

erly; and L. D. B., of Westerly, favoring national prohibition; to the Committee on the Judiciary.

By Mr. TILSON: Petition of New Haven Branch of the National Security League, for adequate preparedness; to the Committee on Military Affairs.

Also, petition of George M. Stackpole and others, of Wallingford, Conn., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of Henry R. Buck and 15 others of Hartford, Conn., favoring the passage of House bill 10845; to the Committee on Military Affairs.

Also, petition of Epworth League of the First Methodist Church, the Young People's Christian Union of St. Paul's Universalist Church, and the South Meriden Methodist Church, all of Meriden, Conn., for national prohibition; to the Committee on the Judiciary.

By Mr. WARD: Petition of James B. Palmer, of Gardner, N. Y. and others in regard to prohibition; to the Committee on the Judiciary.

By Mr. WASON: Petition of Miss Alice L. Searles, of Henniker, N. H., favoring the passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, petition of Mrs. Ethel M. Searles, of Henniker, N. H., favoring the passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, petition of Mr. H. W. Searles, of Henniker, N. H., favoring the passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, resolutions adopted by the Nashua (N. H.) Council, No. 25, Sons and Daughters of America, favoring the passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, resolution of the Congregational Church of Acworth, N. H., representing 200 people, favoring national prohibition; to the Committee on the Judiciary.

By Mr. YOUNG of North Dakota: Memorial of South Dakota State Dairyman, protesting against the passage of House bill 9674 in respect to cold storage of butter, eggs, and poultry; to the Committee on Interstate and Foreign Commerce.

SENATE.

THURSDAY, March 9, 1916.

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

Almighty God, we call upon Thy name, the true and the living God. The character of our approach into Thy presence is our highest reach toward the attainment of the ideals of our national life. Our larger life has never been written into law. Our highest blessings are not in the form of government. We come that we may realize our citizenship in a universal kingdom and our home amidst a brotherhood that is world-wide. Grant us to carry from Thy throne to-day the influences of Thy spirit and grace in the discharge of the duties that are upon us and guide us according to Thy will. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of the proceedings of the legislative day of Friday, March 3, 1916, when, on request of Mr. JAMES, and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 384. An act to amend the act of June 23, 1910, entitled "An act providing that entrymen for homesteads within the reclamation projects may assign their entries upon satisfactory proof of residence, improvement, and cultivation for five years, the same as though said entry had been made under the original homestead act"; and

H. R. 11156. An act to authorize the Secretary of the Interior to cause to be appraised and to sell the Boise & Arrowrock Railroad, and for other purposes.

The message also communicated to the Senate the intelligence of the death of Hon. WILLIAM G. BROWN, Jr., late a Representative from the State of West Virginia, and transmitted resolutions of the House thereon.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the President pro tempore:

S. 3144. An act to authorize the construction of a bridge across the Pend Oreille River between the towns of Metaline and Metaline Falls, in the State of Washington;

S. 3873. An act to authorize the counties of Minidoka and Cassia, State of Idaho, to construct a bridge across Snake River; and

S. 3518. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

PETITIONS AND MEMORIALS.

Mr. CURTIS presented petitions of sundry citizens of Kansas, praying for the enactment of legislation to found the Government of the United States on Christianity, which were referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Washington, Kans., praying for prohibition in the District of Columbia, which was ordered to lie on the table.

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

He also presented memorials of sundry citizens of Lawrence, Larned, Effingham, Wichita, and Burns, all in the State of Kansas, remonstrating against an increase in armaments, which were referred to the Committee on Military Affairs.

He also presented memorials of sundry citizens of Republic, Bennington, Delphos, Dowers, and Mayfield, all in the State of Kansas, remonstrating against a tax on bank checks, which were referred to the Committee on Finance.

He also presented petitions of sundry citizens of Atchison, Paola, Parsons, and Chanute, all in the State of Kansas, praying for the enactment of legislation to grant pensions to superannuated employees of the Postal Service, which were referred to the Committee on Post Offices and Post Roads.

He also presented petitions of sundry citizens of Hutchinson, Fort Dodge, and Pittsburg, all in the State of Kansas, praying for the adoption of certain amendments to the pension law, which were referred to the Committee on Pensions.

He also presented petitions of sundry citizens of Kansas City, Independence, Horton, Coffeyville, Topeka, and Wichita, all in the State of Kansas, praying for the enactment of legislation to further restrict immigration, which were referred to the Committee on Immigration.

He also presented petitions of sundry citizens of Kansas, praying for the enactment of legislation to prohibit the use of the names of religious organizations, etc., for commercial purposes, which were referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Sabetha, Kans., praying for the enactment of legislation to prohibit interstate commerce in the products of child labor, which was referred to the Committee on Interstate Commerce.

He also presented a petition of sundry citizens of Overbrook, Kans., praying for the adoption of a system of rural credits, which was ordered to lie on the table.

He also presented a petition of sundry citizens of Topeka, Kans., praying for the adoption of an amendment to the Constitution granting the right of suffrage to women, which was ordered to lie on the table.

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

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

He also presented petitions of sundry citizens of Tennessee, praying for prohibition in the District of Columbia, which were ordered to lie on the table.

He also presented memorials of sundry citizens of Tennessee, remonstrating against prohibition in the District of Columbia, which were ordered to lie on the table.

He also presented memorials of sundry citizens of Tennessee, remonstrating against national prohibition, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Tennessee, praying for the placing of an embargo on munitions of war, which were referred to the Committee on Foreign Relations.

He also presented a petition of sundry citizens of Chattanooga, Tenn., praying for a revision of the naturalization laws, which was referred to the Committee on the Judiciary.

He also presented a petition adopted at the Methodist Preachers' Meeting, held at Nashville, Tenn., praying for the enactment of legislation to prohibit the exportation of intoxicating liquor to Africa, which was referred to the Committee on the Judiciary.

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

Mr. McCUMBER presented memorials of sundry citizens of North Dakota, remonstrating against the enactment of legisla-

tion to prohibit interstate shipment of convict-made goods, which were referred to the Committee on Interstate Commerce.

He also presented memorials of sundry citizens of North Dakota, remonstrating against the enactment of legislation making Sunday a day of rest in the District of Columbia, which were ordered to lie on the table.

Mr. SHEPPARD presented petitions of sundry citizens of Texas, praying for the adoption of certain amendments to the cotton-futures law, which were referred to the Committee on Agriculture and Forestry.

He also presented a memorial of sundry citizens of Schulenburg, Tex., remonstrating against national prohibition, which was referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Texas, remonstrating against an increase in armaments, which were referred to the Committee on Military Affairs.

He also presented a memorial of the Georgetown Woman's Christian Temperance Union, of the District of Columbia, remonstrating against a referendum on the question of prohibition in the District of Columbia, which was ordered to lie on the table.

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

He also presented petitions of sundry citizens of the District of Columbia, praying for prohibition in the District of Columbia, which were ordered to lie on the table.

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

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

Mr. DU PONT presented petitions of sundry citizens of Milford, Lewes, Seaford, and Middletown, all in the State of Delaware, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Dover and Claymont, in the State of Delaware, praying for the adoption of an amendment to the Constitution granting the right of suffrage to women, which were ordered to lie on the table.

Mr. OVERMAN presented the petition of H. Q. Alexander, president of the North Carolina Farmers' Union, of Matthews, N. C., praying for the adoption of certain amendments to the proposed Federal farm-loan act, which was ordered to lie on the table.

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

He also presented petitions of sundry labor organizations of Pennsylvania, praying for the enactment of legislation to further restrict immigration, which were referred to the Committee on Immigration.

He also presented a petition of the Chamber of Commerce of Meadville, Pa., and a petition of the Retail Grocers' Association of Philadelphia, Pa., praying for the imposition of a duty on dyestuffs, which were referred to the Committee on Finance.

He also presented a petition of sundry citizens of New Alexandria, Pa., praying for the adoption of an amendment to the Constitution to prohibit polygamy, which was referred to the Committee on the Judiciary.

Mr. HARDING. I present memorials signed by a large number of citizens of Dayton, Ohio, remonstrating against the enactment of legislation to further restrict immigration. I ask that the memorials be received and referred to the Committee on Immigration.

The PRESIDENT pro tempore. The memorials will be referred to the Committee on Immigration.

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

Mr. BRANDEGEE presented petitions of the Woman's Christian Temperance Unions of Stafford and Clinton, in the State of Connecticut, praying for Federal censorship of motion pictures, which were referred to the Committee on Education and Labor.

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

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

Mr. HOLLIS presented petitions of sundry citizens of Concord, N. H., praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. CLARK of Wyoming presented a petition of sundry citizens of Pinedale, Wyo., praying for an increase in armaments, which was referred to the Committee on Military Affairs.

Mr. LEE of Maryland presented a memorial of sundry citizens of Havre de Grace, Md., remonstrating against the enactment of legislation to limit the freedom of the press, which was referred to the Committee on Post Offices and Post Roads.

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

He also presented memorials of sundry citizens of the District of Columbia, remonstrating against the enactment of legislation making Sunday a day of rest in the District of Columbia, which were ordered to lie on the table.

Mr. KERN (for Mr. SHIVELY) presented petitions of sundry citizens of Indiana, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also (for Mr. SHIVELY) presented a memorial of 20 citizens of Brownstown, Ind., remonstrating against the enactment of legislation to limit the freedom of the press, which was referred to the Committee on Post Offices and Post Roads.

Mr. SMITH of Michigan presented petitions of sundry citizens of Detroit, Grand Haven, Grand Rapids, Owosso, Muskegon, and Cheboygan, all in the State of Michigan, praying for the enactment of legislation to further restrict immigration, which were referred to the Committee on Immigration.

He also presented memorials of sundry citizens of Hancock, Mich., remonstrating against the enactment of legislation to further restrict immigration, which were referred to the Committee on Immigration.

He also presented petitions of sundry citizens of Fenton, Hancock, Houghton, and Colon, all in the State of Michigan, praying for prohibition in the District of Columbia, which were ordered to lie on the table.

He also presented a petition of the Woman's Relief Corps, of Coldwater, Mich., praying for national prohibition, which was referred to the Committee on the Judiciary.

Mr. SMITH of Michigan (for Mr. TOWNSEND) presented petitions of sundry citizens of Michigan, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also (for Mr. TOWNSEND) presented petitions of sundry citizens of Detroit, Kalamazoo, Grand Rapids, and Jackson, all in the State of Michigan, praying for the enactment of legislation to further restrict immigration, which were referred to the Committee on Immigration.

He also (for Mr. TOWNSEND) presented memorials of sundry citizens of Kalamazoo and Hancock, in the State of Michigan, remonstrating against the enactment of legislation to further restrict immigration, which were referred to the Committee on Immigration.

He also (for Mr. TOWNSEND) presented petitions of sundry citizens of Houghton County, Mich., praying for the enactment of legislation to grant pensions to superannuated employees of the Postal Service, which were referred to the Committee on Post Offices and Post Roads.

He also (for Mr. TOWNSEND) presented petitions of sundry citizens of Detroit, Jackson, and Grand Rapids, all in the State of Michigan, praying for the enactment of legislation to warn Americans off armed merchant ships of the belligerents, which were ordered to lie on the table.

He also (for Mr. TOWNSEND) presented a petition of the Federation of Labor, of Detroit, Mich., praying for the enactment of legislation to provide pensions for civil-service employees, which was referred to the Committee on Civil Service and Retrenchment.

He also (for Mr. TOWNSEND) presented memorials of sundry citizens of Bay City, Mich., remonstrating against a tax on admissions to theaters, which were referred to the Committee on Finance.

He also (for Mr. TOWNSEND) presented a memorial of sundry citizens of Lansing, Mich., remonstrating against prohibition in the District of Columbia, which was ordered to lie on the table.

He also (for Mr. TOWNSEND) presented a memorial of sundry citizens of Lansing, Mich., remonstrating against national prohibition, which was referred to the Committee on the Judiciary.

He also (for Mr. TOWNSEND) presented petitions of sundry citizens of Michigan, praying for the enactment of legislation to found the Government of the United States on Christianity, which were referred to the Committee on the Judiciary.

He also (for Mr. TOWNSEND) presented a petition of sundry citizens of Ann Arbor, Mich., praying for an increase of armaments, which was referred to the Committee on Military Affairs.

Mr. WADSWORTH presented a petition of the State Hospital Commission of the State of New York, praying for the establishment of divisions of mental hygiene and rural sanitation in

the Public Health Service, which was referred to the Committee on Public Health and National Quarantine.

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

He also presented a memorial of sundry citizens of Canaseraga, N. Y., remonstrating against the enactment of legislation to limit the freedom of the press, which was referred to the Committee on Post Offices and Post Roads.

Mr. MYERS. I present a petition of sundry homesteaders in the vicinity of Trout Creek, in the State of Montana, favoring more liberal legislation for homesteaders on cut-over and timbered lands. I ask that the petition be printed in the Record with the name of the first signer, followed by the words "and many others."

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

TROUT CREEK, MONT.,
February 27, 1916.

The Hon. HENRY L. MYERS,
United States Senate, Washington, D. C.

HONORABLE SIR: We, the undersigned voters of Montana, appreciate your efforts in behalf of the homesteaders on cut-over and timbered lands.

The present letter of the law works an unnecessary hardship on the settler and bars much good farm land from legal settlement.

A law similar to bills introduced by you, or assurance from Secretary of the Interior that leniency will be shown homesteaders on such lands, would be justice and a long step ahead for a poor man who wants to make a home in the wilderness.

Such legislation would not be necessary if the timber was left on the land for the homesteader by the Forest Service.

WM. B. GRAY
(And many others).

Mr. MYERS presented petitions of sundry unit holders of the Flathead reclamation project and of the Chamber of Commerce of Seattle, Wash., praying for an appropriation of \$1,000,000 for the Flathead reclamation project in Montana, which were referred to the Committee on Indian Affairs.

Mr. POINDEXTER. I present a memorial of the Religious Liberty Association of Seventh Day Adventists respecting certain legislation. I ask that it be printed in the Record.

There being no objection, the memorial was ordered to lie on the table and to be printed in the Record, as follows:

Memorial and petition.

