APPROPRIATIONS.

Mr. MARTIN of Virginia. I move that the Senate proceed to the consideration of House bill 17824, being the general deficiency appropriation bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 17824) making appropriations to supply deficiencies in appropriations for the fiscal year 1914 and for prior years, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. MARTIN. I ask unanimous consent that the formal reading of the bill be dispensed with and that the bill be read for amendment, the committee amendments to be first considered.

The PRESIDING OFFICER. Without objection—

Mr. BURTON. I take it that the House provisions of the bill will not be read at all.

Mr. MARTIN of Virginia. The House provisions of the bill can be read. I did not ask to dispense with the reading of the House provisions.

Mr. BURTON. How long would it take to read the provisions of the bill as it comes from the other House? I should like, as the bill has just come before us, to have those provisions read.

Mr. MARTIN of Virginia. I do not know how long it would take; but if the Senator from Ohio wants to hear every word of the bill read, of course, he can insist on that being done.

Mr. SMOOT. The Senator from Virginia has simply asked that the formal reading of the bill be dispensed with.

Mr. MARTIN of Virginia. I simply asked that the formal reading be dispensed with.

Mr. BURTON. Will every item, including the House provisions, be read?

Mr. MARTIN of Virginia. They will not, with my approval; but if the Senator from Ohio so desires, that will be done. I might just as well be frank about it; nobody pays any attention to the reading of every word of the bill; but if the Senator from Ohio desires to have every word of the bill read, it can be done.

Mr. BURTON. Certainly; I can hardly understand the restiveness of the Senator from Virginia in regard to this. Here is an appropriation bill reported last night and placed on our desks this morning. It seems to me we should have an opportunity to understand what is in it.

Mr. BRYAN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Florida will state it.

Mr. BRYAN. Does the request of the Senator from Virginia [Mr. MARTIN] preclude the reading of the bill? My understanding is that the bill will be read at his request.

Mr. MARTIN of Virginia. I have not asked that the reading of the bill be dispensed with.

Mr. BRYAN. The House text of the bill will have to be read under the request of the Senator from Virginia.

The PRESIDING OFFICER. If the Chair may be permitted, the understanding of the Chair is that it is the formal reading of the bill which the Senator from Virginia asked might be dispensed with.

Mr. BURTON. Well, then, the whole bill will be read?

The PRESIDING OFFICER. The Chair so understands. Is there objection to the request of the Senator from Virginia? The Chair hears none.

The Secretary proceeded to read the bill.

The first amendment reported by the Committee on Appropriations was, under the head of "Department of State," on page 2, after line 11, to insert:

To pay the Trans-Atlantic Fire Insurance Co., \$9,500; Prussian National Fire Insurance Co., \$2,850; North German Fire Insurance Co., \$8,000; Hamburg-Bremen Fire Insurance Co., \$10,450; Royal Insurance Co., \$25,100; Liverpool & London & Globe Insurance Co., \$6,900; New Zealand Insurance Co., \$6,025; Fireman's Fund Insurance Co., \$9,250; National Fire Insurance Co., of Hartford, Conn., \$4,150; Caledonia Insurance Co., of Edinburgh, Scotland, \$750; and all, \$82,975,

the aforesaid sums being the amounts paid by each of the said companies on account of insurance against fire on property in the Territory of Hawaii, which property was destroyed by the Government in the suppression of the bubonic plague in said Territory in the years 1899 and 1900.

Mr. BURTON. I am not going to oppose that item; I know it has been before Congress for a very long time; and in the discussion upon it which once occurred its merits were clearly set forth. I believe in several instances it has been adopted by the Senate but stricken out by the other House. I do wish, however, to say something in regard to the proper scope of a deficiency appropriation bill.

As the very name imports, a deficiency bill is a measure which includes provisions for branches of the public service appropriated for in regular appropriation bills, but for which provision has proved incomplete or insufficient. Under any ideal system a bill of this nature should be restricted to that class of items. There has been a marked tendency, however, in recent years to bring into this measure very old items, which have been heretofore considered and rejected. There are certain manifest disadvantages about that—the dangers of mistake.

This bill is considered by the Committee on Appropriations; some of the items inserted here have been theretofore considered by other committees of the House or Senate—by the Post Office Committee, by the Agricultural Committee, or some other committee. There is danger that, after careful consideration has been given to a proposed appropriation by a committee other than the Committee on Appropriations, the item will be disposed of without sufficient information or consideration of the subjects. I do wish to express my objection—I may say my protest—against making this deficiency bill a sort of omnium gatherum in which all sorts of items are included. I ask the Senator from Virginia why this item has not been placed upon some bill other than the deficiency bill?

Mr. MARTIN of Virginia. Mr. President, the Senator from Ohio can answer that question as easily as can I. I have no idea whether it was ever incorporated in a bill or, if rejected, why that was done. The item that is inserted here has passed the Senate, it has had the approval of this body as well as of the committee of this body. It seemed to the committee to be an exceedingly urgent matter. When the Government burns up the property of its citizens in order to prevent a plague from spreading through the community, it seems to me restitution ought to be made as soon as possible. The committee so thought. It is for the Senate to say, and, if the Senator from Ohio objects to the item, the Senate will have to determine the question.

Mr. BURTON. I am not going to object, but I think it is an erroneous policy in making up our appropriation bills. I do not see how it can be very urgent, for the claim seems to be at least 14 years old.

Mr. SMOOT. I will say to the Senator that it is a deficiency in the sense that Congress appropriated over a million dollars—I think a million and a half dollars—for the purpose of paying for property destroyed in the Hawaiian Islands to suppress the bubonic plague. At the time the appropriation was made, it was estimated that that amount would cover all of the just claims; but I think that over \$2,000,000, as I remember, of claims at that time were filed, and so far as the amount of money appropriated would permit they were paid. These were claims that fell in the class of claims approved of later, but the appropriation was not sufficient to cover them. When these are paid, then all of these particular claims against the Government will have been paid. It is virtually a deficiency in the sense that there was not enough appropriated in the original bill to cover all of the claims against the Government.

Mr. BURTON. If the Senator will yield to me, this is for reimbursement for claims paid by these respective insurance companies for property destroyed by the Government?

Mr. SMOOT. That is correct. I want to say to the Senator that there were claims, in addition to those provided for in this bill, amounting to \$1,500,000, which have been paid, and these would have been paid immediately if the original appropriation had been sufficient to cover them. The only reason why these claims have not been paid is, as I have stated, that the amount of the appropriation was paid out before these claims were reached.

Mr. BURTON. When was the appropriation of \$1,500,000 made?

Mr. SMOOT. In 1901 or 1902, I think—I have forgotten the exact date.

Mr. BURTON. Was the provision made in an appropriation bill?

Mr. SMOOT. Provision was made in an appropriation bill to cover the other claims.

Mr. BURTON. Does the Senator from Utah recall in which appropriation bill the provision was made?

Mr. SMOOT. No; I do not, because I have not had occasion to look it up. The matter has been before the Claims Committee many times, and the Claims Committee has reported bills on the subject at least half a dozen times. I myself five or six years ago favorably reported a bill on this subject to the Senate, and it was passed; but up to this time the matter has always been held up.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the head of "Treasury Department," subhead "Public buildings, sites, and construction," on page 3, after line 18, to insert:

Albia, Iowa, post office: For site, \$5,000.

The amendment was agreed to.

The next amendment was, at the top of page 4, to insert:

Apalachicola, Fla., post office and customhouse: For site and commencement, \$7,500.

The amendment was agreed to.

The next amendment was, on page 4, after line 2, to insert:

Athens, Tenn., post office: For site and commencement, \$5,000.

The amendment was agreed to.

The next amendment was, on page 4, after line 4, to insert:

Bad Axe, Mich., post office: For site and commencement, \$4,800.

The amendment was agreed to.

The next amendment was, on page 4, after line 6, to insert:

Barbourville, Ky., post office: For site, \$4,300.

The amendment was agreed to.

The next amendment was, on page 4, after line 7, to insert:

Batavia, Ill., post office: For site and commencement, \$23,950.

The amendment was agreed to.

The next amendment was, on page 4, after line 11, to insert:

Bellefourche, S. Dak., post office: For site and commencement, \$4,500.

The amendment was agreed to.

The next amendment was, on page 4, after line 19, to insert:

Branford, Conn., post office: For site and commencement, \$11,000.

The amendment was agreed to.

The next amendment was, on page 5, after line 3, to insert:

Calumet, Mich., post office: For site, \$12,000.

The amendment was agreed to.

The next amendment was, on page 5, after line 6, to insert:

Canon City, Colo., post office: For site, \$13,500.

The amendment was agreed to.

The next amendment was, on page 5, after line 8, to insert:

Cape Charles, Va., post office: For site, \$3,700.

The amendment was agreed to.

The next amendment was, on page 5, after line 10, to insert:

Carroll, Iowa, post office: For site and commencement, \$8,000.

The amendment was agreed to.

The next amendment was, on page 5, after line 12, to insert:

Carrollton, Ill., post office: For site, \$5,000.

The amendment was agreed to.

The next amendment was, on page 5, after line 13, to insert:

Caruthersville, Mo., post-office: For site, \$3,250.

The amendment was agreed to.

The next amendment was, on page 5, after line 19, to insert:

Chamberlain, S. Dak., post office and land office: For site and commencement, \$3,500.

The amendment was agreed to.

The next amendment was, on page 5, after line 21, to insert:

Chandler, Okla., post office: For site and commencement, \$4,700.

The amendment was agreed to.

The next amendment was, at the top of page 6, to insert:

Charleston, Ill., post office: For site and commencement, \$9,000.

The amendment was agreed to.

The next amendment was, on page 6, after line 4, to insert:

Cheboygan, Mich., post office: For site and commencement, \$8,500.

The amendment was agreed to.

The next amendment was, on page 6, after line 6, to insert:

Cherokee, Iowa, post office: For site and commencement, \$10,600.

The amendment was agreed to.

The next amendment was, on page 6, after line 12, to insert:

Clinton, Ind., post office: For site and commencement, \$14,000.

The amendment was agreed to.

The next amendment was, on page 6, after line 14, to insert:

Clinton, S. C., post office: For site and commencement, \$5,500.

The amendment was agreed to.

The next amendment was, on page 6, after line 18, to insert: Colfax, Wash., post office: For site, \$7,000.
The amendment was agreed to.
The next amendment was, on page 6, after line 19, to insert: Comanche, Tex., post office: For site and commencement, \$5,000.
The amendment was agreed to.
The next amendment was, on page 6, after line 21, to insert: Conway, Ark., post office: For site, \$2,000.
The amendment was agreed to.
The next amendment was, on page 7, after line 2, to insert: Decatur, Ind., post office: For site, \$9,900.
The amendment was agreed to.
The next amendment was, on page 7, after line 9, to insert: Donora, Pa., post office: For site and commencement, \$13,300.
The amendment was agreed to.
The next amendment was, on page 7, after line 15, to insert: East Las Vegas, N. Mex., post office and courthouse: For site and commencement, \$18,000.
The amendment was agreed to.
The next amendment was, on page 7, after line 17, to insert: Eatonton, Ga., post office: For site, \$3,750.
The amendment was agreed to.
The next amendment was, on page 7, after line 20, to insert: Eldorado, Kans., post office: For site and commencement, \$5,250.
The amendment was agreed to.
The next amendment was, on page 7, after line 22, to insert: Elizabethton, Tenn., post office: For site, \$2,500.
The amendment was agreed to.
The next amendment was, on page 7, after line 23, to insert: Elizabethtown, Ky., post office: For site, \$5,000.
The amendment was agreed to.
The next amendment was, on page 8, after line 3, to insert: Fairmont, Minn., post office: For site and commencement, \$5,000.
The amendment was agreed to.
The next amendment was, on page 8, after line 5, to insert: Fallon, Nev., post office: For site and commencement, \$5,000.
The amendment was agreed to.
The next amendment was, on page 8, after line 7, to insert: Forrest City, Ark., post office: For site, \$4,500.
The amendment was agreed to.
The next amendment was, on page 8, after line 9, to insert: Fort Plain, N. Y., post office: For site and commencement, \$8,000.
The amendment was agreed to.
The next amendment was, on page 8, after line 11, to insert: Franklin, N. H., post office: For site and commencement, \$24,500.
The amendment was agreed to.
The next amendment was, on page 8, after line 15, to insert: Franklin, Tenn., post office: For site and commencement, \$7,450.
The amendment was agreed to.
The next amendment was, on page 8, after line 20, to insert: Gallipolis, Ohio, post office: For site and commencement, \$12,500.
The amendment was agreed to.
The next amendment was, on page 8, after line 22, to insert: Geneseo, Ill., post office: For site and commencement, \$10,000.
The amendment was agreed to.
The next amendment was, at the top of page 9, to insert: Gilmer, Tex., post office: For site and commencement, \$5,000.
The amendment was agreed to.
The next amendment was, on page 9, after line 4, to insert: Glasgow, Ky., post office: For site and commencement, \$7,500.
The amendment was agreed to.
The next amendment was, on page 9, after line 9, to insert: Harrisonville, Mo., post office: For site and commencement, \$3,000.
The amendment was agreed to.
The next amendment was, on page 9, after line 12, to insert: Hastings, Mich., post office: For site and commencement, \$6,750.
The amendment was agreed to.
The next amendment was, on page 9, after line 16, to insert: Hodgenville, Ky., post office: For site, \$4,850.
The amendment was agreed to.
The next amendment was, on page 9, after line 17, to insert: Hollidaysburg, Pa., post office: For site and continuation, \$12,900.
The amendment was agreed to.
The next amendment was, on page 9, after line 19, to insert: Hoopston, Ill., post office: For site and commencement, \$10,000.
The amendment was agreed to.
The next amendment was, on page 9, after line 21, to insert: Houghton, Mich., post office: For site and commencement, \$28,000.
The amendment was agreed to.

The next amendment was, on page 9, after line 23, to insert: Huntingdon, Tenn., post office: For site, \$2,500.
The amendment was agreed to.
The next amendment was, on page 10, after line 11, to insert: Lakeland, Fla., post office: For site and commencement, \$10,000.
The amendment was agreed to.
The next amendment was, on page 10, after line 15, to insert: Lebanon, Ind., post office: For site, \$9,800.
The amendment was agreed to.
The next amendment was, on page 10, after line 17, to insert: Leesburg, Va., post office: For site and commencement, \$8,750.
The amendment was agreed to.
The next amendment was, on page 10, after line 19, to insert: Lewistown, Pa., post office: For site and commencement, \$16,000.
The amendment was agreed to.
The next amendment was, on page 10, after line 23, to insert: Linton, Ind., post office: For site, \$4,500.
The amendment was agreed to.
The next amendment was, at the top of page 11, to insert: Lock Haven Pa., post office: For site and commencement, \$22,500.
The amendment was agreed to.
The next amendment was, on page 11, after line 2, to insert: Long Island City, N. Y., post office: For site and commencement, \$100,000.
The amendment was agreed to.
The next amendment was, on page 11, after line 4, to insert: McKees Rocks, Pa., post office: For site and commencement, \$15,000.
The amendment was agreed to.
The next amendment was, on page 11, after line 7, to insert: Manassas, Va., post office: For site, \$3,750.
The amendment was agreed to.
The next amendment was, on page 11, after line 9, to insert: Marianna, Ark., post office: For site and commencement, \$6,500.
The amendment was agreed to.
The next amendment was, on page 11, after line 11, to insert: Marianna, Fla., post office and court house: For site and commencement, \$4,000.
The amendment was agreed to.
The next amendment was, on page 11, after line 15, to insert: Martins Ferry, Ohio, post office: For site and commencement, \$15,000.
The amendment was agreed to.
The next amendment was, on page 11, after line 19, to insert: Mendota, Ill., post office: For site, \$10,000.
The amendment was agreed to.
The next amendment was, on page 11, after line 20, to insert: Midland, Mich., post office: For site and commencement, \$4,300.
The amendment was agreed to.
The next amendment was, on page 11, after line 22, to insert: Metropolis, Ill., post office: For site and commencement, \$10,000.
The amendment was agreed to.
The next amendment was, on page 11, after line 24, to insert: Milbank, S. Dak., post office: For site, \$4,000.
The amendment was agreed to.
The next amendment was, at the top of page 12, to insert: Millersburg, Ohio, post office: For site, \$7,000.
The amendment was agreed to.
The next amendment was, on page 12, after line 1, to insert: Mineral Point, Wis., post office and customhouse: For site and commencement, \$4,500.
The amendment was agreed to.
The next amendment was, on page 12, after line 6, to insert: Monroe, Ga., post office: For site, \$5,000.
The amendment was agreed to.
The next amendment was, on page 12, after line 7, to insert: Monte Vista, Colo., post office: For site, \$5,000.
The amendment was agreed to.
The next amendment was, on page 12, after line 10, to insert: Morgan City, La., post office: For site, \$4,300.
Mr. MARTIN of Virginia. Mr. President, on page 12, line 11, I move that the figures "\$4,300," at the end of the line, be changed to "\$4,200." It is a typographical error.
The PRESIDING OFFICER. The amendment to the amendment will be stated.
The SECRETARY. On page 12, line 11, in the committee amendment, it is proposed to strike out "\$4,300" and to insert in lieu thereof "\$4,200."
The amendment to the amendment was agreed to.
The amendment as amended was agreed to.
The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 12, after line 12, to insert:

Mount Airy, N. C., post office: For site, \$5,000.

The amendment was agreed to.

The next amendment was, on page 12, after line 14, to insert: Mount Olive, N. C., post office: For site, \$2,000.

The amendment was agreed to.

The next amendment was, on page 12, after line 20, to insert: Mystic, Conn., post office: For site and commencement, \$4,000.

The amendment was agreed to.

The next amendment was, on page 12, after line 23, to insert: Napoleon, Ohio, post office: For site, \$7,500.

The amendment was agreed to.

The next amendment was, on page 12, after line 24, to insert: Nephi, Utah, post office: For site, \$5,000.

The amendment was agreed to.

The next amendment was, on page 13, after line 1, to insert: Newcastle, Wyo., post office: For site, \$3,000.

The amendment was agreed to.

The next amendment was, on page 13, after line 2, to insert: New Martinsville, W. Va., post office: For site, \$12,500.

The amendment was agreed to.

The next amendment was, on page 13, after line 4, to insert: New Philadelphia, Ohio, post office: For site, \$12,500.

The amendment was agreed to.

The next amendment was, on page 13, after line 5, to insert: Newton, Iowa, post office: For site, \$10,000.

The amendment was agreed to.

The next amendment was, on page 13, after line 6, to insert: Noblesville, Ind., post office: For site, \$10,000.

The amendment was agreed to.

The next amendment was, on page 13, after line 11, to insert: North Vernon, Ind., post office: For site and commencement, \$13,500.

The amendment was agreed to.

The next amendment was, on page 13, after line 15, to insert: Oelwein, Iowa, post office: For site, \$8,000.

The amendment was agreed to.

The next amendment was, on page 13, after line 16, to insert: Olney, Ill., post office: For site and commencement, \$6,500.

The amendment was agreed to.

The next amendment was, on page 13, after line 18, to insert: Olyphant, Pa., post office: For site and commencement, \$13,500.

The amendment was agreed to.

The next amendment was, on page 13, after line 20, to insert: Orange, Tex., post office: For site and commencement, \$5,000.

The amendment was agreed to.

The next amendment was, on page 13, after line 22, to insert: Owego, N. Y., post office: For site and commencement, \$15,000.

The amendment was agreed to.

The next amendment was, on page 13, after line 24, to insert: Pasco, Wash., post office: For site, \$10,000.

The amendment was agreed to.

The next amendment was, at the top of page 14, to insert: Paxton, Ill., post office: For site and commencement, \$12,000.

The amendment was agreed to.

The next amendment was, on page 14, after line 7, to insert: Pratt, Kans., post office: For site and commencement, \$7,400.

The amendment was agreed to.

The next amendment was, on page 14, after line 10, to insert: Provincetown, Mass.: Post office and customhouse, for site, \$8,000.

The amendment was agreed to.

The next amendment was, on page 14, after line 14, to insert: Red Bluff, Cal., post office: For site and commencement, \$12,000.

The amendment was agreed to.

The next amendment was, on page 14, after line 16, to insert: Ripon, Wis., post office: For site and commencement, \$10,400.

The amendment was agreed to.

The next amendment was, on page 14, after line 18, to insert: Rhinelander, Wis., post office: For site and commencement, \$5,500.

The amendment was agreed to.

The next amendment was, on page 14, after line 20, to insert: Rochester, Ind., post office: For site and commencement, \$8,200.

The amendment was agreed to.

The next amendment was, on page 14, after line 22, to insert: Rogers, Ark., post office: For site and commencement, \$4,000.

The amendment was agreed to.

The next amendment was, at the top of page 15 to insert: Russellville, Ark., post office: For site and commencement, \$6,000.

The amendment was agreed to,

The next amendment was, on page 15, after line 2, to insert: St. Peter, Minn., post office: For site and commencement, \$2,000.

The amendment was agreed to.

The next amendment was, on page 15, after line 11, to insert: San Pedro, Cal., post office and customhouse: For site and commencement, \$6,000.

The amendment was agreed to.

The next amendment was, on page 15, after line 13, to insert: Sayre, Pa., post office: For site and commencement, \$8,000.

The amendment was agreed to.

The next amendment was, on page 15, after line 20, to insert: State College, Pa., post office: For site and commencement, \$15,685.

The amendment was agreed to.

The next amendment was, at the top of page 16, to insert: Sykeston, Mo., post office: For site, \$7,500.

Mr. MARTIN of Virginia. There is an error in spelling the first word on the first line of page 16. The letter "y" should be stricken out and the letter "i" inserted, so that the word may be "S-i-k-e-s-t-o-n."

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The SECRETARY. On page 16, line 1, it is proposed to spell the first word "S-i-k-e-s-t-o-n."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 16, after line 1, to insert: Thibodaux, La., post office: For site and commencement, \$5,000.

The amendment was agreed to.

The next amendment was, on page 16, after line 5, to insert: Thomson, Ga., post office: For site, \$5,000.

The amendment was agreed to.

The next amendment was, on page 16, after line 8, to insert: Tullahoma, Tenn., post office: For site and commencement, \$7,000.

The amendment was agreed to.

The next amendment was, on page 16, after line 10, to insert: Tyrone, Pa., post office: For site, \$24,000.

The amendment was agreed to.

The next amendment was, on page 16, after line 12, to insert: Valparaiso, Ind., post office: For site and commencement, \$8,200.

The amendment was agreed to.

The next amendment was, on page 16, after line 15, to insert: Vernal, Utah, post office: For site and commencement, \$4,750.

The amendment was agreed to.

The next amendment was, on page 16, after line 17, to insert: Vineland, N. J., post office: For site and commencement, \$12,000.

The amendment was agreed to.

The next amendment was, on page 16, after line 23, to insert: Washington, Mo., post office: For site and commencement, \$6,500.

The amendment was agreed to.

The next amendment was, on page 17, after line 5, to insert: Waynesburg, Pa., post office: For site and commencement, \$15,500.

The amendment was agreed to.

The next amendment was, on page 17, after line 9, to insert: Wilmington, Ohio, post office: For site and commencement, \$12,500.

The amendment was agreed to.

The next amendment was, on page 17, after line 15, to insert: Woodstock, Va., post office: For site, \$4,250.

The amendment was agreed to.

The next amendment was, on page 17, after line 18, to insert: Wyandotte, Mich., post office: For site and commencement, \$15,950.

The amendment was agreed to.

The next amendment was under the subhead "Public buildings, general expenses," on page 18, after line 4, to insert:

The Secretary of the Treasury, in acquiring sites for public buildings in cities and towns with a population of less than 10,000, may, in his discretion, waive the provision contained in existing law which provides that sites so acquired shall face on two streets.

The amendment was agreed to.

The next amendment was, on page 18, after line 9, to insert:

Boston, Mass., customhouse: For furniture equipment, \$75,000: *Provided*, That all furniture belonging to the Government in either rented or owned quarters, used by officials who will occupy space in the new building, shall be transferred so far as practicable.

The amendment was agreed to.

The next amendment was, on page 19, after line 2, to insert:

REVENUE-CUTTER SERVICE.

For repairs to revenue cutters, \$6,444.50.

The amendment was agreed to.

The next amendment was, under the head of "District of Columbia," at the top of page 23, to insert:

Library for the Blind: For aid of the Library for the Blind, located at 1729 H Street NW., \$5,000, said sum to be expended under the direction and supervision of the Commissioners of the District of Columbia.

The amendment was agreed to.

The next amendment was, under the head of "War Department," on page 24, after line 22, to insert:

To pay to the American Surety Co., of New York, the sum of \$100,358.05, the amount of a judgment which the United States recovered against the American Surety Co., and which judgment, on May 15, 1911, the American Surety Co. paid under protest and to avoid the levy and execution under said judgment, and which was covered into the Treasury, which judgment was on June 8, 1914, reversed by the Supreme Court of the United States and a new trial awarded, and upon such new trial a judgment was rendered, June 19, 1914, in favor of the American Surety Co. and the petition of the United States was dismissed.

The amendment was agreed to.

The next amendment was, on page 25, after line 10, to insert:

To pay the claim of H. H. Downing and A. G. Weaver, attorneys, for professional services rendered in connection with the acquirement, by purchase and condemnation, of 5,200 acres of land in Warren County, Va., for a remount station at Front Royal, Va., including traveling and all other expenses incurred in attendance upon the United States District Court for the Western District of Virginia at Lynchburg and Charlottesville, and the condemnation commission at Front Royal, said services embracing the period from June 6, 1911, to August 6, 1913, \$5,000: *Provided*, That the sum hereby appropriated shall be in full satisfaction of all services hereafter to be rendered by said Downing and Weaver in connection with the purchase or condemnation of said land.

Mr. THOMAS. Mr. President, I wish to inquire of the Senator having charge of the bill why the Government should be required to pay attorneys not connected with the Department of Justice for services such as are described in this amendment.

Mr. MARTIN of Virginia. I will say to the Senator that Congress appropriated \$200,000 to acquire land for a remount station. It required legal services far beyond the possibility of the district attorney. There were 45 tracts of land to be acquired, about 18 of them, I believe, in condemnation proceedings, which required going to half a dozen counties in Virginia. I will not go into the details, but it became absolutely necessary to employ special counsel.

Mr. THOMAS. These were employed by the Department of Justice?

Mr. MARTIN of Virginia. I do not know that they were employed by the Department of Justice. The Department of Justice approves the payment of the amount. They were employed by the War Department. The War Department had charge of the acquisition of this land.

Mr. THOMAS. This sum has been approved by the Department of Justice?

Mr. MARTIN of Virginia. Substantially it has. The testimony taken before the—

Mr. THOMAS. By the proper authorities, at any rate?

Mr. MARTIN of Virginia. It has. It was agreed on by the quartermaster officer, Capt. Conrad, who was in charge of the work.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 26, after line 10, to insert:

Lincoln Memorial Commission: Authority is hereby given to pay H. A. Vale for services as secretary of the Lincoln Memorial Commission from March 16, 1913, to February 7, 1914, the sum of \$1,000 from appropriations now available for the erection of the Lincoln Memorial.

The amendment was agreed to.

The next amendment was, on page 26, after line 16, to insert:

To erect at Fort McHenry, Baltimore, Md., under the direction of the Secretary of War, a monument in memory of Francis Scott Key, author of The Star-Spangled Banner, and the soldiers and sailors who participated in the Battle of North Point and the attack on Fort McHenry in the War of 1812, \$75,000, or so much thereof as may be necessary. In the preparation of the plans and selection of a site for said monument, and the execution of all work in connection therewith, the Secretary of War shall form a committee, composed of the mayor of Baltimore, the chairman of the National Star-Spangled-Banner Centennial, the president of the board of park commissioners of Baltimore, and two other persons, to be designated by the Secretary of War, whose suggestion he shall invite and with whom he may confer and consult: *Provided, however*, That the decision of the Secretary of War shall be final in all matters: *Provided*, That the money herein appropriated may be drawn from time to time, as required in the progress of the work, upon requisition of the Secretary of War.

Mr. THOMAS. I make the point of order against this amendment that it is general legislation proposed to an appropriation bill, and that it is not germane or relevant to the subject matter contained in the bill.

Mr. SMITH of Maryland. Mr. President, I wish to say that I introduced a bill in the Senate appropriating this sum of

money some little while back, and that bill has been reported to the Senate, and is on the calendar to-day.

I hope there will be no opposition to this item. Ordinarily I would not ask for its insertion in a deficiency bill, as I am satisfied it will pass the Senate. It has been considered and favorably reported by the Senate Committee on the Library. My reason for asking that it be put in this deficiency bill is because between September 6 and September 16 there is to be a celebration commemorating the Battle of North Point, Fort McHenry, and the author of the anthem "The Star-Spangled Banner." Except for that I would not ask it.

I think this is a most appropriate time and occasion for starting this monument; and if the Senate will indulge me for a few moments I should like to give my reasons. I have informed myself recently as to the historical facts, especially in regard to the most decided and influential part that was taken by the State of Maryland in the War of 1812.

Whatever controversy there may be as to the propriety and justness of the declaration of war by the United States on Great Britain on June 18, 1812, there is no controversy as to the importance of Maryland's part in that war. The war was popular in Maryland. Her people were driven by a deep and sincere faith in the justice of the cause to respond to President Madison's call and the requisition of the Twelfth Congress by an appropriation made at an extra session of the legislature of \$20,000, a large sum for those days, to aid the war. Maryland at the same time raised 6,000 men. A newspaper and its editor who opposed the war were mobbed in Baltimore. Later, after the ignominious surrender by Gen. Hull at Detroit, Maryland raised a regiment, commanded by Col. William Winder, and \$15,000 by popular subscription to fit it out, in addition to manning all the forts and coast defenses within the State with little or no Federal aid, and when the United States Government asked a war loan of \$16,000,000 Maryland, though a small and then sparsely populated State, subscribed \$3,000,000 of the loan. After all, probably no conflict has ever been undertaken with so little thought as to the means of carrying it to a successful termination.

The War of 1812 might have ended with an almost unbroken succession of defeats sustained by our soldiers on land except for the Battle of New Orleans, when Andrew Jackson so decisively defeated the British, and the Battle of North Point, a few miles east of Baltimore, on September 12, 1814.

In 1813 Admiral Cockburn, with his British fleet, had blockaded the Chesapeake and pillaged and terrorized the people along its shores. Towns were burned and private property wantonly destroyed.