To the honorable the Senate of the United States in Congress:

The memorial, representation, and petition of the Religious Liberty Association of Seventh Day Adventists, headquarters in District of Columbia, respectfully represents:

Whereas, through a misunderstanding, we were given no opportunity to present before the Senate Committee on the District of Columbia our objections to Senate bill 645, a bill imposing compulsory Sunday observance upon one special class of workers, we therefore take this means of bringing to your attention several very important reasons why the proposed bill should not be enacted into law:

First, The proposed bill penalizes work done on one day of the week by one class of workers only. Therefore this is clearly class legislation, and as such is unjust and obnoxious and should not be passed by Congress. The Illinois Supreme Court decision on this point is worthy of your consideration:

"How, it may be asked, is the health, comfort, safety, or welfare of society to be injuriously affected by keeping open a barber shop on Sunday? It is a matter of common observation that the barber business as carried on in this State [Illinois] is both quiet and orderly.

Moreover, if the merchant, the grocer, the butcher, the druggist, and those engaged in other trades and callings are allowed to open their places of business and carry on their respective avocations during seven days of the week, upon what principle can it be held that a person who may be engaged in the business of barbering may not do the same thing? Why should a discrimination be made against that calling and that alone?" (Ill. Repts., 161, pp. 296-309.)

Secondly, this bill, if enacted, would serve as a precedent for further legislation of a kind never yet enacted by Congress. It would serve to open the door for a flood of religious legislation to follow. It is the first attempt by Congress to penalize honest secular work done on a day considered sacred by most Christians.

Previous Sunday legislation has had the purpose not to penalize honorable work but to make it possible for those who desired to observe Sunday to do so, by not requiring them to work on that day. This is the evident purpose in regulations freeing Government employees from working on Sunday. In some places legislation has been passed such as to make Sunday work by United States revenue officers unnecessary. The closing of courts and Congress on Sunday is of a similar nature. If a local postmaster in a community desiring the post office open on Sunday complies with the popular demand he is not subject to punishment. If Congress desires to hold sessions on Sunday, such an act is neither prohibited nor penalized.

Sunday-closing bills of a temporary nature have been passed concerning Government exhibits in expositions held in certain States out of a deference to local State laws where the exhibitions were held. This is very clear from the fact that at the Panama Pacific Exposition in California, where there are no Sunday laws in the State, the Government exhibits were not closed on that day.

By the proposed legislation Congress would exceed its powers, according to the Senate committee report of January 19, 1829, when a similar question was before the Senate. The position taken in that report was as follows: "The proper object of government is to protect all persons in the enjoyment of their religious as well as civil rights, and not to determine for any whether they shall esteem one day above another or esteem all days alike holy." "American State Papers," Class VII, page 226 et seq.

Hundreds of Seventh-day Adventists have been mercilessly persecuted in the past by being penalized and made to serve in jails and chain gangs because they dared to worship God in harmony with the requirements of the fourth commandment of the Decalogue. There are five indictments of Seventh-day Adventists now pending before the courts in Tennessee and two in Oklahoma for work that was done on Sunday in private and inside of their own premises and to the physical disturbance of no one. Some people are easily disturbed mentally and religiously when they see some practicing a dissenting religion. We had hoped that this kind of legislation might remain a relic of the colonial days when there was a union of church and State.

We agree with the official organ of the Knights of Labor—the Journal—that "Any proposition to pass Sunday legislation in the District of Columbia is a direct violation of the Constitution, against the spirit of our institutions, and against the policy heretofore maintained by the Federal Government."

We therefore earnestly protest on grounds of sound American principles against the compulsory Sunday observance bill for barbers (S. 645) as being class legislation, unjust, unconstitutional, partial, religious, and as the first example of a congressional bill to penalize honest and honorable labor done on one specific day of the week, thereby leaving only five working days in the week to anyone keeping another day for religious reasons.

If Congress has the right to close barber shops on Sunday, irrespective of dissenting religious convictions, then it can close schools, sanitariums, publishing houses, etc., where secular duties are performed on Sunday, and thus compel those who observe another day to surrender two days each week. We can not consent to this abridgment of our rights to the free exercise of religion as guaranteed by the first amendment of the Federal Constitution, hence this memorial and petition to each Senator pleading for the preservation of our constitutional rights, as well as those of all the citizens of these United States, earnestly praying, as we are in duty bound, that the Supreme Lawgiver of the universe, by illuminating those to whom it is addressed, may, on the one hand, turn their counsels from every act which would affront His divine prerogative or violate the trust committed to them; and, on the other hand, guide them into every measure which may be worthy of His blessing, redound to their own praise, and establish more firmly the liberties, the prosperity, and the happiness of all the citizens of our favored Republic. And we beg leave to assure you that however earnestly we may contend for the preservation of the free exercise of our religion from the chains and shackles of human authority and the demands of those making opposing claims for spiritual domination by civil powers, we are nevertheless disposed zealously to support the Government of our country and to render a proper and due submission to the lawful exercise of its authority in civil matters.

Signed by the national secretary of the Religious Liberty Association of Seventh-day Adventists; headquarters, Takoma Park, Washington, D. C.

C. S. LONGACRE.

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

He also presented memorials of sundry citizens of New Jersey, remonstrating against the enactment of legislation to limit the number of persons carried on ferryboats, which were referred to the Committee on Commerce.

He also presented a petition of sundry citizens of Paterson, N. J., praying for the enactment of legislation to provide military training in civil educational institutions, which was referred to the Committee on Military Affairs.

He also presented petitions of sundry citizens of New Jersey, praying for an increase in armaments, which were referred to the Committee on Military Affairs.

He also presented a petition of sundry citizens of Morristown, N. J., praying for Federal censorship of motion pictures, which was referred to the Committee on Education and Labor.

He also presented a petition of sundry citizens of Riverton, N. J., praying for the enactment of legislation to prohibit interstate commerce in the products of child labor, which was referred to the Committee on Interstate Commerce.

Mr. JOHNSON of South Dakota presented petitions of sundry citizens of Bowdle, Mitchell, Wessington Springs, McNeely, Hartford, Britton, Deadwood, Sioux Falls, Webster, Rapid City, Redig, Willow Lake, Aberdeen, Plankinton, Goodwin, Bridge-water, Lead, Sisseton, Howard, Spearfish, Miller, Fulton, Faulkton, Corsica, and De Smet, all in the State of South Dakota, praying for prohibition in the District of Columbia, which were ordered to lie on the table.

Mr. KENYON presented a petition of the Frances Willard Temperance Union, of Wood, Iowa, and a petition of sundry citizens of Greenfield, Iowa, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Blakesburg, Iowa, and of Eldorado, Enoch, and Fola, in the State of West Virginia, remonstrating against an increase in armaments, which were referred to the Committee on Military Affairs.

He also presented a petition of Robert Anderson Post, Grand Army of the Republic, of Waterloo, Iowa, praying that an appropriation be made to pay the members of the National Guard, which was referred to the Committee on Military Affairs.

He also presented a petition of sundry citizens of Dubuque, Iowa, praying for the enactment of legislation to grant pensions to civil-service employees, which was referred to the Committee on Civil Service and Retrenchment.

He also presented a petition of Local Branch United Brotherhood of Carpenters and Joiners of America, of Ottumwa, Iowa.

praying for the enactment of legislation to further restrict immigration, which was referred to the Committee on Immigration.

Mr. TILLMAN presented petitions of the Massachusetts State Branch of the American Federation of Labor, of the International Brotherhood of Maintenance of Way Employees, of Detroit, Mich.; of the Building Trades Department of the American Federation of Labor; of the National Federation of Post Office Clerks; and of the International Association of Machinists, praying for the enactment of legislation to further restrict immigration, which were referred to the Committee on Immigration.

Mr. McLEAN presented petitions of sundry citizens of New Haven, Hartford, Bridgeport, and Stratford, all in the State of Connecticut, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of New Haven, Conn., praying for Federal censorship of motion pictures, which was referred to the Committee on Education and Labor.

He also presented a petition of the Drug Clerks' Association, of Waterbury, Conn., praying for the enactment of legislation to fix a standard price for patented and trade-marked articles, which was referred to the Committee on Education and Labor.

He also presented a petition of the American Society of Civil Engineers, of Hartford, Conn., praying for the enactment of legislation to establish a reserve officers' training corps, which was referred to the Committee on Military Affairs.

He also presented a petition of sundry citizens of New Haven, Conn., praying for the enactment of legislation to prohibit interstate transmission of race-gambling bets, which was referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Norwich, Conn., praying for the enactment of legislation to further restrict immigration, which was referred to the Committee on Immigration.

He also presented petitions of sundry citizens of New Haven, Conn., praying for the enactment of legislation to prohibit interstate commerce in the products of child labor, which were referred to the Committee on Interstate Commerce.

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

He also presented a memorial of sundry citizens of Crowell, Mass., remonstrating against national prohibition, which was referred to the Committee on the Judiciary.

He also presented a memorial of sundry citizens of Worcester, Mass., remonstrating against the enactment of legislation to curtail the freedom of the press, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of sundry citizens of Boston, Mass., praying for the adoption of an amendment to the Constitution granting the right of suffrage to women, which was ordered to lie on the table.

He also presented a petition of the Massachusetts State Commandery, Military Order of the Loyal Legion of the United States, praying for an increase in armaments, which was referred to the Committee on Military Affairs.

He also presented a petition of sundry citizens of Natick, Mass., praying for the enactment of legislation to further restrict immigration, which was referred to the Committee on Immigration.

He also presented a petition of the congregation of the Roxbury Presbyterian Church, of Boston, Mass., praying for prohibition in the District of Columbia, which was ordered to lie on the table.

He also presented resolutions of the Boston Chapter, Sons of the American Revolution, of Boston, and of Old Salem Chapter, Sons of the American Revolution, of Salem, in the State of Massachusetts, indorsing the stand of the President in the matter of the rights of citizens of the United States, which were referred to the Committee on Foreign Relations.

He also presented a petition of the Massachusetts Society of the Sons of the American Revolution, praying for the erection of a national archives building, which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of Local Lodge No. 264, International Association of Machinists, of Boston, Mass., praying for an investigation of conditions at the Charlestown Navy Yard, which was referred to the Committee on Naval Affairs.

He also presented a petition of sundry citizens of Fitchburg, Mass., praying for the enactment of legislation to classify the employees of the Bureau of Animal Industry, Department of Agriculture, which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of sundry citizens of Northampton, Mass., praying for the enactment of legislation to provide

pensions for superannuated employees of the Postal Service, which was referred to the Committee on Post Offices and Post Roads.

Mr. PHELAN presented a petition of the Chamber of Commerce of Los Angeles, Cal., praying that an appropriation of \$313,000 be made for the improvement of the Yosemite Valley, which was referred to the Committee on Public Lands.

He also presented a petition of Local Branch, United National Association of Post Office Clerks, of San Francisco, Cal., praying for the enactment of legislation to grant pensions to superannuated employees of the Postal Service, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of Local Union No. 44, Cooks' Union, of San Francisco, Cal., praying for the printing of the report of the Commission on Industrial Relations, which was ordered to lie on the table.

Mr. GRONNA presented a memorial of sundry citizens of North Dakota, remonstrating against an increase in armaments, which was referred to the Committee on Military Affairs.

He also presented a memorial of the Flint Manufacturing Co., of Gastonia, N. C., remonstrating against the enactment of legislation to prohibit interstate commerce in the products of child labor, which was referred to the Committee on Interstate Commerce.

He also presented a petition of the National Legislative and Information Bureau of the Order of Railway Conductors, Brotherhood of Railroad Trainmen, Brotherhood of Locomotive Engineers, and Brotherhood of Locomotive Firemen and Engineers, of Washington, D. C., praying for the enactment of legislation to further promote safety of travel in interstate commerce, which was referred to the Committee on Interstate Commerce.

He also presented a petition of sundry citizens of Evans, N. Dak., praying for Government ownership of the telephone lines and wireless stations, which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Atlantic Coast Line Railroad Co., of Wilmington, N. C., praying for a readjustment of the compensation allowed for transporting the mails, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of Local Branch, Ohio Association Volunteer Retired List, of Columbus, Ohio, praying for the establishment of a volunteer officers' retired list, which was ordered to lie on the table.

He also presented a petition of the Norfolk and Portsmouth Cotton Exchange, of Norfolk, Va., praying for the passage of the so-called cotton-futures bill, which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Chamber of Commerce of Missoula, Mont., praying for the enactment of legislation to provide for the construction of roads in the national forests, which was referred to the Committee on Public Lands.

REPORTS OF COMMITTEES.

Mr. JOHNSON of Maine (for Mr. SHIVELY), from the Committee on Pensions, submitted a report (No. 217), accompanied by a bill (S. 4856) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, which was read twice by its title, the bill being a substitute for the following Senate bills heretofore referred to that committee:

- S. 125. Nettie Johnson.
- S. 154. John George Bauer.
- S. 201. Corda P. Gracey.
- S. 253. Elizabeth Propson.
- S. 259. Sarah E. Marsh.
- S. 265. Cecelia Murphy.
- S. 267. Andrew H. Nichols.
- S. 269. Mary E. Norton.
- S. 270. Ann Odell.
- S. 274. William R. Latimer.
- S. 283. Rebecca L. Lapaugh.
- S. 526. Lide Smith.
- S. 563. Alice R. Hutchinson.
- S. 686. Mary Pritchard.
- S. 695. Henry Brown.
- S. 767. Moses Green.
- S. 770. George E. Newall.
- S. 771. Alice Quigley.
- S. 915. Winifred Whitney.
- S. 963. Marie A. Smith.
- S. 1015. Elizabeth S. Chaplain.
- S. 1040. Ellen Edwards.
- S. 1044. Francis M. George.
- S. 1112. Harvey W. Hoover.
- S. 1130. John Fry.

S. 1133. John M. Davidson.
 S. 1202. Justin M. Thrift.
 S. 1234. Samuel E. Wilson.
 S. 1240. John Harper.
 S. 1339. Mary J. White.
 S. 1455. Elsie A. Platt.
 S. 1458. Adelaide M. Tarbox.
 S. 1459. Mary Whipple.
 S. 1477. Hannah A. Hill.
 S. 1489. John C. Brown.
 S. 1502. Michael Reuss.
 S. 1514. Henry Waltz.
 S. 1536. Moses Hull.
 S. 1557. Margaret M. Lane.
 S. 1561. William Crome.
 S. 1590. James C. Green.
 S. 1593. John Gowland.
 S. 1594. John B. Hammer.
 S. 1599. Henry Lichtley.
 S. 1604. Malisa A. Sherk.
 S. 1605. Fannie M. Carey.
 S. 1720. Nathaniel Haskell.
 S. 1814. Edwin J. Walton.
 S. 1960. Robert N. B. Simpson.
 S. 1964. William O'Neal.
 S. 1965. Silas Blodgett.
 S. 2146. Ella A. Tyler.
 S. 2297. Emma J. Beal.
 S. 2298. James Beaton.
 S. 2312. Mary C. Knowlton.
 S. 2319. Sarah C. Greenfield.
 S. 2330. James H. Moser.
 S. 2335. Adelia C. Macauley.
 S. 2341. Barney Sancomb.
 S. 2463. William P. Nelson.
 S. 2554. Marion Kilborn.
 S. 2556. Albert J. Sprinkle.
 S. 2620. Thomas White.
 S. 2639. James S. Meek.
 S. 2670. Michael Demuth.
 S. 2680. Benjamin Simpson.
 S. 2705. Aaron Benjamin Waggoner, alias Aaron Benjamin.
 S. 2830. John Merchant.
 S. 2839. Elmira E. Morrison.
 S. 2863. Sarah J. Cadle.
 S. 2893. Ellen Temperance Smith.
 S. 2904. Carrie S. Cross.
 S. 2907. James Hawkins.
 S. 3015. Martha A. Hodges.
 S. 3017. Leora L. Macarey.
 S. 3061. Charles Leeder.
 S. 3126. John S. Allison.
 S. 3149. Ida C. Martin.
 S. 3151. Guy Beebe.
 S. 3157. Ellen Lambert.
 S. 3197. George W. Doyle.
 S. 3198. Harvey D. Plummer, alias Harvey D. Picknell.
 S. 3199. Benjamin H. Whipple.
 S. 3241. William H. Gallup.
 S. 3302. Peter Soncrant.
 S. 3414. David Moody, jr.
 S. 3432. Alphonson W. Longfellow.
 S. 3433. Clara P. Boulter.
 S. 3438. Christian C. Forney.
 S. 3463. Mary A. Moreland.
 S. 3465. Rebecca J. Short.
 S. 3496. Mary C. Finlay.
 S. 3519. Annie P. Marchant.
 S. 3546. Sophronia Porter.
 S. 3572. Henry C. Pennington.
 S. 3583. Edward P. Carman.
 S. 3674. Mary E. B. Bruson.
 S. 3707. William F. Wiley.
 S. 3738. Julia C. Bradley.
 S. 3809. Matilda Weger.
 S. 3831. Mercy A. Martin.
 S. 3881. Mandana C. Thorp.
 S. 3856. Mary M. Lose.
 S. 3889. Lula S. Knight Bigelow.
 S. 3905. Sarah A. Hanson.
 S. 3906. Hugh Harbinson.
 S. 3963. Nellie S. Nason.
 S. 4012. Ruth A. Hazzard.
 S. 4024. Celina C. Smith.
 S. 4040. Jacob Baker.

S. 4113. Herbert Wadsworth.
 S. 4120. Joanna Swander.
 S. 4148. James Hanners.
 S. 4151. John Stone.
 S. 4173. Eva Helena Patten.
 S. 4178. Job D. Marshall.
 S. 4240. Hiram Stevens.
 S. 4241. Louis Badger.
 S. 4249. Martha Nutter.
 S. 4293. Erastus T. Bowers.
 S. 4296. David McLean.
 S. 4325. John Kern.
 S. 4330. Alonzo E. Martin.
 S. 4334. Edwin W. Clark.
 S. 4362. Corydon B. Lakin.
 S. 4363. Emma J. Wamaling.
 S. 4382. Thomas E. Sharp.
 S. 4403. Della W. Crane.
 S. 4442. Elvira Louisa Kanady.
 S. 4444. Lorenzo D. Emory.
 S. 4455. Alvin E. Tennant.
 S. 4491. Nephi Owen.
 S. 4520. Richard H. Bellamy.
 S. 4525. James M. Dalley.
 S. 4731. Elizabeth Holt.

Mr. JOHNSON of Maine, from the Committee on Pensions, to which was referred the bill (H. R. 4701) to establish in the War Department and in the Navy Department, respectively, a roll, designated as "the Army and Navy medal-of-honor roll," and for other purposes, reported it without amendment and submitted a report (No. 240) thereon.

He also, from the same committee, to which was referred the bill (H. R. 12027) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, reported it with amendments and submitted a report (No. 241) thereon.

He also, from the Committee on Claims, to which was referred the bill (S. 1074) for the relief of the Jefferson Lime Co., submitted an adverse report (No. 238) thereon, which was agreed to, and the bill was postponed indefinitely.

He also, from the same committee, to which was referred the bill (S. 1549) for the relief of Joe Davis, submitted an adverse report (No. 239) thereon, which was agreed to, and the bill was postponed indefinitely.

Mr. CURTIS, from the Committee on Indian Affairs, to which was referred the bill (S. 4424) to provide for the payment of drainage assessments on Indian lands in Nebraska, reported it without amendment and submitted a report (No. 223) thereon.

He also, from the same committee, to which was referred the bill (S. 3329) for an appropriation of \$105,000 to purchase water rights within the West Okanogan Valley irrigation district, and for other purposes, reported it with an amendment and submitted a report (No. 222) thereon.

Mr. ROBINSON, from the Committee on Claims, to which was referred the bill (S. 509) for the relief of the heirs of Joshua Nicholls, reported it with an amendment and submitted a report (No. 224) thereon.

Mr. WADSWORTH, from the Committee on Claims, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

H. R. 5835. An act for the relief of James Stanton (Rept. No. 225);

H. R. 7248. An act for the relief of the United States Drainage & Irrigation Co. (Rept. No. 227); and

H. R. 7862. An act for the relief of New England Coal & Coke Co., owner of the American barges *Emilie* and *Cassie*, and Bruusgaard, Kiosterud Dampskibsskieselskab, owner of the Norwegian steamship *Hesperos* (Rept. No. 226).

Mr. BORAH, from the Committee on Indian Depredations, to which was referred the bill (H. R. 7502) for the relief of Ellis P. Garton, administrator of the estate of H. B. Garton, deceased, reported it without amendment and submitted a report (No. 228) thereon.

Mr. LEA of Tennessee. From the Committee to Audit and Control the Contingent Expenses of the Senate I report back favorably with amendments Senate resolution 107, submitted by the Senator from Oklahoma [Mr. OWEN], relative to leasing of Osage oil lands.

Mr. OWEN. I ask that the resolution be placed on the table calendar, and that it be considered at 3 o'clock to-morrow afternoon.

The PRESIDENT pro tempore. The Senator from Oklahoma makes a request for unanimous consent. Is there objection?

Mr. SMOOT. Unanimous consent to take up the resolution at what time?

The PRESIDENT pro tempore. To-morrow afternoon at 3 o'clock.

Mr. SWANSON. Mr. President, I object. We expect to take up the armor-plate bill for consideration to-day, and we could not give way for that purpose.

The PRESIDENT pro tempore. Objection is made. The resolution will go to the calendar.

Mr. OWEN, from the Committee on Indian Affairs, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

S. 1100. A bill to pay the balance due the loyal Creek Indians on the award made by the Senate on the 16th day of February, 1903 (Rept. No. 230);

S. 4250. A bill for the relief of the Ottawa Indian Tribe of Blanchard Fork and Roche de Bouf (Rept. No. 232);

S. 4251. A bill to authorize the Ponca Tribe of Indians to appear in and be made parties to any suits filed in the Court of Claims by the Omaha Tribe (Rept. No. 231);

S. 1093. A bill to permit the Denison Coal Co. to relinquish certain lands embraced in the Choctaw and Chickasaw coal lease and to include within said lease other lands within the segregated coal area (Rept. No. 229); and

S. 4722. A bill for the relief of the occupants of the Tuttle town site, Oklahoma (Rept. No. 236).

Mr. OWEN, from the Committee on Indian Affairs, to which were referred the following bills, reported them severally with an amendment and submitted reports thereon:

S. 1094. A bill conferring jurisdiction on the Court of Claims to hear, determine, and render judgment in claims of the Ponca Tribe of Indians against the United States (Rept. No. 234);

S. 1096. A bill to provide for carrying into effect of the agreement between the United States and the Muskogee (Creek) Nation of Indians ratified by act of Congress approved March 1, 1901, and supplemental agreement of June 30, 1902, and other laws and treaties with said tribe of Indians (Rept. No. 233); and

S. 1098. A bill to adjust and settle the claims of the loyal Shawnee and loyal Absentee Shawnee Tribe of Indians (Rept. No. 235).

Mr. GRONNA, from the Committee on Indian Affairs, to which was referred the bill (S. 4526) authorizing the Arikara, Gros Ventre, and Mandan Tribes of Indians, of the Fort Berthold Reservation, N. Dak., to submit claims to the Court of Claims, reported it without amendment and submitted a report (No. 237) thereon.

Mr. ASHURST, from the Committee on Indian Affairs, to which was referred the bill (H. R. 10385) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1917, reported it with amendments and submitted a report (No. 244) thereon.

He also, from the same committee, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

S. 3251. A bill confirming patents heretofore issued to certain Indians in the State of Washington (Rept. No. 243); and

S. 4371. A bill authorizing the Sioux Tribe of Indians to submit claims to the Court of Claims (Rept. No. 242).

Mr. ROBINSON, from the Committee on Interstate Commerce, to which was referred the bill (S. 3769) to amend section 3 of an act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907, reported it with an amendment and submitted a report (No. 245) thereon.

GLENORA G. HARRIS AND OTHERS.

Mr. BRANDEGEE. From the Committee on the Judiciary, I report back with an amendment in the nature of a substitute the bill (S. 3560) to validate certain titles whereon the purchase money has been paid on sales by order of the United States circuit or district court, and I submit a report (No. 221) thereon. It is a small matter, and I ask unanimous consent for the present consideration of the bill.

Mr. SMOOT. Let it be read.

The PRESIDENT pro tempore. The Secretary will read the bill.

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

The amendment was to strike out all after the enacting clause and to insert:

That the sale of real estate to Glenora G. Harris, made by Charles West, Frank D. Houck, and William C. McConnell, receivers of the

American Union Telephone Co., for the consideration of \$5,000 in cash, which sum was paid by said Glenora G. Harris to the said receivers, and by them distributed to the creditors of said bankrupt corporation, and the deed made in pursuance thereof, under and by virtue of an order or decree of the United States District Court for the Middle District of Pennsylvania, at No. 83, June term, 1910, sitting in bankruptcy, said deed being dated the 6th of January, A. D. 1913, and being of record in the recorder's office of the county of Clearfield, in the State of Pennsylvania, in deed book 197, page 250, are hereby validated and confirmed, notwithstanding that said order or decree was for a private instead of a public sale.

The amendment was agreed to.

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

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

The title was amended so as to read:

A bill to validate a certain title whereon the purchase money has been paid on a private sale by order of the United States District Court for the Middle District of Pennsylvania, at No. 83, June term, 1910, sitting in bankruptcy.

Mr. BRANDEGEE. I should like to have the report, which is a very brief one, printed in the RECORD to further explain the measure.

The PRESIDENT pro tempore. Such will be the order, without objection.

The report this day submitted by Mr. BRANDEGEE is as follows:

Mr. BRANDEGEE, from the Committee on the Judiciary, submitted the following report (to accompany S. 3560):

The Committee on the Judiciary, to which was referred S. 3560, entitled "A bill to validate certain titles, wherein the purchase money has been paid on sales by order of the United States Circuit or District Court," begs leave to report that it has had the same under consideration and recommends that the following amendments be adopted and that the bill as so amended be passed:

1. Strike out all after the enacting clause and insert: That the sale of real estate to Glenora G. Harris, made by Charles West, Frank D. Houck, and William C. McConnell, receivers of the American Union Telephone Company, for the consideration of five thousand dollars in cash, which sum was paid by said Glenora G. Harris to the said receivers, and by them distributed to the creditors of said bankrupt corporation, and the deed made in pursuance thereof, under and by virtue of an order or decree of the United States District Court for the Middle District of Pennsylvania, at No. 83, June term, 1910, sitting in bankruptcy, said deed being dated the 6th of January, A. D. 1913, and being of record in the recorder's office of the county of Clearfield, in the State of Pennsylvania, in deed book 197, page 250, are hereby validated and confirmed, notwithstanding that said order or decree was for a private instead of a public sale.

2. Amend the title to read: To validate a certain title whereon the purchase money has been paid on a private sale by order of the United States District Court for the Middle District of Pennsylvania at No. 83, June term, 1910, sitting in bankruptcy.

The object sought in the passage of this bill is to quiet the title to a certain piece of land which was sold and conveyed to the grantee by the receivers of the American Union Telephone Co. under an order of the District Court of the United States for the Middle District of Pennsylvania, made on December 14, 1912, at No. 83, June term, 1910. The decree of the court authorized the real estate in question to be sold at private sale for the sum of \$5,000, which had been found by a special master appointed by said court to be its fair market value. Said master had also found that it was for the best interest of the estate "that the said real estate be sold by the American Union receivers at private sale to Glenora G. Harris, for the sum of \$5,000, which is a higher and better price than could be procured therefor at public sale." Said report of said master was duly approved and confirmed absolutely by said court. A certified copy of the proceedings of said court in the premises, duly certified by its clerk under date of February 2, 1916, under the seal of said court, substantiating the foregoing facts, is in possession of your committee. The grantee in the deed of conveyance of said property is now advised by counsel that her title to said property is defective in that the sale of said property to her under the decree of said court had been authorized to be made at private sale instead of at a public sale, as required by chapter 225 of the United States Statutes at Large, approved March 3, 1893, as appears in volume 27, at page 751, of the United States Statutes at Large. The grantee has been in possession of said real estate for over three years, to wit, since the delivery of said deed, on the 6th day of January, 1913. She paid the purchase price of \$5,000 for said property to the receivers, which was by them paid into court and duly distributed among the creditors of the said insolvent American Union Telephone Co. Unless this bill can receive favorable consideration of Congress the purchaser of this piece of real estate will have no title to the property for which she paid a fair market price. It does not seem just that this purchaser should lose her property because of the mistake made by the court in failing to conform to the provisions of the statute which required that the sale of said property should be made at public sale.