In August, 1814, the British forces were further strengthened by the arrival of Admiral Cochrane and his fleet. With him came Gen. Ross and 3,000 veterans of the Napoleonic wars.

Except for a repulse by Maryland militia, at Caulk's field, when the British commanding officer, Sir Peter Parker, was killed, Admiral Cochrane and Gen. Ross met no effective opposition.

Admiral Barney had to destroy his own ships, fitted out at such pains and expense to the United States, to avoid capture by the British in the tributaries of the Potomac. Gen. Ross landed soldiers and sailors and marched to Bladensburg without difficulty, where he defeated and actually routed our troops, though far superior in numbers to his. President Madison, instead of serving a repast prepared for the American officers to enjoy after the anticipated victory, fled with his Cabinet across the Potomac, destroying the bridge behind him. Washington was pillaged and partially burned by an invading foe for the first and the last time.

Baltimore was selected as the next object of British attack. On Sunday, September 11, 50 British ships were within sight of the mouth of the Patapsco River, 14 miles below Baltimore. Gen. Samuel Smith, in charge of the American forces about Baltimore, perceived that the British would land troops and attack the city by land and water.

Everybody in Baltimore, in anticipation of the British attack, had drilled or thrown up fortifications about the city. Volunteers far exceeded the available arms. Fort McHenry, named for Washington's Secretary of War, guarded the city's inner harbor. Temporary defenses elsewhere were hastily thrown up and batteries installed. The city was in an uproar.

Seventeen hundred men under Gen. Stricker were sent out on Sunday down the Philadelphia road to what is now the North Point road. They encamped about an old necting house some 4 miles from the present modern fortifications, known as Fort Howard, or North Point, at the junction of the Patapsco River and Chesapeake Bay. Maryland did not contribute all the men destined that Sunday night to take part in the battle of the

following day, for in Gen. Stricker's command were companies from Marietta, Hanover, and York, Pa.

Early Monday, September 12, the British forces landed at North Point, where Fort Howard now stands. Gen. Robert Ross was in command; with him was Admiral Cockburn. Admiral Cochrane remained aboard ship. Four miles' march up Patapsco Neck brought the British face to face with the Americans. Gen. Ross, veteran of the wars in Egypt, on the Peninsula, and in Holland, was killed in a skirmish before the actual battle began, presumably by two Maryland boys, Wells and McComas, who were in turn killed later in the day. Buried together, their grave is marked by a handsome and fitting monument which is a familiar landmark in Baltimore, and marks the place their bodies have rested nearly a century, now in one of the busiest sections of the city.

Early in the afternoon of Monday the 12th the battle between the British veterans and the nondescript collection of Americans began. After an hour and a half's fight Gen. Stricker retired in good order toward the city, to Worthingtons Mill. Next day the British followed, but never attacked the American forces again on land, and withdrew Tuesday, the 13th of September. The day following the Battle of North Point the British fleet attacked and bombarded Fort McHenry. During most of the day all the ships lay beyond the reach of the American guns. Finally three British ships ventured within range, but within half an hour were driven back to the old anchorage. One, the *Erebus*, was saved from destruction with great difficulty.

During the night of the 13th 1,250 men were sent from the British ships in barges with scaling ladders to storm and take the American defenses. Two barges were sunk and a number of the attacking party killed before the British withdrew. The bombardment continued all through the night of the 13th and did not cease until 7 o'clock on the 14th. Nearly 2,000 shells were discharged from the British ships, and but 4 Americans were killed and 24 wounded. In the land engagement at North Point on Monday the 12th 150 Americans and 600 British were killed.

Peace was declared on December 24, 1814—a Christmas present to the country. Thus one of the few successful land engagements of the war came at the end, and, like the Battle of New Orleans, did much to reestablish the reputation of American arms; for the brilliant exploits and successes of Decatur, a Marylander, at sea and of Perry on the Lakes exceeded anything done on shore.

The Battle of North Point and the futile bombardment of Fort McHenry next day were not big battles, it is true. They resulted immediately in preventing the sack and pillage of Baltimore and redeemed in a measure the earlier mortifying experiences of the war, besides making possible better and quicker terms of peace. Such material results are not to be despised, but, on the other hand, are to be desired and appreciated. Even now, however, it can not be doubted that the greatest good to our Nation growing out of the two days' fight and the one thing which has done most to foster and stimulate our patriotism as a Nation is entirely due to an accident, or, perhaps it is wiser to say, a Providence.

Francis Scott Key, a very young man of extraordinary patriotism and talent, had gone on board one of the British ships several days before under a flag of truce to render some service to a family friend taken on board a British ship down the bay as a prisoner on some capricious charge.

Fearing Key might divulge their plans if released before the battle, the British detained him on board the *Minden*, which was anchored during the bombardment out of harm's way. It was from the deck of the *Minden* that Key watched throughout the day of the 13th the bombardment of Fort McHenry. Through the darkness of the night of the 13th, pacing the deck of the ship of an unfriendly power at war with his native Government, he thought those immortal thoughts which found expression and permanent being in the lines of the "Star-Spangled Banner." On the 14th of September he and his friend were released by the British, and he completed his poem, begun during the actual noise and suspense of the conflict. On the 15th it was first printed. This is the plain story of the way our national anthem was born. It will never die.

The State of Maryland and the city of Baltimore invite the people of the whole United States to share with them and to celebrate with them the centennial anniversary of the birth of this same stirring anthem.

It is fitting that the Government of all the people should have a part, and the largest part, in this celebration of the one hundredth anniversary of the triumph of American military valor, and literary inspiration unsurpassed. While the love of country, while memories of great and brave men who have made our land, and while the sentiment which has stirred every true

American for nearly 100 years who has heard the inspired words and quickening strains of the Star-Spangled Banner can not be reduced to terms of dollars and cents, some more precious medium of exchange must be used; still it is not amiss to remind the Senate that participation in this celebration benefiting the occasion and this Government can not be had cheap.

The municipal government of Baltimore, headed by Mayor Preston, have dealt energetically with the scheme for this celebration; committees of citizens and patriotic organizations have banded together and laid out a tasteful, interesting, and dignified program for this centennial celebration to begin on September 6 and to end on September 13 next. The time is short; the necessity urgent for any action to be effective to be promptly taken. Maryland and the city of Baltimore have raised \$150,000 toward the expenses of this celebration. We think it proper and we ask and urge the active cooperation of Congress in paying appropriate tribute and respect to a national benefaction, priceless to a patriotic people.

Mr. President, I think there is no more fitting time than this to help to celebrate this occasion by an appropriation from Congress of the amount provided in the amendment. I would say that I have had the bill before the Senate, and it has been reported favorably by the committee and is now on the calendar.

Mr. THOMAS. When was it reported?

Mr. SMITH of Maryland. It was reported yesterday. I hope the Senator from Colorado will not only not object to the amendment but will vote for it. I think it is entirely appropriate and it should be adopted.

During the delivery of the speech of Mr. SMITH of Maryland, The PRESIDING OFFICER. The Senator from Maryland will suspend for a moment. The hour of 1 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 15613) to create an interstate trade commission, to define its powers and duties, and for other purposes.

Mr. MARTIN of Virginia. I ask that the unfinished business be temporarily laid aside.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Maryland will proceed.

After the conclusion of the speech of Mr. SMITH of Maryland,

Mr. THOMAS. If a bill for this purpose has been favorably reported we can consider it on its merits. I object to such items being tacked on a general appropriation bill, because it is no part of a deficiency and can not be.

It is not the purpose of this bill, Mr. President, to act as a medium for the enactment of legislation which ought to stand upon its own merits. It is too much the custom of Congress to permit such things, in consequence of which large amounts of money are appropriated which upon their own merits might be rejected.

If the rule of the Senate is intended for anything it is intended for just such an emergency. It provides that—

No amendment which proposes general legislation shall be received to any general appropriation bill, nor shall any amendment not germane or relevant to the subject matter contained in the bill be received; nor shall any amendment to any item or clause of such bill be received which does not directly relate thereto.

Of course this must be submitted without debate under the rule. I did not see fit to raise the question of order, preferring the Senator from Maryland should have the courtesy of making his statement in regard to the item. That statement has consisted of a historical account of the battles around Fort McHenry and the circumstances under which the Star-Spangled Banner was written.

Mr. President, I of course do not in any way wish to detract from the historical value of that discussion or from the great service Mr. Francis Scott Key rendered to the Nation in writing the Star-Spangled Banner, but this country needs the money which it has in its Treasury for the living. There are many things that are insistent which are called to our attention but which can not receive proper consideration on account of the possible deficiency and on account of demands of this sort, which are increasing very naturally from time to time after the precedent has been started. I insist upon the point of order.

Mr. SMITH of Maryland. I will say to the Senator from Colorado there was a similar bill before the Senate the other day, and he withdrew his point of order against it.

Mr. THOMAS. Yes; and my conscience has been haunting me ever since.

Mr. SMITH of Maryland. The reason why I have asked for the adoption of the amendment on this bill is, as I stated before, because of the appropriateness of the occasion and the

time when we are going to give this celebration. Probably there will be 100,000 people from all over the country at the celebration in Baltimore, and a sum in excess of \$150,000 has been appropriated by the State of Maryland and the city of Baltimore and subscribed by citizens to properly celebrate this event. My object in having the amendment go on this bill is because this is the most fitting time and occasion in which to start a monument for the sailors and soldiers of the Battles of North Point and Fort McHenry and the author of the anthem of the Star-Spangled Banner. I do hope the Senator from Colorado will take these facts into consideration and withdraw his point of order.

Mr. THOMAS. I will state that on the occasion to which the Senator refers I was satisfied it was largely due to the precedent established the year before with reference to the Battle of Lake Erie, and that in its turn would be followed by similar appropriations. If this thing continues we are going to be bedeviled by applications for appropriations for statues from all the States, for all occurrences which have historic value, and they will in all probability be presented in the shape of amendments to the deficiency and other general appropriation bills.

The PRESIDING OFFICER. Upon the amendment the Chair is inclined to submit the question of order to the Senate. The question is, Is the amendment proposed by the committee in order on this bill? [Putting the question]. The ayes seem to have it. The ayes have it.

Mr. THOMAS. Mr. President, one moment. I did not understand the question as it was put to the Senate and I do not think that some other Senators did. I certainly did not.

The PRESIDING OFFICER. The Chair will restate the question submitted to the Senate. Is the amendment proposed by the committee in order?

Mr. LEE of Maryland. I submit respectfully that the question has been put and the amendment has been sustained.

The PRESIDING OFFICER. But the Chair does not care to have any misunderstanding of his position.

Mr. GALLINGER. Let the question be put again.

The PRESIDING OFFICER. The question will be put again. Is the amendment of the committee in order? [Putting the question.] The ayes appear to have it.

Mr. THOMAS. I call for the yeas and nays.

The yeas and nays were not ordered.

Mr. THOMAS. I ask for a division.

The PRESIDING OFFICER. The Senator from Colorado demands a division. Senators who believe that the amendment is in order will rise and stand until counted. [A pause.] Those who believe it is not in order will rise and stand until counted. [A pause.] The ayes have it, and the Senate decides that the amendment is in order. The question is on agreeing to the amendment of the committee.

Mr. SHAFROTH. Mr. President, I wish to be heard for just a minute, because in the committee I voted against putting this amendment as a rider upon the appropriation bill. My objection is not that it is not a very commendable event that ought to be celebrated, for it is, in fact, one of the great events, but my objection is due to the fact that it is not proper, in my judgment, to place it on this appropriation bill. I told the Senator from Maryland I would not make a point of order against the amendment, but that I would probably oppose it in the Senate.

Mr. President, there ought to be some general arrangement, some general plan of allowing monuments to be erected, if we are going to erect them outside of the District of Columbia. I understand that very few monuments have been erected by the United States Government outside of the District of Columbia, and it seems to me that we ought to adhere to the rule that they shall be erected here. If we do not adhere to it, as we have deviated from it in the case of the Battle of Lake Erie and the Battle of Lake Champlain, it ought to be under some general rule. It ought to be under a rule that the State or the city that desires the monument shall pay a certain proportion thereof.

It is true that the city of Baltimore and the citizens thereof have subscribed a large sum of money, probably \$100,000.

Mr. SMITH of Maryland. One hundred and fifty thousand dollars, and it will probably reach \$200,000.

Mr. SHAFROTH. The city of Baltimore and the citizens have given that amount for this celebration, but the difficulty with that argument is that it is done for the purpose of getting people there. They expect to get the money back. The city of Denver gave \$100,000 to get the Democratic national convention there, but it expected to get it back. Such contributions are made by cities not for the monument, but it is to draw great crowds. As the Senator from Maryland has said, 100,000 people will go to Baltimore at the centennial of this event.

There has been sent to me by some one, I do not know by whom, a pamphlet, and in that pamphlet there is an illustration showing a statue already of Key, the author of the Star-Spangled Banner, and it is a very beautiful monument. I understand that Fort McHenry is only a few miles away, that it is practically a part of the city of Baltimore, with street railway connections. Is it possible that we ought to have a monument erected in Baltimore at Fort McHenry when there is already a monument, beautiful in its design, which will probably cost \$75,000, within a stone's throw, practically, of the monument that is proposed to be erected?

It does seem to me that that is one of the reasons why we ought not to attach such items on appropriation bills. They ought to be investigated and the question ought to be determined and there ought to be some kind of a pro rata arrangement between the city or State and the National Government, if the Government is going outside of the District of Columbia and erect monuments.

For that reason, Mr. President, it seems to me that this monument ought not to be paid for by the National Government as an entirety, even if we adopt such a theory; and I am opposed to going out of the District of Columbia except in the rarest case, such as we have done in one or two cases. I think it was not proper to do it in the case of Lake Champlain, which we passed the other day.

The PRESIDING OFFICER (Mr. LEA of Tennessee in the chair). Without objection, the amendment will be agreed to.

Mr. SHAFROTH. I ask for a vote on it.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The next amendment was, under the head of "Fortifications in insular possessions," on page 28, after line 7, to strike out:

The action of the Secretary of War in heretofore transferring submarine mines and appliances to operate them to the value of \$17,075.78 from stock on hand for use in continental United States for the protection of harbors in the Philippine Islands is ratified and legalized.

And insert:
For the purchase of submarine mines and necessary appliances to operate them for closing the channels leading to our principal sea-ports, and continuing torpedo experiments, being in reimbursement of the cost of submarine mines and appliances to operate them transferred for the protection of harbors in the Philippine Islands, \$17,075.78.

The amendment was agreed to.

The next amendment was, under the head of "Department of the Interior," subhead "General Land Office," on page 34, after line 16, to insert:

The accounting officers of the Treasury are authorized and directed to credit in the accounts of George W. Evans, chief disbursing clerk, Department of the Interior, the payments made to James F. Gill for services rendered as superintendent of reconstruction and general repairs to the toilet rooms, Pension Office Building, from November 11, 1912, to May 31, 1913, at a compensation of \$150 per month, \$1,800.

The amendment was agreed to.

The next amendment was, under the head of "United States courts," on page 37, after line 13, to insert:

For clothing and transportation, including the same objects specified under this head for this institution in the sundry civil appropriation act for the fiscal year 1914, \$51.07.

The amendment was agreed to.

The next amendment was, under the head of "Department of Commerce," at the top of page 40, to insert:

COAST AND GEODETIC SURVEY.
For payment to the Alaska Steamship Co. for damage inflicted by the Coast and Geodetic Survey steamer *McArthur* to the steamer *Dora* of the Alaska Steamship Co., \$25.10.

The amendment was agreed to.

The next amendment was, on page 40, after line 5, to insert:

For payment to the Hartford & New York Transportation Co. for damage to the barge *C. T. Marston* by the Coast and Geodetic Survey steamer *Hydrographer* on August 30, 1913, \$121.42.

The amendment was agreed to.

The next amendment was, under the head of "Legislative," on page 41, after line 7, to insert:

To pay to Mrs. Margaret D. Bradley, widow of Hon. William O. Bradley, late a Senator from the State of Kentucky, the sum of \$7,500.

The amendment was agreed to.

The next amendment was, on page 41, after line 10, to insert:

For compensation of the officers, clerks, messengers, and others in the service of the Senate, as follows:
For salaries of clerk, \$2,220 per annum; assistant clerk, \$1,440 per annum, and messenger at \$1,200 per annum, to the Committee on Expenditures in the Department of Labor from July 1, 1914, to June 30, 1915, and a sufficient sum is hereby appropriated out of any moneys in the Treasury not otherwise appropriated.

The amendment was agreed to.

The next amendment was, on page 41, after line 19, to insert:

To pay to James M. Porter, at the rate of \$2,000 per annum, from March 26 to April 6, 1913, and Nettie K. De Freitas, at the rate of

\$1,200 per annum, from March 26 to April 14, 1913, as clerk and stenographer to Senator SHZEMAN.

The amendment was agreed to.

The next amendment was, at the top of page 42, to insert:

To pay to E. W. Lillard, at the rate of \$2,220 per annum, Rella M. Lane, at the rate of \$1,440 per annum, and Ephraim S. Lillard, at the rate of \$1,200 per annum, the same being for services as clerk, assistant clerk, and messenger, respectively, to the Committee on Revolutionary Claims, for 60 days' services, from May 7, 1914.

The amendment was agreed to.

The next amendment was, on page 42, after line 6, to insert:

To pay to L. W. Jones for services as assistant clerk to the Committee on Naval Affairs from June 1 to 4, and from July 1 to 15, 1914, at the rate of \$1,440 per annum.

The amendment was agreed to.

The next amendment was, on page 42, after line 10, to insert:

To pay to R. B. Nixon for compensation and expenses in disbursing for the Joint Committees on Federal Aid in the Construction of Post Roads; to Investigate Second-Class Mail Matter; to Investigate General Parcel Post; and to Investigate the Purchase of American-Grown Tobacco by Foreign Governments, from January, 1913, \$500.

The amendment was agreed to.

The next amendment was, on page 42, after line 17, to insert:

To pay Hon. Blair Lee for expenses incurred by him in the proceedings involving the validity of his credentials and his right to a seat in the United States Senate, \$1,500.

The amendment was agreed to.

The next amendment was, on page 42, after line 20, to insert:

To pay Hon. Frank P. Glass for expenses incurred by him in the proceedings involving the validity of his credentials and his right to a seat in the United States Senate, \$1,500.

The amendment was agreed to.

The next amendment was, at the top of page 43, to insert:

To pay to Frank Oliver for extra services as clerk to the Committee on Interoceanic Canals, \$750.

The amendment was agreed to.

Mr. SIMMONS. I understand that we are considering committee amendments.

Mr. MARTIN of Virginia. We are, by unanimous consent. If the Senator wishes to offer an amendment, he will have to wait until we get through with the committee amendments.

Mr. SIMMONS. My only reason for not waiting is that I am very anxious to leave the Chamber.

Mr. MARTIN of Virginia. It would be a violation of the unanimous-consent agreement. I would have no objection, but I do not think it would be proper to have the unanimous-consent agreement violated by anyone.

Mr. SIMMONS. After that statement by the Senator, I shall not insist upon offering the amendment now.

The next amendment was, on page 43, after line 2, to insert:

To pay Atwell J. Clopton, as additional compensation for extra services rendered the subcommittee of the Committee on the Judiciary engaged in the investigation of the maintenance of a lobby, pursuant to Senate Resolution No. 92, during the first and second sessions of the Sixty-third Congress, \$500.

The amendment was agreed to.

The next amendment was, on page 43, after line 8, to insert:

To pay Dennis M. Kerr for extra and expert services rendered to the Committee on Pensions during the first and second sessions of the Sixty-third Congress, as assistant clerk to said committee, by detail from the Bureau of Pensions, \$1,200.

The amendment was agreed to.

The next amendment was, on page 43, after line 13, to insert:

To reimburse the official reporters of debates for moneys actually and necessarily expended by them to June 30, 1914, \$3,000, and to pay Eugene C. Moxley, clerk on Journal work for CONGRESSIONAL RECORD, for extra services, \$400; in all, \$3,400.

The amendment was agreed to.

The next amendment was, on page 45, after line 16, to insert:

JUDGMENTS, UNITED STATES COURTS.

For payment of the final judgments and decrees, including costs of suits, which have been rendered under the provisions of the act of March 3, 1887, entitled "An act to provide for the bringing of suits against the Government of the United States," certified to Congress at its present session by the Attorney General in Senate Document No. 546, and which have not been appealed, namely:

Under Department of the Interior, \$1,228.60.

In all, \$1,228.60; together with such additional sum as may be necessary to pay interest on the respective judgments at the rate of 4 per cent per annum from the date thereof until the time this appropriation is made.

The amendment was agreed to.

The next amendment was, under the head of "Judgments, Court of Claims," on page 46, line 9, after the words "One thousand and forty-nine," to insert "and Senate Document No. 647," so as to read:

For the payment of the judgments rendered by the Court of Claims, reported to Congress at its present session in House Document No. 1049 and Senate Document No. 547, namely:

The amendment was agreed to.

The next amendment was, on page 46, line 12, after the words "War Department," to strike out "\$29,208.52" and insert "\$30,438.65," so as to make the clause read:

Under War Department, \$30,438.65.

The amendment was agreed to.

The next amendment was, on page 46, line 13, after the words "Navy Department," to strike out "\$20,302.29" and insert "\$20,601.10," so as to make the clause read:

Under Navy Department, \$20,601.10.

The amendment was agreed to.

The next amendment was, on page 46, line 17, after the words "Treasury Department," to strike out "\$48,596.54" and insert "\$49,736.76," so as to make the clause read:

Under Treasury Department, \$49,736.76.

The amendment was agreed to.

The next amendment was, on page 46, line 19, after the words "In all," to strike out "\$102,270.97" and insert "\$104,940.13," so as to make the clause read:

In all, \$104,940.13.

The amendment was agreed to.

The next amendment was, on page 54, after line 1, to insert as a new section the following:

SEC. 3. That for the payment of the following claims, certified to be due by the several accounting officers of the Treasury Department under appropriations the balances of which have been exhausted or carried to the surplus fund under the provisions of section 5 of the act of June 20, 1874, and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1912 and other years, unless otherwise stated, and which have been certified to Congress under section 2 of the act of July 7, 1884, as fully set forth in Senate Document No. 548, reported to Congress at its present session, there is appropriated as follows:

CLAIMS ALLOWED BY THE AUDITOR FOR THE TREASURY DEPARTMENT.

For collecting revenue from customs, \$1.06.
For Public Health and Marine-Hospital Service, \$11.11.
For quarantine service, \$50.73.
For refunding taxes illegally collected, \$1,526.21.
For payment of judgments against internal-revenue officers, \$16,096.18.
For expenses of Revenue-Cutter Service, \$3.71.
For Life-Saving Service, \$63.12.
For repairs and preservation of public buildings, \$179.
For general expenses of public buildings, \$3.78.

CLAIMS ALLOWED BY THE AUDITOR FOR THE WAR DEPARTMENT.

For pay, etc., of the Army, \$18,456.19.
For extra-duty pay to enlisted men as clerks, etc., at Army division and department headquarters, \$439.50.
For regular supplies, Quartermaster's Department, \$343.70.
For transportation of the Army, and its supplies, \$9,120.76.
For ordnance stores and supplies, \$11.75.
For headstones for graves of soldiers, \$13.45.

CLAIMS ALLOWED BY THE AUDITOR FOR THE NAVY DEPARTMENT.

For pay of the Navy, \$1,232.24.
For pay, Marine Corps, \$658.33.
For transportation and recruiting, Marine Corps, \$121.56.
For transportation, Bureau of Navigation, \$19.08.
For maintenance of naval auxiliaries, Bureau of Navigation, \$28.56.
For maintenance, Bureau of Yards and Docks, \$1,094.92.
For freight, Bureau of Supplies and Accounts, \$1,919.45.
For contingent, Bureau of Supplies and Accounts, \$43.20.
For destruction of clothing and bedding for sanitary reasons, \$91.68.
For enlistment bounties to seamen, \$91.94.

CLAIMS ALLOWED BY THE AUDITOR FOR THE INTERIOR DEPARTMENT.

For law library, Patent Office, 1912, \$3.75.
For education of natives of Alaska, \$10.
For contingent expenses, office of surveyor general of Idaho, 1914, \$1.24.
For contingent expenses, office of surveyor general of Utah, 1914, \$9.10.
For expenses of hearings in land entries, 1913, \$2.22.
For surveying the public lands in Utah, \$530.88.
For Geological Survey, \$32.23.
For purchase and transportation of Indian supplies, 1913, \$42.16.
For telegraphing and telephoning, Indian Service, 1913, \$7.82.
For support of Coeur d'Alenes, Idaho, 1913, \$3.08.
For indemnity to certain Chickasaw Indians for losses, treaty June 22, 1855, \$5,743.

CLAIMS ALLOWED BY THE AUDITOR FOR THE STATE AND OTHER DEPARTMENTS.

For transportation of diplomatic and consular officers, \$291.40.
For preservation of collections, National Museum, \$47.86.
For general expenses, Bureau of Animal Industry, \$8.87.
For general expenses, Bureau of Plant Industry, \$2.51.
For general expenses, Forest Service, \$2.43.
For improvement of the national forests, \$6.92.
For general expenses, Bureau of Soils, \$2.67.
For general expenses, Weather Bureau, \$8.36.
For contingent expenses, Department of Commerce and Labor, \$5.42.
For supplies of lighthouses, 92 cents.
For expenses of light vessels, \$126.54.
For expenses of buoyage, \$13.40.
For miscellaneous expenses, Bureau of Fisheries, 80 cents.
For expenses of regulating immigration, \$119.25.
For salaries, fees, and expenses of marshals, United States courts, \$4.80.
For fees of commissioners, United States courts, 1913, \$82.80.
For fees of commissioners, United States courts, \$199.60.

The amendment was agreed to.

Mr. OVERMAN. Mr. President, I wish to offer an amendment. I wish to say that being at work on the Judiciary Committee, while I did receive a notice of the meeting of the Committee on Appropriations, I was negligent in not bringing it to the attention of the committee. I believe the committee will accept the amendment.

Mr. MARTIN of Virginia. I will state the senior Senator from North Carolina [Mr. SIMMONS] wishes to leave the Chamber on an urgent matter, and I ask the junior Senator from North Carolina to withhold his amendment for a few moments.

Mr. OVERMAN. Certainly; I yield to my colleague.

Mr. SIMMONS. Between lines 2 and 3, on page 43, I move to insert the amendment I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 43, after line 2, it is proposed to insert:

To pay Frank G. Jones for 15 days' extra services rendered to the Committee on Interoceanic Canals during the tolls hearing the sum of \$75.

The amendment was agreed to.

Mr. NELSON. I offer the following amendment—

Mr. OVERMAN. I have sent an amendment to the desk.

The PRESIDING OFFICER. The Senator from Minnesota will indulge the Chair. There is an amendment pending. It will be stated.

The SECRETARY. The Senator from North Carolina [Mr. OVERMAN] moves to amend, on page 55, after line 15, by inserting the following:

The accounting officers of the Treasury are hereby directed to adjust, settle, and pay, out of any money in the Treasury not otherwise appropriated, not to exceed in all the sum of \$175,000, to officers of the Army, their heirs or legal representatives, pay as commutation for longevity rations, or other pay or allowances that may be due said officers, their heirs or legal representatives, under the decisions of the Supreme Court of the United States, any statute of limitations to the contrary notwithstanding, which claims have been heretofore barred from adjustment and settlement by section 3480, United States Revised Statutes, repealed by act of Congress approved July 6, 1914.

Mr. OVERMAN. Congress at the present session repealed section 3480. The Senate had repealed the section several times, but it had always failed in the House of Representatives. It went to the House of Representatives at this session, and by an almost unanimous voice the House repealed the section. To carry out the repeal of the section and allow the Confederate soldiers who fought in the war, such as Gen. Lee, Stonewall Jackson, and others, to receive the amount of money that is actually due them on the books of the Treasury Department I have introduced the amendment.

Mr. MARTIN of Virginia. I ask that the amendment may be inserted at the end of the bill, after line 9, on page 53.

Mr. OVERMAN. Very well, let it be inserted at the end of the bill.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from North Carolina.

The amendment was agreed to.

Mr. HUGHES. I offer the following amendment.

The PRESIDING OFFICER. The amendment will be read.

The SECRETARY. On page 43, after line 8, insert the following:

To pay Byford E. Long, jr., for indexing and extra services as clerk to the Committee on Pensions, Sixty-third Congress, first and second sessions, \$800.

Mr. HUGHES. Mr. President, I offer this amendment in behalf of the Senator from Indiana [Mr. SHIVELY], who is detained from the Senate on account of illness. The object of it is to pay the clerk of the Committee on Pensions a sum somewhat smaller than has been heretofore paid to that official for extra services rendered during a session of Congress. For the past 15 years such an appropriation has been made, and in nearly every case a larger sum has been appropriated. The Committee on Pensions have been extraordinarily busy during the present session. They have acted upon something like 3,300 bills. This is an extremely faithful official, who has rendered a great amount of laborious service, and has done everything in his power to facilitate the work of the Senate. I trust the amendment will be adopted.

Mr. MARTIN of Virginia. Mr. President, the Senate may dispose of this matter as it sees fit; I am not going to say anything in opposition to it. But I am going to say, in order that Senators may understand the course I will pursue in the future, that this has been, it seems, an abuse for 15 years, and there could not be a more flagrant abuse than the practice of increasing a salary by a donation at the end of a session. It has been running through a period of 15 years, and I am not opposing it at this time; but I give notice that hereafter I will raise the point of order and I will resist to the utmost such gratuities asked for at the closing hours of the consideration of an appropriation bill. If the salaries paid are not sufficient, and if

Senators will come before the committee with amendments to the law increasing the compensation of the employees of their committees, such amendments will have careful consideration, but this is the last time that I will sit quiet and not oppose what I consider an intolerable abuse.

We know nothing about these things. There is not a committee clerk in the employ of the Senate in behalf of whom Senators might not get up here and make the same statement. I want some system about this matter, but I will say not one word against this amendment. It has been done, it seems, from time immemorial; but this is the last time that I shall acquiesce, if I can prevent it, in an appropriation of this sort.

The PRESIDING OFFICER. The question is on the amendment.

Mr. GALLINGER. Let the amendment be stated.

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. On page 43, after line 8, it is proposed to insert the following:

To pay Byford E. Long, jr., for indexing and extra services as clerk to the Committee on Pensions, Sixty-third Congress, first and second sessions, \$900.

The PRESIDING OFFICER. The question is on the amendment.

The amendment was agreed to.

Mr. NELSON. I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment proposed by the Senator from Minnesota will be stated.

The SECRETARY. On page 43, after line 18, it is proposed to insert the following:

To enable the Secretary of the Senate and the Clerk of the House of Representatives to pay to the officers and employees of the Senate and House borne on the annual and session rolls on the 1st day of July, 1914, including the Capitol police, the Official Reporters of the Senate and House, and W. A. Smith, CONGRESSIONAL RECORD clerk, for extra services during the first and second sessions of the Sixty-third Congress, a sum equal to one month's pay at the compensation then paid them by law, the same to be immediately available.

The PRESIDING OFFICER. The question is on the amendment.

Mr. BRYAN. Mr. President, I raise a point of order against the amendment.

The PRESIDING OFFICER. The Senator will state his point of order.

Mr. BRYAN. My point of order is that this proposed appropriation is not estimated for or reported by a standing or select committee of the Senate.

The PRESIDING OFFICER. The Chair will submit the question of order to the Senate.

Mr. BRYAN. Mr. President, the rule is perfectly plain. Why does the Chair wish to submit the question to the Senate? It has been raised before, and has always been sustained. I do not know that anybody will contend that the amendment is not subject to a point of order.

Mr. THOMAS. Mr. President, I made a similar point of order a few moments ago, but my recollection is that the Senator from Florida voted against it.

Mr. BRYAN. That has nothing to do with this case. The Senator's point of order was not good.

Mr. THOMAS. It was a good point of order.

Mr. BRYAN. It was not. I repeat, this amendment has not been estimated for.

Mr. THOMAS. That is true, and I stand corrected.

The PRESIDING OFFICER. The Chair has been advised that a point of order like the one now made by the Senator from Florida [Mr. BRYAN] has been heretofore made and has been overruled. The Chair has the privilege of submitting the point of order to the Senate, and he therefore so submits it.

Mr. BRYAN. The point of order has never heretofore been overruled to my knowledge.

The PRESIDING OFFICER. The Chair has the privilege of submitting the point of order to the Senate, and does submit it to the Senate. All who believe the amendment is in order will make it known by saying "aye." [A pause.] Those who believe the amendment is not in order will make it known by saying "no." The yeas have it, and the point of order is sustained.

Mr. BRYAN. Mr. President, it is not a pleasant task to raise this point of order. There are many employees who do real work around the Senate and the other House whom I would be perfectly willing to see paid more money on account of the long sessions of Congress, although I believe the salaries ought to be fixed in accordance with the work done. I will vote as freely and as willingly as will any other Senator to pay just salaries; but, sir, the amendment offered by the Senator from Minnesota goes much further than that, for it means an additional appro-

priation of between \$150,000 and \$200,000. I can not get my consent to sit silently by, without raising the point of order, to pay that sum to people already receiving as much money, if not more money, than they could in any other activity of life, either in private or public employment.

I have raised this point of order on every appropriation bill upon which it has been offered, and I shall continue to do so, because I do not believe we have, in good conscience, the right to take a sum of money ranging, perhaps, up to \$200,000 to pay to employees some of whom are getting good salaries for but little work.

Mr. KERN. Mr. President—

Mr. GALLINGER. Regular order, Mr. President.

Mr. KERN. I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment proposed by the Senator from Indiana will be stated.

The SECRETARY. On page 3, after line 14, it is proposed to insert the following:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to refund, out of any moneys in the Treasury not otherwise appropriated, to any trust company or other claimant, taxes erroneously assessed or illegally collected under section 2 of the war-revenue act of June 13, 1898 (30 Stat. L., p. 448), from such trust company or other claimant on its capital, surplus, or undivided profits, in accordance with the decisions of the circuit court of appeals in the case of *Treat, collector v. The Farmers' Loan & Trust Co.* and the *Central Trust Co.*, of New York (185 Fed. Repts., pp. 760 to 765).

Mr. KERN. Mr. President, this amendment simply provides that the United States shall pay this money, which it owes according to the decision of the court. It is conceded by the Secretary of the Treasury that such is the case. I hope there will be no objection to the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Indiana.

Mr. THOMAS. I do not know that I comprehend the force of the amendment. I should like to have it again read.

Mr. KERN. It provides for the refund of taxes unlawfully collected.

Mr. BRYAN. Mr. President, I raise the point of order on the amendment that it is general legislation on an appropriation bill. There is a proper place for these claims before the proper committee.

The PRESIDING OFFICER. The Chair will submit to the Senate the point of order raised by the Senator from Florida.

Mr. KERN. Mr. President, if there is any question about the United States owing these people the amount that is conceded by the Secretary of the Treasury, justification is found for this appropriation in the decision of the court. The matter has been heretofore before the committee, and I think the justice of it is conceded by everybody; no one disputes the justice of the claim.

Mr. BRYAN. Mr. President, if so, the Senate can take the matter up in the regular and proper manner and consider and pass it. We do not know how much money is involved in this amendment. Such claims ought to be properly presented. I am not usually very jealous about other committees; but we have a Committee on Claims established for the purpose of considering claims against the Government, where the evidence is looked into, where the amount of the claim is examined, and where reports from the departments as to the amount of such claims are asked for and sent to the committee. I think it is bad legislation to put a wholesale amendment on a deficiency or other appropriation bill without knowing what is the amount involved or what are the circumstances of the case.

Mr. GALLINGER. Mr. President—

Mr. SHAFROTH. Has the Senator from Florida any idea of the amount which will be involved?

Mr. BRYAN. I have none whatever.

Mr. SHAFROTH. Has the Senator from Indiana any idea of it?

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

Mr. KERN. Mr. President—

Mr. GALLINGER. I addressed the Chair to take the floor in my own right. I thought the Senator from Florida was through. I rose to ask the Senator from Indiana a question. Evidently this matter is to be submitted to the Senate, and we want to vote correctly on it if we can. I ask the Senator from Indiana to make a brief statement covering this case. What are the facts?

Mr. KERN. Mr. President, the matter has been presented to the Committee on Appropriations very frequently at different times, and I presume the Senator from Virginia [Mr. MARTIN] knows more about it than do I. I have no interest in the claim at all. I offer the amendment because two trust companies in my State have made this claim to the Secretary

of the Treasury, and I understand that a number of other trust companies have done likewise.

The claim is for taxes erroneously assessed and illegally collected under the war-revenue act of 1898. The Secretary of the Treasury, I know—for I have seen his written statement to that effect—admits the justice of these claims; but he contends that under the existing statute he is without power to pay them and has relegated these people to Congress for their remedy.

Mr. GALLINGER. Has the circuit court of appeals given a favorable opinion on the claims?

Mr. KERN. The circuit court of appeals in the case referred to here of *Treat, collector, v. The Farmers' Loan & Trust Co.* and the *Central Trust Co.* of New York have so decided. That decision is accepted as the law by the Treasury Department.

Mr. GALLINGER. Mr. President—

Mr. SHAFROTH. I should like to ask the Senator—

The PRESIDING OFFICER. The Senator from New Hampshire has the floor.

Mr. GALLINGER. Mr. President, I have a great many times during my service here stated that if the United States were a private party or a corporation, and there was a law that would incarcerate persons or corporations for not paying their honest debts, the United States would be in jail all the time.

Mr. KERN. Yes, sir.

Mr. GALLINGER. And I have put myself on record as being in favor of paying every just claim that a citizen of this country has against the United States. I do not know but it would bankrupt the Government, for the Government is treating its citizens in this regard shamelessly, as I look at it. As the court has decided that this is a just claim, and as it is not controverted by the department, as I understand, I certainly shall vote in favor of putting it on any bill that it can properly be put on until it is paid.

Mr. BRYAN. I want to say, in reply to the Senator from Indiana [Mr. KERN], that I should like to have the letter of the Secretary of the Treasury read.

Mr. KERN. I have not the letter at hand.

Mr. BRYAN. Who has this information?

Mr. KERN. The Senator will have to take my word for some things. The chairman of the Committee on Appropriations, I think, is acquainted with the circumstances.

Mr. BRYAN. Mr. President, my recollection is that some of the tax collected under the war-revenue act of 1898 has been refunded, and bills have been pending before the Committee on Claims a good many times providing for additional refunds. Some of those who paid, as they had a right to do, at the time the tax was collected paid the money under protest or filed claims within a certain period of time. Sixteen years have elapsed since that tax was levied, and now on this fragmentary showing and upon the recollection of some one as to what the Secretary of the Treasury says ought to be paid, we are asked to appropriate an unknown sum.

These claimants have had their remedy in the courts; and the committees of the Senate have been open to them for 16 years to make any showing they could that they had either legal or equitable claims which could have received the attention of the Senate. I think there can be no question that the point of order is well taken, because no Senator will undertake to say that this is not general legislation on an appropriation bill.

The PRESIDING OFFICER. The question is, Is the amendment in order? Senators in favor of declaring the amendment in order will vote "aye"—

Mr. SMOOT. Mr. President, I desire to know how the question is going to be put to the Senate?

The PRESIDING OFFICER. Senators who believe the amendment is in order will vote "aye"; those who do not believe the amendment is in order will vote "no."

Mr. BRYAN. The question does not come upon the merits of the amendment, but it comes upon the question of whether the amendment is in order.

The PRESIDING OFFICER. The Chair has so stated. The question is, Is the amendment in order?

Mr. SMOOT. I understood the Chair would put the question in that way, for that is the way in which it should be put.

Mr. President, I feel that there is no doubt that the point of order lies against this amendment. I should dislike to be put in the position by voting to incorporate the amendment in the bill of voting at the same time against what I believe to be an absolute compliance with the rule.

Mr. GALLINGER. Does the Senator from Utah think it is general legislation? Does he think that point is well taken?

Mr. SMOOT. I think it is.

Mr. GALLINGER. On a matter that relates to two corporations?

Mr. SMOOT. We can not tell how many it refers to; it is general legislation covering everybody who would come under the provisions of the amendment.

Mr. GALLINGER. I do not so understand.

Mr. SMOOT. It may be one, or it may be a thousand; we can not say how many there will be.

Mr. GALLINGER. There are but two named in the amendment.

Mr. BRYAN. The amendment could not be framed in much more general language than it is. It applies to everybody who comes within its terms.

Mr. SMOOT. Therefore, if the question is put in that way, I shall have to vote that the point of order is well taken, because I think that it is, and I believe that under our rules the ruling of the Chair could not be otherwise than to sustain the point.

The PRESIDING OFFICER. The question before the Senate is, Is the amendment in order? [Putting the question.] The noes seem to have it; the yeas have it, and the amendment is declared to be out of order.

Mr. WARREN. Mr. President, at the request of the department, I offer the amendment which I send to the desk, and ask that it be inserted in the proper place in the bill. If the point for its insertion indicated on the amendment is an improper place, I ask that the Secretary may change it.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 39, after line 24, it is proposed to insert:

BUREAU OF FISHERIES.

Fish hatchery, Saratoga, Wyo.: For addition to the Saratoga, Wyo., fisheries station, including construction of buildings and ponds, improvement to water supply, and for equipment, to remain available until expended, \$25,000.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. THOMAS. Mr. President, I should like to inquire if an estimate has been made for that amendment?

Mr. WARREN. I desire to say that I have just received a letter from the department regarding this matter. If the Senator would like to hear it, I will ask that the letter be read.

Mr. THOMAS. I ask that the letter be read.

Mr. WARREN. Mr. President, I send the letter to the Secretary's desk and ask to have it read.

The PRESIDING OFFICER. In the absence of objection, the Secretary will read as requested.

The Secretary read as follows:

DEPARTMENT OF COMMERCE,
OFFICE OF THE SECRETARY,
Washington, July 18, 1914.

Hon. FRANCIS E. WARREN,
United States Senate.

MY DEAR SENATOR: Knowing your interest in the establishment and construction of the Saratoga, Wyo., fish-cultural station, I beg to call your attention to the condition which now exists in connection with the funds available for this purpose. Of the \$25,000 appropriated, \$2,000 has been expended for land and water rights and \$250 for incidental items, including travel, surveys, etc. The balance of \$22,500 it is proposed to use in the construction of a hatchery building, superintendent's residence, tool house, and other small buildings, water supply, a stock pond and two rearing ponds, and general equipment.

With the above work completed the station will be established and may be operated in a limited way. The experience of the Bureau of Fisheries has, however, amply proved that an appropriation of \$25,000 is not enough to procure a site, construct, fully equip, and complete a modern and efficient fish-cultural station, and the investigations in connection with the Wyoming site have confirmed this.

In order to complete this station so as to get the best results it will require at least \$25,000 more than is now available. This additional sum would be expended in the development of the water supply, construction of more stock ponds, rearing ponds, and buildings, and the purchase of more equipment, and would enable the Bureau to more than double its output of the valuable fishes of Wyoming.

It is therefore suggested that the following item be incorporated in the deficiency bill now before the Senate Committee on Appropriations.

"Fish hatchery, Saratoga, Wyo.: For addition to the Saratoga, Wyo., fisheries station, including construction of buildings and ponds, improvement to water supply, and for equipment, to remain available until expended, \$25,000."

Very truly, yours,

WILLIAM C. REDFIELD, Secretary.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wyoming.

Mr. SHEPPARD. Mr. President, I should like to inquire when was the original \$25,000 authorized?

Mr. WARREN. It was appropriated some three years ago.

Mr. SHEPPARD. Why has it taken so long to complete the work?

Mr. WARREN. Because they were not able to secure title to the land until within the last three months.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wyoming.

The amendment was agreed to.

Mr. SMOOT. On page 15, after line 19, I move to amend the bill by inserting the following:

Spanish Fork, Utah, post office: For site and commencement, \$7,500.

I will state to the chairman—

Mr. MARTIN of Virginia. Mr. President, the amendment offered by the Senator from Utah is merely to cover an omission inadvertently made by the department. It is similar to other items in the bill, and ought to be adopted.

Mr. THOMAS. I will ask that the amendment be stated at the desk. I did not catch it.

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. On page 15, after line 19, it is proposed to insert:

Spanish Fork, Utah post office: For site and commencement, \$7,500.

Mr. SMOOT. I will say to the Senator that a couple of years ago a bill passed authorizing the construction of a post office at Spanish Fork, Utah, and \$50,000 was appropriated for that purpose. The department have just called my attention to the fact that they have now assurance that the site can be purchased within the limit fixed by the law, and the amendment simply follows the lines of similar items which are already included in the bill.

Mr. THOMAS. Very well.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Utah.

The amendment was agreed to.

Mr. SMOOT. On behalf of the senior Senator from North Dakota [Mr. McCUMBER] I offer the amendment which I send to the desk, to come in on page 19, after line 9.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 19, after line 9, it is proposed to insert:

Refund of sums paid for documentary stamps: The time within which claims may be presented for refunding the sums paid for documentary stamps used on foreign bills of exchange drawn between July 1, 1898, and June 30, 1901, against the value of products or merchandise actually exported to foreign countries, specified in the act entitled "An act to provide for refunding stamp taxes paid under the act of June 30, 1898, upon foreign bills of exchange drawn between July 1, 1898, and June 30, 1901, against the value of products or merchandise actually exported to foreign countries and authorizing rebate of duties on anthracite coal imported into the United States from October 6, 1902, to January 15, 1903, and for other purposes," approved February 1, 1909, be, and is hereby, extended to December 31, 1914.

Mr. SMOOT. Mr. President, the object of the amendment is to relieve certain grain exporters who filed claims in due time in accordance with the law, but at the time were not able definitely to state the exact amounts to which they were entitled. Afterwards, on learning the amount of the documentary stamps which they had purchased and put upon bills of exchange, they discovered that the claims they had filed did not amount to half the actual sums expended by them. In the meantime the limit of time prescribed by the law within which claims might be filed had been reached. This is simply to extend the law so that they can file their claims and be paid for those stamps under a provision of the law which, after the matter had gone to the courts, was found to be unconstitutional.

Mr. BRYAN. I raise the point of order that the amendment proposed is general legislation on an appropriation bill.

Mr. SMOOT. I ask if the point of order was sustained on the amendment offered by the Senator from Indiana [Mr. KERN]?

Mr. BRYAN. It was.

Mr. KERN. Yes; it was.

Mr. SMOOT. Then, of course, if the point of order lies against that amendment it also lies against this.

The PRESIDING OFFICER. A similar point of order having been submitted to the Senate this morning and sustained by the Senate, the Chair sustains the point of order made by the Senator from Florida.

Mr. POINDEXTER. Mr. President, I submit the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. It is proposed to insert as a new paragraph on page 39, after the amendment agreed to on motion of Mr. WARREN, the following:

Fish hatchery, Baker Lake, Wash.: For the reconstruction of the hatchery building and barn recently destroyed by fire, \$4,500.

Mr. POINDEXTER. Mr. President, I have a letter, which I received only a few moments ago, from the Secretary of Com-

merce urging the adoption of this amendment. It is very brief, and I will read it:

DEPARTMENT OF COMMERCE,
OFFICE OF THE SECRETARY,
Washington, July 18, 1914.

Hon. MILES POINDEXTER,
United States Senate.

MY DEAR SENATOR: Knowing your interest in the operations of the Bureau of Fisheries in salmon propagation on the Pacific coast, your attention is respectfully called to the total destruction of the hatchery building and barn at the Baker Lake (Wash.) station of the bureau.

Unless this hatchery building can be reconstructed before the fall run of salmon occurs, it will be impossible to conduct fish-cultural operations at Baker Lake during the current fiscal year. There are no funds now available for this, and it is suggested that the following item be incorporated in the deficiency bill now before the Senate Committee on Appropriations:

"Fish hatchery, Baker Lake, Wash.: For the reconstruction of the hatchery building and barn recently destroyed by fire, \$4,500."

Very truly, yours,

WILLIAM C. REDFIELD,
Secretary.

In order that the information may be available for consideration in connection with this matter later on, I should like to state very briefly the extent and nature of the work done at this hatchery. It is the principal fish hatchery in the State of Washington, or was so regarded before it was destroyed by fire.

Mr. THOMAS. Mr. President—

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

Mr. POINDEXTER. I yield to the Senator.

Mr. THOMAS. I merely wish to inquire whether the structures were insured?

Mr. POINDEXTER. I am not advised whether or not they were insured. My impression is that the Government does not insure its buildings.

Mr. GALLINGER. Mr. President, I will say to the Senator that public buildings are not insured in the District of Columbia. I do not know how it may be outside of the District, but there is no insurance carried on Government buildings in the District.

Mr. POINDEXTER. Mr. President, this fish hatchery is in a forest reserve at the head of Baker River and on Baker Lake, and is devoted to the propagation of blueback salmon, silver salmon, humpback salmon, and steelhead trout. Its output for the last five years has been 47,905,000. For the last three years the annual output has been as follows: In 1912, 6,371,000; in 1913, 7,866,000; and in 1914, 3,643,000. In 1914 the output fell off on account of the conditions being poor, and that year might be called an off year. Its chief output is blueback salmon, and it is the only hatchery in the State putting out that variety of salmon. This salmon is found in large quantities only in the Columbia and Skagit Rivers, and this hatchery is located near the Skagit River. The blueback salmon is a very valuable commercial variety, and it is most important that it should be maintained. To delay work and prevent any output next year would affect the salmon run for years hence.

As I have indicated, the Baker Lake Station is the Government's main station in the State of Washington. The Government has four or five other hatcheries, but Baker Lake is the main one, and the only one propagating the blueback variety of salmon.

Mr. STONE. Mr. President—

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

Mr. POINDEXTER. I yield to the Senator.

Mr. STONE. I understood the Senator to say that the blueback salmon was found only in the Columbia River and what other river?

Mr. POINDEXTER. And the Skagit.

Mr. STONE. Are these fish very numerous in those streams?

Mr. POINDEXTER. They are exceedingly numerous. It is one of the principal commercial varieties of the salmon in Puget Sound, and the run of salmon there is of very great commercial value.

Mr. STONE. I am asking to get light on a matter which I do not understand. What is the function of this fishery? Do they produce fish and distribute them?

Mr. POINDEXTER. They do.

Mr. STONE. Where are they sent?

Mr. POINDEXTER. They are placed in the waters of these streams, where they develop and follow the usual life history of salmon. When they grow to a certain size they leave the streams and go to sea, and at a certain period they return to the streams; and as they return, under certain regulations, they are trapped and canned for the market.

Mr. STONE. Yes; I understand that; but I was curious to know why the natural production in streams would not be abundant to maintain the supply, without the semiartificial way of adding to or taking care of the supply to prevent its exhaustion.

Mr. POINDEXTER. I am very glad the Senator asked that question. Of course it involves the entire policy of the artificial propagation of fish which the Government has been engaged in for many years and has developed to a very high point of efficiency, not only in regard to salmon, but in regard to cod, shad, and various inland fish.

As to why the natural reproduction of these fish is not sufficient to maintain the supply, my judgment is that it is because of the tremendous extent to which the fish are caught. It has been found from experience that unless some artificial aid is given they will be exterminated.

Mr. CLAPP. Mr. President, if the Senator will pardon an interruption, it is not only because of the increased destruction through the use of fish, but there is no period in the life of the fish when they are so susceptible to destruction by those forms of fish that take the eggs from the bed of the stream as at the egg period. It is a fact that carrying them through that period in these artificial fish hatcheries to the point where they can in a measure protect themselves by flight very largely increases the percentage of the development and preservation of the small fish. That is why the artificial production is so much preferable to the natural production at that particular point in their existence.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. BORAH. Mr. President, on page 42, in line 20, after the figures "1,500," I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. At the end of the committee amendment on page 42, line 20, it is proposed to insert the following paragraph:

To pay to the Hon. K. I. Perky the sum of \$267.12, being the compensation of a Senator of the United States for 13 days, January 25 to February 6, 1913, during which time he served as a Senator from the State of Idaho.

Mr. MARTIN of Virginia. Mr. President, there is no doubt about the justice of that amount. I hope the amendment will be adopted.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. CHILTON. I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 11, after line 17, it is proposed to insert:

Martinsburg, W. Va., post office and courthouse: For extension, remodeling, rebuilding, reconstruction, or improvement, including installation of an elevator, \$20,000.

Mr. MARTIN of Virginia. As I understand, that is within the limit of cost, and the amendment ought to be adopted.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. KERN. Mr. President, in order to make it as unobjectionable as possible, I will state that the amendment I send to the desk is offered by me for another Senator, Mr. REED. I have a memorandum in regard to it that I will read in a moment.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. It is proposed to insert the following, after line 18, on page 43:

To pay the following named for overtime and expert services rendered to the Committee on Banking and Currency, assisting in compiling and indexing the hearings on the federal-reserve act from October 20 to November 5, 1913, by detail from the Government Printing Office, the sum set opposite each name respectively: Helen C. McGown, \$46.26; Elizabeth M. Eggert, \$39.76; Elizabeth A. Spilman, \$35.91; and Minnie B. Hegeman, \$20.90; in all, \$142.83.

Mr. KERN. Mr. President, the Senator from Missouri [Mr. REED], who was obliged to leave the Chamber, left with me this memorandum about the amendment. He says:

The hearings on the Federal reserve act before the Banking and Currency Committee began September 2, 1913, and were concluded October 28. The hearings cover 3,200 printed pages.

It was necessary that the index of these hearings should be prepared immediately in order to have the volumes printed and before the Senate when the bill was taken up for consideration. The committee had no additional clerical assistance, the force consisting of a clerk and two stenographers. The Printing Office was called upon to detail expert assistants in connection with the indexing, and four young ladies were detailed in compliance with this request. They assisted the clerk, night and day, including Sundays, from the 20th of October to the 5th of November. They were paid for the regular hours of employment by

the Government Printing Office, but have received no compensation for the extra time they put in at night and on Sundays. The provision proposed to be incorporated in the deficiency bill makes appropriation for payment to them for this extra service, only, at the rate they would have received had they been employed overtime by the Government Printing Office.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. GALLINGER. Mr. President, during the consideration of the District of Columbia appropriation bill we had a most interesting hearing by certain blind people, and two appropriations were placed in the bill in aid of the blind. They were both lost in conference.

I observe that in this bill an appropriation for the library for the blind is inserted, which was one of the provisions which was in the District of Columbia appropriation bill. I will say that our legislation in the District of Columbia for the care of the blind is very imperfect and inadequate; but some very worthy people have established a home in Georgetown, and have constructed a new building, and they are taking care of blind people and teaching them trades as far as possible, and doing most excellent work.

I am very strongly in favor of the amendment which has been inserted in this bill for the library for the blind; but I am equally in favor of giving a little aid to this institution in Georgetown, which is in debt, having a mortgage upon its property.

The provision which appeared in the District of Columbia bill appropriated \$10,000 for that purpose. I am going to offer an amendment, which I am sure the chairman of the committee will be willing should go to conference, giving them \$5,000, which is the same amount that was included in the bill for the library for the blind.

I offer that amendment.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 23, after line 5, after the amendment agreed to at that point, it is proposed to insert:

AID TO THE BLIND.

Aid Association for the Blind: For aid, maintenance, improvement of grounds, and purchase of mechanical equipment for the workshop of the Aid Association for the Blind, located at 3050 R Street N.W., \$5,000, said sum to be expended under the direction and supervision of the Commissioners of the District of Columbia.

Mr. THOMAS. Mr. President, I should like to inquire why items of that kind are not included in the District of Columbia appropriation bill? What part have they in a bill of this sort?

Mr. GALLINGER. I had just explained to the Senate in a few words that this item, carrying an appropriation of \$10,000, was inserted in the District bill and passed the Senate; but it was lost in conference, as was the item relating to the library for the blind, which has been put in this bill. I wanted this item to go to conference in conjunction with the other item, and if it is lost again, of course we can not help it; but it is a very worthy purpose.

Mr. THOMAS. I think if we can lavish \$75,000 upon a celebration in Maryland, we can afford to spend \$5,000 for the blind.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. SHEPPARD. I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 41, after line 2, it is proposed to insert:

To enable the Secretary of Labor to carry out the provisions of Senate resolution 68, agreed to June 30, 1914, directing him to "investigate and report, as far as it is practicable, upon the mortality and the disability by accident or by disease incident to or resulting from the various occupations in which the wage earners of the United States are engaged," the Secretary of Labor be, and he is hereby, authorized to employ, through the Commissioner of Labor Statistics, such temporary assistance as may be necessary to tabulate the material secured in compliance with Senate resolution 68, to be paid from the appropriation for miscellaneous expenses, Bureau of Labor Statistics, 1915.

Mr. SMOOT. Mr. President, I want to say that this is simply another duplication of work. We have the Census Department now under the Department of Commerce. Yesterday afternoon I telephoned to the Census Office and asked the Census Office if they had the information asked for in this amendment. They told me that they had the information covering a little over one-half the United States. I asked them why they did not have it to cover the whole of the United States, and they stated that the reason was that the other States had laws that were not applicable to the collection of the proper information, or at least information in which they had absolute confidence.

This work never ought to be placed in the hands of another department of the Government. To-day, under the Depart-

ment of Commerce, the Census Office has a complete corps of workers for the collection of this information. If we undertake this duplication of work, if we make this appropriation at this time for the Department of Labor to undertake it, it will be only the beginning of a system that will end in a bureau in that department with an appropriation of \$100,000 or \$200,000 every year.

I know the Senator may say that this is simply to collect the information at this time; but experience has shown that wherever it has been undertaken in any department it has never ceased, and this is simply asking another department of the Government to do work that is being done by one of the departments at the present time.

I make the point of order against the amendment that it is general legislation upon an appropriation bill, and not estimated for.

Mr. SHEPPARD. Mr. President, this amendment to the pending bill is to carry out a resolution previously passed by the Senate during this session. It is therefore in order. On page 17 of the Standing Rules of the Senate the Chair will see the language which I am about to read.

Mr. SMOOT. In that connection let me call the attention of the Chair to the fact that the resolution of which the Senator speaks was not a joint resolution. It was only a Senate resolution and has no binding effect whatever. If it had been a joint resolution, and had become a law by the action of both Houses, then the Senator's contention would be sound.

Mr. SHEPPARD. The rules do not say "joint resolution."

Mr. SMOOT. That is what has always been held by the various presiding officers of the Senate.

Mr. SHEPPARD. The rules do not specify that it shall be a joint resolution. I call the Chair's attention to the plain language of the rule:

Or to add a new item of appropriation, unless it be made to carry out the provisions of some existing law, or treaty stipulation, or act, or resolution previously passed by the Senate during that session.

Mr. SMOOT. Of course that means a law, and nothing can be a law unless passed by both Houses. Of course it does not say "joint resolution"; but it means and has always been held to mean a resolution passed by both Houses, which is a joint resolution or a concurrent resolution.

Mr. SHEPPARD. That is merely the *ipse dixit* of the Senator from Utah. The plain language of this rule is that the amendment is in order if it is to carry out a resolution heretofore passed during this session.

I submit to the Chair that the plain language of the rule makes the amendment in order.

The PRESIDING OFFICER. The Chair has read the rule. The Chair holds that under four conditions such an amendment is in order: Where it is to carry out the provisions of—

- (1) Some existing law—
- (2) Or treaty stipulation—
- (3) Or act—
- (4) Or resolution previously passed by the Senate during that session.

The resolution having previously passed the Senate during this session, the amendment is in order.

The question is on agreeing to the amendment.

Mr. GALLINGER. Mr. President, I want to appeal to the Senator from Texas to agree to striking out three words. This amendment provides that the Secretary of Labor shall "investigate and report, as far as it is practicable, upon the mortality and the disability by accident or by disease incident to or resulting from the various occupations," and so forth.

If we go into an investigation of the question of diseases that may occur from vocational enterprises or labor, it is an endless journey, and I do not think it is practicable. I do not see how it can be determined, except to guess. A man has a chronic disease, we will say, and he has been employed in some class of labor, some manufacturing concern. I do not know how on earth any man is wise enough to determine whether that disease was produced by the labor in which he was engaged, or whether it may not have been hereditary, or whether it may not have been produced by some other cause.

I am quite in favor of the compensation act, so far as death and disability are concerned; but I am very fearful that if we go into this question of compensation for diseases incurred we will rue the day we adopted that course.

Therefore I move to strike from the amendment the words "or by disease," and I hope the Senator will agree to have those words eliminated.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The SECRETARY. On line 5 of the amendment it is proposed to strike out the words "or by disease."