MISSOURI RIVER BRIDGE.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably without amendment the bill (S. 4190) authorizing the Yankton County Bridge Co., a corporation, to construct and maintain a bridge or bridges and approaches thereto across the Missouri River at a point between Yankton County, S. Dak., and Cedar County, Nebr., and I submit a report (No. 219) thereon. I ask for the immediate consideration of the bill.

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

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

BRIDGE ACROSS FLINT RIVER, GA.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 9225) granting the consent of Congress to Georgia Lumber Co. to construct a bridge across Flint River, Ga., between Dooly and Sumter Counties, and I submit a report (No. 218) thereon. I ask for its immediate consideration.

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

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

REFUND OF EXCESS IMPORT DUTIES.

Mr. LA FOLLETTE. From the Committee on Finance I report back favorably the bill (S. 4398) for the refund of excess duties on steel blooms, and I submit a report (No. 220) thereon. I ask unanimous consent for the present consideration of the bill.

Mr. SMOOT. Let it be read.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. It authorizes the Secretary of the Treasury to pay, out of any money in the Treasury not otherwise appropriated, to Walston H. Brown, sole surviving partner of the firm of Brown, Howard & Co., the sum of \$65,792.53; Philadelphia & Reading Coal & Iron Co. the sum of \$26,400.30; and the estate of Henry A. V. Post, deceased, the sum of \$50,359.35, as a refund of import duties paid in excess of the duties imposed by law on steel blooms, as found by the Court of Claims.

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

INVESTIGATION OF AVIATION SERVICE.

Mr. ROBINSON. I ask unanimous consent for the present consideration of the joint resolution (S. J. Res. 65) creating a joint commission of Congress to be known as the Joint Commission of Congress to Investigate the Aviation Service of the United States Army.

Mr. GALLINGER. I think the morning business ought first to be concluded.

The PRESIDENT pro tempore. There is objection. The introduction of bills and joint resolutions is next in order.

BILLS AND JOINT RESOLUTION INTRODUCED.

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

By Mr. OLIVER:

A bill (S. 4837) granting an extension of patent to Thomas A. Dicks; to the Committee on Patents.

A bill (S. 4858) granting an increase of pension to John Eaton (with accompanying papers); to the Committee on Pensions.

By Mr. WARREN:

A bill (S. 4859) authorizing the President of the United States to commission the commanding general and the adjutant general of the Militia of the Territory of Hawaii; to the Committee on Military Affairs.

By Mr. McCUMBER:

A bill (S. 4860) granting an increase of pension to Orlinda A. Edick; to the Committee on Pensions.

By Mr. NELSON:

A bill (S. 4861) to create a United States naval reserve; to the Committee on Naval Affairs.

By Mr. STERLING:

A bill (S. 4862) to exclude intoxicating liquors from national parks and national forest reserves; to the Committee on Public Lands.

A bill (S. 4863) granting an increase of pension to Charles B. Clark (with accompanying papers); to the Committee on Pensions.

By Mr. WORKS:

A bill (S. 4864) for the relief of Elam O. Kincaid (with accompanying papers); to the Committee on Military Affairs.

By Mr. WADSWORTH:

A bill (S. 4865) for the relief of the Plant Investment Co., of New York, N. Y.;

A bill (S. 4866) to carry out the findings of the Court of Claims in the case of the Commercial Pacific Cable Co. (with accompanying papers); and

A bill (S. 4867) for the relief of the heirs of F. Z. Tucker; to the Committee on Claims.

A bill (S. 4868) granting a pension to Emma J. Crocker; to the Committee on Pensions.

By Mr. CULBERSON:

A bill (S. 4869) to provide for the purchase of a site and the erection of a public building thereon at Plainview, State of Texas; to the Committee on Public Buildings and Grounds.

A bill (S. 4870) to establish an agricultural, plant, shrub, fruit and ornamental tree, berry, and vegetable experimental station at or near the city of Plainview, Hale County, in the State of Texas; to the Committee on Agriculture and Forestry.

By Mr. WALSH:

A bill (S. 4871) to amend an act approved February 22, 1889, entitled "An act to provide for the division of Dakota into two States and to enable the people of North Dakota, South Dakota, Montana, and Washington to form constitutions and State governments and to be admitted into the Union on an equal footing with the original States, and to make donations of public lands to such States"; to the Committee on Public Lands.

By Mr. POMERENE:

A bill (S. 4872) for the relief of Fred G. French; to the Committee on Naval Affairs.

A bill (S. 4873) for the relief of William Mullally; to the Committee on Military Affairs.

By Mr. NEWLANDS:

A bill (S. 4874) to establish experiment stations in engineering and in the other branches of the mechanic arts in connection with the colleges established in the several States and Territories under the provisions of an act approved July 2, 1862, and of the acts supplementary thereto; to the Committee on Agriculture and Forestry.

A bill (S. 4875) granting a pension to Margaret Anne Ede; to the Committee on Pensions.

By Mr. CHAMBERLAIN:

A bill (S. 4876) to provide for an increase in the number of cadets at the United States Military Academy; to the Committee on Military Affairs.

A bill (S. 4877) to regulate homestead entries in cases where persons otherwise entitled as heirs or devisees of a deceased applicant are disqualified by reason of alienage; to the Committee on Public Lands.

By Mr. LEA of Tennessee:

A bill (S. 4878) to correct the military record of E. D. Judkins; to the Committee on Military Affairs.

A bill (S. 4879) for the relief of Meredith G. Corlett; to the Committee on Claims.

A bill (S. 4880) granting an increase of pension to Mrs. Matilda I. Nason; and

A bill (S. 4881) granting a pension to Henry Garfield Clemmons; to the Committee on Pensions.

By Mr. MYERS:

A bill (S. 4882) to authorize an investigation of the power possibilities near Polson, Mont., for the purpose of establishing a Government-built power plant in connection with the fixation of atmospheric nitrogen; to the Committee on Public Lands.

A bill (S. 4883) granting an increase of pension to Webster A. Whiting; to the Committee on Pensions.

By Mr. SHEPPARD:

A bill (S. 4884) for the relief of the estate of A. B. Denton; and

A bill (S. 4885) for the relief of the heirs of Joseph T. Baker; to the Committee on Post Offices and Post Roads.

A bill (S. 4886) to enable the Secretary of Agriculture to combat diseases that may affect truck crops in the lower Rio Grande Valley; to the Committee on Agriculture and Forestry.

A bill (S. 4887) to supervise the operations of fire-insurance rate-making bureaus in the District of Columbia, provide for their examination by the superintendent of insurance, prohibit discrimination in fixing and collecting fire-insurance rates, require fire-insurance companies to maintain or cooperate in maintaining and operating fire-insurance rate-making bureaus, and provide for inspection and survey by rating bureaus of all fire-insurance risks specifically rated; and

A bill (S. 4888) to prevent and punish the desecration, mutilation, or improper use within the District of Columbia of the flag of the United States of America; to the Committee on the District of Columbia.

Mr. LEE of Maryland. I introduce a bill and ask that it be referred to the Committee on the Judiciary.

The bill (S. 4890) to amend the provision regarding newspapers in clause (b) of section 25 of an act entitled "An act to amend and consolidate the acts respecting copyrights," approved March 4, 1909, as amended by an act approved August 24, 1912, and also to amend section 40 of said act, was referred to the Committee on Patents.

Mr. OVERMAN. That bill properly belongs to the Committee on Patents, and I ask that it be so referred.

The PRESIDENT pro tempore. The bill will be referred to the Committee on Patents.

A bill (S. 4891) granting an increase of pension to Josiah F. Staubs; to the Committee on Pensions.

By Mr. SIMMONS:

A bill (S. 4892) granting an increase of pension to Abraham J. Yoemans (with accompanying papers); to the Committee on Pensions.

By Mr. RANSEDELL:

A bill (S. 4893) making appropriation for erecting a quarantine station at or near New Orleans, La.; to the Committee on Public Health and National Quarantine.

A bill (S. 4894) to regulate the personnel of the Coast Guard; to the Committee on Commerce.

By Mr. BANKHEAD:

A bill (S. 4895) to regulate the hours of service, mileage, and relative seniority rating of employees in the Railway Mail Service; to the Committee on Post Offices and Post Roads.

By Mr. LANE:

A bill (S. 4896) to authorize the establishment of a Coast Guard station on the coast of Curry County, at or near Port Orford, Oreg.; to the Committee on Commerce.

By Mr. THOMPSON:

A bill (S. 4897) granting an increase of pension to Isaac Newman (with accompanying papers); and

A bill (S. 4898) granting a pension to Albert G. Daugherty (with accompanying papers); to the Committee on Pensions.

By Mr. HUSTING:

A bill (S. 4899) for the enlargement of a public building in the city of Kenosha, Wis.; to the Committee on Public Buildings and Grounds.

By Mr. SMITE of Michigan:

A bill (S. 4900) to extend the privileges of the seventh section of immediate transportation act to Boyne City, Mich. (with accompanying papers); to the Committee on Finance.

A bill (S. 4901) granting an increase of pension to Sarah L. Boynton; to the Committee on Pensions.

By Mr. SMITH of Michigan (for Mr. TOWNSEND):

A bill (S. 4902) granting an increase of pension to David A. Kooker (with accompanying papers);

A bill (S. 4903) granting a pension to Frankie Esselstyn (with accompanying papers); and

A bill (S. 4904) granting an increase of pension to James B. Thornton (with accompanying papers); to the Committee on Pensions.

By Mr. JAMES:

A bill (S. 4905) granting an increase of pension to William Brummette (with accompanying papers); to the Committee on Pensions.

By Mr. OVERMAN:

A bill (S. 4906) to provide a suitable memorial to Daniel Boone at Cumberland Gap, Tenn. (with accompanying papers); to the Committee on the Library.

By Mr. DU PONT:

A bill (S. 4907) granting a pension to Sarah Denney; to the Committee on Pensions.

By Mr. O'GORMAN:

A bill (S. 4908) granting an increase of pension to Mary A. Flynn; to the Committee on Pensions.

By Mr. OWEN:

A bill (S. 4909) granting an increase of pension to Josephine Brown; to the Committee on Pensions.

By Mr. DILLINGHAM:

A bill (S. 4910) granting a pension to George Jeffs (with accompanying papers); to the Committee on Pensions.

By Mr. STONE:

A bill (S. 4911) granting a pension to E. R. Westbrook; and

A bill (S. 4912) granting a pension to Helen Hascall Woodward; to the Committee on Pensions.

By Mr. JONES:

A bill (S. 4913) granting a pension to William Chambers (with accompanying papers); to the Committee on Pensions.

By Mr. KENYON:

A bill (S. 4914) granting an increase of pension to John C. Smith (with accompanying papers); to the Committee on Pensions.

By Mr. KERN (for Mr. SHIVELY):

A bill (S. 4915) for the relief of Oliver C. Rice; to the Committee on Military Affairs.

A bill (S. 4916) granting an increase of pension to Zerelda Phares;

A bill (S. 4917) granting an increase of pension to Jonathan Bennett;

A bill (S. 4918) granting an increase of pension to Minnie Mowrer;

A bill (S. 4919) granting an increase of pension to Frank Lynch;

A bill (S. 4920) granting an increase of pension to Noah Reedy;

A bill (S. 4921) granting a pension to Mary Whitesides;

A bill (S. 4922) granting an increase of pension to William T. Ham;

A bill (S. 4923) granting a pension to James E. Newgent; and

A bill (S. 4924) granting an increase of pension to Nancy J. Fleming; to the Committee on Pensions.

By Mr. CURTIS:

A bill (S. 4925) to correct the naval record of Reuben E. Lawrence; to the Committee on Naval Affairs.

A bill (S. 4926) granting a pension to Hannah F. Taylor;

A bill (S. 4927) granting an increase of pension to S. S. Baird;

A bill (S. 4928) granting a pension to George E. Vale (with accompanying papers);

A bill (S. 4929) granting an increase of pension to Amos N. McReynolds (with accompanying papers);

A bill (S. 4930) granting an increase of pension to Charles Cain (with accompanying papers);

A bill (S. 4931) granting an increase of pension to Catherine St. Denis (with accompanying papers);

A bill (S. 4932) granting a pension to Eleanor J. Mourning (with accompanying papers);

A bill (S. 4933) granting an increase of pension to Wesley Burford (with accompanying papers);

A bill (S. 4934) granting an increase of pension to Payton S. Lynn (with accompanying papers);

A bill (S. 4935) granting an increase of pension to Margaret Hamilton (with accompanying papers);

A bill (S. 4936) granting a pension to Catherine Burgett (with accompanying papers);

A bill (S. 4937) granting an increase of pension to Rebecca Laptad (with accompanying papers);

A bill (S. 4938) granting an increase of pension to Robert Irvin Rea (with accompanying papers);

A bill (S. 4939) granting a pension to Robert Cook (with accompanying papers);

A bill (S. 4940) granting an increase of pension to Mary M. Gladman (with accompanying papers);

A bill (S. 4941) granting an increase of pension to Benjamin F. Brock (with accompanying papers);

A bill (S. 4942) granting an increase of pension to Rebecca Jane Thompson (with accompanying papers);

A bill (S. 4943) granting an increase of pension to Jerome Goforth (with accompanying papers);

A bill (S. 4944) granting an increase of pension to Robert H. Mackey (with accompanying papers);

A bill (S. 4945) granting an increase of pension to Isaac J. C. Guy (with accompanying papers);

A bill (S. 4946) granting an increase of pension to Ellen F. Seybold (with accompanying papers);

A bill (S. 4947) granting an increase of pension to John F. M. Todd (with accompanying papers);

A bill (S. 4948) granting an increase of pension to Joseph O. Bovard (with accompanying papers);

A bill (S. 4949) granting an increase of pension to Catherine A. S. Davis (with accompanying papers);

A bill (S. 4950) granting a pension to David Mitchell (with accompanying papers);

A bill (S. 4951) granting an increase of pension to James B. Rutherford (with accompanying papers);

A bill (S. 4952) granting an increase of pension to Byron W. Jacks (with accompanying papers);

A bill (S. 4953) granting a pension to Alexander R. Banks (with accompanying papers);

A bill (S. 4954) granting an increase of pension to Mrs. A. J. Parks (with accompanying papers);

A bill (S. 4955) granting an increase of pension to Leander Mayfield (with accompanying papers);

A bill (S. 4956) granting an increase of pension to Minard Van Patten (with accompanying papers); and

A bill (S. 4957) granting an increase of pension to William L. McClellan (with accompanying papers); to the Committee on Pensions.

By Mr. POINDEXTER:

A bill (S. 4958) to amend the act entitled "An act to regulate commerce," approved February 4, 1887, and as amended June 18, 1910, and as heretofore amended, and for other purposes; to the Committee on Interstate Commerce.

By Mr. CHAMBERLAIN:

A bill (S. 4939) granting an increase of pension to John N. McClure (with accompanying papers); to the Committee on Pensions.

By Mr. MARTIN of Virginia:

A bill (S. 4960) granting an increase of pension to Virginia Bailey (with accompanying papers); to the Committee on Pensions.

By Mr. CHAMBERLAIN:

A joint resolution (S. J. Res. 110) providing for method of improving channels giving access to military reservations or fortifications (with accompanying papers); to the Committee on Military Affairs.

RENEWAL OF PATENT.

Mr. CLAPP. On the 3d instant I introduced the bill (S. 4820) to permanently renew patent No. 21053, and it was referred to the Committee on Patents. I ask that the Committee on Patents be discharged from further consideration of the bill and that it be postponed indefinitely.

The PRESIDENT pro tempore. The bill will be postponed indefinitely.

Mr. CLAPP. I now introduce a new bill to permanently renew patent No. 21053, which I ask may be read twice by its title and referred to the Committee on Patents.

The bill (S. 4889) to permanently renew patent No. 21053 was read twice by its title and referred to the Committee on Patents.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. SMITH of Michigan submitted an amendment proposing to appropriate \$24,649.57 for paving streets in Sault Ste. Marie, Mich., fronting on Government property used in connection with the ship canal, etc., intended to be proposed by him to the sundry civil appropriation bill, which was ordered to be printed, and, with accompanying papers, referred to the Committee on Appropriations.

Mr. THOMPSON submitted an amendment proposing to appropriate \$125 to pay H. G. Lorimer for fees and expenses as an expert witness on behalf of the Government in the case of the United States v. Henry Samuels tried in the District Court of the United States for the District of Kansas, second division, etc., intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. CHAMBERLAIN (by request) submitted three amendments intended to be proposed by him to the river and harbor appropriation bill, which were referred to the Committee on Commerce and ordered to be printed.

Mr. SMITH of Michigan submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

PUBLIC-LAND ENTRIES.

Mr. WARREN submitted an amendment intended to be proposed by him to the bill (S. 3929) validating certain applications for and entries of public lands, which was referred to the Committee on Public Lands and ordered to be printed.

HEARINGS BEFORE THE COMMITTEE ON FISHERIES.

Mr. JOHNSON of Maine submitted the following resolution (S. Res. 119), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Fisheries, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-fourth Congress to employ a stenographer, at a cost not exceeding \$1 per printed page, to report such hearings as may be had in connection with any subject which may be pending before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recess of the Senate.

THE AQUEDUCT BRIDGE.

Mr. NELSON submitted the following resolution (S. Res. 120), which was read and referred to the Committee on Commerce:

Whereas an act to provide for the removal of what is now known as the Aqueduct Bridge across the Potomac River and the building of a new bridge in place thereof is now pending; and
Whereas the Secretary of War is authorized and directed to cause to be constructed a bridge across the Potomac River at or near what is now known as the Aqueduct Bridge, replacing said bridge with a substantial structure at a cost of not more than \$1,000,000; and
Whereas it does not appear that the Secretary of War has been requested to furnish Congress with any opinion as to the proper or suitable place to construct said bridge: Now, therefore

Resolved, That the Secretary of War be, and hereby is, requested to report what, if any, request has been made by any committee of Congress for his opinion as to a suitable and proper location and, if so, his answer thereto; and

Resolved further, That the Secretary of War be requested to report to the Senate what, in his opinion, would be a proper and suitable location for such structure, taking into consideration the military necessities and requirements of the Government and the business interest of the District of Columbia.

HEARINGS BEFORE COMMITTEE ON POST OFFICES AND POST ROADS.

Mr. BANKHEAD submitted the following resolution (S. Res. 123), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Post Offices and Post Roads, or any subcommittee thereof, be authorized during the Sixty-third Congress to send for books and papers, to administer oaths, and to employ a stenographer at a price not to exceed \$1 per printed page to report such hearings as may be had in connection with any subject which may be pending before the said committee; that the committee may sit during the sessions or recesses of the Senate; and the expense thereof shall be paid out of the contingent fund of the Senate.

CLAIM OF EMMETTA HUMPHREYS.

Mr. SHEPPARD submitted the following resolution (S. Res. 122), which was read and referred to the Committee on Claims:

Resolved, That the Committee on Claims is hereby requested and directed to consider and report upon the claim of Emmetta Humphreys, administratrix de bonis non of John Sevier, sr., and John Sevier, jr., against the United States, and to advise the Senate what amount, if any, should be paid said administratrix in view of the findings of the Court of Claims, as set out in House Document No. 1302, Sixty-second Congress, third session.

CAROLINE L. RIFENBERG.

Mr. SMITH of Maryland submitted the following resolution (S. Res. 121), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay, from the miscellaneous items of the contingent fund of the Senate, to Caroline L. Rifenberg, widow of Sherman Rifenberg, late a laborer in heating department, United States Senate, a sum equal to six months' salary at the rate he was receiving by law at the time of his death, said sum to be considered as including funeral expenses and all other allowances.

RURAL CREDITS (S. DOC. NO. 349).

Mr. McCUMBER. I ask that there may be printed as a public document a statement made by Grant S. Youmans, of Minot, N. Dak., special legislative representative of the members of the North Dakota State Union of the American Society of Equity and all of its affiliated farm organizations, pertaining to rural-credits bills. The testimony taken in the House has not been printed, and as this relates to the subject and gives the views of the farmer organizations of my State I ask that it may be printed as a public document, and that 5,000 additional copies be printed for the use of the Senate.

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

SPEECH BY EX-GOV. GLYNN, OF NEW YORK.

Mr. O'GORMAN. Mr. President, I ask unanimous consent to have printed in the Record a speech recently delivered by ex-Gov. Glynn, of New York, regarding the current political questions.

The PRESIDENT pro tempore. If there is no objection it will be so ordered. The Chair hears none.

The speech referred to is as follows:

REPLY OF FORMER GOV. MARTIN H. GLYNN, CHAIRMAN OF THE DEMOCRATIC STATE CONFERENCE AT SYRACUSE, MARCH 1, 1916, TO FORMER SENATOR ELIHU ROOT, CHAIRMAN OF THE REPUBLICAN STATE CONFERENCE AT CARNEGIE HALL, "WHEN THE SHIP OF STATE IS ROCKED AND TOSSED BY ANGRY WAVES AND HOWLING WINDS, THE PASSENGERS MAY LOSE THEIR HEADS, BUT THE CAPTAIN WILL KEEP HIS."

"Fellow Democrats and gentlemen of the conference, we assemble here under conditions which it has not been given to any of our predecessors to share. Outside the American Continent the whole world is plunged into war, with all its horrors, famine, suffering, grief, desolation spread over civilized Europe. Family ties, which spell joy and happiness in life and render the struggle for existence bearable, have been ruthlessly destroyed within the bounds of the warring nations, and yet we are able, though with sadness, to look upon this horrible spectacle from the confines of a nation absolutely at peace with the world—a nation that is more prosperous than at any time in its history, and a nation whose people enjoy more of liberty and of opportunity and of happiness than has ever been known in the history of mankind. We occupy this wonderful position of peace and prosperity not because of any accident but because of the wise and careful and successful policy of those in charge of our National Government. At any time during the progress of the European war the slightest error in judgment or mistake in action might have plunged us into the same conflict which is now impoverishing the nations of Europe. Our people fully sensing what this condition means to them are standing loyally behind President Wilson in his efforts to maintain peace, and are united in supporting the measures which he proposes to de-

tend this country from any aggression in the future and so perpetuate for all time the peace which the European war has shown means so much to us as a nation and as individuals.

SEA OF NEUTRALITY.

"On the sea of neutrality President Wilson has had to sail a hard and dangerous course as captain of our ship of state, but he has sailed it bravely and well. No other pilot of the Nation since Washington, Jefferson, and Lincoln has had to sail a sea so beset with storms and floating mines. The old charts have been torn up, the lighthouses extinguished by the belligerent nations throwing international law to the winds, but Pilot Wilson insists upon sailing the old course according to the old maps. Great Britain, Germany, and France may interpret international law each day to suit their whims and needs, but America persists in interpreting it with justice, with reason, and with national dignity. If we were to fight foreign nations for a violation of international law, as Mr. Root insinuates, we would fight not only Germany, as Mr. Root seems to imagine, but also every other nation participating in Europe's carnival of woe. Mr. Root's policy would make the United States a whirling dervish of war and send us into a perpetual dance of death. Mr. Root would make the United States the policeman of the world, but the teachings of Washington and Jefferson and Franklin about the avoidance of entangling alliances with foreign nations forbid the United States from attempting any such fantastic rôle. Rome tried to be policeman of the world and went down; Portugal tried to be policeman of the world and went down; Spain tried and went down; Napoleon tried and went down, and the United States proposes to profit by the experience of the ages and not attempt a policy that would surely turn into a Frankenstein to destroy us.

WHERE WILL IT END?

"If we start this policy, where are we to stop? There is no stopping. It is a vicious circle leading to destruction. It would mean a reversal of our traditional policy of government. It would mean the adoption of imperialistic doctrines, which we have denounced for over a century. It would make all other nations the wards of the United States and the United States the keeper of the world. We would be so busy settling other people's quarrels that we would have no time to attend to our own business. It would make the United States either the bully of creation or else a 'globe-trotting, earth-perambulating missionary of good government all over the world.' It is founded on no reasonable principle. What becomes of the Monroe doctrine under such a policy? How long do you suppose we would be allowed to meddle in European affairs while denying Europe the right to meddle in American affairs? The policy is a dream; it never could be a possibility. It was not even advanced in good faith; it is simply an appeal to passion and pride, to sympathy and prejudice, to secure partisan advantage.

"Under the stress of war international law has been battered out of recognition. As the devil quotes the Bible to suit his own purpose, so the warring nations quote documentary international law to suit their own course, without regard to the existence of neutrals, the rights of neutrals, or the trade of neutrals. Mr. Root says that Germany does this. He fails to say that the other warring nations also do it. Germany brands the seizure of provision ships as a violation of international law, adopts a policy of reprisal, and promises reparation under a treaty that has nothing to do with the case. England ruled the question of maritime law in war time out of The Hague conference in 1898 and failed to adopt the London declaration of 1911. But when war breaks out England says she will stand by the declaration of London. No sooner said, though, than she modifies the list of contraband, and no sooner modifies it than she alters it again, and then rejects the whole theory of contraband by proposing to seize all vessels bound for the enemies' ports or carrying cargoes ultimately destined for the enemies' territory. Between shifting winds from every side, between varying currents all about, America is thus caught in the maelstrom of war. The problem is the same which Washington had, and Jefferson had, and Adams had, and Lincoln had, and Woodrow Wilson is treating it as Washington treated it, as Jefferson treated it, as Adams treated it, and as Lincoln treated it.

"HONOR BY PEACE IF WE CAN, BY WAR IF WE MUST."

"To maintain our national honor by peace if we can, but by war if we must," is the motto of Woodrow Wilson. But before submitting to the chance and misery of war, true statesman that he is, he proposed to put the reason and justice of negotiation to the test. Just as Horace Greeley criticized the form of Lincoln's negotiations, just as Alexander Hamilton and Rufus King criticized the form of the Genet negotiations when Washington was President, just as the members of John Adams's

own Cabinet criticized his negotiations in averting war with France, just as John Randolph criticized the form of Jefferson's negotiations with France, and just as fanatics condemned Lincoln for overruling his Secretary of the Navy and even the House of Representatives in the *Trent* affair with England, just so for personal and political purposes men of Elihu Root's stamp criticize Mr. Wilson's policies.

IN DIPLOMACY FORM IS SECONDARY, RESULT PRIMARY.

"There never was penned an important diplomatic document that was not criticized by some one, because phraseology is largely a matter of education, taste, and temperament. In diplomacy form is secondary, result is primary. Form is a matter of opinion; result is fact. And what is the result of the form of Mr. Wilson's diplomatic negotiations with the warring nations of Europe? Why, simply this: While Europe is drenched in the blood of a sinister war, we are enjoying the blessings of an honorable peace. The men in society's salons, lettered dilettantes in libraries, and swaggering devotees of fashion who would fight our battles on the carpet of parlor trenches, in the restaurants of clubs, or amid the dangers of afternoon teas, may be primarily interested in the form of our diplomatic negotiations. But the men who must fight our battles where the cannon roars and the bullets sing and death stalks—also their wives, their sons, their daughters, and their mothers—these are primarily interested in the result of our negotiations and not in the form. And the men who would do the fighting stand where Woodrow Wilson stands. Their motto is, 'We will maintain our national honor by peace if we can, but by war if we must.' For this reason Woodrow Wilson, with malice toward no nation, with justice for this Nation, and with sympathy for all nations, champions and will continue to champion the policy that the United States stands upon its unsailable right to be a neutral nation and to act as a neutral nation though—

"The heathen rage and the people imagine a vain thing. The kings of the earth set themselves, and the rulers take council together.

FOLLOWING GEN. GRANT.