Mr. SHEPPARD. Mr. President, these statistics are merely to serve as a basis for investigating the very question the Senator suggests. It is not to say arbitrarily that certain occupations produce certain disease, but by getting these figures the department will endeavor to ascertain whether they do or not.

Mr. GALLINGER. I am still of opinion that it is a dangerous field to enter upon, and I will ask to have the motion submitted to the Senate.

The PRESIDING OFFICER. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question now is on agreeing to the amendment as amended.

Mr. SMOOT. Mr. President, I make the point of order against the amendment as amended, because if it has been amended it is not carrying out the provisions of a resolution and is general legislation on an appropriation bill and no estimate has been made for it.

The PRESIDING OFFICER. The Chair is of opinion that the point of order is not well taken, and overrules it.

The question is on agreeing to the amendment offered by the Senator from Texas as amended.

The amendment as amended was agreed to.

Mr. BURTON. Mr. President, I should like to ask a question of the chairman of the committee, or some member of the committee, in regard to an item on page 46. It is for the payment of judgments against the United States. In lines 2 to 5 these words are used:

Together with such additional sum as may be necessary to pay interest on the respective judgments at the rate of 4 per cent per annum from the date thereof until the time this appropriation is made.

Mr. MARTIN of Virginia. That is in the direct language of the statute. There is a statute that provides that interest shall be paid on judgments at the rate of 4 per cent per annum. The Senator from Utah [Mr. SMOOT] raised the same question and wanted the committee not to put in that language, but it is in accordance with law. It is necessary to be put in. It is so provided by law.

Mr. SMOOT. I will say to the Senator that in looking it up I found that section 10 of the Tucker Act specifically provides that 4 per cent interest shall be paid upon these judgments.

Mr. BURTON. What class of judgments?

Mr. SMOOT. Judgments of the United States courts.

Mr. BURTON. Does that include the Court of Claims?

Mr. MARTIN of Virginia. All judgments of circuit courts.

Mr. SMOOT. Yes; all judgments of circuit courts. I was not aware of it until to-day.

Mr. BURTON. That is not true of the Court of Claims, is it? Mr. SMOOT. No; I think not of the Court of Claims, because we never allow interest on judgments of the Court of Claims; but, as I say, section 10 of the Tucker Act specifically states that 4 per cent interest shall be paid on judgments of United States courts.

The PRESIDING OFFICER. If there be no further amendments to be offered as in Committee of the Whole, the bill will be reported to the Senate.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

ENLARGED HOMESTEAD.

Mr. BORAH. I ask unanimous consent for the present consideration of a bill on the calendar which has been passed by the House and unanimously reported by the Committee on Public Lands. It is House bill 1698.

The PRESIDING OFFICER. The Senator from Idaho asks unanimous consent for the present consideration of House bill 1698. Is there objection to the request?

Mr. SHAFROTH. I should like to have the title of the bill stated.

The PRESIDING OFFICER. The Secretary will state the title of the bill.

The SECRETARY. An act to amend an act entitled "An act to provide for an enlarged homestead," and acts amendatory thereof and supplemental thereto.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. PAGE. Mr. President, I think I must object to the present consideration of the bill.

Mr. BORAH. Why does the Senator object?

Mr. PAGE. Because I think it is a bill that ought not to be passed. I have not examined all of it with sufficient care to

say so positively at this time, but I think I shall have to object to its present consideration.

Mr. BORAH. Of course the Senator has that privilege.

The PRESIDING OFFICER. Objection is made.

Mr. KERN. I move that the Senate adjourn.

The motion was agreed to; and (at 2 o'clock and 25 minutes p. m.) the Senate adjourned until Monday, July 20, 1914, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

SATURDAY, July 18, 1914.

The House met at 12 o'clock noon.

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

We would approach Thee, Almighty God, in the spirit of Him who taught us when we pray to say:

Our Father which art in heaven, Hallowed be Thy name. Thy kingdom come. Thy will be done in earth, as it is in heaven. Give us this day our daily bread. And forgive us our debts, as we forgive our debtors. And lead us not into temptation, but deliver us from evil: For Thine is the kingdom, and the power, and the glory, for ever. Amen.

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

ENGROSSMENT OF CLAIMS RESOLUTIONS.

Mr. MANN. Mr. Speaker, I ask unanimous consent for the present consideration of the orders which I send to the Clerk's desk and ask to have read.

The Clerk read as follows:

Order No. 15.

Ordered, That in the engrossment of H. Res. 532 the Clerk be directed to strike out "[Connecticut]," on page 1, line 7; and also to insert in their proper alphabetical order the amendments offered under "Tennessee."

Order No. 16.

Ordered, That in the engrossment of H. Res. 451 the Clerk be directed to insert the amendment offered on page 2, under "Alabama," in their proper alphabetical order; and also, on page 4, line 10, to strike out "[Illinois]."

The SPEAKER. The gentleman from Illinois asks unanimous consent for the present consideration of the orders which the Clerk has just reported. Is there objection?

There was no objection.

The SPEAKER. The question is on agreeing to the orders.

The question was taken, and the orders were agreed to.

CORRECTION.

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent to make a statement in the nature of a correction of the RECORD. During a discussion in the House on July 15 I understood the gentleman from Colorado [Mr. SELDOMRIDGE] to make the following statement, which I find is so transcribed by the reporter of debates:

This administration has been able, through its policy of wise and peaceful methods, to bring peace and good order to that disordered country.

Referring in that statement to Mexico, which statement led me to make the following observation:

Mr. Chairman, listening to the picture of order and peace having been restored in Mexico by this administration, as painted by the gentleman from Colorado [Mr. SELDOMRIDGE], it occurred to me that that picture of order and peace and quietude could only have been painted and could only have been imagined by a gentleman from Colorado.

I find that in the RECORD the statement of the gentleman from Colorado now reads differently, and I have no criticism to make of the improvement which I admit has been made in that statement, for it seems nearer to the demands of the truth. It is as follows:

This administration has been able, through its wise and peaceful policy, to bring about conditions that will result in peace and good order in that distracted country.

I make this statement, Mr. Speaker, merely to have it appear in the RECORD.

RESIGNATION FROM A COMMITTEE.

The SPEAKER laid before the House the following resignation:

WASHINGTON, D. C., July 16, 1914.

Hon. CHAMP CLARK,
Speaker House of Representatives.

DEAR MR. CLARK: I beg to hereby tender my resignation as a member of the Committee on Agriculture.

Yours, very truly,

CHARLES H. SLOAN.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

COMMITTEE ELECTIONS.

Mr. UNDERWOOD. Mr. Speaker, at the request of the gentleman from Illinois, I move that CHARLES H. SLOAN, of Nebraska, be elected a member of the Committee on Ways and Means, and that Mr. SYDNEY ANDERSON, of Minnesota, be elected a member of the Committee on Agriculture.

The SPEAKER. The Clerk will report these nominations. The Clerk read as follows:

JULY 16, 1914.

HON. OSCAR W. UNDERWOOD,
Chairman Committee on Ways and Means,
House of Representatives.

DEAR MR. UNDERWOOD: I beg to recommend the election of Hon. CHARLES H. SLOAN, of Nebraska, as a member of the Committee on Ways and Means, and Hon. SYDNEY ANDERSON, of Minnesota, as a member of the Committee on Agriculture.

Yours, very sincerely,

JAMES R. MANN,
Chairman Conference Minority.

The SPEAKER. Without objection, these gentlemen will be elected to these places.

There was no objection.

Mr. UNDERWOOD. Mr. Speaker, by direction of the Democratic caucus, I also move the election of the following gentlemen to the several committees named in the paper which I send to the Clerk's desk.

The SPEAKER. The Clerk will read.

The Clerk read as follows:

Nominations of Democratic caucus:

MICHAEL J. GILL, twelfth Missouri, to be a member of the following committees: Invalid Pensions, Labor, and Industrial Arts and Expositions.

W. O. MULKEY, third Alabama, to be a member of the Committee on the District of Columbia.

WILLIAM L. IGOE, eleventh Missouri, to be a member of the Committee on the Judiciary.

E. Y. WEBB, ninth North Carolina, to be the chairman of the Committee on the Judiciary.

The SPEAKER. Without objection, these gentlemen will be elected to the places named.

There was no objection.

USE OF REVENUE CUTTERS.

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a letter from the Secretary of the Treasury with relation to certain statements that were made in the House on the 11th day of July relative to his alleged violation of the law in the use of revenue cutters.

The SPEAKER. The gentleman from New York asks unanimous consent to print in the CONGRESSIONAL RECORD a letter from the Secretary of the Treasury on the subject of remarks that were made about his abuse of the use of revenue cutters. Is there objection?

Mr. MADDEN. Mr. Speaker, reserving the right to object, I would like to hear the letter read now.

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent that the letter may be read at this time.

The SPEAKER. That will get it into the RECORD surely.

Mr. HUMPHREY of Washington. Mr. Speaker, reserving the right to object, I will ask the gentleman from New York if the Secretary says anything in that letter in regard to the rumor that his son, at the time he was married, was using a revenue cutter on his honeymoon trip?

Mr. FITZGERALD. I do not know.

Mr. MURDOCK. Who was married?

Mr. HUMPHREY of Washington. The son of the Secretary of the Treasury, as I have heard, used a revenue cutter for the purpose of making a honeymoon trip when he was married.

Mr. FITZGERALD. Mr. Speaker, no such statement as that has ever been made.

Mr. MURDOCK. Let us hear the letter read.

Mr. FITZGERALD. I do not think anybody would make such a preposterous statement.

The SPEAKER. The gentleman from New York asks unanimous consent that the letter be read at this time. Is there objection?

There was no objection.

The Clerk read as follows:

TREASURY DEPARTMENT,
Washington, July 17, 1914.

MY DEAR MR. FITZGERALD: My attention has been called to page 11971 of the CONGRESSIONAL RECORD, dated July 11, 1914, where Mr. Good of Iowa made the following statement:

"It is a notorious fact that every Friday or thereabouts at this time of the year the revenue cutter *Prairie* leaves Boston, comes to Washington, and is loaded down with Democratic officials, and they are taken for a cruise down the Potomac at Government expense; but that would not be so bad if the violation of the law stopped there."

He then quotes a newspaper item in which it is stated that the Secretary of the Treasury and Mrs. McAdoo arrived at Mattapoisett, Mass., July 5, on the revenue cutter *Onondaga*. Mr. Good recites a provision

of the law contained in the sundry civil bill approved July 7, 1884, which provides that "hereafter revenue cutters shall be used exclusively for the public service and in no way for private purposes." He then alleges that the Secretary of the Treasury has violated this law because he rode upon a revenue cutter, and exclaims: "If the public to-day had the power, in no uncertain terms it would demand the removal from office of the Secretary of the Treasury, who not only refuses to enforce this law but himself violates it."

Please allow me to thank you for having so effectively replied to these statements of Mr. Good, which I can ascribe only to utter ignorance on his part of the law and the long-standing practice of this department or to wanton misrepresentation.

[Applause on the Democratic side.]

If the present Secretary of the Treasury has violated the law in going aboard a revenue cutter, then every Secretary of the Treasury since the passage of this law in 1884 has been a violator of the law. Every one of my Republican predecessors, namely, William Windom, Charles Foster, Lyman J. Gage, Leslie M. Shaw, George B. Cortelyou, and Franklin MacVeagh, as well as my Democratic predecessors, Hugh McCullough, Daniel Manning, Charles S. Fairchild, and John G. Carlisle, have been violators of the law. The fact is that neither I nor any of my predecessors, Republican or Democratic, have violated the law in going aboard revenue cutters. The Secretary of the Treasury is the head of the Revenue-Cutter Service, and has been since its foundation in 1792. The purpose of the service is, among other things, to patrol our coasts and the adjacent waters for prevention of smuggling, the destruction of derelicts at sea, and the rescue of life and property imperiled at sea. In the winter cruising season no revenue cutter is allowed to remain in port longer than 24 hours without a written explanation to the department. I consider it highly advantageous to the service for the Secretary of the Treasury himself to go aboard the revenue cutters and to cruise with them as frequently as possible, because it enables him to familiarize himself with the service generally, with the character and operation of the ships, and the manner in which the officers and crew are performing their duties. On two occasions within the last 17 months, when I have been on board revenue cutters, rescues were made at sea, and I secured knowledge which I have applied with great advantage in the administration of the Revenue-Cutter Service. During the fiscal year ended June 30, 1913 (report for the fiscal year ended June 30, 1914, is not yet ready), the Revenue-Cutter Service saved 327 lives and assisted vessels and cargoes imperiled at sea to the value of \$10,626,610. This service, in cooperation with the Life-Saving Service, for the same year saved 4,423 lives and assisted in saving property valued at \$16,659,545.

Permit me to say that my Republican and Democratic predecessors in this office have permitted Congressmen and Senators and other officers of the Government to go aboard the revenue cutters from time to time and upon such occasions as they thought it might be beneficial to the service. In all such instances officers of the Government have been permitted to use the revenue cutters only when it did not interfere with the proper cruising arrangements of the vessels, and always, as I understand it, upon the payment by such officials of their personal expenses on the ships.

Permit me also to say that the Presidents of the United States have frequently made use of the revenue cutters. I do not believe that such use was a violation of the law. President Taft and President Roosevelt have been on the revenue cutters at various times.

Mr. Good says: "It is a notorious fact that every Friday or thereabouts at this time of the year the revenue cutter *Prairie* leaves Boston, comes to Washington, and is loaded down with Democratic officials, and they are taken for a cruise down the Potomac at Government expense." This statement is utterly without foundation.

[Applause on the Democratic side.]

There is no revenue cutter by the name of *Prairie*; there is a naval supply vessel by the name of *Prairie*—a sort of transport, which has been employed for some time in carrying men and supplies to and from the naval fleet in southern waters. I have no control whatever over the *Prairie*. No revenue cutter of any kind or character "leaves Boston every Friday or thereabouts and comes to Washington" for any purpose whatever, nor has any revenue cutter come from Boston to Washington or gone from Washington to Boston since I became Secretary of the Treasury. It is inconceivable how Mr. Good could have made such an untrue statement, especially when he could have ascertained the facts by merely inquiring at the department.

On the occasion to which Mr. Good refers, namely, July 5, 1914, I did arrive at Mattapoisett, Mass., on the revenue cutter *Onondaga*. The *Onondaga* was under cruising orders, and I accompanied her on that cruise. Every item of expense occasioned by my presence and that of my wife on the cutter was paid by me.

[Applause on the Democratic side.]

I have never at any time been on a revenue cutter when I have not paid every item of expense connected with my presence there. This is the only occasion upon which I have ever gone from Washington to Mattapoisett on a revenue cutter.

In the course of the debate, Mr. Good asked the following question: "Will the gentleman name some of the duties that might devolve upon the Secretary of the Treasury which would cause him to use a revenue cutter leaving New York Harbor with the American flag flying, and immediately after it was outside of the harbor the Secretary ordered the flag pulled down and its remaining down until they reached the port in Massachusetts where his summer home is?" If by this Mr. Good means to charge that any such incident as this occurred while I was on the *Onondaga*, the charge is unqualifiedly false. I have never given orders at any time concerning the flag, and the only time I have ever seen the flag lowered on a revenue cutter was at sunset, when on all revenue cutters, as well as on all naval vessels of the United States, the flag is lowered at sunset, and the salute to the flag is given.

As the administrative head of the service, I have done my utmost to learn as much as I can about the revenue cutters, because I am deeply interested in the brave men who run these ships and in the splendid humanitarian and other work they do. Not only is this lawful, but it is in the line of my duty. Such criticism as that of Mr. Good displays an utter lack of understanding of the law and the purposes for which the Revenue-Cutter Service is maintained.

With kind regards, I am,

Very sincerely, yours,

W. G. McADOO.

HON. JOHN J. FITZGERALD,
House of Representatives.

[Applause on the Democratic side.]

ENROLLED BILL SIGNED.

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

H. R. 11317. An act to increase the limit of cost of the United States post-office building at Newcastle, Ind.

ENROLLED JOINT RESOLUTION PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

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

H. J. Res. 304. Joint resolution authorizing the Secretary of War to loan certain saddles and bridles for the use of the national encampment, Knights of Pythias, to be held at Terre Haute, Ind., in July, 1914.

LEAVE OF ABSENCE.

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

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

To Mr. KITCHIN, indefinitely, on account of sickness in his family.

WITHDRAWAL OF PAPERS.

By unanimous consent, Mr. DILLON was granted leave to withdraw from the files the papers pertaining to H. R. 13560, no adverse report having been made thereon.

AMENDMENT OF GENERAL DAM ACT.

The SPEAKER. The gentleman from Georgia [Mr. ADAMSON].

Mr. ADAMSON. Mr. Speaker, I move that the House resolve itself into the Committee on the Whole House on the state of the Union for the further consideration of the bill H. R. 16053.

The SPEAKER. Before that question is put the Chair will announce for the benefit of the Kansas delegation that at 3 o'clock a special order begins to present and accept the statue of George W. Glick, placed in Statuary Hall. The gentleman from Georgia 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 bill H. R. 16053.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 16053, with Mr. GARNER in the chair.

The CHAIRMAN. The House is in the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 16053, the title of which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 16053) to amend an act entitled "An act to regulate the construction of dams across navigable waters," approved June 21, 1906, as amended by the act approved June 23, 1910.

EXTENSION OF REMARKS.

Mr. ADAMSON. Mr. Chairman, I desire to yield to the gentleman from Missouri [Mr. LLOYD].

Mr. LLOYD. Mr. Chairman, I wish to extend my remarks in the RECORD in regard to the subject of railway mail pay. There will be a bill considered next week, probably, in which this matter will be discussed to some extent. I understand at that time there will not be opportunity for general debate of any consequence, and I wish now to have an opportunity to extend my remarks.

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

Mr. MANN. Mr. Chairman, I make the same request.

The CHAIRMAN. The gentleman from Illinois makes the same request. Is there objection? [After a pause.] The Chair hears none.

Mr. ADAMSON. Mr. Chairman, I yield to the gentleman from New Mexico [Mr. FERGUSSON].

Mr. FERGUSSON. Mr. Chairman, I ask leave to extend my remarks in the RECORD for the purpose of inserting a letter from one of my constituents correcting a statement in a speech which I made not long ago relating wholly to a matter within New Mexico.

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

Mr. ADAMSON. Mr. Chairman, I yield to the gentleman from Kansas [Mr. MURDOCK].

Mr. MURDOCK. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by printing a short article from the National Field, which is the official organ of the National Farmers' Union. It seems recently John Skelton Williams, Comptroller of the Currency, said there were \$500,000,000 now available under the new law for farm loans. The representative of this organization asked farm loans from national banks and failed to obtain them, and this is a recital of the attempt.

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

Mr. ADAMSON. I yield to the gentleman from Ohio [Mr. ALLEN].

Mr. ALLEN. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by inserting an editorial from the Cincinnati Enquirer on "The advancing tide of business."

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

Mr. ADAMSON. Mr. Chairman, I yield to the gentleman from Washington [Mr. FALCONER].

Mr. FALCONER. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD on unsurveyed and untaxed lands in the State of Washington.

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

Mr. ADAMSON. Mr. Chairman, I yield to the gentleman from Illinois [Mr. O'HAIR].

Mr. O'HAIR. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD touching upon conditions both financial and commercial as they exist in Illinois.

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

AMENDMENT OF GENERAL DAM ACT.

Mr. ADAMSON. Mr. Chairman, I hope the gentleman from Minnesota [Mr. STEVENS] will consume some time.

Mr. STEVENS of Minnesota. Mr. Chairman, I yield 45 minutes to the gentleman from Wisconsin [Mr. LENROOT]. [Applause.]

Mr. LENROOT. Mr. Chairman, I am somewhat at a loss to know how I ought to proceed to discuss this bill. Had I spoken upon it a week ago, as I expected to, I should have condemned it as vigorously as my command of the English language would permit, for this bill, as reported from the committee, proposed the most complete surrender of public rights to special privilege that has ever been attempted within the memory of any man upon this floor. But as Members became acquainted with its provisions, such a storm of protest was aroused that a number of conferences were held between some of the proponents and some of the opponents of the bill in its present form, and as a result of such conferences the Committee on Interstate and Foreign Commerce will itself offer amendments to the bill removing most, if not all, of its vicious features. Therefore the quandary that I am in is whether to discuss the bill as it is reported from the committee and now stands before the House or to discuss it in the light of the amendments that will be offered by the committee. After reflecting upon the matter I have concluded that I ought to discuss the bill both in its present form and also as it will stand if the amendments which I understand will be offered by the committee are adopted.

I believe it proper to discuss it in its present form, because in voting upon amendments it will be helpful to Members to know and understand that as originally reported by the committee the bill represented a public policy diametrically opposed to the public interest, a policy based upon the theory that private capital should be practically unrestricted and uncontrolled by Congress in the development of water powers upon our navigable rivers. The opponents of the bill in its original form protest against this surrender to special privilege, and the amendments which will be offered will in large measure retain in the United States proper control of these water powers and safeguard the public rights.

The bill before us, both in its present form and with the amendments proposed, is a water-power bill in fact, although navigation is the basis of our jurisdiction. In opening the debate upon this bill the chairman of the committee asserted

that the paramount purpose of this bill is to develop navigation. To quote his language:

Navigability, the purpose of the bill, bears the same relation to the development of water power, so far as this bill is concerned, that the bird we are trying to catch bears to the bait with which we bait the trap. We realize that water power—hydroelectric power—is useful for a great many purposes, and can be made profitable; and, being useful and promising profit, it may be sufficient to tempt capital to construct for the benefit of the people of the United States those creations which are so expensive that the Treasury of the United States is unable or unwilling to undertake them, to make navigable three or four thousand miles of large streams in the country which ought to be navigated for the benefit of the people.

It is true that we have not caught many birds with the bait, because capital is a wary old bird.

Now, the fact is that instead of water power being the bait, it is the other way around, for in this bill navigation is the bait and the House is the bird which the water-power interests endeavored to trap. It is to my great regret that the gentleman from Georgia, wary old bird that he is, and respected by every Member of the House, rushed to the bait and was easily caught, but I congratulate him that in offering the amendments that I understand he will offer, he will extricate himself from the trap, as well as enable the membership of the House not members of his committee to avoid it.

Now, no one questions the good faith of the gentleman from Georgia, but there is not a scintilla of evidence in the hearings or in the provisions of the bill itself to substantiate the statement that the paramount purpose of the bill is to develop navigation, although improvement of navigation may result. We have a number of waterway associations in this country bending every energy to secure the development of navigation, but not one of their representatives appeared before the committee in advocacy of this bill. We have countless commercial bodies always ready to petition Congress and its committees to legislate for the development of navigation, but not one of them appears in the hearings upon this bill. The first witness appearing before the committee was J. W. Worthington, of Sheffield, Ala., interested in the Alabama Power Co., concerning which I will have something to say later, and his entire argument was devoted to the development of water power. The only other witness was Hugh L. Cooper, of Stamford, Conn., interested in the Keokuk Dam, on the Mississippi River, concerning whom I shall also have something to say later. His entire argument was devoted to the development of water power, not in aid of navigation but for commercial purposes. These are the only witnesses appearing before the committee. There are two letters from water-power engineers, and a number of letters from bankers and brokers who deal in water-power securities, and lastly there is a letter from the Secretary of War to Judge ADAMSON, which I suggest every Member of the House read, for in this letter there is not the remotest suggestion that navigation is the paramount object of legislation of this character. At the end of his letter is found a proposed bill which he asks Judge ADAMSON to introduce. I will ask the Members of the House to compare this bill with the one now before us for consideration, and you will at once see how far the committee has departed from the suggestions of the Secretary of War, the departure in every case being in the interest of the water-power companies.

Mr. Chairman, while it is clear that the paramount purpose of the bill before us is to aid water-power companies and not navigation, I would not condemn it for that reason. On the contrary, the development of water powers upon many of our streams is far more important than the development of navigation; and while our jurisdiction rests upon the right to control navigation, sometimes navigation itself should be considered as a minor and incidental matter as compared with the great public benefit flowing from the proper development of our water powers.

So, Mr. Chairman, this bill ought to be discussed as a water-power bill, for that is what it is, and I propose to discuss it as such.

The gentleman from Georgia, in his speech, made much of the fact that out of 95 authorizations for dams only 13 had been constructed. Accepting that statement as true, what does it prove? Only that a great many get-rich-quick promoters, with no money of their own and without a sufficient market for their power in the vicinity of their proposed dam, could not borrow the money to do the work. Financing of water power belongs in a class by itself. The usual procedure is for a promoter to first get an option on a dam site, then a franchise from the Government, then to issue anywhere from one to twenty million dollars of stock to himself to pay for the option and the franchise, and then endeavor to borrow money enough to buy the dam site and construct the works. Fail? Of course they fail. Why should they not? Go to a real estate broker in Washington, get an option upon a piece of real estate, and

then endeavor to borrow enough money to pay for the real estate and erect a 10-story building on it, and you will count a much larger number of failures in that class of transactions than the promoters of water power count in theirs. But, aside from this, because money can not be had now to invest in water-power bonds is no reason why we should give water-power companies all the rights we hold in trust for the people.

If that is a good reason for repealing our laws containing restrictions and conditions as to development of water powers, then by the same reasoning we should at once abolish the Interstate Commerce Commission, for the railroads for some time have been unable to borrow money, and if we would abolish the commission and permit them to charge any rates they choose they then would be able to borrow money, buy needed equipment, and make necessary extensions. There is as much reason for doing it in the case of railroads as there is in passing this bill, and there is no good reason for doing either.

Carrying this a little further, if it is good policy to surrender all of our rights to secure development of water powers, why not repeal the Sherman law in toto? Big business is afraid of it, they say. Repeal it, and big business would expand, money would be available, combinations could be made to increase prices to consumers, insuring such large profits that capital would be attracted to invest. This bill now before us is legislation of that character, and when the membership of this House fully understand it there will be no more chance of its passage than there is of the abolishment of the Interstate Commerce Commission or the repeal of the Sherman law.

But water-power development is not in such a bad way as the gentleman from Georgia seems to think.

The total stationary power now used in the United States is about 30,000,000 horsepower, of which about 6,000,000 is water power.

The great developed water powers of the country are largely controlled by 10 groups of interests, all of them more or less interlocking and connected. In 1911 these 10 groups had developed and under construction 1,821,000 horsepower; in 1913 they had 2,711,000 horsepower, an increase of 900,000 horsepower in two years. So we are doing pretty well with the legislation which we have, without making the grants to water-power interests contained in this bill. These 10 groups in 1911 held 1,450,000 horsepower undeveloped, and in 1913 they held 3,500,000 horsepower undeveloped, and their control over the water powers of the country is steadily increasing.

I have said these 10 groups of water-power interests are more or less closely connected. There is, in fact, no competition between them in any way. The General Electric Co. heads the list; next comes the Stone & Webster Co., and so on down the line, each having its own territory without competition with any of the other of the groups.

In the hearings upon this bill Mr. Cooper in his testimony stated that he raised the money to build the great Keokuk Dam, at Keokuk, Iowa, belonging to the Mississippi River Power Co. Upon page 18 Mr. Cooper was asked by Mr. TALCOTT, a member of the committee, this question:

How about the Stone & Webster group? What are the actual facts concerning the Stone & Webster group of water-power holdings?

Answer:

I know the Stone & Webster people very well. I would like to say that they are very strong competitors of mine, and they come nearer being idealists in selling things cheaper to the public than they can get anywhere else than anybody I have ever heard of anywhere. They are strong competitors of mine, and I have just a lot of money and a lot of sleep over the fact that I can not get business that they get away from me; but I have yet to find a single place where the Stone & Webster people were not putting the price of their products down all the time.

Now, remember these two statements of Mr. Cooper, that he personally raised the money to build the Keokuk Dam and that the Stone & Webster people were very strong competitors of his. In an endeavor to verify this information I secured a copy of Moody's Manual of Railroads and Corporation Securities for 1913, and I turned to the report upon the Mississippi River Power Co., which owns this Keokuk Dam, and, notwithstanding the statement of Mr. Cooper that the Stone & Webster people were strong competitors of his, and that they were keeping him lying awake nights, I find that the president of this same Mississippi River Power Co. is Edwin S. Webster; the vice president is the same Hugh L. Cooper who testified. The directorship includes E. S. Webster and C. A. Stone. The managing agents are given as Stone & Webster. If this is Mr. Cooper's idea of competition, I wonder what his definition of monopoly would be. [Applause.]

At this point I may as well say something of Mr. Worthington, the other witness before the committee. I inferred from his testimony that he must be interested in the Alabama Power Co., but upon referring to Moody's Manual again I found that

the entire stock and bond issue of the Alabama Power Co. was owned by the Alabama Traction, Light & Power Co., and I found that the Alabama Traction, Light & Power Co., controlling a large percentage of the water powers of Alabama, was not a corporation organized in Alabama, not even a corporation of the United States, but is a corporation organized in Canada for the purpose of generating hydroelectric current, and so forth, in the State of Alabama, and it has, according to Moody's Manual, its principal office in Canada and not the United States.

Now, what is it that this bill does that is so dangerous to the public interest? I shall not endeavor in this general debate to discuss all of the defects in the bill, but only the vitally important provisions which are against the public interest and which unless eliminated from the bill should cause its defeat.

First. The bill gives perpetual franchises to water-power companies and deprives any future Congress for all time to come to change their terms. If this bill should pass as reported, unless the United States purchases the property of the grantee at its full value, a thousand years from now the rights of the grantee will remain fixed by this act of the Sixty-third Congress in the year 1914.

I understand that the committee will offer an amendment to the bill providing that at the end of a 50-year period Congress may impose such new terms and conditions upon the further use of the property as it may then deem wise. I have no objection to a 50-year term, for I realize that a generous term is necessary to procure the necessary capital to develop water powers, but no one can now foresee what conditions will be 50 years hence. Congress should be free at that time to deal with those conditions as they exist, and the amendment that will be proposed by the committee, I understand, will accomplish this.

Second. It grants to water-power companies all of the public lands of the United States necessary for dams, accessory works, and transmission lines upon the annual payment of 5 per cent of the value of the lands taken. It not only does that, but gives the water-power companies a preferential right to public lands as against the United States itself.

The United States may purchase lands for any public purpose, but if a water-power company needs it they are granted in this bill the right to go and take them and use them, paying only 5 per cent a year on the value.

It does not seem possible that such a provision could be incorporated in any bill having the favorable report of any committee, but here it is in language so plain that it can not be questioned by anybody.