"Mr. Root says this policy has satisfied no one. Mr. Root means that it has satisfied no one who is a partisan in this conflict. The very fact that it may not have satisfied partisans is a proof of its neutrality, a proof of its success, for in a vital war like this neither side is satisfied with justice unless it can tamper with the scales. But Mr. Root forgets that in this strife most Americans are neutral and as neutrals approve of Woodrow Wilson following the policy that the founders and the saviors of this country followed in somewhat similar circumstances. The policy of Abraham Lincoln in the sixties demanded neutrality, and this is the policy of Woodrow Wilson to-day. Washington, Adams, Jefferson, and Lincoln insisted that the United States had a sovereign national right to stay out of war just as much as to go into war, and so does Woodrow Wilson. Gen. Grant said there never was a war that could not have been settled better some other way, and the people of this country are in favor of taking Grant's advice and trying the other way before trying war.

DOMESTIC TO THE FOREIGN AFFAIRS.

"So palpably successful has been the domestic policy of the Wilson administration that our opponents are able to find few loopholes for assault. Our foreign policy the prominent leaders of the opposition have repeatedly indorsed during the past few months, but now on the eve of a presidential election they suddenly turn front and treacherously attack. Their challenge we gladly accept, confident that a fair-minded American public will uphold the honorable, patriotic, and highly American policy which the Democratic Party has pursued, beset by difficulties, hampered by conditions for which the Republican Party is responsible, and surrounded by pitfalls on every side, wherein a single misstep would have hurled this country to disaster and to woe. Others may make expediency the star of their course in foreign affairs, but we follow the star of justice. Others for vainglory or for selfish purpose may cry up a policy of 'blood and iron,' but we contend that in the long run true humanity is true statesmanship, and true statesmanship true humanity.

NATIONAL HONOR.

"Mr. Root talks of 'national honor' as if by some divine commission he had been appointed the keeper and interpreter of the honor of the Nation. Now, real honor and real dishonor can be felt and are felt even by the lowliest toiler in the land as acutely and as accurately as by even Mr. Root. Instinct serves better here than legal speculation or metaphysical distinction. The man in the street, the toiler in the fields, the artisan in the shops, the man who should his musket and marches away at his country's call needs no lawyer, no statesman, no interpreter to tell him when the honor of his Nation is

outraged or the glory of his flag is sullied. It is an elemental instinct which knows without knowing why. It is an elemental instinct which enables even the unschooled to know right from wrong, justice from injustice, principle from prejudice, passion from reason. When the honor of our country is outraged and the glory of our flag sullied the people will know it without Mr. Root or anyone else telling them. If such an insult ever comes to this country, the great mass of the people who will have to do the fighting will not have to be called to war. They will call themselves to war. They will rally around the Stars and Stripes as their fathers rallied at Lexington and Concord, at Saratoga, and at Yorktown and a hundred other battle fields, and they will rally with the blessing and the prayers of those left at home sorrowing in anxiety, but exulting in self-sacrifice to preserve our honor and to glorify our flag.

WAR DRUMS AND WAR DRUMMERS.

"For a man who has signed more arbitration treaties than any other man in the country save one, Mr. Root's warlike speech is a mysterious performance. He is about the last man in the land from whom the country had a right to expect it.

"For years Mr. Root has been the star performer at peace conferences, and yet he condemns President Wilson for maintaining peace. Mr. Root may forget, but Woodrow Wilson remembers, that the leader of a nation who plunges his people into an unnecessary war vainly washes his hands of innocent blood, like Pontius Pilate, while the earth quakes and the heavens are darkened and thousands give up the ghost.

MR. ROOT BECOMES A DRUM AND TRUMPET STATESMAN—TRANSFORMS HIMSELF FROM A LOVING DOVE OF PEACE TO A SWOOPING HAWK OF WAR—ALSO MR. LODGE.

"For years Mr. Root has been acclaimed an apostle of peace, and in 1912 was awarded the Nobel prize for the promotion of peace, but now he sallies forth as a drum and trumpet statesman.

"From a cooing dove of peace Mr. Root suddenly transforms himself into a swooping hawk of war.

"Years ago enthusiasts in Bohemia took the skin of John Ziska, the patriot, and stretched it as a drumhead to rouse their followers to war. So to-day Elihu Root would stretch the skins of the victims of the *Lusitania*, the skins of the victims of the Belgian invasion, into a drumhead to rouse the kindly sentiment of sympathy into the frenzied craze of war.

"Mr. Root may beat his drum and blare his trumpet, but President Wilson will go right on winning the plaudits of the American people by appealing to reason, humanity, and common sense and by keeping the United States the uncompromising champion of the neutral world and the undaunted maintainer of the principles which have guided this Nation since 1776.

"And what a glorious rôle is this; what a badge of honor the neutral nations wear to-day! Upon the neutral nations depend the salvation of justice, the preservation of moral balances, and the conservation of the natural energies which will be needed to set this world aright when the present cataclysm is over.

"Our opponents say that Mr. Root's speech is not a declaration for war; but hardly have its echoes died upon the air before Senator Lodge, the other great spokesman of the Republican Party, makes a speech at Washington, in which, between the lines, he glorifies the purple testament of bleeding war and minimizes the grandeur of peace. If Senator Lodge is right, Washington and the other leaders of this Nation were like Achilles, who "fed on bears' marrow and lions' hearts." But Senator Lodge is not right. James Bryce, one of the greatest living historians, says so. In his American Commonwealth James Bryce says that Washington and his fellows were no sanguinary lords of war. Senator Lodge is not right, and this we can prove by the words of Washington, Thomas Jefferson, and Benjamin Franklin.

"Thomas Jefferson says, 'I recoil with horror at the ferociousness of men,' and then he calls upon nations 'to devise a more rational umpire of differences than force.' He says, 'War is an instrument entirely inefficient toward redressing wrongs, and it multiplies instead of indemnifying losses.' Benjamin Franklin says, 'There is one improvement I wish to see in moral philosophy—the discovery of a plan which would induce and oblige nations to settle their disputes without first cutting one another's throats,' and then he says that in his opinion 'there never was a good war or a bad peace.' In 1785 Washington wrote to David Humphrey, 'My first wish is to see war, the plague of mankind, banished from the earth.' To Lafayette, Washington wrote, 'It is really a strange thing that there should not be room enough in the world for men to live without cutting one another's throats,' and in his Farewell Address he expressed the hope 'that we may never unsheath the sword except in self-defense, so long as justice and our essential rights

and national respectability can be preserved without it.' And upon that declaration the Democratic Party stands to-day. Until self-defense and essential rights and national respectability require us to unsheath the sword we are for peace, but when national respectability, essential rights, justice, and self-defense require it we are for war and war to the hilt.

"But, say our opponents, the doctrines of Washington, Jefferson, and Franklin are so old they are dead. Well, if they are dead, how comes it that Mr. Root, as Secretary of State, handed these doctrines to our representatives at The Hague as the lamp to guide their feet and light their way?

"Both Mr. Root and Senator Lodge say they do not plead for war, and yet they plead to passions which cause war, and when you plead for a cause you plead for its effect. Senator Lodge and Mr. Root are both like the craven army drummer who, when captured on the field of battle, begged for release, because he was not a soldier and did not fight, but his captors declared that he should be treated with more severity than an ordinary soldier because the beating of his drum inflamed his followers to carnage. Unless I am mistaken, the American people to-day look at the present moment upon Senator Lodge and Mr. Root as his captors looked upon that caviling drummer.

CHANGE OF MIND.

"Mr. Root finds fault with President Wilson for changing his mind. All men, including Mr. Root, change their minds now and then. If they did not, life would be stagnation instead of progression.

"The instructions which Mr. Root as Secretary of State handed to our representatives at The Hague and his words at Carnegie Hall on Belgium show that Mr. Root sometimes changes his mind. The expressions of Mr. Root at Carnegie Hall on Mexico, compared with his speeches on our relations with the southern Republics during his South American tour as Secretary of State, again show that Mr. Root sometimes changes his mind. Even Mr. Roosevelt sometimes changes his mind. He once thought Mr. Root the only one of his kind, but when they broke he still thought Mr. Root the only one of his kind, but quite another kind.

"But in this Mr. Root and Mr. Roosevelt and President Wilson keep good company.

"In 1775 George Washington was opposed to a war for independence; in 1776 he said that a war for independence was the only thing that could save us. Benjamin Franklin thought we should not come to terms of peace with England in the Revolutionary War unless we got Canada, but he changed his mind before the treaty was signed. When Thomas Jefferson bought the Louisiana tract he reversed the position he formerly maintained as a strict constructionist of the Constitution. Before he became President Thomas Jefferson was opposed to the use of Federal money for internal improvement, but as President he sent a message to Congress advocating the use of public money to improve our rivers and our harbors. For a long while Abraham Lincoln resisted the idea of the emancipation of the slaves. He revoked the order of some of his generals emancipating slaves within the limits of their command, and he struck from the annual report of his Secretary of War a paragraph advocating the adoption of this policy. Yet when the need was pressing and the hour ripe Abraham Lincoln did issue the emancipation proclamation. These examples may have no direct bearing upon the issues of the hour, but they do show the pettiness of criticism running through Mr. Root's speech.

PRESIDENT WILSON FOLLOWS THE PRECEDENTS OF THE MOST ILLUSTRIOUS AND BEST-BELOVED MEN WHO HAVE EVER OCCUPIED THE PRESIDENTIAL CHAIR.

"President Wilson has only shaken his finger; when he has to shake his fist the world will find it mailed.

"Mr. Root says no man should draw a pistol who dares not shoot, and that a government should not shake its fist first and its finger afterwards. Like most epigrams containing the wisdom of the world in capsule form, these epigrams are partly true and partly false. Many a fight with a bully has been averted by shaking first the fist of strength and then pointing the finger of reason; many a necessity for shooting has been averted by pulling a pistol. The experiences of everyday life and the history of diplomacy disclose these truths.

"But if Mr. Root means to apply these epigrams to President Wilson he has made an unhappy application of his trick of speech. President Wilson has only shaken his finger thus far; if necessity compels, though, he can shake his fist and the world will find it mailed. Despite Mr. Root's glittering epigrams, President Wilson is following and will continue to follow the policy pursued under similar circumstances by the most illustrious and the most beloved men who ever occupied the presidential chair.

"The President stands where George Washington stood in 1793, when England in the war with France seized and held hundreds of vessels floating the Stars and Stripes. He prepared for war—he built warships; he erected forts—but he did not shoot. He settled our differences with England by negotiation, just as Woodrow Wilson is trying to do to-day. And here parenthetically let me remark that, while Secretary of State, Elihu Root in a speech in Argentina practically repeated the great sentiment of Charles Sumner—'Washington upholding the peaceful neutrality of this country while he met unmoved the clamor of the people wickedly crying for war is a greater man than Washington crossing the Delaware or taking Cornwallis's sword at Yorktown.' Yet Mr. Root condemns President Wilson for the very policy for which he praised George Washington. Verily, Elihu Root agrees with the man who said, 'Consistency is the hobgoblin of little minds.' President Wilson stands where John Adams stood in 1799, in our dispute with France. He prepared for war—he created the Navy Department; he built 12 new warships; he brought Washington out of retirement from Mount Vernon to lead the Army—but he didn't shoot. He settled our differences with France by negotiation, just as Woodrow Wilson is trying to do to-day. The President stands where Abraham Lincoln stood during the Civil War in our dispute with England over the *Alabama* and other privateers which destroyed a hundred million dollars' worth of our commerce. Through his Secretary of State he threatened England; he listened to all the talk of the House of Representatives for war and the clamor of the country—but he didn't shoot. He initiated the policy that Grant finished, which settled our differences with England by negotiation, just as Woodrow Wilson is trying to do to-day. The President stands where President Grant stood in our controversy with Spain in 1873, when Spain seized the ship *Virginius*, flying the American flag, and shot 50 Americans—the captain of the ship, 36 of the crew, and 12 passengers. Grant prepared for war; he authorized the putting of the Navy on a war footing—but he didn't shoot. He settled our difficulties with Spain by negotiations, just as Woodrow Wilson is trying to do to-day. The President stands where James G. Blaine, Secretary of State, stood in the controversy with Chile for shooting the sailors of the U. S. battleship *Baltimore*; where Grover Cleveland stood in our controversy with England over Venezuela in 1895—they made preparations for war—but they didn't shoot. They settled our difficulties by negotiations, just as Woodrow Wilson is trying to do to-day.

"Jefferson settled our maritime troubles with France by negotiations, and as a result won the Louisiana tract for a song. We settled our dispute with England about our northeastern boundary line by negotiation, and Daniel Webster pronounced this negotiation a boon to mankind. Though we conducted the presidential campaign of 1844 on the issue of 'Fifty-four forty or fight,' we didn't fight; we settled the Oregon dispute with England by negotiation, just as Woodrow Wilson is trying to do to-day. And so the record stands that the United States has won more victories by the pen than it ever won by the sword.

LEST WE FORGET THE WORDS THAT MADE US FREE.

"Mr. Root may talk in epigrams all he pleases, but it is cowardly for him to hide himself in a cloud of verbal dust. If Mr. Root believes—despite the example of Washington and Jefferson, Lincoln and Grant—that the United States should go to war for every violation of international law, why doesn't he say so like a man? If he desires to make the United States the brandisher of the 'big stick' in the face of all the world, he should make his position clear. The United States has not yet drawn a pistol, has not yet shaken its fist. It has expressed disapproval and it has appealed to reason and to law. It has placed itself on record in a way that can not be mistaken, but it has not yet taken the irrevocable step; it has not yet appealed to force.

"Would the Republican Party reverse this order? Would the Republican Party shoot first and protest afterwards? Would the Republican Party write its disapproval first in blood and then in ink? Is this the Republican notion of the duty of a Republic which boasts of the brotherhood of man? Mr. Root truly declared that the American people have 'embodied their principles of government in fixed rules of right conduct.'

"If Mr. Root will turn to the Declaration of Independence, he will find a reminder that this is a country which resorts to war only after every other form of redress has failed.