I am glad to say that it is my understanding that the committee will offer an amendment largely eliminating this provision and providing only for the use of certain lands of the United States upon first procuring the consent of the Secretary of War and upon the payment of such charges as he may determine as just, and thus remove the objection I have stated.

Third. Section 14 of the bill permits the Secretary of War to lease the surplus water power created by any Government dam. No restrictions are placed upon the Secretary; the lease may be for 99 years or 999 years; and not only that, but when Government dams are being constructed the Secretary of War, without consulting Congress, may take in as a partner with the United States in the undertaking a water-power company, and agree with it as to what its share of the partnership contribution shall be. He is required to report to Congress his action after he has acted, but not before.

Members of the Sixty-second Congress will remember that in that Congress there was involved the use of surplus water powers to be created by Government Dams and Locks 16 and 17 on the Black Warrior River. A bill passed the Senate authorizing the Secretary of War to enter into a contract with the Birmingham Water, Light & Power Co., which contract should provide that said company, its successors and assigns, should have the right to construct, maintain, own, and operate at its own cost in connection with Dams and Locks 16 and 17 on the Black Warrior River, for a period of 50 years, electrical power stations and other structures for the development of water power and selling the same not needed for lockage, and so forth. It was provided that the company should furnish free to the Government at Locks 16 and 17 all power necessary for the operation of the locks; that the contract should provide for the payment to the Government of an annual rental for its use of the water power developed at Dams 16 and 17. For the first 20 years the rental should be \$1 per annum per horsepower developed, and at the end of the 20-year period the Secretary of War could readjust the same and have the right thereafter to readjust the rental at every 10-year period. It required a minimum payment, beginning with the year 1920, of \$15,000 annually. (See page 4024, CONGRESSIONAL RECORD, Sixty-second Congress, first session.)

This seemed to be quite a liberal bill for the protection of the Government, but the House believed that important rights were endangered by the bill as reported by the committee, for the bill was amended in the House in the following particulars: First, requiring the Secretary of War to advertise for bids and prescribing that the lease should be made to the highest bidder; second, prescribing that at the expiration of the lease all the right, interest, and property of the company acquired by virtue of the act should pass to the Government unless Congress otherwise provides; third, cutting down the term of the lease from 50 to 25 years. Thus amended, the bill was passed by the House.

The Senate refused to accept these amendments, and it is my recollection that a compromise was reached by striking out from the bill all reference to the leasing of the surplus water power and authorizing only the construction of the dams by the Government, so that this surplus water power upon these dams in question on the Black Warrior River will be subject to the provisions of section 14, if enacted. I believe this House ought to be at least as careful of the rights of the public in the year 1914 as they were in the year 1911.

Now, in the Ferris water-power bill, reported from the Public Lands Committee, where the Government has not expended a single dollar upon the dam, but merely owns the dam site, the Secretary of the Interior is restricted in making of leases to the grant of a term not exceeding 50 years, and other regulations are provided. No one can successfully contend that we should be more liberal in the leasing of our water powers created by the expenditure of Government funds than we are in the leasing of water power to be developed wholly by private capital and where the Government owns only the dam site.

In the bill that I have referred to, proposed by Secretary of War Garrison, we find a section which covers the subject matter of this section 14, and it reads as follows:

SEC. 15. That the Secretary of War be, and he is hereby, authorized to enter into revocable leases for the use of surplus water and water power generated at dams and works constructed wholly or in part by the United States in the interests of navigation at such rates, on such terms and conditions, and for such periods of time, not to exceed 50 years, and with such provision for the periodical readjustment of rentals as may seem to him just, equitable, and expedient, subject, however, to the provisions of this act governing the authorization, maintenance, and operation of power plants, and to all regulations governing the use and disposition of the power, so far as the same may be applicable; and all such leases, the parties thereto, and the terms and conditions thereof shall be reported annually to Congress.

This is an excellent provision, fully safeguarding the rights of the public. But one objection can be made to it, and that is in the use of the word "revocable." I do not believe these leases should be revocable within the term for which they are granted; but in all other respects the suggestion of the Secretary of War should be adopted, and at the proper time I shall offer as a substitute to section 14 the section proposed by the Secretary of War, which I have just read, omitting only the word "revocable" therein contained.

Another provision in the bill is very important. The present general dam law, the general bridge law, and every special dam and bridge act that I know anything about has in it a provision reserving to Congress the right to alter, amend, or repeal the act. Every State that I know anything about reserves this power in the franchise which it grants; but not so with this bill. Here we find that the right to alter, amend, or repeal the act is reserved only when Congress determines that the conditions of the act have been violated by a grantee owning the dam. A perpetual franchise with no power to alter, amend, or repeal would be a fine thing for the water-power companies, but generations yet to come would look back upon this Sixty-third Congress and conclude that nothing short of corruption could have induced it to do this great wrong. There is, of course, nothing corrupt about it, but its results, if enacted, are just as bad as if there was.

The last section of the bill, section 17, is one of the worst. The plea is made that the concessions found in the previous sections of the bill are necessary to induce capital to develop water powers, but this section 17 provides that this act shall apply to all existing dams as well as those hereafter authorized, so that as to any existing developed water power now in operation, under the reserved power of regulation or power to change the terms of their charters, this section 17 makes them, too, these princely gifts of perpetual franchise and the other privileges I have discussed. This section repeals all previous legislation granting consent to construction of dams. This means the repeal of the Hetch Hetchy act, passed last year; the Los Angeles act, passed some years ago; and every other act and also every permit issued by the Secretary of the Interior and Secretary of War, and places all such dams under the provisions of this bill.

I understand that the committee will offer an amendment to this section removing the objections that I have referred to.

Now, many of the statements I have made as to the effect of this bill have been vigorously denied by its supporters, and in order that there can be no misunderstanding about this, I now wish to take up certain sections of the bill in detail and demonstrate that the statements I have made are absolutely correct in every particular, and I shall also indicate somewhat more in detail the amendments that I understand will be offered by the committee, removing many of the objections to the bill.

I want to go through some of the provisions now a little more in detail. I first want to call attention to section 2 of the bill. The present law provides that the Secretary of War may, in his discretion, insert in the approval of any project for a dam the stipulation that the grantee shall, at his own cost and expense, construct a lock in connection with the dam at any time that the Secretary of War and Chief of Engineers may find it necessary. This bill, which is an amendment of the act of 1910, in fact, inserts one little word, the word "then," so that as this bill stands the Secretary of War must determine in advance as to whether a lock will be required in connection with the dam for the next 50 years to come, and if he makes either a mistake in engineering, or if Congress chooses to make a stream navigable throughout its length that is not now navigable, requiring a lock where none is now required, the Government itself will have to pay for the construction of the lock, and instead of such a dam aiding navigation it will, in fact, obstruct it. And there ought to be the right on the part of the United States, when a dam is constructed across a navigable stream—and that is all this bill has to do with—to reserve the power to compel the construction of a lock at any time that it may be deemed necessary in aid of navigation. Now, the engineers can not tell at the time of the approval of a project what may be necessary. To illustrate, the gentleman from Minnesota [Mr. STEVENS] and I and other Members appeared the other day before the Board of River and Harbor Engineers in reference to a canal between Lake Superior and the Mississippi River. The gentleman from Minnesota spoke in advocacy of that canal, asking for a survey, and the members of that board then raised the objection that they could not determine at this time what kind of a canal was necessary; they could not determine what kind of locks were necessary, because it had not yet been determined what type of boats would be successful upon such a canal; and yet you are compelling the Secretary of War to determine that question, which can not in the very nature of things always be determined, or else say that the Government itself must stand the expense of restoring navigation around a dam instead of at the expense of the company itself.

All throughout section 2 carries out that proposition.

Section 4 refers to the use of the public domain by water-power companies. I want to read it to you to show how it originally read:

(c) That in the construction, maintenance, and operation of such dam and accessory works there may be occupied and used such lands of the United States as may be necessary therefor, and in consideration thereof the owner of such dam shall pay to the United States such charges, not to exceed an annual payment of 5 per cent of the fair value of such lands, as may be fixed by the Secretary of War and Chief of Engineers, and in fixing such charges consideration shall be taken of the benefits accruing thereby to the interests of navigation as well as to the business of such grantee.

Why, gentlemen, language could not be framed that would constitute more of a gift to the water powers of this country or a more complete surrender of the public domain that still belongs to us. You will find the proposed amendment, immediately following those words, in brackets, and that, as I said a short time ago, fully safeguards it, in my judgment.

Mr. BURKE of Wisconsin. Will the gentleman yield?

Mr. LENROOT. Yes.

Mr. BURKE of Wisconsin. In section 2, on page 2, in reference to the word "then," to which you called attention, I desire to ask if the amendments to be proposed contain any provisions curing or changing this?

Mr. LENROOT. Those proposed by the committee do not. The next provision I want to call attention to is section 9. The act originally read:

That the rights herein granted shall continue for a period of 50 years from and after the date of the completion of the structure—

Which is changed to "dam"—

described in the original approval, and after the expiration of said 50 years such rights shall continue until compensation has been made to said grantee for the fair value of its property, as hereinafter provided.

Now, that meant nothing more nor less than a perpetual franchise. The right to recapture this property, with one exception, is a right that can not be changed by any provision in this or any other bill. The United States Government always has the right of eminent domain, and unless this property is of such a

character that it could secure it and operate it under the exercise of the right of eminent domain, it could not be given the right to purchase it and operate it by the terms of this bill. And so under the exercise of the right of eminent domain we could always take over this property, but in exercising that right there is one element of value, namely, we might have to pay the value of the franchise, and this bill does eliminate that from consideration.

But these gentlemen keep saying, or did say, that it was only a franchise for 50 years, and, if that were true, then it meant absolutely nothing more than the right of eminent domain, because if the franchise did expire at the end of 50 years there would be no franchise value to pay for. But as it stood it went on and on forever, and the only right retained was to purchase.

Now, to illustrate how little that amounts to, you take this Keokuk Dam that I have referred to, belonging to the Mississippi River Power Co., and it is capitalized now for \$37,500,000. They have developed only about half their power. I have not any question that 20 years from now it will be worth that sum with the transmission lines that will be built. Now suppose a proposition comes to Congress to appropriate \$37,000,000 to take over the Mississippi Power Co., do you suppose Congress is going to do it unless the abuses are so gross as to compel it? Are they going to do it merely as a business proposition? Not at all. And so this right of recapture, while valuable, will not, in my judgment, be exercised, because it is going to involve tremendous amounts of money; and we must have a further right than that—the right at the end of the 50-year period to make such terms and conditions with reference to a new consent as we choose to make.

Mr. SHERLEY. Mr. Chairman, will the gentleman yield right there?

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

Mr. LENROOT. Yes.

Mr. SHERLEY. Do I understand the gentleman's position to be that at the expiration of the 50-year lease the right of the grantee shall cease unless he shall get a new right?

Mr. LENROOT. No.

Mr. SHERLEY. Now, I want to suggest to the gentleman that proposition. I believe that it is important that you put the inertia of Government in favor of the Government instead of having the inertia of Government always in favor of the grantee. Theoretically Congress has absolute control over the street railways of the District of Columbia. Practically it has not any at all, because you can never get a bill through.

Now, if the right of that street railway company to operate its cars terminated at the end of a certain period unless it got affirmative action from the Government, you would find then that the inertia of the Government would be used for the benefit of the Government, the railway company would be anxious to do business, and at the end of the given period it would have to make terms with the Government in order to continue, and they would come to speedy terms. It is not to be assumed that the Government will be unreasonable. If you do not so provide, that inertia will practically continue the franchise indefinitely.

Mr. LENROOT. Suppose the inertia of the Government is still such that at the end of the 50 years no renewal is granted. What becomes of the property?

Mr. SHERLEY. I do not think that situation would arise; but you might, if necessary, provide for an additional period of a year or two pending negotiations; but I would certainly make it incumbent upon the grantee to get a new right. Now, he gets a right of 50 years. Why should he not at the end of that time be required to get a new one? Otherwise, I repeat, the inertia of the Government will constantly work to the advantage of the grantee.

Mr. LENROOT. There is this to be said on the other side of that proposition, and that is that at the end of that 50-year period, with this amendment adopted which will be proposed by the committee, they will be nothing but tenants by sufferance or tenants at will. They can not raise money with that kind of a title after the 50-year period.

Mr. SHERLEY. I know of a street railway company in a city—not here—that were tenants by sufferance, in my judgment, for 20 years. They did not advertise the fact, and it was usually hushed up and denied that their right was for a limited time, and they went on and borrowed money, trusting—and successfully trusting—to the inertia of that city government to prevent anything being done. The fact that they are there and that you have to move to get rid of them gives them a tremendous advantage. I would make them move in order to stay there.

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

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

Mr. LENROOT. Yes.

Mr. JOHNSON of Kentucky. In reference to what my colleague [Mr. SHERLEY] has just said, it may not be amiss just now to invite attention to a contention which has arisen in the District of Columbia relative to the street car companies which are located here. Recently there was a bill before the District of Columbia Committee, which has been reported from the committee and is now on the calendar, for municipal ownership of the street railways of the District of Columbia. It has been argued before that committee—and by good lawyers—that, notwithstanding the fact that as a part of each one of these charters there is a provision that Congress reserves the right to alter, amend, or repeal those charters, it is contended by these attorneys that Congress has no right to repeal; that Congress can not repeal their franchises nor take them away from them; and that in acquiring the physical property itself, it would be necessary also to acquire their franchises by purchase.

I say that question has been plausibly argued before that committee, and the argument is in print, and those who would like to read it can get it from the District Committee.

Mr. LENROOT. With reference to the suggestion made by the gentleman from Kentucky, there is not so much difference between his position and mine. I have been contending throughout this entire controversy—

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

Mr. LENROOT. I would like to have a little more time.

Mr. STEVENS of Minnesota. How much time would the gentleman like?

Mr. LENROOT. I would like to have 15 minutes.

Mr. STEVENS of Minnesota. I yield 15 minutes to the gentleman.

The CHAIRMAN. The gentleman from Wisconsin is recognized for 15 minutes more.

Mr. LENROOT. I have been contending through this entire controversy that at the end of the 50-year period Congress should be absolutely free to deal with this utility as it saw fit, and the only difference between us is whether Congress itself shall initiate it or the utility.

Mr. SHERLEY. The difference is that you have a theoretical freedom instead of an actual one, because every delay works for the benefit of the grantee. I want to have it put the other way, and force the grantee to come up and get a new life.

Mr. LENROOT. The bill as drawn absolutely deprives Congress of any freedom in either event. This amendment restores it.

Now, as to the recapture provision, the committee has one amendment here, in line 4 upon page 10, that I wish to say just a word about, and which I shall discuss more at length when we get to the bill under the five-minute rule. It reads now:

SEC. 10. That at any time after the expiration of said 50 years [as Congress may prescribe] the Secretary of War may terminate the rights hereby granted upon giving to the owners thereof one year's notice in writing of such termination, and upon the taking over by the United States—

And so forth. Now, I do not know what the committee has in mind in the use of the words "as Congress may prescribe." I know of no other interpretation than that Congress may prescribe how the Secretary of War may terminate the rights on one year's notice. But it certainly does not change the provision that "the Secretary of War, after the 50 years, shall have the right to terminate the license hereby granted," which is not in harmony and is inconsistent with the amendment that will be proposed to section 9, that after the 50-year period their rights may be terminated at any time by Congress itself without a year's notice or any other act; and that, I trust, will be changed when we reach the consideration of the bill for amendment.

Now, section 13 is the section relating to the right to alter, amend, or repeal. I have discussed that already, and now want to discuss the amendment that the committee proposes to make to this section. I read:

SEC. 13. That the right to alter, amend, or repeal this act is hereby expressly reserved as to any and all dams which may be authorized in accordance with the provisions of this act.

That is the present law, so far. Now, they propose to amend by adding the language "whenever Congress determines that the conditions of consent have been violated." That is the way it stood as reported from the committee. Now they offer another amendment, "or after the expiration of the original contract period, as may be deemed necessary for the interests of navigation."

Now, Heaven knows, this section was bad enough as originally reported from the committee; but they have made it a great deal worse by this amendment.

As originally reported from the committee, with the amendment, after 50 years it gave the right to alter, amend, or repeal, because there would have been no franchise existing that we did not have the right to interfere with. There could be no contractual relation, and therefore after that time there could be no violation of the conditions of the contract. But now this amendment comes in:

Or after the expiration of the original contract period, as may be deemed necessary for the interests of navigation.

So by this amendment this committee says that after the 50 years have expired you may amend, alter, or repeal a franchise of a power company, or change the terms of this act, so far as it affects such power company, only as may be deemed necessary for the interests of navigation. I hope before this debate is over some member of this committee will tell this House why, after the 50 years have expired, Congress should not have the right to deal with this question absolutely as it sees fit, whether in the interest of navigation or otherwise. They ought to have the right to change this recapture clause. They ought to have the right to require compensation at that time if they choose to do it. There are a great many rights that Congress might wish to exercise at the end of the period, rights which the Congress ought to have the opportunity of exercising.

Mr. AVIS. Mr. Chairman, I should like to ask the gentleman for information about section 10, providing for the taking over by the United States Government, one of the conditions being—

And assuming all contracts entered into prior to the receipt by it of said notice of termination which have the approval of the duly constituted public authority having jurisdiction thereof.

Will the gentleman please explain what is meant by that language, and particularly what is meant by the—

Approval of the duly constituted public authority having jurisdiction thereof?

Mr. LENROOT. I take it this is what is meant: Many of the States in enacting water-power laws now provide that contracts exceeding a certain length of time, usually 15 or 20 years, shall not be valid unless approved by the utility commission of the State. I take it that is what this means.

Mr. AVIS. Do you understand from that provision that the Government can go into the good faith of that contract, from the language that follows?

Mr. LENROOT. That is evidently the intention of the committee, I think. I am not a member of the committee, but I think so.

Mr. HUMPHREYS of Mississippi. Will the gentleman yield?

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

Mr. LENROOT. I will yield for a question, if I can get a little more time. I will yield to the gentleman from Mississippi anyway.

Mr. HUMPHREYS of Mississippi. The gentleman stated—and I fully agree with him—that at the end of 50 years Congress ought to be left free to impose any conditions that in the wisdom of Congress are deemed desirable. Would not that be taken care of absolutely in this bill if the suggestion of the gentleman from Kentucky [Mr. SHERLEY] were to be followed, that an absolute period be put to the rights granted to the company, so that the burden would then be upon the company to move?

Mr. LENROOT. I think that would be very likely to result.

Mr. BURKE of Wisconsin. If the amendment proposed in the first paragraph of section 13, page 14, becomes a part of the law, will it not then impliedly say that these grants of water power are perpetual? Would not that be the meaning that the statute would necessarily carry if that becomes a part of the law?

Mr. LENROOT. In reply to this question, I will say that there is a square conflict between that language in section 13 and the language in section 9 as amended, and I would not undertake to interpret or construe the conflicting provisions. I sincerely hope that when we reach the proper stage we will eliminate the provision from section 13, making it entirely clear.

Mr. FERRIS. Will the gentleman yield right there?

Mr. LENROOT. Yes.

Mr. FERRIS. I think it is fair to the chairman of the committee and the committee itself, and to all of us who have been more or less concerned about this bill, to inquire at this point why the language in parentheses in section 13, beginning with line 15 and ending with line 18, was placed in the bill? That language undoubtedly does upset every thought that all of us have had, and it does upset the views of the committee. In our conferences on these matters we have all agreed that they should

have a 50-year contract, and we have all agreed that at the end of 50 years that should be the end of it, and we have all agreed that no such limitation as that which has been inserted should be incorporated in the bill. I want to say that I think this bill is going to accomplish great good, and I think it is full of good things, and I think it is going to be a good bill; but it seems to me that we ought now, without waiting a minute, to agree that that language go out of the bill. It has no place there. It is not in keeping with one word that any of us have ever said or thought on the subject, and I think some one on behalf of the committee ought to rise and eliminate that language.

Mr. LENROOT. I shall not undertake to discuss the bill in detail any further as my time is about expiring. When we reach the bill under the five-minute rule I shall take the opportunity to discuss it further and perhaps to offer certain amendments.

Mr. FOWLER. Mr. Chairman—

Mr. LENROOT. I am afraid I can not yield further until I have finished what I have to say.

Mr. FOWLER. I thought the gentleman had concluded.

Mr. LENROOT. I want to make a few general statements in conclusion.

Mr. Chairman, I think I ought to say a word about the laws of certain foreign countries relating to water powers. The gentleman from Georgia in his speech made some reference to a certain water-power company being driven to Ontario, Canada, because of the onerous conditions of our laws, and reference is made in both the hearings before the Committee on Interstate Commerce and Committee on the Public Lands to the inducements held out to water-power companies by Ontario, Canada, and by Norway. I thought it worth while to ascertain just what those inducements were, and I was greatly surprised by what I found.

I find that in Ontario, Canada, where these people were driven to, as alleged, leases are not made perpetual as provided in this bill, nor for even 50 years, as our present law provides, but for 20 years only, with a privilege of two renewals of 10 years each, making a total term of 40 years. The lease shall contain such terms and conditions as the minister may prescribe, and the grantee shall pay such annual rent as the minister shall fix. At the expiration of the lease all the property reverts to the Crown without any payment, except the machinery employed may be removed within a term fixed by the minister. A proviso is added that when the works are permanent and useful there may be paid to the lessee such sum as the legislative assembly of Ontario may appropriate; but this is a matter of donation entirely and not a right of the lessee.

The laws of Norway provide a great many conditions and restrictions as to operation of the water power, care of employees, and so forth, and provide for an annual payment of 25 cents per horsepower per year. The term of the franchise shall be not less than 60 nor more than 80 years, and at the expiration of the term the waterfalls, improvements, works, power station, and machinery revert to the Government without any payment to the water-power company. These foreign laws can be found in the hearings of the Committee on the Public Lands, pages 531 and 535.

Now, I want to say a word with reference to the reversion of the property to the Government. I am not contending for that in this bill. But the fact is that every water power that is developed to-day provides for the amortization of their plant. In other words, these plants are built, in nine cases out of ten, from the proceeds of the issue of bonds, and in every case a sinking fund is required to pay the entire bonded indebtedness at the end of the term. So, as a matter of fact, at the end of the 50 years' franchise every dollar of that investment will presumably be paid out of the earnings of the plant. So it is not going to be at all unreasonable at the end of the 50-year period, if we renew the consent, to make a provision that in a shorter period of time the entire plant shall revert to the Government.

Mr. SHERLEY. In other words, they make the rate to the consumer of power sufficient to pay for the entire plant?

Mr. LENROOT. Yes.

In conclusion, I wish to repeat what I stated at the outset, that this bill in its present form is an indefensible surrender of the public interest to special privilege, and I congratulate the committee upon the fact that it will itself offer amendments removing most of the serious objections to the bill.

Some of us who have been active in opposing the bill in its present form have been severely criticized and have been charged with desiring to lock up all the resources of the United States and not utilize them at all. This charge is not true. Some men smile at the words "conservation" and "conservationist," but they are good words, and that man or that party

that does not make conservation of our natural resources a part of his or its policy has but a short time to live politically.

Conservationists believe in development of all of our natural resources for the greatest benefit of all our people with the smallest amount of waste that is practicable. We do not believe they should be used to make a few men rich without resulting benefits to the great mass of our people. We do not take the position that the men who with brains and capital develop these resources should not be amply rewarded, but, on the contrary, insist that they receive encouragement and protection to the fullest extent not inconsistent with the public interest. There are those who honestly and frankly take the position that the natural resources of our country still owned or controlled by the Government for all the people should be surrendered to any private interest that will develop them. That seemed to be the theory of the gentleman from Georgia, the chairman of the committee, in proof of which I wish to read a paragraph from the hearings upon this bill. Mr. Cooper made a suggestion that the water power company be expressly permitted to make a minimum return upon the capital invested, and 9 per cent was suggested by him, and that any earnings above that sum should be divided equally between the company and the State, to which suggestion Judge ADAMSON, the chairman of the committee, replied:

What you want is something that will keep the State from making a fight on you people. I do not think you would ever get the Government to adopt a partnership of that kind. You are riding two horses. You are going, with the conservationists part of the way and with us part of the way. (Hearings, p. 26.)

Here we have a very frank expression from the chairman of the committee that he is utterly opposed to the ideas and policies of the conservationists.

Mr. Chairman, the anticonservation policy was until a few years ago the policy of this Government. Under that policy we have had a most reckless, if not criminal, waste of our resources. To that policy more than any other cause can be attributed the existence of the great trusts and monopolies of to-day. Our oil lands have been so far placed in private ownership that our Navy can not find enough public lands remaining containing oil to supply our Navy with oil for fuel; and we have the Standard Oil Co., the greatest monopoly of all time. Our anthracite-coal lands are all in private ownership as a result of that policy, and our people now have to pay annual tribute to the Anthracite Coal Trust as a result of the anticonservation policy. Our iron-ore lands are all in private ownership, making possible a Steel Trust. But for the conservation policy, creating national forests, our forests would all be under private ownership now, strengthening the grip of the Lumber Trust. Of all of our natural resources our water power is the most important. It is the one resource that is not entirely or partially destroyed by use. Water will continue to flow downward to the sea so long as the world shall last; and on its way, without diminution, for every horsepower created by it and used 10 tons of coal are saved each year. The development of our water powers, therefore, is conservation in the highest degree; and the only question is whether this development shall be for the public good or primarily for private gain. Some time in the future our fuel resources will be gone, and unless we retain control of this, the only resource that can not be destroyed, the time will come when the owners of the water powers will absolutely dominate all of the industries of the Nation.

It is said by some that posterity can take care of itself. It can, but the legislation of this generation will determine whether future generations will care for themselves by revolution or orderly procedure under the form of government which we now have. This bill in its present form attempts to fix rights of water-power corporations a thousand years hence, and conservationists are justified in being concerned with the welfare of at least the generation which shall follow us. That the ideas of conservationists are as I have stated can be demonstrated by the bills now upon our calendar reported from the Committee on the Public Lands, dealing with practically all of our national resources still a part of the public domain. Every one of those bills makes provision for present use of those resources, but retaining control over them by the Government in the interest of all the people.

Mr. Chairman, this bill can be amended so as to secure development and at the same time protect the public interest. Each Member of the House has a duty to perform in the consideration of this bill. Partisanship has no place in the consideration of a bill of this character. While in a sense the Democratic majority is responsible for all legislation which passes this House, it is the duty of every Republican to do what he can to perfect this bill and make it a bill safeguarding the

public interest. With this in mind, I and other Republicans have cooperated with Democrats in an endeavor to remove the vicious features of this bill; and while I fully realize that as a result of such efforts the Democratic majority will be relieved of much criticism and will take the entire credit for this bill, if it shall be properly amended, I am willing that they should take all credit to which they may be entitled, for the public interest should always be considered before any partisan advantage that might have been gained by the minority party had a different course been pursued.

That the bill will be amended in the public interest before it passes this House I am confident, but if by any possibility we shall fail in amending it, then better a thousand times defeat the bill entirely and say to the people of the country that we can better afford to let our waters flow untrammelled to the sea a few years longer than pass a bill denying to them and future generations any control over the most valuable resource which we possess. [Applause.]

Mr. ADAMSON. Mr. Chairman, I refrained from interrupting the distinguished gentleman from Wisconsin [Mr. LENROOT] because I knew that he has had that speech in his system a long time, and that it would prove disastrous to him, if not to others, if not delivered; but I desire to say that the clause in the paragraph to which he devoted so much time was not in the original bill, but was prepared as an amendment, and it was fully understood should not be incorporated as one of the amendments to the bill. The fact is that it is as much the fault of the other gentlemen as ourselves. The gentleman and his associates had a copy of all the amendments we intended to offer, and looked them over, and they were satisfactory to gentlemen on both sides. I do not think the gentleman ought to blame us any more than we should blame him for the oversight in allowing the clause printed. I desire to say that I am gratified that the gentleman is now able to find himself so nearly in accord with the bill, and feel so much gratified that I will not stop to discuss whether the defect was originally in the bill or in the understanding of the gentleman. I will remind the Committee of the Whole that there is not a single amendment in the 14 that the committee is going to offer that is inconsistent with the bill as originally drawn and introduced in this House. We discussed them over and over again, and we suggested these amendments and they were agreed to by the other side.

I further desire to state that I made this statement in opening the argument, that the fears of the gentleman were entirely imaginary; that the English language did not justify any such conclusion as they tried to deduce from the language of the bill. Mr. Chairman, I am so happy that the amendments we are going to propose, and of which I gave notice, are satisfactory to the gentleman that I have nothing further to say. I hope we will proceed with the debate and adopt as soon as possible this great and valuable constructive measure on the most important subject to the country that has been before Congress for a long time. I now yield to the gentleman from Alabama [Mr. UNDERWOOD] such time as he desires.

Mr. UNDERWOOD. Mr. Chairman, I have listened with much interest to the remarks of the distinguished and able gentleman from Wisconsin [Mr. LENROOT]. I am sure that he is sincere in what he has said, and I am also equally sure that through some misinterpretation he has misled the House and carried it very far afield from what is really in this bill.

Of course the most important feature of the bill, so far as the public is concerned, is that provision in the bill that authorizes a recapture of the dam and its accessory works in the interest of the public. I can say to the House that although I have no objection whatever to the amendments that the gentleman from Wisconsin has sought to put in the bill, so far as the amendments they have put in the bill in reference to the recapture, they are far more in the interest of the corporation that will acquire the title to the dam than was the provision in the original bill. The original bill provides for the right of recapture, provides for Government supervision and regulation if the plant is not regulated and supervised by the State itself; but I will not take up the time of the House at this time to go into a discussion of the features of the bill, because they can be better and more wisely discussed when the bill is under consideration under the five-minute rule.

Mr. Chairman, for the last decade the building of dams across the navigable rivers of the country to promote navigation and at the same time create hydroelectric development has been a question much discussed, fruitful of some legislation, and productive in the end of only meager results.

The Fifty-ninth Congress passed a general dam act, which was amended in the Sixty-first Congress. This legislation was ample and complete in so far as it authorized private capital to build dams and improve navigation under the supervision

and direction of the Engineer Corps of the United States Army. But the law requires those desiring to avail themselves of the law to first obtain the consent of the Congress, and it has now become practically impossible to obtain the consent of the Congress under the present law.

The objection to all bills proposed in recent years can be stated as:

First. That the general law did not provide for rate regulation in the interest of the public.

Second. That there was no provision incorporated in the law to allow the public in future years to acquire the ownership of the dam and water power except by the expensive and doubtful process of condemnation; in other words, to recapture the property for the public benefit on reasonable terms.

Third. That the persons to whom the right to build a dam was granted should be required to pay indeterminate charges or taxes to the Government or to some beneficiary named by it for the privileges granted.

Fourth. That the granting of the right to use the water of a navigable stream created a monopoly, and should not be permitted by Congress, and Congress has refused to grant permission except on conditions declared to be by those asking permits to build dams in violation of both economic and business principles, and drove capital away from such developments.

I shall discuss the last objection first, in order to determine how far the monopoly exists and to what extent we can guard against the abuse of the power.

We must not forget that there are two kinds of monopoly. The first is the industrial monopoly, in which the price of a useful commodity is privately fixed, in which competition is driven out, and in which the largest possible revenue is derived by those maintaining the monopoly. The second is a public monopoly, or a publicly controlled monopoly, such as a water-power development, the services from which are performed under public regulation. In the first class are to be found consolidations of corporations and artificial organizations and creations in restraint of trade and subject only to indirect public control and regulation, while in the second class, such as hydroelectric developments and public-service companies, are found natural monopolies performing a public-utility service under public regulation. A hydroelectric development does not produce and sell a commodity in the same sense in which steel, oil, or tobacco are commodities. Hydroelectric power is not subject to periods of overproduction and underproduction, to storage, and to other methods of market manipulation, subject to rising and falling prices, but supplies its consumers to the extent of their demands and to the extent of the capacity of the hydroelectric development, and all the time at the same price as regulated and fixed by utility commissions or other legally authorized regulatory authorities.

Supporting the contention that hydroelectric developments are natural monopolies, the following quotations from various authorities are offered:

From the testimony of Hon. Walter L. Fisher, then Secretary of the Interior, before the National Waterways Commission, November 23, 1911:

I do not think there should be any provisions in these grants against so-called combinations or monopolies, but do believe there should be no assignment of the grant without the permission of the Government. I think hydroelectric development is essentially monopolistic and should be essentially monopolistic in its character. That is why I think it should be effectively regulated. I think they should have the advantage of the control of the market and the freedom from harassing and vexatious competition if we are going to put them under the disadvantages of effective public regulation.

It is of interest to note that ex-Secretary Fisher admits "the disadvantages of effective public regulation," by which it is inferred that he means that such regulation is not advantageous in financing hydroelectric developments, and such regulations restrict and limit profits.

From the testimony of Mr. Gifford Pinchot, before the National Waterways Commission November 23, 1911:

I am very strongly in favor of the consolidation of water-power plants, coupling them up over large areas * * *. Better service to the community would be forthcoming if water-power companies operated over large areas. But there must be public control of their operations to prevent the benefits which come by reason of such consolidation from being translated into a general overcharge to the consumer.

From the report of the National Waterways Commission (S. Doc. No. 469, 62d Cong., 2d sess.):

The important fact to be gathered from the entire discussion of this phase of the subject would seem to be not so much that financiers and promoters might find it to their advantage to promote a monopoly as that the economic considerations and the natural character of the business make monopoly almost inevitable, and perhaps desirable, when subject to strict public regulation.

The President of the United States, in an address before the students of the University of California in 1911, said:

Public-service corporations are, in a very interesting sense, natural monopolies. * * * It is perfectly obvious that if other companies are allowed to compete with them there is a wasteful duplication in outlay and equipment, so that competition generally results in the eventual combination of the competing companies and the necessity to charge a price on what they supply that will pay the interest on twice as great an investment as was really necessary for the service.

By Hon. B. H. Meyer, member of the Interstate Commerce Commission (the American Political Science Review for August, 1911, p. 374):

There are few things which the industrial history of advanced nations proves more conclusively than that competition in the field of public utilities has failed to insure reasonably adequate service at reasonable rates. The public has had occasion to learn this lesson many times on a large scale. * * * Certainly we have had enough repetition of disasters to the public as well as to investors to lift this subject out of the field of controversy; but somehow these lessons have not been on a sufficiently large and overwhelming scale, for the fetish of competition is still being worshiped, and the cry of competition is still raised by many as the touchstone capable of dissolving every obscure entanglement which the strained relations between the utilities and the public sometimes create.

The Wisconsin public-utilities law is a repudiation of the fallacy of competition as a guarantor of good service at reasonable rates and is planted squarely upon the idea of monopoly in the utility business except in the case of telephones. Give a utility plant a definite field and compel it to do its proper work reasonably well within that field; this is one of the basal ideas in the law.

Electric Light & Power Co. (1 N. Y. P. S. C., 1st D., 226) (1908).

Here the commission refused to authorize a large issue of securities on the ground that they were to be used to construct a competing plant, which was unnecessary. The commission says, at pages 249, 250, and 251, in part as follows:

The whole electric history of New York City points the futility of competition.

Col. Roosevelt is to be complimented upon his progress and his assimilation of the common-sense doctrine of monopoly and its control, that in his late speech at Pittsburgh he says:

Unlimited competition has proved one of the greatest curses of modern civilization. It was unlimited competition which created the great trusts, exactly as it created the sweatshop, and is chiefly responsible for child labor. The new freedom is merely the old, old freedom which permits each man to cut his neighbor's throat.

Combination is as natural in business as it is in human society. Only among primitive peoples is every man a law unto himself and an enemy to his neighbor. Combination was the first step toward civilization and is a force which will persist while civilization continues. In so far as it may invade individual rights, the remedy is not to seek its destruction, which would be impossible, but to compel its regulation for the public good. It is the expression of greater experience, better knowledge, and higher intelligence, the result of education, the effect of gradual appreciation of certain fundamental principles, and the transmission of those principles into practical operation.

Only by regulated monopoly, and not by competition and duplication, can the best services and the lowest rates be secured. As many as 20 States, recognizing the important economic fact and principle of regulated monopoly as a method of control for public-service corporations, have passed laws prohibiting competing service in public utilities until after it is shown that the necessity for competing service is required, and then a "certificate of necessity" is granted by public authorities.

A reading of the Adamson bill will disclose that sections 7 to 13, as also section 15, provide for complete and effective control of hydroelectric-power development in the public interest.

Assuming, for the purpose of this argument, that the granting of the right to dam a stream to create hydroelectric power will create a local monopoly in the distribution of the power produced, though, as a matter of fact, it may in some cases produce active competition, and is more than likely to do so when the power is used for manufacturing purposes, and assuming further that the eminent authorities I have just quoted are correct in their advocacy of the control and regulation of a public monopoly rather than its destruction, the question is squarely presented to us as to whether the bill H. R. 16053, known as the Adamson general dam bill, under consideration, fairly and effectively meets the public demand for regulation and control for the public good.

Section 7 provides that any grantee who shall fail or refuse to comply with the lawful order of the Secretary of War, made in accordance with the provisions of the act, shall be guilty of a misdemeanor.

Power is given the Federal courts to issue injunction, mandamus, or other process to prevent the violation of the act; and if the unlawful maintenance and operation are shown to be such as shall require a revocation of all rights and privileges held under authority of the act, the court may decree such revocation.

This section gives ample power to enforce the law. The power to regulate the rates is given in section 11:

SEC. 11. That in all cases where the electric current generated from or by any of the projects provided for in this act shall enter into interstate or foreign commerce the rates, charges, and service for the same to the consumers thereof shall be just and reasonable, and every unjust and unreasonable and unduly discriminatory charge, rate, or service therefor is hereby prohibited and declared to be illegal; and whenever the Secretary of War shall be of the opinion that the rates or charges demanded or collected on the service rendered for such electric current are unjust, unreasonable, or unduly discriminatory, upon complaint made therefor and full hearing thereon the Secretary of War is hereby authorized and empowered to determine and prescribe what shall be the just and reasonable rates and charges therefor to be observed as the maximum to be charged and the service to be rendered; and in case of the violation of any such order of the Secretary of War the provisions of this act relative to forfeiture and failure to comply shall apply. That in the valuation for rate-making purposes of the property existing under said approval of the project there may be considered any lock or locks or locks or other aids to navigation and all other capital expenditures required by the United States.

The Secretary of War is further authorized and directed to include among the conditions for his approval of any plans or any project herein provided, as an express condition thereof, a clause reserving to the Secretary of War the same rights, powers, and duties set forth in this section, together with the same penalty for violation thereof: *Provided*, That whenever the State in which such current shall be used shall have provided by law adequate regulation for rates, charges, and service to the consumers for such electric current and such regulation shall not be unduly discriminatory or unjust against the service or charges in any other State arising from the use of the power from the same project, and such facts shall be established to the satisfaction of the Secretary of War, then in such case the provisions of this section shall not apply to the rates, charges, and service in and for such State.

You can not obey two masters at the same time. Priority is given to the State to regulate the charges in the interest of its citizens if it desires to do so; if not, ample authority is vested in the Federal Government to protect the consumers of the power.

The bill, therefore, protects the public against monopolistic abuse by providing just governmental regulation.

The right to recapture the property by the Government is provided for in sections 9 and 10 of the bill.

The direct grant is limited to 50 years, and the Secretary of War is given the power to terminate at any time thereafter upon giving one year's notice to the grantee of his intention to do so, the Government being required to pay the fair value of the property to the grantee, but it is provided that—

In determining the value of said property upon the termination of said grant as above provided, no value shall be claimed by or allowed for the consent hereby granted (the franchise), nor for good will, profit in pending contracts, nor other conditions of current or prospective business.

Should the Government determine to recapture the property, it will not be compelled to pay anything for the franchise rights, business developed, or good will, but merely for the fair value of the property belonging to the grantee. As the dam, the power house, the machinery, and the transmission lines are subject to depreciation and decay it is in the interest of the Government that the price of recapture should be the fair value and not the original cost. To provide that the grantee should receive less would prohibit men with both money and brains from entering upon the development of the power, for, with Government regulation, the profits will of necessity be limited, and the grantee takes all the chances of developing a paying business.

In the hearings before the Interstate and Foreign Commerce Committee on the subject of general dam legislation it was stated that—

All hydroelectric engineers, as well as all investors, in fact, nearly all political students of hydroelectric developments, agree that experience has established the following business facts:

First. Hydroelectric, more than any other class of industrial investments, must bear a trying interest burden over longer nonrevenue initial periods of construction.

Second. The hazards of hydroelectric investment are greater than in any other class of investments.

Third. In proportion as any lease period is shortened or unprovided for at its termination, as is the case in the present general dam law, in like proportion bond issues on such developments are with greater difficulty and more expensively negotiated.

Fourth. Electrochemical and electrometallurgical operations, upon which water powers must largely depend for development and must rely for consumption, require and must secure power at extremely low rates, covered by long contracts.

Only four important dams have been constructed in the navigable streams of the country in the last decade: Keokuk, on the Mississippi River, under a perpetual tenure, the cost of the development to date being \$8,000,000 above the estimated cost; the Hales Bar Dam, on the Tennessee River, with a tenure of 99 years, at a cost of \$6,000,000 above the estimated cost. Of these, only two dams have been constructed under the general dam law of 1906-1910—the Coon Rapids Dam, on the upper Mississippi River, and the Lock 12 Dam, on the Coosa River, the latter costing \$500,000 above the estimated cost.

At the Keokuk power development, of the 120,000 horsepower now ready for sale there is an available market for only 90,000 horsepower, and a market must be created for as much as 90,000

horsepower to be developed at Keokuk before the total possible power development can be sold.

Of the 40,000 horsepower developed at Hales Bar, less than one-half of this power has been marketed, and a market will have to be created for as much as 25,000 horsepower of the total development.

Of the 40,000 horsepower developed at Lock 12, on the Coosa River, the Alabama Power Co. will be competing two years with the cheap coal in the Birmingham district before all of the power at Lock 12 is sold.

Not a single joint improvement of navigation and development of water power by private enterprise in a single navigable stream in this country is under construction at this time. The so-called new principles exploited by those who have made a political football of their so-called conservation policies have succeeded in putting a stop to all such joint improvements by legislative obstacles.

This bill undoubtedly protects the rights of the public, and my only fear is that it does not hold out sufficient inducement to capital to encourage investment in such enterprises.

The remaining objection that has been made to the present law is that no tax or charge is made for the use of the power.

I will not enter upon the discussion of the constitutional right of the Government to charge for the use of water in a navigable river for power purposes. I believe the beneficial use of the water belongs to the riparian owners, subject to the laws of the State in which it is located, and that the Federal Government has no right to make a special charge or tax as a condition of its enjoyment. [Applause.] No harm can be done by not incorporating a provision to tax in the bill, for the Government at all times possesses the power to levy an excise tax on each horsepower of electricity created by water power in the United States, so long as the tax is uniform and applies to all alike. No just man would propose to tax a dam built to-day and let go untaxed a dam built yesterday. [Applause.]

The best reason why no charge should be made and no tax be levied is that the people are entitled to as cheap electrical power as it is possible to give them, whether it is used in their homes for light and heat or in the factories for manufacturing. If you put the charge or tax on the owner of the dam, he, of necessity, will hand it down to the consumer of the power.

Public regulation and the right to recapture in the interest of the public are in the line of true progress; to go further would not only be injurious to the public but in all human possibility would prevent development.

The great issue involved in this bill is the development of navigation, the cutting down of freight rates, and the development of our commerce, but it is so apparent that it is in the public interest to make a stream navigable when it is done without cost to the Government or the people that I will not delay you with a discussion of the benefits to be derived from that feature of the bill, but I do desire to call your attention to some apparent competitive economic facts, and more particularly do I wish to call your attention to some of the benefits that our country will derive from the development of the hydroelectric power in our navigable rivers, that at this time is unfortunately, and with great loss to the country, going to waste.

In the joint improvement of navigation and development of water power in the navigable streams of this country, and in the enactment of laws that will encourage these developments, we are confronted with certain competitive economic facts which neither Federal nor State legislation can regulate or control. As an example of one of these there may be cited the instance in my own State of Alabama, where the Alabama Power Co., even in large units of hydroelectric power that can be supplied from its development at Lock 12 on the Coosa River, would refuse to name a price for power lower than one-half cent, or 5 mills, per kilowatt hour. At this rate—1½ horsepower-hours being equal to 1 kilowatt-hour—the yearly cost per horsepower would be about \$33, and yet electric power can be generated, using the by-product gases from by-product coke ovens in Alabama, at a cost of 2½ mills per kilowatt-hour, or at a cost of about \$16.50 per horsepower-year.

The production of coke in Alabama is now running at the rate of about 3,000,000 tons per annum. This coke, when all produced in by-product coke ovens, will yield waste gases that will produce under boilers 100,000 steam horsepower. It may be expected that in 10 years, as is the case now in Germany and Austria, there will be no coke manufactured in Alabama in beehive ovens, but that all of the coke manufactured in that State will be manufactured in by-product ovens, and the waste gases from these ovens will produce steam power at about one-half the cost of hydroelectric power.

Thus we find a competition between cheaper steam power produced by waste gases from by-product coke ovens and hydro-

electric power, which competition exists as an economic fact and can not be regulated by law.

Another economic fact, not to be controlled nor regulated by legislation, is that the hydroelectric power developed by building dams in the navigable streams of this country can only find its largest consumers through electrochemical and electrometallurgical processes, and by far the largest consumer will be the electric furnace. It is not necessary to review all of these processes to arrive at practical and correct conclusions for constructive legislation on this subject.

First, let us follow briefly the history of the manufacture of aluminum, the most useful of the light metals and more abundant in nature than iron, yet which costs, by chemical methods, at least \$1 per pound to produce, though by electrochemical methods it is manufactured and sold with a profit at 25 cents per pound.

Aluminum was first manufactured in this country at Pittsburgh, but the lower cost of hydroelectric power at Niagara Falls drew the industry away from Pittsburgh in 1893, and now aluminum is manufactured on an immense scale at several places where water power is cheap and abundant. It is of interest and strikingly pertinent to find that when the manufacturers of aluminum, desiring to locate nearer raw materials needed in its manufacture, established their factories not on navigable streams but selected locations on nonnavigable streams. The American manufacturers have constructed their new plant on the Little Tennessee River, where they can enjoy a perpetual tenure in the supply of power, and it is significant that when it was suggested that larger supplies of power could be furnished for their operations from developments made in the navigable streams of the country, they replied that they would not make investments in factories for the manufacture of aluminum with a tenure of only 50 years, as proposed by the Federal Government for developments in navigable streams. Likewise, when the French Aluminum Co. decided to establish its factories in the United States, it did not apply to the Federal Government for a permit to build dams in navigable streams for the development of its required power, but selected a very expensive power development on the Yadkin River, a nonnavigable stream in North Carolina, where an investment of ten or twelve million dollars is now being made by the French Aluminum Co. This company preferred to select a location on the Yadkin River, where hydroelectric power will be produced at a higher rate than can be produced at a number of points upon the navigable streams of the country, but they said, we prefer to locate where hydroelectric power is higher in cost but where, on a nonnavigable stream, we are free from the restrictive and prohibitive laws proposed by the Federal Government in navigable streams.

In both developments, the one on the Little Tennessee River by the American company and the one on the Yadkin River by the French Aluminum Co., the United States lost two large navigation improvements in the navigable streams of the country which, with more favorable and reasonable laws, the improvement of the navigable streams of the country would have secured free of cost to the United States.

Congress, in passing a general dam act, can not ignore the competition between developments on nonnavigable and navigable streams.

Second, investigation of the electric steel-furnace industry develops important economic facts as related to the development of hydroelectric power. The latest records show that at the present time there are 159 electric steel-furnace plants in operation and under construction in the various countries of the world, as follows:

France	24
Switzerland	2
Belgium	4
Germany	44
Austria	13
Hungary	2
United States	21
England	18
Italy	12
Russia	6
Sweden	6
Norway	3
Brazil	1
Spain	1
Japan	1
Mexico	1

And the productive capacity of all of these plants when in operation is estimated at over 1,500,000 tons per annum of electrical steel.

In order to operate electric steel furnaces cheap power is the first essential. Though the United States is the greatest steel and iron producer in the world, we stand third in the electrical steel industry—Germany first. The great steel corporations of the country, with waste gases from their by-product coke ovens

for the manufacture of cheap electric power, have a practical monopoly in the manufacture of electrical steel.

As a measure of the importance of electrical steel as affecting the safety of passenger transportation, it is reported that there are now 10,000 tons of electrical steel rail under test in the tracks of half a dozen railroads of this country, and not in a single instance to date has there been reported a blemish or fracture.

One of the most important items of cost in the manufacture of automobiles is the high-grade special steel required. This class of steel is now being manufactured in electric steel furnaces, using cheap electric power, and very fast electrical steel is supplanting crucible steel hitherto manufactured at a much higher cost in crucible furnaces.

Not only so, in considering this question, it is of unusual interest to know that of the 159 electric steel furnaces now in operation and under construction in the various countries of the world, 18 of these furnaces are making war materials.

That the electric steel furnace in its future enlarged operations, when cheap hydroelectric power is abundantly available in the navigable streams of the United States, will contribute to the safety of passenger transportation and to the decreased cost of living there can be no doubt.

Third, more economically important and of larger commercial interest is the manufacture of air fertilizers by the use of very cheap power, and only by very cheap power through the electric furnace using the cyanamid process. We find, and it is a shock to our commercial pride, that only in foreign countries are cyanamid plants, or lime nitrogen plants, located and in operation for the manufacture of air fertilizers in electric furnaces. While there are no such factories in the United States, these factories are in operation in foreign countries, as follows:

Germany.....	3
Norway.....	2
Sweden.....	2
France.....	1
Switzerland.....	1
Italy.....	2
Austria.....	1
Japan.....	1
Canada.....	1

Total number of plants 14, having a total productive capacity of 200,000 tons per annum, and a total investment of over \$30,000,000. The total capacity represents an output of \$15,000,000 per annum.

One English company alone is proposing the development of 1,000,000 continuous horsepower for the production of cyanamid and its derivatives, 600,000 of which has been secured in Norway and 400,000 in Iceland.

In addition to the operations using the cyanamid process in Norway there are also factories producing nitric acid and air fertilizers utilizing hydroelectric power with the arc process to the extent of over 200,000 horsepower, with a capital investment of \$27,000,000, making a total investment in these industries in foreign countries at the present time of nearly \$60,000,000.

Of infinitely more commercial importance, however, than the mere fact that these factories are located only in foreign countries, when we realize that not only are these factories engaged in the fixation of the atmosphere as a fertilizer, is the wonderful economic fact that the product from these factories competes directly with nitrate of soda, or Chilean saltpeter, found only in the country of Chile.

As a measure of the economic importance of this question, we find that the estimated investment in Chile employed in the nitrate of soda industry, or Chilean saltpeter, is approximately \$140,000,000. The export duty imposed by the Chilean Government is \$11.16 per ton, and 60 per cent of all Chile's revenues are derived from this one source alone. During 31 years, beginning with the year 1879, the world's industries and its agriculture have paid Chile a bill of nearly \$500,000,000. The official figures showing imports of nitrate of soda into the United States, by years, for 31 years, from 1883 to 1913, inclusive, amount to 6,516,031 tons, with a value of \$209,971,246. In the year 1883, 56,937 tons, with a value of \$2,262,701, were imported, and the importations increased so fast that in 1913, 589,135 tons, with a value of \$20,718,968, were imported; and yet 500,000 horsepower of our estimated 30,000,000 undeveloped horsepower in the streams of this country now going to waste, if employed constantly during a year would produce cyanamid, or lime nitrogen, equal to the amount of Chilean nitrate imported in the year 1913, at a price of \$21,000,000 to the people of this country. And yet we find gentlemen on the floor of this House who by captious criticism would destroy legislation that would effect results of this kind to the people of the United States, and say that they do it in the public interest. [Applause.]

The fixation of the nitrogen of the atmosphere as a fertilizer through the use of the electric furnace, supplied with very cheap power, ranks among the very first industrial and economic achievements of science in modern times, and while the commercial importance and growth of this new industry has been by leaps and bounds in other countries and is established commercially in other countries by every encouragement foreign countries could give to the industry, the United States, in contrast, holds the menial and humiliating distinction of driving away the factory proposed to be established at Montgomery, Ala., to be supplied with power from Lock 18 on the Coosa River under a grant passed by Congress in 1912 under the general dam law of 1906-1910, which grant the President of the United States promptly vetoed.

While the electric furnace is to be an economic factor in our future steel industry, the electric furnace, supplied by cheap water power, is to find its most useful service to the people of the United States in the electric furnace's relations and contributions to agriculture.

The manufacture of air fertilizers, now established in other countries, when established in this country promises alone to create a new epoch in our fertilizer industry—and the fertilizer industry is the most important of all industries in its relation and possibilities for the reduction of the high cost of living.

These present-day accomplishments and practical lessons of industrial achievements are but object lessons of the immense importance which the electric furnace, supplied by cheap water power, is assuming in our daily lives and in our industrial operations.

The very latest achievement through the electric furnace using cheap hydroelectric power, and in a sense still a secret, but of wonderful economic and commercial importance to the fertilizer industry, is the production of phosphoric acid from phosphate rock, so abundant in the States of Tennessee and Florida and also in Western States, and so indispensably necessary to the fertilizer industry.

The increasing business in this country of selling phosphate rock at the mines and of manufacturing commercial fertilizer made largely from phosphate rock is a matter of common knowledge.

The process of obtaining phosphoric acid from phosphate rock for use in agricultural fertilizers has been hitherto both tedious and very expensive. The process now and for many years employed for procuring phosphoric acid has been the system known as the sulphuric-acid process or treatment, in which process the ground phosphate rock is subjected to saturation with sulphuric acid. This process is unsatisfactory and expensive, both in failing to extract completely the free phosphoric acid from phosphate rock and also as requiring the use of large quantities of sulphuric acid, not beneficial to plant life. Very recently it has been established as a commercial success that with the electric furnace charged with phosphate rock and operating with very cheap water power phosphoric acid without the use of sulphuric acid can be successfully manufactured. The effect of this achievement and its importance to agriculture and its final contribution to the reduction of the high cost of living can hardly be realized.

Congress in passing general dam legislation can, with great interest and profit to the country, ask "Where do the manufacturers of phosphoric acid under this new process with the electric furnace, supplied with cheap power, propose to locate their factories?" The answer to that question is that the first manufacturers propose to locate in Canada, on the Saguenay River, where they have secured 200,000 to 300,000 cheap horsepower with a perpetual tenure.

Thus a second electric-furnace operation, for the manufacture of phosphoric acid, so indispensable to the manufacture of cheap fertilizers for the farmers of the United States, follows the lime-nitrogen factory, which was driven to Canada, and which had proposed to locate in Alabama and use Coosa River power. And where do the manufacturers of phosphoric acid at their proposed phosphoric-acid plant to be located on the Saguenay River in Canada expect to secure their supply of phosphate rock? Surprising as it may appear, they propose to ship Florida phosphate rock by water up the Atlantic coast to their electric phosphoric-acid plants and manufacture phosphoric acid with cheap power on the Saguenay River in Canada, and ship phosphoric acid back to the Atlantic ports for distribution to the farmers of this country. How significant it is that those who propose to carry Florida phosphate rock to Canada by water and ship phosphoric acid back by water to the United States, to be distributed largely by rail to the various States, have asked no permission of Congress, nor have they requested this Government for the right to develop water power in the navigable streams of this country, when millions of horsepower are going to waste by non-

use in our navigable streams. [Applause.] Are those who propose this \$10,000,000 new fertilizer development by this new phosphoric-acid process Canadians, and do they locate on the Saguenay River inspired by pride of country? Not at all; for the financial organizers of this new development are citizens of the United States. They go to Canada because of the cheap water power to be found there and because the water-power laws of the United States do not invite them to the cheap water powers in the navigable streams of this country. And I wish to say in passing that gentlemen who expect to make political capital for themselves by throwing obstructions in the way of honest legislation to develop the great water power of this country, when these facts become known to the agricultural classes of this country, will have a day of reckoning at their own homes. [Applause.]

For seven years Congress has continued its debate upon this question, and while we talk about the conservation of our water-power resources other countries build dams and conserve their water powers, while ours go on to waste.

In the arid regions of the West it is water, not land, which measures agricultural production. In the cotton fields of the South it is fertilizer, not land, that measures production.

An examination of the summary of appropriations made by Congress for western land irrigation and reclamation discloses the following:

Early irrigation surveys.....	\$350,000.00
Reclamation fund.....	79,450,438.53
Authorized bond issue.....	20,000,000.00
Expended by Geological Survey.....	4,500,000.00
Expended by Department of Agriculture.....	956,000.00
Expended by or through office of Indian Affairs.....	10,797,316.29
Total.....	116,003,754.82

These contributions of the Federal Government by these appropriations in aid of the reclamation of the arid lands of the West are most wisely made, for Congress can make no appropriations and pass no laws so useful to the country as those appropriations and laws which contribute to the increase of our food crops.

What appropriations has Congress made, what encouragement has the Government given to the increased production and cheaper production of fertilizers, so indispensably necessary to the food crops of the farmers of this country from Massachusetts to California and from Maine to Texas? The agricultural fertilizer bill in the United States during the single year 1909 amount to \$114,882,541, and the fertilizer bill for 1909 of the 11 Southern States—North Carolina, South Carolina, Georgia, Florida, Kentucky, Tennessee, Alabama, Mississippi, Arkansas, Louisiana, and Texas—was alone \$63,992,626.

Is it sound, is it sane, that out of the Federal Treasury the enormous expenditures of public funds for the reclamation of the arid lands of the West be continued—and they should be—and Congress refuse to pass constructive dam legislation that will invite and protect private capital, to be invested at its sole expense in the construction of dams for the joint improvement of navigation and development of power in the navigable streams of the country, which power will be largely employed in the manufacture of fertilizers which are just as necessary to increase the food crops and cotton crop, especially of the Southern States, as water is necessary to the production of food crops on the arid lands of the West?

As an illustration of what atmospheric nitrogen means as a fertilizer, Mr. Frank S. Washburn, president of the American Cyanamid Co., which company has its factories at Niagara Falls in Canada, says:

Experiments at the Rothamstead Agricultural Experimental Station in England, conducted now over a period of 60 successive years, prove that an amount of nitrogen equivalent to that produced in the cyanamid process by one continuous horsepower will increase wheat production by 150 bushels per year. This means that the application of a horsepower in the United States to the cyanamid industry will some day increase the food supply the equivalent in value of \$150. The factory sales price of the quantity of nitrogen thus required would be practically one-half this amount, or about \$75.

The President of the United States vetoes a bill passed by Congress authorizing the construction of a dam in the Coosa River, the water power from which was to be used in the fixation of the nitrogen of the atmosphere in that commercial form that competes directly with Chile saltpeter, and the very first year succeeding the date upon which the President vetoed the bill this country paid to Chile \$20,000,000 for nitrate of soda used in the arts, sciences, and agriculture.

We man our forts and ships with big guns and pay big bills to Chile for nitrogen material to manufacture powder to shoot our guns with.

In view of the very startling testimony of Gen. William Crozier, Chief of Ordnance Bureau, before the Committee on

Military Affairs of the Sixty-third Congress, second session, the Ordnance Bureau of the War Department has been, under congressional authority, endeavoring to accumulate a reserve supply of 65,000,000 pounds of sodium nitrate. Gen. Crozier's statement was made confidentially to the committees of the Senate and House of Representatives and was never printed, for the reason that this Government at that time did not care to disclose to the world the absence of a reserve supply of Chilean nitrate, indispensable to the manufacture of powder.

Pursuant to the recommendations of Gen. Crozier, appropriations were made for the erection of storehouses and for the accumulation of a supply of sodium nitrate, and we now have on hand between 40,000,000 and 50,000,000 pounds. At the present rate of supply it will require something over five years to complete the reserve.

We use approximately 3,000,000 pounds annually of sodium nitrate from Chile, in addition to that which goes into the reserve, in the manufacture of powder, and I think the Navy uses a somewhat greater amount.

Contemplate, if you please, the unprotected position of this country for an adequate supply of sodium nitrate in time of war.

Shall the United States be the only important country in the world wholly dependent upon other countries and pay an export tax to other countries for the essential and principal material necessary for the manufacture of powder? Shall the farmers of the United States pay for fertilizers manufactured with the cheap water powers in Canada and in Europe while our own water powers go to waste and the navigation of our rivers goes unimproved? Shall we continue to preach conservation of our water-power resources and conserve them not at all? Shall we put to service the power along the waterfalls in the streams of this country now going to waste by nonuse and manufacture fertilizers to restore the fertility now fast failing in our farm lands? Every sentiment of national pride for our industrial future demands that we do so.