"He will find that before the American Colonies drew the pistol they 'warned,' 'reminded,' 'appealed,' and 'conjured' the British Government 'to disavow' the usurpation of which they complained. Then, as now, a race of freemen claimed the

right to be patient, and now, as then, a race of freemen will not falter in a final appeal to arms should their patience be exhausted and all other means of asserting their rights be in vain. As a Nation we deprecate the waste, the horror, the unreason of war, because we are masters of our own destiny. We do not desire to seek that destiny, unless we must, over the bodies of our youth and the tears and lamentations of desolated homes. Because each American knows that his country represents the highest hopes of all mankind, because he knows that his country's flag stands for justice, for opportunity, for reason, and for liberty, he holds himself ever ready to rally to that flag, to lay down his life if need be in defense of the Republic.

"No other land must ever mistake this fundamental truth.

"No other land should ever mistake our unwillingness to seek war for unreadiness to sacrifice life and all that life holds dear to preserve the glory and the integrity and honor of the United States.

"And just as President Wilson observes the truest spirit of America in appealing to reason before he appeals to force, so he now reflects the temper of the Republic in making ready for an appeal to arms should diplomacy become useless and reason without avail.

LUSITANIA.

"For a statesman who had long enjoyed a reputation for poise and balance Mr. Root's attitude on the *Lusitania* issue is amazing and inexplicable. He claims that if the *Lusitania* notes meant anything they meant that action was forthcoming, and he concludes that the correspondence is now approaching its end without securing even that partial protection which is desirable for the future. He ignores what has been accomplished. He overlooks that assurances for the future have been given and that reparation for the past has been assured. If he had before him the proposals made by Germany a week before his speech, would Mr. Root, as Secretary of State, have dared go before the country and say that they should not be accepted, and that we must enter an armed conflict over a matter of mere words? As Secretary of State, Mr. Root would not have dared to do so, and as ex-Secretary of State a proper appreciation of the true equation of things should have prompted him to keep his tongue in consonance with the proprieties. Furthermore, Mr. Root, even as a distinguished citizen suddenly turned political incendiary, would not, in view of the note on the *Lusitania* which the German ambassador handed Secretary of State Lansing on Monday last, dare to repeat on this platform to-night the inflammatory language he lately used in Carnegie Hall.

MR. ROOT AND THE DIFFERENCE BETWEEN THE CONSERVATISM OF RESPONSIBILITY AND THE ANARCHY OF SPEECH.

"Again, the difference between Mr. Root's actions and Mr. Root's words illustrate the difference between the conservatism of responsibility and the anarchy of speech. Since leaving public office Mr. Root seems to have lost the sense of responsibility which officials of Government should feel and which should guide their every act. He states that our first *Lusitania* note was conceived in events which marked them as impotent. One of these events, he states, was the alleged intimation to the Austrian ambassador by Mr. Bryan that the note of February 10, 1915, was intended for American consumption. Mr. Root accepted a sensational story as the truth, which he could easily have disproved by reference to the Department of State. The fact is the Austrian ambassador agreed with Mr. Bryan that no such statement or intimation had been made to him, and he sent a message to his Government to that effect. Mr. Root, moreover, is doing an unprecedented thing for an ex-Senator of the United States, an ex-Secretary of War, and an ex-Secretary of State when he endeavors to make political capital in a speech before a political convention out of not only foreign relations of the United States, which he well understands are in a critical stage, but out of pending diplomatic negotiations in what is probably the most important case that has been before the State Department since Lincoln's day. He states that it should have been foreseen that cases of this nature were likely to arise, and that American lives would be worthless unless power was maintained. He points to Switzerland and Holland as countries which are properly defended in their rights by organizations and other measures, and states that, 'Nobody has run over them, because they have made it apparent that the cost would be too great.' He does not mention, although he must have read it in the press, that Dutch ships have been sunk by submarines, that Dutch passengers and sailors have lost their lives from such belligerent action, and that Dutch ships are constantly being violated in British waters, and Dutch mail to the United States, including diplomatic pouches, are being removed from them. He does not mention the fact that, though

Switzerland is mobilized, she is allowed to continue her manufacture of certain articles only at the sufferance of belligerents on both sides, who portion off exports from this mountain country and imports into it with the minutest care. Brass is furnished by the allies for the manufacture of various articles and Switzerland is held to strict account for every pound. Germany supplies Switzerland with aluminum, steel, zinc, and coal and compels a return in machinery and parts.

"It is easy to say that things 'should have been foreseen,' but foresight is not so common an attribute. Mr. Root, I am informed, approved the American notes on the *Lusitania* case, but said nothing at the time about preparation for action in case America's demands were not complied with.

"Mr. Root would have had our Government protest in regard to the invasion of Belgium, and if in the case of Belgium, certainly he would have had this Government continue to protest all the numberless violations of international law by all the belligerents, no matter whether the violations were against this country or another. Such a course would have been futile, would have amounted to nothing, and made us ridiculous in the eyes of the world. And these protests Mr. Root would have backed by force if he were to be true to his position. Mr. Root's course would surely 'lead us into inevitable war'—just as he says our present course will. The violation of international law, in regard to which Mr. Root would have this Government make its attitude clear and enforce its demands, occurred within a few months after the war opened and before it was possible to make sufficient preparation, which he says has been neglected by the present administration. Preparation to back up a policy such as Mr. Root has outlined should have been begun years ago by administrations of which Mr. Root was the moving spirit. All the world has known that for years prior to the beginning of the present war the nations of Europe had been preparing great armaments. During that time Mr. Root was Secretary of War, Secretary of State, and United States Senator. 'Ordinary practical sense in the conduct of affairs,' using the words of Mr. Root, should have taught him and his associates the necessity of voting large amounts for suitable preparation against the outbreak of such a war. Does it therefore become Mr. Root to criticize the President and the administration for not enforcing its demands when previous administrations with which he was intimately connected failed to use ordinary foresight in laying the foundation for suitable military and naval forces? He appears to forget in his suggestion of an aggressive policy that the countries now at war are the great nations of the earth, fully equipped and armed, conscious of their strength and their position in the family of nations, which will not brook the domineering tactics of another nation. Moreover, in this great war the participants are wrought up to a state of excitement which must not be lost sight of in dealing with international situations which arise. While a breach of diplomatic relations might be regarded in ordinary times as not leading to war, such action at the present time with any of the belligerents would inevitably lead to an armed conflict.

TRUE PRIDE.

"In this phase of the question Mr. Root undervalues but the world holds in proper place a true pride in all the relations of life.

"There is a pride of national duty which is incapable of sacrificing peace and happiness; there is a pride of high responsibility which forbids an appeal to the sword until all other means have failed; there is a pride in the possession of calm understanding and patient foresight which stands firm against the protest of the partisan and the blood lust of the brute; but the man who disdains to plunge millions of his fellow beings into the dismal abyss of war until he has exhausted every honorable means for peace will never be too weak to guard the honor or the liberties of his country when assailed.

"The man who bravely avoids an unnecessary war will never be too cowardly to wage a just one.

"Mr. Root would make of the President of the United States an incendiary in a world of fire. He would make the Chief Executive a swashbuckler instead of a statesman. He would have the President insist upon the propriety of the duello, while the combatants reel upon the cliffs of national existence. He would have the President forget that while we debate men are dying by thousands across the ocean; that while we are inconvenienced the rest of the world is enduring the agonies of the damned; that while we are sitting quietly by our fireside the rest of the human race is writhing in the torments of the firing line.

"Is it Mr. Root's conception of American honor that we should assert that honor by adding to universal misery? Is it his idea that our national duty is to make no allowance for the naked passions and desperate needs of the white-heat conflict that now

inflames and distorts the reason and humanity of Europe? Surely it is not the part of American honor to shut our eyes to the situation of those with whom we are dealing. Surely President Wilson has been true to the highest ideals of America in prolonging negotiations until a people impassioned by war should have time and opportunity to pass calmly upon the justice of America's claims.

BELGIUM.

"The efforts of politicians like Mr. Root to make political capital out of the course which President Wilson deemed it wise for this Nation to follow in respect to Belgium during the early stages of the present war deserve, and will receive, unqualified condemnation and rebuke at the hands of the most right-thinking and patriotic Americans. The horror and sufferings and devastation of this little nation have sunk deep into the American heart.

"No fair-minded man can question the wisdom and integrity of our Belgium policy. To say that it has sullied our honor or besmirched our conscience, as Mr. Root intimates, is an insult to the intelligence of the Nation. On this question Mr. Root quibbles with the genius that has made him famous. He was Secretary of State when The Hague conference of 1907 was held, and from him the American delegates received the instructions to make to the conference a declaration of America's policy, which covered every act and every convention which the American delegates signed. That declaration later on specifically attached by the Senate to the most important of these conventions, and now standing as a part of them, was as follows:

"Nothing contained in this convention shall be so construed as to require the United States of America to depart from its traditional policy of not intruding upon, interfering with, or entangling itself in the political questions of policy * * * of any foreign State, nor shall anything contained in the said convention be construed to imply a relinquishment by the United States of its traditional attitude toward purely American questions.

"As Secretary of State, Mr. Root himself adopted the same policy in handling the Japanese-Korean situation. When by force and duress, and against the will of the Koreans, Japan placed the Kingdom of Korea under a Japanese protectorate, no protest was lodged against this action, notwithstanding the provisions of an outstanding treaty between Korea and the United States wherein, among other things, it was agreed that if other powers should deal unjustly or oppressively with either party to the treaty the other would use its good offices, on being informed of the case, to bring about an amicable arrangement of the difficulty. Mr. Root was requested by duly accredited representatives of Korea to act under the provisions of this treaty, and he refused on the ground that, Japan having forced a protectorate upon the Koreans, the treaty between the United States and Korea could be no longer enforced. Here we have a distinct recognition by Mr. Root of the principle of international law underlying the Belgium case. It matters little what Mr. Root may say, yet now, with the presidential election coming on, Mr. Root unworthily seeks to disparage the President of the United States for doing in respect to Belgium precisely what he himself had done as a responsible Government officer a few years before in a very similar case, and precisely what he himself would, of course, have done in the case of Belgium if he had been President instead of Mr. Wilson.

It is absurd and preposterous to assert that any of The Hague conventions, or any clause in the convention, nullified this general policy of the United States. The argument that one of The Hague conventions specifically bound us to go to the defense of Belgium is of no weight, because England never ratified it and was not even technically bound by it. The whole world knows that Great Britain entered the war at the earliest possible moment after the Belgium invasion because of another treaty.

"When Mr. Root made his speech his former instructor and leader was on the Atlantic Ocean. This probably enabled Mr. Root to steal Mr. Roosevelt's clothes while he was in swimming and run away with them. Mr. Roosevelt is now condemning President Wilson's Belgium policy, but only a few months ago he praised it. When would Mr. Roosevelt have the Nation take him seriously; now or some months ago?

MR. ROOSEVELT ONCE SPOKE AND WROTE IN FAVOR OF PRESIDENT WILSON'S ATTITUDE ON BELGIUM.

"Four days after the invasion of Belgium the colonel made a speech in New York, in which he said that 'we should be thankful beyond measure' because we are Americans and not at war, and urged support for the administration in securing peace and justice. But he said nothing of any duty to Belgium.

"He discussed at Hartford, Conn., on August 15, 1914, the Bryan peace treaties, but had no whisper for obligations under The Hague treaties. Seven weeks after the Belgian invasion he printed in the Outlook, on September 23, 1914, an elaborate

article on the war, with long discussions of its Belgian phases. Here are some of its passages:

"A delegation of Belgians has arrived to invoke our assistance. What action our Government can or will take, I know not.

"It has been assumed that no action can be taken that will interfere with our neutrality. It is certainly eminently desirable that we should remain entirely neutral and nothing but urgent need would warrant breaking our neutrality and taking sides one way or the other.

"Of course, it would be folly to jump into the gulf ourselves to no good purpose, and very probably nothing we could have done would have helped Belgium. We have not the smallest responsibility for what has befallen her, and I am sure that the sympathy of this country for the suffering of the men, women, and children of Belgium is very real.

"Nevertheless, this sympathy is compatible with full acknowledgment of the unwisdom of uttering a single word of official protest unless we are prepared to make that protest effective, and only the clearest and most urgent national duty would ever justify us in deviating from our rule of neutrality and noninterference.

FORMER PRESIDENT TAFT PRAISES THE BELGIUM POLICY OF PRESIDENT WILSON.

"But all the Republicans of the Nation do not condemn President Wilson's Belgium policy. Former President Taft does not. At a speech delivered at Morristown, N. J., Mr. Taft said:

"While I sympathize with the Belgians in this war, whose country, without any fault of theirs, has been made its bloody center, I approve and commend to the full the attitude of President Wilson.

"We are not sitting as judges of issues between countries in Europe in this great war. We are seeking to maintain strict neutrality, and until our decision is involved with an agreement to abide by our judgment and recommendation for settlement, we need not embroil ourselves by official expressions of criticisms or approval of the acts of the participants in the war. This is not only the wisest course for us to pursue in maintaining an attitude that may give us influence in promoting mediation when mediation is possible, but it will help us to avoid being drawn into the war.

"The insincerity of the Republican Party in its Belgium attitude is shown by the words of Mr. Taft and Mr. Roosevelt, and by its record between 1901 and 1909. During those years Mr. Roosevelt was President and Mr. Root in the Cabinet most of the time. In 1903 occurred the massacre at Kishinev and for many years after 1903 Macedonia ran red with blood; in 1905 the horrors of the Kongo were officially published; in 1905 Korea lost its independence; in 1906 Morocco was parceled out by the powers; in 1906 the Russian Government shot, hanged, and massacred thousands of her people; in 1909, 25,000 Armenians were slaughtered at Adana, and yet no note of protest came from the Republican Party seated in the seats of the mighty at Washington. What reason, then, has the Republican Party to expect people to believe that it would have acted any differently in 1914 than it did from 1901 to 1909?"

MEXICO.