It has been lately and very truly said:

The United States in our time is undergoing profound and far-reaching changes. The first great chapter of the Nation's history is closing with the passing of the public lands. From the earliest years of our national existence almost until the present the main work of our people was to acquire and to occupy the public domain, continental in extent. The continent, however, is now practically occupied; there are no longer great stretches of free land rich with all manner of unowned, undeveloped resources. We have come, consequently, to new national bases of life, and are forming new national habits. Our country, in truth, has entered a period of fundamental readjustment—economic, social, and political.

In this "fundamental readjustment" there will be proposed many new "economic" theories of government, many "social" panaceas, many "political" poultices; but none of these should cause us to forget that the earth supports us; that whatever embarrasses and is a burden to agriculture—the very foundation of all wealth—harms society; and whatever contributes to agriculture contributes to the happiness of the human family. [Applause.]

Mr. BURNETT. Mr. Chairman, before the gentleman takes his seat, will he yield?

Mr. UNDERWOOD. Certainly.

Mr. BURNETT. The gentleman referred to the monopoly of these electric powers. I want to call the gentleman's attention to the fact that electricity now generated at Lock and Dam No. 12, which Congress provided for a few years ago, is being distributed at the present time at Gadsden, my home town. Up to a few weeks ago the people of that place were paying 16 cents per kilowatt-hour for the use of the electricity. When this distribution or transmission plant was located at Lock 12 the people made complaint that the charge was too much. They demanded a reduction, which was refused. The laws of Alabama require that these electric plants shall supply all parties at the same rate. The people at that place then said to those who were supplying them with electricity for lighting purposes, "We will contract with the Alabama Power Co.," and they went to that company and found they could get a much lower rate, and now those with whom they had contracted, or from whom they were taking these supplies for their electricity at 10 cents, have reduced it to 12 cents, or a reduction of 25 per cent. That is the kind of monopoly that that brings about.

Take the town of Leeds, which is a little town in the gentleman's home county. That town would not be able to erect a lighting plant, but it is to-day securing electricity from that company to light the town. Lincoln, in Mr. BLACKMON'S district, is the same, and numbers of other little towns all through that section of the country are going to be supplied with electricity, and numbers of manufacturing plants are to be supplied with electricity that actually could not obtain it if they had to have their own plants to do it.

Mr. UNDERWOOD. I agree with my colleague. Some gentlemen who are obstructing legislation of this kind upon the ground that they are conservationists, I regret to say in my judgment are obstructionists against the best interests of the people of the United States. [Applause.]

Mr. STEVENS of Minnesota. Mr. Chairman, I yield to the gentleman from Massachusetts [Mr. GILLETT] such time as he may desire.

Mr. GILLETT. Mr. Chairman, while I have very decided opinions about the fundamental principles on which this bill is based, I think it prudent for me not to discuss them now, because I have a distinct local interest in the bill and am anxious that it should become a law whether it adopts the changes and compromises which are being negotiated or not. My interest springs from the fact that men in my district are awaiting the passage of this bill in order that they may dam the Connecticut River between Springfield and Hartford, and create an enormous water power which is certain to stimulate and develop industrial activity all through that enterprising and teeming valley. But this new development and diffusion of power, although highly advantageous, is not what most attracts me in the new project. My chief interest is that I see in it the consummation of the design for which I have labored many years of bringing salt-water navigation to Springfield and Holyoke. You gentlemen who have been here longest know that discouraging story which I have told so often that I will not repeat it now. It is sufficient to remind you that though one of the most popular and influential members of the River and Harbor Committee was deeply interested in the plan and by his position could exert great influence on Congress, yet the project was repeatedly and conclusively balked by the opposition of the War Department. As you know, all Congress could do against their veto was to keep ordering surveys, and that was done so repeatedly that it seems to me there ought not to be a pebble which has not been located or a pollywog or bullhead whose favorite pool has not been charted.

When, however, this plan for a power dam was proposed the War Department at last became favorable and reported in favor of a Government appropriation in conjunction with it which would insure the long-sought end. Then we should have at once not only navigation but a stimulating diffusion of cheap power. But just when everything seemed favorable and our long-delayed navigation seemed certain of immediate fulfillment, there arose over our bill in the Senate that memorable constitutional debate which for the first time developed the two fundamental lines of opinion on the subject of water-power development. It seemed like fatality that our measure which for years had encountered such unforeseen and unavoidable obstacles should be the one over which this constitutional question should be fought out. We did not care particularly which side won. We were willing to accept the charter on the terms which either side offered—and each side was most friendly to us and was desirous we should be incorporated—but was only unwilling that in our charter the principles of its opponents should triumph; and so we were the unfortunate victim of the conflict of two opposing forces neither of which wished us any harm, but both of which together united to annihilate us.

Now, at length it seems that the antagonistic principles are in the way to be harmonized and compromised and that a general law will be enacted under which we can develop our desired water power and the Government will give us our longed-for navigation. And therefore I refrain from discussing or criticizing the bill or its amendments. I carefully abstain from interposing any element of discord, and I only urge that this bill in some form be speedily passed and made law.

Mr. STEVENS of Minnesota. Mr. Chairman, I yield to the gentleman from Massachusetts [Mr. GREENE] such time as he may desire.

Mr. GREENE of Massachusetts. Mr. Chairman, before beginning my remarks I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. GREENE of Massachusetts. Mr. Chairman, I receive quite a number of circulars and letters every day through the mail, but this morning I received a circular addressed to me which I opened and read, and I was interested in the same because of the statements therein made, and I desire to read it for the information of the House. It is from Local Union No. 691, affiliated with the United Textile Workers of America and the American Federation of Labor. I will state that the headquarters of the United Textile Workers of America are located in the city of Fall River, Mass., where I reside, and that John

Golden is the president and that Albert Hibbert is the secretary and treasurer. This circular is dated "Newark, N. J., July 6, 1914," and is as follows:

[Local Union No. 691, affiliated with United Textile Workers of America and American Federation of Labor.]

NEWARK, N. J., July 6, 1914.

DEAR SIR: The flax dressers of Newark, N. J., and vicinity wish to have your attention drawn to the harm which has been done their trade by the passage of the tariff act of 1913, and to ask you to use your best influence to have Congress restore the protection which is necessary to enable them to meet foreign competitors on an equal basis. We have always had a 3-cent per pound duty on dressed flax until the passage of the recent tariff act, which placed dressed flax on the free list and left us without any protection whatever. The result is that the Barbour Flax Spinning Co. and other firms have already disposed of fully 80 per cent of the men employed in their backling departments. They have opened backling departments in Europe, where they now have their flax dressed at a much cheaper rate than it could be produced in this country. In a very short time backling of flax will become a thing of the past unless prompt action is taken to have the duty restored on all dressed flax coming into this country.

We workmen who have been and are being deprived of the opportunity to earn our living at our trade appeal to you to save our trade from being entirely lost to us. We again wish to remind you that prompt action is needed. For once the firms which have given us employment in the past ship their machinery to Europe, it will be impossible to recover the trade to this country.

I am, yours, respectfully,

CHAS. LAUGHLIN, Secretary,
46 Pomeroy Avenue, Kearny, N. J.

Mr. TOWNSEND. Mr. Chairman, will the gentleman yield? Mr. GREENE of Massachusetts. Certainly, for a question.

Mr. TOWNSEND. I did not catch the name of the manufacturing firm that employed this writer.

Mr. GREENE of Massachusetts. The Barbour Flax Spinning Co.

Mr. TOWNSEND. What proportion of the labor employed by that concern is employed in backling?

Mr. GREENE of Massachusetts. I do not know.

Mr. TOWNSEND. It is rather important to know.

Mr. GREENE of Massachusetts—

I know not what the truth may be,
I tell the tale as 'tis told to me.

The circular explains itself, and if the gentleman had paid attention he would have found out something about what was stated in the circular which I read. I wish to say, Mr. Chairman, that I listened with a great deal of interest to the remarks of the gentleman from Alabama [Mr. UNDERWOOD]. He is very much interested in advancing the interest of his section of the country, and I am very glad he is, and I believe this country will grow and prosper and that every man ought to take care of his own part of it, but I believe we should all be broad enough to not forget the interests of all sections of this broad land. The South has great advantages and has enjoyed great prosperity for many years under Republican administrations. I was interested also when he talked about the obstruction to legislation that has occurred in past administrations. I think there is some obstruction here even with the Democratic Party in control in this House, and there is some legislation that has been put on record since the Underwood Tariff Act was passed which I fear may prove to be not altogether for the best interests of the people. The persons who issued the circular which attracted my attention just referred to it as the tariff act of 1913. For fear anyone should be misled as to what tariff act that circular refers to I desire to say it refers to the Underwood tariff bill of 1913, which was voted for by nearly all the Members on the other side of the House and by a few misguided Members on this side of the House. I thank God I was one of the Members who did not vote for it. I do not believe in it.

The country is beginning to reap some of the fruits of the passage of that legislation. This is simply a cry of distress that comes from a section of the country that feels the effect of this law that was put on the statute books that destroys the efficiency of these men of New Jersey as workmen, and deprives them of the continuous employment which they enjoyed under the policy of protection to American industry, which has always been maintained heretofore under Republican administrations.

Mr. TOWNSEND. Will the gentleman yield for just a question?

Mr. GREENE of Massachusetts. For just a question; yes.

Mr. TOWNSEND. In the section of the country to which the gentleman refers, the number of depositors in the savings banks has increased and the amount of the deposit of each individual depositor has increased.

Mr. GREENE of Massachusetts. I did not yield to the gentleman for a speech. I decline to yield for a speech. I have not the time to yield, because I have only a few minutes. I want

to say I know something about the industrial conditions of this country. I know something about the people who are working for a living; I know something about what they suffer from the legislation that has been inflicted by the Underwood bill, and I hope the time will soon come, and I believe it will soon come, when we shall wipe this legislation from the statute books of the country, and the Republican Party will replace it with such legislation as will be for the benefit and advantage of the men who work for a living, and also that the men and women and executors of estates who have capital invested may reap some benefit from their investments.

This country will enjoy prosperity to a greater extent when the interests of both labor and capital are best conserved and property safeguarded.

But the cry has not alone come from the men employed in the flax-hackling plants of the State of New Jersey. I call the attention of the Democratic majority to the fact that there are other flax-hackling plants in the United States; but the men employed in that industry in Massachusetts are in the same situation as their brother workmen in New Jersey, but they tried to impress their unfortunate situation upon the Democratic Party before the Underwood tariff law was enacted, but their cries of distress fell upon deaf ears then. What is the answer of the Democratic majority now?

One of the very few flax-hackling plants in the United States is in Massachusetts, in the fifth district, which is ably represented on this floor by my colleague Mr. ROGERS. I refer to the Smith & Dove Manufacturing Co., of Andover. A year ago last spring, when the Underwood tariff bill was being prepared, the employees of that concern, of their own volition, sent for my colleague Mr. ROGERS. He met them during the noon hour, and they told him that if the rates then forecasted for flax hackling—which rates were later enacted into law—should prevail, it would mean the end of flax hackling in this country. While the debate on the Underwood tariff bill was in progress, on May 2, 1913, Mr. ROGERS offered an amendment designed to prevent the disaster predicted by the 100 or more workmen who had interviewed him, and told more fully the story I have sketched here. Nevertheless, like every other meritorious amendment offered by the Republican side of the House to that measure, it was contemptuously rejected. Apparently the letter from the workmen of New Jersey which I have read establishes the fact that the fears of those wage earners were not idle forebodings.

During the discussion which arose while the Underwood tariff law was being considered in the House of Representatives last year the gentleman from Alabama [Mr. UNDERWOOD] frequently stated that the measure which he presented was a revenue measure, and, if enacted into law, it would remove the burdens which had been inflicted upon the country, and especially upon labor, by the laws which had been enacted while the Republican Party was in power.

He stated that the measure which bears his name would be a competitive measure, because it would provide competition from abroad, and thereby reduce the cost of living to the consumer. He has yet to learn that in order to be a consumer to any considerable extent the laborer must have employment, and that employment is dependent upon the prosperity of the United States rather than the prosperity of any foreign nation.

While considering this phase of the situation I am reminded that the President, when he addressed the Congress, stated that it would be necessary to sharpen the wits of the American manufacturer by bringing him in competition with the manufacturer from abroad.

This is Democratic theory, and will become Democratic doctrine if the people indorse this theory when they cast their votes in the elections that are to take place in the months that will soon confront the American people.

The rumblings of the thinking voters of the State of New Jersey are beginning to find expression in notes of dissatisfaction, which the circular I have read so clearly sets forth.

I want to emphasize what they state in their circular addressed to me, and I assume that they have mailed a similar circular letter to every Member of the House of Representatives, and I quote as follows again from the circular:

We workmen, who have been and are being deprived of the opportunity to earn our living at our trades, appeal to you to save our trades from being entirely lost to us.

Gentlemen of the Democratic majority, it is possible for you to grant the petition of the wage earners of the State of New Jersey. Will you do it? These wage earners know that their misfortunes which have blighted their hopes are the result of erroneous tariff legislation. They do not hesitate to so state. Loss of employment at any stated occupation is a serious misfortune; but when the full result of that misfortune is to trans-

fer an industry to another country, and you have the power to prevent that misfortune and to correct the errors and mistakes of your own party in visiting the trouble and distress upon the innocent victims of your erroneous legislation, I repeat, gentlemen of the Democratic majority, will you listen to the Macedonian cry for help which appeals from the laboring men of New Jersey?

There is another feature of the Underwood tariff law which demonstrates the utter futility of the Democratic Party's attempt to work out a theory, which should have been clear to them in advance, as it now shows by experience to be a colossal blunder in its results upon the industry which produces the finer grades of manufacturing tools and machines in this country. In the tariff law which the Underwood law repealed raw materials which are a necessity to advance this important industry which gives employment to high-grade, well-paid mechanics were admitted free of duty; but under the Underwood law these raw materials are subject to a duty, but the finished product, which employs foreign labor to produce, is admitted free. This theory finds exemplification in many phases of the Underwood tariff law. The results in practice is that the interests of the foreign workmen is better provided for than the interests of American workmen, while the policy of a tariff for revenue only may possibly loom large in the item of receipts at the customhouse.

The Payne-Aldrich Tariff Act was a good revenue producer, but the tariff against the products of foreign labor provided in that act gave full protection to the skilled American laborer of the United States.

Our Democratic majority in the Congress seem to forget that they do not represent the majority of the American people.

They unthinkingly assume that they have been commissioned by some mysterious authority to carry out the will of the people.

They forget that they are still the minority party in the country, and that only through the divisions in the ranks of their opponents they are permitted to exercise a little brief authority. Episodes like the circular letter addressed to Members of the House of Representatives should cause them to hesitate in their policy of enacting destructive legislation and to examine themselves and consider whether or not they will be likely to destroy themselves in their anxiety to overthrow the policies in governmental affairs which have given protection to American labor and prosperity and happiness to the American people.

Mr. ADAMSON. Mr. Chairman, I move that the committee do now rise.

Mr. LENROOT. Will the gentleman permit me to make a request?

Mr. ADAMSON. Certainly.

Mr. LENROOT. I ask unanimous consent to revise and extend my remarks.

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

Mr. FOSTER. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by printing an article from the Chicago Tribune of July 17.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois to extend his remarks as indicated?

Mr. JOHNSON of Washington. On what subject?

Mr. FOSTER. On the subject of prosperity in the West.

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

Mr. ADAMSON. Mr. Chairman, I would like to withhold my motion for a moment, in order to advise my friend from Massachusetts to answer his correspondent that he should date the cause of the disaster further back, to the tariff of 1909. 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. GARNER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 16053 and had come to no resolution thereon.

ACCEPTANCE OF STATUE OF GEORGE WASHINGTON GLICK.

The SPEAKER. The Chair lays before the House the resolution for the special order, which is as follows:

House resolution 558.

Resolved, That exercises appropriate to the reception and acceptance from the State of Kansas of the statue of George Washington Glick, erected in Statuary Hall in the Capitol, be made the special order for Saturday, July 18, 1914, at 3 o'clock p. m.

The Chair designates the gentleman from Kansas [Mr. TAGGART] to act as Speaker. [Applause].

Mr. TAGGART assumed the chair as Speaker pro tempore.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, That exercises appropriate to the reception and acceptance from the State of Kansas of the statue of George Washington Glick, erected in Statuary Hall in the Capitol, be made the special order for Saturday, July 18, 1914, at 3 o'clock p. m.

Mr. CAMPBELL. Mr. Speaker, the law provides that the several States of the Union may send to Statuary Hall statues of two citizens of the State eligible for such an honor, and for the acceptance of such statue by the Congress of the United States. This House is now for the second time engaged in the acceptance of a statue from the State of Kansas. John James Ingalls, in statue, has for many years occupied a place in Statuary Hall. George Washington Glick, formerly governor of the State, was a pioneer. He went to Kansas before it became a State. He went before there were railroads west of the Mississippi River.

When he arrived upon the prairies of Kansas in Atchison County he was at the end of the road trail in that direction. Travel had not gone beyond, and when he stopped he began the work of a pioneer in making Kansas a habitable place in which to live. At that time nothing greeted him and those with him except the broad expanse of prairie that receded from the Missouri River westward to the Rocky Mountains. There were no common carriers of interstate commerce, no bridges, no public buildings and but few of a private character. There were no gas or electric light plants, no telephones, or rural delivery of mails. A young man full of energy and ability even then saw opportunities in that part of our domain that was then designated upon the map as the American Desert. He knew, as those with him knew, what it would require to make that desert a habitable home for a splendid citizenship. He knew of the sacrifices, of the energy, of the determination that it would take. He devoted himself to the work of making Kansas a great State from the day that he arrived upon her prairies until the day of his death. He found it a raw prairie; he left it a fertile field, inhabited by a prosperous and happy people. When he came he found nothing; when he left the people had everything. Gov. Glick saw the prairie broken, houses, barns, schoolhouses, churches, bridges, courthouses, colleges, statehouse, and charitable institutions all built and paid for.

Gov. Glick was one of the many thousands of heroes who went to the front and removed the frontier. The frontier is gone, and those who moved it are going. No honor is too great for them, and George W. Glick was one of their leaders.

He was early engaged in politics. He was a Democrat. He worked for and voted with his party, and yet almost from the beginning of his political career he was elected to office by the vote of his political opponents. He was a member of the Kansas Legislature from the early days of the State's admission to the Union, at odd intervals, whenever he could be prevailed upon to go, up to the time that he served as governor, in 1882.

He was a peculiarly popular man with those who knew him. He had a way of getting close to his associates. It is not strange, therefore, that the people of Atchison County sent him to the Kansas Legislature whenever he expressed a willingness to go.

In 1882 a peculiar political situation arose in the State of Kansas, which finds its sequel here this 18th day of July, 1914, in the acceptance of a statue for the Hall of Fame of the man who saw opportunity and seized it.

In 1880, after a long struggle, Kansas began as a prohibition State. The Democratic Party in its platforms had been declaring against sumptuary legislation of any character whatever. It had declared for resubmission of the prohibitory amendment to the constitution. But the people of Kansas did not adopt constitutional prohibition in a spasmodic frame of mind. It was a deliberate judgment upon their part. It was a determined forward movement from which they did not propose to recede. One of the great men of Kansas and the Nation, John Peter St. John, was the leader of the prohibition cause. He had just served four years as governor and had much to do with the adoption of prohibition in the State. He was running for governor for the third time.

The Democratic Party nominated George Washington Glick as their candidate for governor upon a resubmission platform and in opposition to a third term, and the campaign was made on two lines—opposition to a third term for Gov. St. John and resubmission of the constitutional amendment for prohibition. Many men who were opposed to the Democratic Party and were ardent Republicans had not yet brought themselves into hearty sympathy with prohibition, and they found it easy to vote for a candidate for governor who was making the issue that Gov. St. John had already had two terms. It was a violation of the

precedents for the people of Kansas to give to any man a State office more than two terms.

Glick was elected. His term of office as governor was not conspicuous for any great achievement. The legislature was Republican. Gov. Glick was the only man elected that year on the Democratic State ticket. At the end of two years he retired to his home in Atchison, after one term as governor, with the respect of his political foes and with the devotion of his political friends. He was many times rewarded by his party and given place both of honor and emolument. He attended many Democratic national conventions as a delegate. He was the choice of the Kansas Democrats in the national convention of 1884 for Vice President. He was twice appointed by Grover Cleveland as pension agent for the Topeka district, at Topeka, Kans., pensions being distributed from there to the veterans in a number of adjoining States.

In 1911 Gov. Glick, ripe with years and experience and full of honor, reached the end of his earthly career. Gov. Glick was chosen by the Kansas Legislature for this honor from among a long line of Kansans eligible for the Hall of Fame. Offhand, I think of John Brown, Jim Lane, Charles Robinson, Preston B. Plumb, David J. Brewer, Charles W. Blair, and George T. Anthony. I think of others whom death will enroll in the list. Among the many, John Peter St. John, now full of years and crowned with honor. He is rising above political prejudice, and is esteemed and honored throughout the Republic for his devotion to a great cause. But I must not speak more of the living nor much more of the dead. A statue of Gov. Glick, that does credit to the artist who prepared it and to Gov. Glick himself, stands in Statuary Hall at the left of the door as you pass from the House to the Senate. The statue of Ingalls stands at the right of the door. They were neighbors in Atchison. They are together in the Hall of Fame. The statue of Gov. Glick has just been unveiled. I favor the resolution providing for its acceptance by Congress. [Applause.]

Mr. HELVERING assumed the chair as Speaker pro tempore. The SPEAKER pro tempore. The gentleman from Kansas [Mr. TAGGART] is recognized.

Mr. TAGGART. Mr. Speaker, George Washington Glick was the ninth governor of Kansas. His name comes of that virile and sturdy German stock, of which people no less than 6,000,000 have come to the shores of the United States since the year 1820, at which time we began the practice of making accurate statistics of immigration.

His grandfather, George Glick, who was the son of the original German immigrant, served faithfully as a soldier in the War of 1812. The father of the mother of Gov. Glick, who was George Sanders, a Scotchman, also fought in the War of 1812 under the flag of the United States. The ancestors of Gov. Glick were residents of Pennsylvania and were identified with the interests and industries of that State. His father was a public-spirited man and took an active part in the affairs of his community. He removed to Fairfield County, Ohio, where the future governor of Kansas was born on the anniversary of American Independence in 1827. George W. Glick became a law student at an early age, and at 21 was admitted to the bar and began the practice of law at Fremont, Ohio.

A young attorney could acquire a reputation 70 years ago more rapidly and more effectively than at this time. The profession was held in high respect. It had not suffered the unfortunate taint of commercialism that has come to it, especially in our great cities. It was then distinctly a profession. It has now become scarcely anything more than a business. Young George W. Glick attained local prominence and high respect as a practitioner of law at Fremont.

Sixty years ago the Territories of Kansas and Nebraska offered to young and ambitious men the most promising field of any part of the Union. There were no railroads in those Territories at that time, and transportation was conducted by means of steamboats on the Missouri River. At that time there were two cities of importance in the Territory of Kansas, only about 30 miles apart and located on the Missouri River, namely, Leavenworth and Atchison. These were perhaps the most alluring places for ambitious young professional men who sought to identify themselves with the new and growing Territory. The name of Kansas had gone abroad throughout the world. There, upon that soil, men met each other face to face and debated with each other, sometimes with terrible meaning in their voices, the grim question as to whether or not the State of Kansas should be slave or free. So intense had become that issue that there was bloodshed in Kansas. "There were drops on the bunch grass, but not of dew." The reputation of the exciting struggle that was in progress added to the enthusiasm of the young and vigorous class of men who emigrated there.

George W. Glick heard the call of Kansas, and in 1859 he went and cast his fortune in the town of Atchison. He immediately identified himself with the movement for a free State. He was an uncompromising foe of slavery.

I presume we have all noticed how certain towns produce a great many noted men. We can go up into the little town of Concord, Mass., and find that in that little city of a few thousand inhabitants there are perhaps a dozen names of men and women that have gone forth throughout the world—names destined for immortality. And we find it so in many another place. Perhaps in every State of the Union there is some one city which, for some reason or another, was the dwelling place of an unusual number of celebrated persons.

About the same time there came to the same town of Atchison another man whose statue adorns Statuary Hall alongside of that of Gov. Glick—John James Ingalls.

Strange, incongruous Kansas. Within that "grassy quadrangle" the unexpected seemed to be the law of life. There, in the midst of the pioneers who were passing through Atchison, was the polished and cultured Ingalls, an orator whose genius approached that of Burke, a satirist outrivalling Juvenal, an intellectual gladiator whose arena for 18 years was the Senate of the United States.

In that very same year came a young man to Atchison, Kans., from Brownsville, Pa., the town in which James G. Blaine grew up, and this young man afterwards became a governor of Kansas, the next following Gov. Glick. He was John Alexander Martin, secretary of the convention that drafted the constitution of Kansas in 1859, and colonel of the Eighth Kansas Volunteer Infantry, a gallant regiment, whose record for sacrifice, heroism, and suffering stands high in the list of the military organizations that have served under the flag of the United States. Albert H. Horton, afterwards a distinguished chief justice of the Supreme Court of Kansas, came and took up his residence in the little town of Atchison at about the same time that George W. Glick came there.

John Seaton, a mechanic and ironmaster—a man who had learned his trade in the old-fashioned way—came and established a foundry in Atchison and became one of the wealthiest men in that city. He left after him not only wealth but an inheritance of honor and a name and reputation for justice toward labor, for personal interest in everyone who took part in his life work with him, and for an exalted type of citizenship that will remain as one of the brightest traditions of the city of Atchison.

I shall not name the living now, nor can I call to mind all the distinguished dead who lived and worked out their careers in that one city. Suffice it to say, without mentioning States or State lines, which seem to mean less as time goes by, that they who came to Atchison represented all that was enterprising, generous, high-minded, and progressive in the American people.

George W. Glick formed a partnership with an able lawyer of Atchison—Hon. Albert G. Otis—and in this partnership continued in the active practice of law until 1894. Mr. Glick was recognized as one of the foremost attorneys at the Kansas bar. Railroad building was active in his time, and his services were sought by railway companies in the multitude of difficulties that beset their path in the beginning of their operations in Kansas. He often received large fees, but it was said of Gov. Glick that if a poor person had a case and seemed to have a right to be heard in court, regardless of whether he was to receive any fee or not, he never refused or failed to see to it that poverty did not prevent a fair hearing in court.

No successful attorney has ever escaped at least being requested to take part in politics. Very few have been able to resist that temptation. George W. Glick was a Democrat, and it is well known that for the first 30 or 40 years of the history of Kansas the State was overwhelmingly Republican in politics, and there was little, if any, opportunity for one having other views politically to attain to any high place in that State. Mr. Glick, however, accepted a nomination for the legislature, and he was elected in 1863, 1864, 1865, 1866, and then again in 1868 and 1876 and 1882 as a member of that body.

He took a very active part in preparing legislation in Kansas. He was especially interested in civil procedure, and his work was of immense value to the bench and bar. Prior to his service in the legislature the Supreme Court of Kansas was not required to render its opinions in writing. Through the influence of Mr. Glick as a member of the legislature laws requiring opinions to be fully written and a syllabus to be prepared by the judge who speaks for the court were enacted. In 1863 he drafted and secured the passage of the first law in Kansas regulating the rate of interest on money. In the early days of Kansas, as in all other frontier places, exorbitant rates of inter-

est were allowed by statute. He had a law passed through the legislature changing the then prevailing rates of interest from 5 and 3 per cent a month to 10 and 12 per cent per annum, with penalties attached for usury.

He also took an active part in framing the marriage laws of Kansas. It was extremely difficult under the early statutes of many of the States to prove marriage. This was simplified so as to establish, without all of those difficulties, the legitimacy of children and the title to property. He took part in establishing and perfecting the occupying claimant law, the law relating to wills, the mechanics' lien law, with many others passed in the early sixties that have stood the test of time and still remain as a part of the settled policy of the State of Kansas.

In 1876, although the legislature was overwhelmingly Republican, Mr. Glick was chosen speaker pro tempore of the House of Representatives of Kansas. This honor, more significant than it perhaps may sound, usually means in the house of representatives of that State that the speaker pro tempore presides over a large part of the deliberations. But one speaker pro tempore for an entire session is elected, and he has much to do in conducting the proceedings. George W. Glick was a ready and able debater. He had the faculty of immediately grasping the meaning of everything that is done in the legislature. He was a practical lawyer. He did not have to read a statute over and over or examine a bill at great length to grasp the full import and meaning of it. His services were therefore of great value in a legislative body.

He was three times elected a delegate to Democratic national conventions, serving in that capacity in 1868, in 1884, and in 1892. A fact in his history that is not well known is that the Kansas delegation in the Democratic national convention at Chicago in 1892 presented his name as a candidate for Vice President, and he received a large number of votes.

He was nominated for governor of Kansas in 1868 at a time when he and everyone else knew that there was no opportunity to elect a Democrat to that office. He accepted the nomination, performed his duty to the party, and made an active campaign throughout the State. The people of Kansas remembered the canvass that was made by George W. Glick, and in 1882 he was again put in nomination as the unanimous choice of his party for the office of governor.

Something was said by Mr. CAMPBELL of the situation which obtained in Kansas at that time. One of the ablest platform speakers that has ever appeared in Kansas, or, perhaps, elsewhere, was then closing his second term as governor of Kansas. John Peter St. John, who still survives, and though past the age of 80 years, retains apparently the fire and vigor that characterized his movements 40 years ago, was elected governor of Kansas in 1880 for the second time, and, in 1882, offered himself as a candidate for governor for the third term.

It is a strange fact that unwritten laws are very often enforced with greater rigor and with more certainty than the most solemnly enacted statutes. The Republican Party of Kansas in 1880 for the second time, and in 1882 offered him had its rules and regulations. It had its unwritten laws, and whenever any member of that organization in public life, having enjoyed two terms in office, presented himself as a candidate for a third term, he was almost invariably disciplined by the Republican Party of Kansas. Two great facts made George W. Glick governor—the unwritten law of the prevailing party, and the uncontested and acknowledged excellence of his character and attainments. He was elected by a majority of more than 8,000 votes, although the prevailing party had an ordinary majority of more than 50,000 votes in that State.

He entered upon the discharge of his duties as governor on the 8th day of January, 1883. Sometimes I think that those who are elected by a minority party, aided by some of the majority, make a special effort to serve the people. Their administration is always interesting. They are always respected by the majority party. They are almost idolized by the minority party, to which they gave, perhaps, an unexpected victory. George W. Glick was very popular as governor of Kansas. His administration was marked by intelligence and dignity. His long experience in the legislature and his knowledge of the affairs of the State fitted him in the highest degree to discharge the duties of governor.

He was an economist in public affairs. Perhaps ultimately it was hopeless, as it seems hopeless always, to protest against prodigal expenditures. It has always been an issue in every new and growing State. Gov. Glick protested with the utmost vigor against extravagance in public office. Perhaps he injured his popularity to some extent by his protests; but he foreshadowed in his administration and in his canvass for governor the fact that some time the people are going to take their minds off the issues that are not so vital, and give their consideration

to the more pertinent and practical issue of public expenditures. He knew that the American people pay the heaviest of all taxes. The national, State, county, school district, and city or township taxes of the American citizen added together make the greatest per capita expenditure for public purposes in the world. He entered his vigorous protest against this great abuse, so incidental to a wealthy and growing community.

Gov. Glick was a pioneer. He had that advantage that only pioneers have. He saw a country as nature had fashioned it, and witnessed the work of man by which it was converted into bones. This can happen but once. Great artists have undertaken to paint scenes that could have occurred but once in the history of the world. Poets have sought after themes describing incidents in the history of the man as classics because they never happened before and could never happen again. The untouched prairie could be broken but once, and in his time he saw that prairie converted into a landscape that would delight the eye of one who can paint on canvas the glory of rural life.

He was always interested in everything incidental to the growing community. While he was governor he caused to be established the Live Stock Sanitary Commission for the protection of live stock in the State. He insisted on and had enacted into law statutes prescribing better care of the public funds. And let it be said that since his day not a single dollar of the public money of Kansas has been lost.

In 1885 he was appointed pension agent by President Cleveland, and afterwards reappointed. In that capacity he disbursed \$85,000,000, and among his papers is the receipt of the Government, showing the faithful disbursement of that vast sum of money.

He gave the last years of his life to agriculture, especially to the improvement of the live stock of Kansas. He had one of the finest stock farms in the State and took a pride in breeding fine cattle. He was one of the commissioners appointed by the State to the Centennial Exposition in 1876. He was again sent to the International Exposition in Omaha in 1893. Throughout his long life he was an interesting figure in the history of Kansas, and was identified with every important or exciting event in the history of the State.

He went out as a volunteer in the Second Kansas Regiment and took part in the protection of Kansas when it was attacked in what is known as the Price raid.

In 1857 he married Elizabeth Ryder, of Massillon, Ohio, a lady descended from a distinguished colonial ancestry. Her ancestors were among the first settlers of Concord, Mass., and she derived her name from forbears who were well known among the early colonists of New York City. For 50 years and more this noble matron having with her the best traditions of American life presided over the hospitable home of George W. Glick, with the grace and dignity inherited from a fine ancestry. She added to the success of his public life the greater blessing of domestic happiness. Two children were born of this union—Frederick H. Glick and Mrs. James W. Orr, of Atchison, Kans.

George W. Glick died April 13, 1911, at the age of 84 years, having devoted to the world two-thirds of a century of active and valuable service, all of which added to the welfare of his fellow men and the progress of the great and growing community that was the scene of his noblest efforts.

In conclusion, let it be said of George W. Glick that he had one of those fortunate frames of minds which was not easily changed nor readily prejudiced nor carried away by any sudden impulse. He never moped nor mourned over defeat. He was calm, good-natured, and sensible in victory. He never visited revenge of any kind or character upon an enemy, if indeed there was anyone who ever had such resentment against him as to be described as an enemy. He was a kind and gentle citizen, full of enterprise and hope. He was approachable and sympathetic. George W. Glick was one of the best of that great multitude of enterprising citizens who were the pioneers of Kansas. There was no bitterness that gnawed out his life. There was no hatred that troubled his spirit. In his heart was good will toward all men. He saw the beginning of a great State and witnessed its progress for more than 50 years. He left it better than he found it. He added to the sum of its enterprise and he helped to develop its resources. He left his name and his work as a part of its history. [Applause.]

Mr. MURDOCK. Mr. Speaker, there are several considerations which lead me to add to the expressions already made here this afternoon, and not the least of the moving causes has been the nature of the addresses made by the gentlemen who immediately preceded me, Mr. CAMPBELL and Mr. TAGGART. In the nature of things that portion of the Capitol once the Hall of Representatives, and now known as Statuary Hall, in which each State may place two statues, will soon be closed to additional memorials. It may not be amiss to remark in passing

that as the custom of placing statues there grows old, and, because of the physical limitations of the area itself, as well as the provisions of the law, draws to a close, the legislative business of presenting a statue to the Nation has become more or less perfunctory, a function performed in a wilderness of empty seats, before a drowsy reporter or two in the press gallery and a scant baker's dozen of other auditors. And yet the function, I submit, desperately formal as it has grown to be, carries with it a kindly office; for there must be virtue in the mellowing reminiscences which on these occasions well up out of the era that is gone, when, through the mists of the past, the hard lines soften and the soft lines glow as they have to-day to me, as I listened to the addresses of the two gentlemen who have preceded me.

George W. Glick belonged to an exceptional generation in time and place. The first settlement of Kansas came about not so much through the lure of land as from challenge of political contest, grown white-hot with the contention of 50 years. Men moved from the South and from the North into Kansas to battle. Largely because of river travel, then the sole means of public conveyance, the first part of Kansas settled was the northeastern corner, which is touched by the Missouri River. In this section of Kansas the chief cities were and are Atchison and Leavenworth. George W. Glick was from Atchison. Across the river is St. Joseph. That part of Kansas and Missouri is one of the richest agricultural sections in the world. It was here that the spark of conflict that had irritated a Nation for decades burst into devastating flame. The nomenclature of Kansas shows in many instances how early the southern element dominated politically, for you will find on the map of Kansas names of men who were politically prominent in the South 60 and 70 years ago. The contest here was high-tensioned and all-absorbing. There was no neutral ground. And no man was neutral. Each new arrival was to one side a loss, to the other an acquisition. And no man escaped.

As a boy I heard my father tell the story, legendary but illuminating, to the effect that when the proslavery men possessed the northeastern corner of Kansas it was their custom to post themselves at an important landing on the Missouri River and interrogate the new arrival to determine whether he was proslavery or antislavery. The crowd had tied to a convenient post a cow, and they asked the newcomer what the animal was. If he said it was a cow, they permitted him to remain as likely to be proslavery, but if he said it was a "keow," pronounced with what was believed to be the New England twang, they sent him back posthaste across the Missouri River as surely antislavery.

To the struggle for political possession the untold agricultural possibilities of the domain remained for the moment secondary and subordinate, for knowledge of its resources was necessarily limited. The map makers had libeled it by including a part of it in the "Great American Desert." Even its Indian population was not large. Some of it was unknown, for indeed only a few years before—that is, until the Mexican War—a part of Kansas was Mexico. The territory was a long amphitheater, sweeping gently upward from the Missouri River to the foothills of the Rocky Mountains—prairie—with all the mystery and fascination and loveliness that Bryant limned when he wrote—

These are the gardens of the desert, these
The unshorn fields, boundless and beautiful,
For which the speech of England has no name—
The prairies. I beheld them for the first.
And my heart swells, while the dilated sight
Takes in the encircling vastness. Lo, they stretch
In airy undulations, far away,
As if the ocean, in his gentlest swell,
Stood still, with all his rounded billows fixed
And motionless forever. Motionless?
No; they are all unchained again. The clouds
Sweep over with their shadows, and beneath
The surface rolls and fluctuates to the eye;
Dark hollows seem to glide along and chase
The sunny ridges. Breezes of the south,
Who toss the golden and the flame-like flowers
And pass the prairie hawk that, poised on high,
Flaps his broad wings yet moves not—ye have played
Among the palms of Mexico and vines
Of Texas, and have crisped the limpid brooks
That from the fountains of Sonora glide
Into the calm Pacific. Have ye fanned
A nobler or a lovelier scene than this?
Man has no part in all this glorious work:
The hand that built the firmament hath heaved
And smoothed these verdant swells, and sown their slopes
With herbage, planted them with island groves,
And hedged them round with forests. Fitting floor
For this magnificent temple of the sky—
With flowers whose glory and whose multitude
Rival the constellations. The great heavens
Seem to stoop down upon the scene in love—
A nearer vault, and of a tenderer blue,
Than that which bends above our eastern hills.

This prairie, this fair domain, had its civil birth in the red passion of fratricidal strife, and a State, fitted incomparably by nature as a theater for peace and contentment, came to the Nation as "Bleeding Kansas."

But the vastness of its natural resources were not long unrecognized. After the Civil War the immigration which came into Kansas was largely that of the soldiers of the Union Army, men who had been tempered by the mighty rigors and discipline of war. They launched, individually and collectively, not only into the development of the State, but into politics, and there followed in that period of the history of Kansas a day of the most spirited political contest, conducted with a partisan discipline which was, in its severity, almost military. The Republican Party dominated. Its conventions were huge affairs of tremendous contentions and intense factional passion. But the discipline was perfect. The defeated aspirant for a nomination pledged fealty. To "scratch" a ticket was an unpardonable sin; to be "read out of the party" a disgrace. A nomination was an election. Kansas in this period was probably the most partisan Republican of all the States in the Union.

The Democrats of Kansas at that period were mostly men who had been Democrats before the war, many of whom had served in the Union Army during the war. Immigration to the State added to their number, and in all localities they formed small groups of individuals who held fast to their opinions and who as a determined but always cheerful minority struggled at each election in precinct, city, county, and State; never, however, with notable success until George W. Glick was elected governor.

Gov. John P. St. John has been referred to here by Mr. TAGGART as one of the strongest, if not the strongest, man on the platform this Nation has seen in a generation. He is, in fact, one of the strongest men this Nation ever produced, the pioneer in a principle which spreads around the world. He had been a highly popular governor for two terms. His adherents attempted a third term for him. He was attacked by the Democrats under the leadership of George W. Glick, and Mr. Glick as a Democrat was elected governor of Kansas in this most partisan of Republican States, a little less than 20 years after the close of the Civil War. This event was manna to the Kansas Democrats. They had traveled long in the wilderness. And in their hour of triumph and jubilation as partisans they exalted George W. Glick. That initial triumph remains in the minds of Kansas Democrats epochal, and it led to the legislative preference which sent his statue here.

In the election of George W. Glick party discipline in Kansas had broken down and it was known of all men that despite its strong partisan qualities at bottom Kansas was politically individual in its mental processes. The conditions which led to the early settlement of Kansas invited no weaklings there, and the conditions in Kansas were such that if a weakling came he could not stay. The early Kansans were sons of strength. That is not mere laudation voiced by one partial to his State. As a boy I knew most of the Kansans who have been mentioned here to-day—Robinsons, Hudsons, Martins, Ewings, Anthonys, Brewers, Thatchers, Lelands, Wares, Ryans, Crawfords, Plumbs, the Elders, the Pecks, the matchless Ingalls, the Speers, and hundreds of others I could name were each distinct individual types, all of exceptional talent and strong fiber, men capable of every responsibility and worthy of statues here.

Kansas was the first of the Union States after the war to send an ex-Confederate, W. A. Harris, to the United States Senate. This was in 1897. But as early as 1883 Kansas was forgetting the lines of political division that grew out of the Civil War and was turning to the issues of the future. It was in Kansas among these same strong people later, in 1890, that the new foreseeing element of Populism arose, thriving prodigiously overnight in the fertile soil of political independence in the individual, which is and will continue to be one of the chief characteristics of this liberty-loving State.

The self-reliance of the early citizenship was general. It touched every walk of life. My grandfather, Thomas Murdock, was a minister of the gospel and had part in these rigorous times. Margaret L. Wood, widow of Sam N. Wood, an early Kansan, who was cruelly shot down in one of the county-seat wars, wrote me the other day from Boise, Idaho. In her letter she instanced the dauntless spirit of that people by saying: "Your grandfather Murdock used to walk from Emporia to Cottonwood Falls to preach to us. One of the coldest Sunday mornings I ever saw, my husband came in and said, 'Now get ready to go to church.' I said, 'The weather is too cold.' He replied, 'That old man has walked 20 miles this biting morning to preach to us. The wagon will be at the door in 15 minutes and all of us must go.' The girl whispered to me, 'We will have to go though we freeze to death.' We went, and heard a

good sermon. Your grandfather was like the old-fashioned Methodist ministers of Ohio and Kentucky—conscientious, devout, brave, and self-denying."

I knew Gov. Glick in his later years. He had all of the qualities which have been ascribed to him by the two gentlemen who have just spoken. He was old-fashioned in his devotion to frugality. He believed in and he practiced economy. Like all strong men, he was strong in his opinions, firm in his convictions. Like all strong men, he was mistaken in some of them. In common with its entire citizenship, he rejoiced in the high estate Kansas reached in social progress, for he grew to see the State of which he was an early governor rise to the highest development that in many respects, I think, it is possible for a people to attain. He lived to see the day when this vast expanse which he knew as a youth as an endless, treeless, virgin prairie had grown to a rich Commonwealth, populated by a contented folk in the midst of rich fields, churches, schools, with bursting bins of plenty, with bank deposits reaching \$600 per family, with \$750 per family in live stock. He lived to see his State, consisting of 104 counties, number among them 87 counties without any insane, 54 counties without any feeble-minded, 96 counties without any inebriates, 38 counties without any poor-houses, 53 counties without any persons in jail, and 65 counties without a representative in the State penitentiary.

He lived to see the State which he entered under the lure and invitation of political contest bring to the vision of his old age the splendid spectacle of an era of finished development, of rounded citizenship, of peace and permanent prosperity.

As I said in the beginning, and as I shall say in closing, nearly all the States having given their quota of statues in yonder Hall; this custom will soon pass. Available space for this statue was found with difficulty in the chamber. We are among the last who will so officiate. Let us account ourselves fortunate that for a few minutes we may put aside the fever and hurly-burly of political strife and, harking back to the contests of other days, which time has softened, pay tribute, in this presentation to the Nation, to the memory of a virile man who lived among virile men in a virile generation. [Applause.]

Mr. TAGGART. Mr. Speaker, I am informed that a concurrent resolution has been adopted by the Senate accepting the statue of Gov. Glick, but that it has not yet come over from the Senate to the House.

The SPEAKER. It can as well be adopted on Monday as to-day. The Chair is informed by the Clerk that it has not yet come from the Senate.

ADJOURNMENT.

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

The motion was agreed to; accordingly (at 4 o'clock and 18 minutes p. m.) the House adjourned until Monday, July 20, 1914, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. MAHER, from the Committee on Labor, to which was referred the bill (H. R. 17361) to regulate the wages of mechanics and laborers employed in or under any and all departments of the Government, reported the same without amendment, accompanied by a report (No. 983), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. GARD, from the Committee on Military Affairs, to which was referred the bill (S. 1281) providing for the retirement of certain officers of the Philippine Scouts, reported the same without amendment, accompanied by a report (No. 984), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. GARD, from the Committee on Military Affairs, to which was referred the bill (S. 5293) for the promotion and retirement of Col. David L. Brainard, Quartermaster Corps, United States Army, reported the same without amendment, accompanied by a report (No. 985), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (S. 1149) for the relief of Seth Watson, reported the same without amendment, accompanied by a report (No. 986), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

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

By Mr. CRAMTON: A bill (H. R. 17969) authorizing the Secretary of War, in his discretion, to deliver to the city of Port Huron, in the State of Michigan, four condemned bronze or brass cannon, with their carriages and outfit of cannon balls, etc.; to the Committee on Military Affairs.

By Mr. FALCONER: A bill (H. R. 17970) to provide for the survey of certain lands in the State of Washington; to the Committee on Appropriations.

By Mr. MOSS of Indiana: A bill (H. R. 17971) for securing the uniform grading of grain, preventing deception in transactions in grain, and regulating traffic therein, and for other purposes; to the Committee on Agriculture.

By Mr. RAKER: Memorial of the Legislature of the State of Virginia, memorializing Congress to acquire Monticello, the home of Thomas Jefferson; to the Committee on the Library.

PRIVATE BILLS AND RESOLUTIONS.

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

By Mr. BELL of California: A bill (H. R. 17972) granting a pension to Julius Meincke; to the Committee on Pensions.

By Mr. HILL: A bill (H. R. 17973) granting an increase of pension to Thomas W. Chamness; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17974) granting an increase of pension to John Ramsey; to the Committee on Invalid Pensions.

By Mr. HOBSON: A bill (H. R. 17975) granting a pension to T. W. Ethridge; to the Committee on Pensions.

Also, a bill (H. R. 17976) granting a pension to John McElroy; to the Committee on Pensions.

By Mr. POST: A bill (H. R. 17977) granting an increase of pension to Samuel Warrell; to the Committee on Invalid Pensions.

By Mr. QUIN: A bill (H. R. 17978) for the relief of Flora E. Campbell Sudduth, administratrix of the estate of Walter L. Campbell, deceased; to the Committee on War Claims.

By Mr. SMITH of Minnesota: A bill (H. R. 17979) granting a pension to Francis M. Goodman; to the Committee on Invalid Pensions.

By Mr. VOLLMER: A bill (H. R. 17980) granting an increase of pension to John M. Duncan; to the Committee on Invalid Pensions.

By Mr. VOLSTEAD: A bill (H. R. 17981) granting a pension to Rose Barnes; to the Committee on Invalid Pensions.

PETITIONS, ETC.

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

By Mr. ALLEN: Petition of 98 citizens of Hamilton County, Ohio, protesting against national prohibition; to the Committee on Rules.

By Mr. BELL of California: Petition of Burton R. Jones and 1,100 people of South Pasadena, Cal., favoring national prohibition; to the Committee on Rules.

By Mr. BOOHER: Petition of J. O. Maxwell and 30 other citizens of the fourth district of Missouri, favoring national prohibition; to the Committee on Rules.

By Mr. COOPER: Petitions of G. F. Hayes and other residents of Beloit, Wis., protesting against nation-wide prohibition; to the Committee on Rules.

Also, petitions of Joseph H. Zirbes, secretary, and other members of the Racine Musicians' Union, of Racine, Wis., protesting against nation-wide prohibition; to the Committee on Rules.

By Mr. CRAMTON: Resolutions of the First Presbyterian Church, Lapeer, Mich., representing 300 people, and petition of Elmer Johnson and 49 other voters of Bad Axe, Mich., in support of the Hobson resolution for national prohibition; to the Committee on Rules.

Also, petition of A. L. Rayment and 41 others of Mount Clemens, Mich., protesting against national prohibition; to the Committee on Rules.

By Mr. DALE: Petition of the Central Federated Union, favoring passage of the seamen's bill; to the Committee on Rules.

By Mr. ESCH: Petition of the City Council of Hamilton, Ill., relative to building bridge across the Mississippi River at Hamilton; to the Committee on Interstate and Foreign Commerce.

By Mr. FESS: Petition of sundry citizens of the seventh Ohio congressional district, favoring House bill 5308, to tax mail-order houses; to the Committee on Ways and Means.

By Mr. HOWELL: Petition of 910 citizens of Salt Lake City, Utah, favoring national prohibition; to the Committee on Rules.

Also, petitions of 16 citizens of Ogden, Utah, protesting against national prohibition; to the Committee on Rules.

By Mr. HULINGS: Petitions of Le Roy B. Campbell, E. O. Holmgreen, and Alfred J. Mooney, of Warren, Warren County, Pa., favoring national prohibition; to the Committee on Rules.

By Mr. KENNEDY of Iowa: Petitions of 192 citizens of Wellman, Iowa, favoring national prohibition; to the Committee on Rules.

By Mr. LLOYD: Petition of 70 citizens of Shelby County, Mo., favoring national prohibition; to the Committee on Rules.

Also, petition of 54 business concerns of Hannibal, Mo., favoring the passage of House bill 5308, relative to taxing mail-order houses; to the Committee on Ways and Means.

By Mr. MERRITT: Petitions of Mrs. John Thwaites, Willie B. Witt, Delbert D. Flagg, Herbert Chatterton, Mrs. Richard Elliott, H. M. Thwaites, Horace Carpenter, F. J. Beattie, R. H. Smith, George Booth, Erick Erickson, Joseph Currier, all of Clintonville; Milford Babcock and D. W. Adgate, of Ausable Chasm; Simeon L. McIntyre, of Crown Point; B. C. Lawrence and Mary T. Lawrence, of West Bangor; A. J. Bigelow, of Keeseville; F. L. Allen, of Peru; Myron Baker, jr., Lemuel Baker, and Mrs. Daisy Baker, of Harkness, all in the State of New York, all favoring Federal censorship of motion pictures; to the Committee on Education.

Also, petitions of Mrs. John Thwaites, Willie B. Witt, Delbert D. Flagg, Herbert Chatterton, Mrs. Richard Elliott, H. M. Thwaites, Horace Carpenter, F. J. Beattie, R. H. Smith, George Booth, Erick Erickson, Joseph Currier, all of Clintonville; Milford Babcock and D. W. Adgate, of Ausable Chasm; Simeon L. McIntyre, of Crown Point; B. C. Lawrence and Mary T. Lawrence, of West Bangor; A. J. Bigelow, of Keeseville; F. L. Allen, of Peru; Myron Baker, jr., Lemuel Baker, and Mrs. Daisy Baker, of Harkness, all in the State of New York, all favoring the passage of the Sheppard-Hobson resolution; to the Committee on Rules.

By Mr. RAKER: Petition of F. C. Mickel, Junction City, Cal., favoring salary for fourth-class postmasters; to the Committee on the Post Office and Post Roads.

Also, petition of the presidents of 23 railroads, protesting against House bill 17042 before report of the joint committee; to the Committee on the Post Office and Post Roads.

Also, petition of the Merchants and Manufacturers' Association of Philadelphia, Pa., and the Southern Iron & Equipment Co., of Atlanta, Ga., relative to withholding until next session legislation affecting business; to the Committee on the Judiciary.

Also, petition of J. H. Newbauer & Co., of San Francisco, Cal., favoring passage of House bill 15986, relative to mailing false financial statements; to the Committee on the Post Office and Post Roads.

By Mr. SLAYDEN: Protest of sundry citizens of the fourteenth congressional district of Texas, against national prohibition; to the Committee on Rules.

Also, protest of sundry citizens of the fourteenth congressional district of Texas, against national prohibition; to the Committee on Rules.

By Mr. STEPHENS of California: Resolutions and petitions from the Southern California Conference, Free Methodist Church, representing 1,100 members; the Euclid Heights Methodist Episcopal Church, of Los Angeles, mass meeting; the Merrill Lodge, Independent Order of Good Templars, Los Angeles; a mass meeting at Alamorio; Mary Stark and 25 others of Los Angeles; Joshua Carney and 13 others of Watts; and individual cards from Mary M. Moore and 554 other citizens of Los Angeles City and County, all in the State of California, favoring national prohibition amendment; to the Committee on Rules.

Also, resolution of the Sheet Metal Contractors' Association of San Francisco, Cal., favoring subcontracts in Government work; to the Committee on Public Buildings and Grounds.

Also, resolution of the Traffic Association of Fresno, Cal., favoring 1-cent letter postage; to the Committee on the Post Office and Post Roads.

Also, resolution of the State Federation of Labor, of San Francisco, Cal., concerning bill of complaint of the Vallejo machinists; to the Committee on Naval Affairs.

Also, petition of Charlotte A. Lane and 16 other citizens of Los Angeles, Cal., favoring Smith-Hughes motion-picture censorship bill; to the Committee on Education.

Also, resolution of the Chamber of Mines and Oil, of Los Angeles, Cal., favoring governmental mining experiment and mine safety stations; to the Committee on Mines and Mining.

Also, letter from Stetson-Barret Co., of Los Angeles, Cal., against mailing false financial statements; to the Committee on the Post Office and Post Roads.

Also, individual protests against national prohibition amendment from H. T. Scott and 67 other citizens of Los Angeles, Cal.; to the Committee on Rules.

By Mr. STONE: Petition of sundry citizens of Peoria, Ill., favoring investigation of the North Pole controversy; to the Committee on Naval Affairs.

By Mr. WICKERSHAM: Memorial of the Woman's Christian Temperance Unions of Petersburg and Seward, Alaska, favoring national prohibition; to the Committee on Rules.

SENATE.

MONDAY, July 20, 1914.

The Senate met at 12 o'clock m.

Rev. J. L. Kibler, D. D., of the city of Washington, offered the following prayer:

O Lord, our God, we turn again to Thee because without Thee we can do nothing. We have no strength of our own for the battles of life. All power belongeth unto Thee. Thou art the creator of all things. Life and death are in Thy hands. But we thank Thee for Thy love, which has provided for all our needs. We come, therefore, with great confidence into Thy presence and look steadfastly into Thy face. We linger at Thy feet. "Our soul waiteth for Thee more than they who watch for the morning." Guide us this day in the way that Thou shalt choose, and may we work out all our problems in harmony with Thy righteous laws. We ask it for Christ's sake. Amen.

The VICE PRESIDENT resumed the chair.

The Journal of the proceedings of Saturday last was read and approved.

TRANSPORTATION OF COAL AND OIL (H. DOC. NO. 1124).

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Interstate Commerce Commission, transmitting a report of the investigation in the matter of the relation of common carriers subject to the act to regulate commerce to coal and oil and the transportation thereof. The communication has already been printed, and it will be referred to the Committee on Interstate Commerce.

ESTIMATE OF APPROPRIATION (S. DOC. NO. 550).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Postmaster General submitting an estimate of deficiency appropriation in the sum of \$10,000 to cover the period from March 9, 1914, to June 30, 1914, for payment of amounts accruing under the provisions of the disability clause contained in the postal act approved March 9, 1914, etc., which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

AFFAIRS IN MEXICO (S. DOC. NO. 549).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Navy, transmitting, in response to a resolution of the 16th instant, certain information relative to the truth or falsity of the press report sent out from Vera Cruz, Mexico, and published in the United States, that an ensign in the United States Navy caused to be shot unarmed Mexican prisoners under the so-called Mexican "ley de fuga," which, on motion of Mr. POINDEXTER, was referred to the Committee on Naval Affairs and ordered to be printed.

CALLING OF THE ROLL.

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

The VICE PRESIDENT. The Secretary will call the roll.

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

Ashurst	Culberson	Overman	Smith, Ga.
Bankhead	Cummins	Page	Smith, Mich.
Borah	Gallinger	Perkins	Smoot
Brady	Goff	Pittman	Sterling
Brandeggee	Gronna	Poindexter	Swanson
Bristow	Jones	Pomerene	Thomas
Bryan	Kenyon	Ransdell	Thompson
Burton	Kern	Reed	Thornton
Camden	Lane	Saulsbury	Tillman
Catron	McCumber	Shafroth	Townsend
Chamberlain	Martin, Va.	Sheppard	Vardaman
Chilton	Martine, N. J.	Shields	White
Clapp	Newlands	Simmons	Works
Clarke, Ark.	Norris	Smith, Ariz.	

Mr. CAMDEN. I wish to announce the unavoidable absence of my colleague [Mr. JAMES]. He is paired with the Senator from Massachusetts [Mr. WEEKS]. I will let this announcement stand for the day.

Mr. CHILTON. I wish to announce the necessary absence of the Senator from New Mexico [Mr. FALL]. I will let this announcement stand for the day.

Mr. SMOOT. I desire to announce the unavoidable absence of my colleague [Mr. SUTHERLAND], who has a general pair with the Senator from Arkansas [Mr. CLARKE], and also the unavoidable absence of the junior Senator from Wisconsin [Mr. STEPHENSON], who has a general pair with the Senator from Oklahoma [Mr. GORE].

The VICE PRESIDENT. Fifty-five Senators have answered to the roll call. There is a quorum present.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House disagrees to the amendments of the Senate to the bill (H. R. 17824) making appropriations to supply deficiencies in appropriations for the fiscal year 1914 and for prior years, and for other purposes, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. FITZGERALD, Mr. SISSON, and Mr. GILLET managers at the conference on the part of the House.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and they were thereupon signed by the Vice President:

H. R. 1694. An act to amend an act approved October 1, 1890, entitled "An act to set apart certain tracts of land in the State of California as forest reservations; and

H. R. 11317. An act to increase the limit of cost of the United States post-office building at Newcastle, Ind.

PETITIONS AND MEMORIALS.

Mr. BRISTOW presented petitions of sundry citizens of Winona, Cairo, and Formoso, in the State of Kansas, praying for national prohibition, which were referred to the Committee on the Judiciary.

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

He also presented memorials of sundry citizens of Minnesota, remonstrating against national prohibition, which were referred to the Committee on the Judiciary.

He also presented a petition of the Typographical Local Union, No. 136, of Duluth, Minn., praying for the enactment of the so-called Clayton antitrust bill, which was referred to the Committee on the Judiciary.

Mr. THOMAS presented a petition of sundry citizens of Westminster, Colo., praying for national prohibition, which was referred to the Committee on the Judiciary.

Mr. BRANDEGEE presented a petition of the Pattern Makers' Association, of Bridgeport, Conn., praying for the enactment of the so-called Clayton antitrust bill, which was referred to the Committee on the Judiciary.

Mr. MYERS presented a petition of the Chamber of Commerce of Polson, Mont., and a petition of sundry settlers on the Flathead Indian Reservation, Mont., praying for the enactment of legislation for the relief of settlers on the Flathead Indian Reservation, which were referred to the Committee on Public Lands.

Mr. KERN presented memorials of sundry citizens of Indianapolis, Ind., remonstrating against national prohibition, which were referred to the Committee on the Judiciary.

He also presented a petition of the City Council of Hammond, Ind., praying for the enactment of legislation granting pensions to civil-service employees, which was referred to the Committee on Civil Service and Retrenchment.

He also presented petitions of the Typographical Union of Kokomo, of the Pattern Makers' Association of Fort Wayne, and of the Molders' Union of New Albany, all in the State of Indiana, praying for the enactment of the so-called Clayton antitrust bill, which were referred to the Committee on the Judiciary.

Mr. LIPPITT presented a petition of the congregation of the Trinity Baptist Church, of Providence, R. I., praying for national prohibition, which was referred to the Committee on the Judiciary.

He also presented a petition of the City Council of Woonsocket, R. I., praying for the enactment of legislation to provide for the retirement of superannuated civil-service employees,