"A great deal of criticism has been directed against the present administration because of the President's advice to Americans in Mexico to leave that country and return to the United States. As is the case in many matters involving our foreign relations, a great part of this criticism is based upon an incomplete knowledge of the facts and a failure to take into consideration all the phases of the situation. President Wilson's advice to Americans to leave Mexico was not by any means a radical departure from the policy of the previous administration. It was merely an affirmation and reiteration of an apparently well-considered and wholly justifiable position taken by Mr. Taft in 1912, when he advised Americans to withdraw from localities where conditions or prospects of lawlessness threatened the personal safety of Americans and when he directed consular officers to take charge of abandoned effects of American citizens. This advice was applied to practically the entire Republic. This plainly shows, therefore, the opinion of the Taft administration at that time. On November 21, 1910, the commanding general of the Department of Texas was authorized to send troops to the border to enforce the neutrality laws. Additional troops were later sent to patrol the entire border. The War Department early in February, 1912, held all troops in readiness for service along the Mexican border. This created a situation in Mexico which made some of the people doubt the stability of the Madero government, and gave rise to widespread brigandage throughout Mexico. On February 24, 1912, the Washington authorities hinted to the Mexican authorities that military force was contemplated.

"The truth of the matter is, if the Taft administration had given Madero one-tenth part of the support and assistance that this administration is giving the de facto government, President Madero would most assuredly have been successful in establishing peace and order, the alleged crime of Huerta would not have been committed, the loss of American lives and property since that time would not have occurred, and Mexico would have been spared the horrors of the fratricidal war which has since prevailed there.

"On April 15, 1912, the Department of State under President Taft sent what was practically an ultimatum to the Madero government in which intervention was threatened.

"This ultimatum stated that 'until more headway was made in unseating Madero, no interviews could be granted and no communications received from insurgents.'

"It seems that the Taft administration had devoted itself to a campaign of nagging and persecuting the struggling government of Madero. During the early part of September, 1912, President Taft stated to Ambassador Calero that this Government was dissatisfied with internal conditions in Mexico. The newspapers in reporting the matter said:

"Mr. Taft is opposed to intervention except as a last resort. It is admitted, however, that conditions in Mexico have become much worse in the last few weeks, and if the Madero government is unable to check the attacks on American citizens the United States will be constrained to take action.

"So it will be seen that the situation in Mexico when Woodrow Wilson became President was an unfortunate inheritance.

"Mr. Root says it was President Wilson's duty to do the very things which President Taft did not do and for which he fails to condemn President Taft while condemning President Wilson.

"The Taft administration had nagged and persecuted President Madero almost up to the breaking point; it had shifted its troops down to the border for the supposed purpose of protecting its ambassador to Mexico, at a time when such a move weakened and embarrassed the Madero government; it had allowed Americans to be killed in Mexico and American property to be looted and menaced. About 60 Americans are known to have been killed during the Taft administration, and yet Senator Root assumes for his part a 'holier than thou' attitude.

"In view of all the circumstances, the last administration had all the opportunity it could wish for to send an army into Mexico if it had desired to avail itself of the justification which Senator Root is now urging upon this administration.

"Mr. Taft did not believe it wise to sacrifice thousands of lives and millions of dollars in order to intervene in the internal affairs of Mexico.

"President Wilson has found nothing so far which would justify the great sacrifice of human life which would be necessary to obtain military control of Mexico.

"President Wilson's Mexican policy has been born of the belief that no permanency in government would be obtained in Mexico or in any other American Republic so long as this Government was ready to recognize every revolutionist who might secure control.

"President Wilson's Mexican policy is consistent with the American idea that the government of any Republic should be the choice of its people.

"So long as governments created by force and financed from without can control in Mexico, just so long will there be no safety of life or security of property in that country.

"For 50 years we have been talking Pan Americanism, and Pan Americanism has been impossible because the other American Republics have always suspected sinister purposes in our attitude toward them.

"But President Wilson's policy has made every American Republic believe for the first time that our Government has no desire or purpose to take their territory or coerce their Government. Out of this European war no man can tell what will come, but this much is certain that it is vital for the peace and prosperity and honor of the Western Hemisphere that there be a fidelity in the pretensions and an honesty in the relations between the Governments of the American Continent.

"Mr. Root charges that our policy has been vacillating; that the President invaded Mexico and then retreated. The charge is not true. Mr. Root has no evidence upon which to base such an accusation.

"Here is the truth about the Vera Cruz incident: Admiral Mayo was at Tampico. American sailors and officers were insulted by Mexican soldiers. A boat crew and paymaster of the United States Navy were arrested on the wharf at Tampico by Huerta's followers. Without the knowledge and without any instruction from the administration at Washington Admiral Mayo demanded the release of his men, an apology, and a salute to the flag. Huerta's followers did not comply, and the President backed up the demands of our officers. The salute was denied. Vera Cruz was occupied, not for invasion, but to punish an insult to the flag and the Navy. With a loss of 300 men Huerta's band was punished and the incident was closed. The Vera Cruz incident did not have its origin in or any relation to the fixed policy of President Wilson toward Mexico and the other American Republics.

SENATOR ROOT MADE A SPEECH IN THE UNITED STATES SENATE AGAINST OUR INTERVENTION IN MEXICO—TALKS LIKE THERSITES TO-DAY THOUGH YESTERDAY HE ACTED LIKE NESTOR.

"Our opponents say we invaded Vera Cruz to help Carranza and hurt Huerta. They forget that Carranza was protected at the

landing of United States troops in Vera Cruz. Would Carranza have protested if this charge of our opponents were true?

"On the Mexican question Senator Root again plays the weathercock and veers in the shifting winds of opportunism. What he urged President Wilson to do in Mexico he advised President Taft not to do. And so I say that Senator Root's conduct as an official and his talk as a political agitator illustrate the difference between the conservatism of responsibility and the anarchy of speech. And here is the proof that Mr. Root can blow hot one day and cold the next, can talk like Thersites to-day though yesterday he acted like Nestor.

"When Senator STONE, the present Democratic chairman of the Foreign Relations Committee, introduced into the Senate a resolution which would have committed this country to the very Mexican policy which Mr. Root now urges, he rose in the Senate and condemned the effort of the Democrats to do the very thing which he says should have been done, and for want of which he says the Democracy has forfeited the respect of the citizens of this country. Here are the exact words of Mr. Root which expose the somersault he has thrown on the Mexican situation:

"Mr. President, before the subject is passed over and the resolution laid upon the table, I wish to express my entire dissent from the assumption which seemed to me to be carried by the expression of opinion on the part of the Senator from Missouri. Granting that injuries have been done to American citizens which ought to be redressed, that wounds have been inflicted, that lives have been taken, that property has been destroyed, it does not follow, sir, that we should begin the process of securing redress for those injuries by a threat of force on the part of a great and powerful nation against a smaller and weaker nation. That, sir, is to reverse the policy of the United States and to take a step backward in the pathway of civilization.

"There is no reason whatever, sir, to assume, if injuries have been done of the kind described, that the Government of Mexico is unwilling to make due redress upon having those injuries and claims presented to her in the ordinary course of peaceful negotiations; and for redress the passage of such a resolution as has been described, equivalent to a declaration of war, would be to preface the ordinary demand—the demand which it is the duty of every civilized power to make upon a friendly nation—with a threat that if the demand is not complied with force will be used.

"Sympathy with the people of Mexico in their distress, a just sense of the duties that we owe to that friendly people, and the duties that we owe to the peace of the world must forbid our assenting to or yielding to any such course. * * *

"Evidently Mr. Root's opinion as to what should be our Mexican policy shifts from day to day. He is for any policy that at the moment promises the most votes for the Republican Party. Anyway it is a source of consolation to know that as a United States Senator he approved, though as a political agitator he condemns, the policy which President Wilson is following in Mexico.

GREAT NATIONAL LEGISLATION.

"Four years ago the Nation committed its care and welfare to the Democratic Party, and the Democratic Party has been true to the trust. It has preserved peace, promoted prosperity, maintained national honor, observed international laws, and followed the traditions of the fathers of the country.

"No other administration of our age and generation has enacted such a galaxy of laws for the public welfare.

"It passed the Trade Commission bill, which created a tribunal that will arbitrate between disputants in commerce and do justice between the public and the great industrial corporations. It passed the Clayton antitrust law, which does away with interlocking directorates, defines and expands the prohibitions of the Sherman Act, modifies the powers of Federal courts to issue injunctions in labor disputes, and nullifies a multitude of abuses that have been in controversy for years. It consummated the Federal income tax, which makes the fortunes of the rich bear their proportionate part of the burden of taxation and brings into the Federal Treasury over a hundred million dollars a year. It promoted the constitutional amendment which provides for the election of United States Senators by popular vote and frees the United States Senate from possible control by special interests and makes possible the election by the people of their representatives in the Senate at the polls. It repealed the law fixing discriminatory tolls for the Panama Canal, and thereby proclaimed to the world the sacredness of American treaty obligations. It passed the Lever agricultural extension act to help increase the productiveness of American farms. It passed the industrial employee arbitration act, which affords the Government facilities for settling great railway and industrial strikes that threaten to tie up the traffic and upset business of the country. It passed a conservation law, which will develop the water power of the country, facilitate manufacturing, and open avenues of employment. It drove the lobby out of Washington. It prevented railroad strikes which threatened industry and tranquillity. It enforced the antitrust laws always on the ground of justice, never for the purpose of political reward or partisan punishment. It extended the Parcel Post System, and for the first time in history distributed public funds fairly around the country for the purpose of moving crops. It started

the application of scientific and modern business methods toward the elimination of waste in the transportation and distribution of farm products. It made the largest appropriation in the history of the country for educational work in the encouragement of rural and industrial education, education in the home, education in civics and principles of citizenship, education of the negroes and immigrants, education in home economics, home and school gardens, and along other practical lines. It has saved a million dollars a year to the old soldiers and their widows through the direct payment of pensions by check. It proposes to make \$500,000,000 available for the promotion of agriculture by the establishment of land banks that will build up a system of rural credits for the farmer. It has sent special commissioners to Great Britain, Germany, France, Russia, Chile, Argentina, Brazil, China, Japan, and India to promote our commerce abroad, and it proposes to send one to every other important point in the world.

"And yet Mr. Root, as chairman of the Republican State conference held at Carnegie Hall, says this administration is 'not an administration of force and foresight.'

FEDERAL RESERVE ACT.

"In reply to this statement, I say that Mr. Root has no 'hindsight' when he says this in the face of the wonderful success which has greeted the workings of the Federal reserve act. When in the United States Senate Mr. Root opposed the passage of this law, which one of the most eminent economists in the world has said will prove of more value to the American people than the building of the Panama Canal. This law is one of the greatest achievements of any administration in the last 50 years. Force and foresight. Why, there never has been a finer exhibition of foresight and statesmanship than that exhibited by the President in insisting upon the passage, at the special session of the Congress in 1913, of the Federal reserve act and opposing, even against the advice of leading men in his party, the adjournment of the Congress after the passage of the tariff act of 1913 until the Federal reserve act was enacted. Subsequent events show that the President was prompted by wondrous economic insight. The Republican Party has had possession of the Government since 1861, with the exception of Mr. Cleveland's two terms. Until Mr. Wilson was inaugurated the Democratic Party had not been in control of the Federal Government for 16 years. During all of that time, and especially during the last 16 years of Republican rule, the necessity for financial legislation in this country was never so great nor so imperative. The Republican Party stands convicted of absolute impotence and incompetence, because it failed utterly to meet the situation. With one of the most complex and difficult problems the Nation has ever had to face, and amid conditions that rendered the task doubly difficult, the President and his party exhibited in a superlative degree the qualities of statesmanship and prescience, and gave the Nation a financial system which, for all time, will confer incalculable benefits upon the American people.

GREATEST BUSINESS LEGISLATION IN 50 YEARS.

"This great piece of legislation not only reestablished beyond the power of impairment that essential confidence upon which alone business could be revived and go forward with safety, but it also provided the enlarged credit facilities for the lack of which the country has suffered for many years, and also gave to these enlarged credit resources the quality of elasticity and automatic responsiveness to the needs of business and enterprise without which it would be impossible for the business of the Nation to expand healthfully and prosperously. Moreover, it put the people of the United States in possession of a financial system which has emancipated them from the control of selfish interests and enables them to go forward with business and enterprise on a safe and assured basis, and provides them with the credit resources to engage in the foreign trade upon a scale limited only by the productive capacity of the country and the enterprise of its people in seeking foreign markets. At last we have the means and the power and the ability to finance our foreign trade. We have never possessed it heretofore under the inelastic and wholly inefficient and unsatisfactory financial system provided by the Republican Party and from which the country has suffered repeated disasters in times past.

PREVENTING A PANIC.

"By reason of this splendid piece of foresight the Democratic Party put the Secretary of the Treasury in possession of such adequate power that he was able to come to the relief of the financial and business interests of the country immediately upon the outbreak of the European war August 1, 1914. The country was saved by the administration from an imminent panic of such stupendous proportions that had it occurred we should have been involved in a terrible disaster from which we would not even yet have been able to recover.

"Immediately after the first declaration of war that forecast the involvement of the whole of Europe, the Secretary of the Treasury announced to the country that there was in the Treasury \$500,000,000 of national-bank notes available for immediate issue under the Aldrich-Vreeland Act, as amended and made workable by the Federal reserve act. The prominent bankers of the city of New York appealed to the Treasury Department to save them from the threatened calamity, saying that unless measures were taken immediately to relieve the situation the banks of New York would be unable to keep their doors open throughout the day of August 3, 1914. Hesitation meant panic and inaction meant national disaster. The administration met the situation with unhesitating decision and lightning rapidity. In the first week of August, 1914, \$100,068,350 of emergency currency was issued under the Aldrich-Vreeland Act as amended and made workable by the Democratic administration, and altogether \$386,444,215 of such currency was issued. All of it has since been retired.

"On the morning of the 3d of August, 1914, the Subtreasury in the city of New York was in position to issue and did issue millions of dollars of emergency currency to the banks of New York. The Subtreasury was able to do this because a Democratic administration had the foresight and intelligence to ship from the city of Washington, by express, on the Saturday preceding the 3d of August, 1914, something like \$40,000,000 of emergency currency to meet the very crisis the bankers described, and this currency was issued to the New York banks upon the condition that they would pay currency over their counters upon demand not only of their depositors, but of their correspondents throughout the country, so that a currency panic similar to that which befell the country in 1907 through Republican stupidity would not occur again.

"The Democratic administration is fully and legitimately entitled to the credit for saving the people of the United States from the irretrievable disasters threatened by the European war. The President and the Democratic Congress and the Secretary of the Treasury are entitled to all praise for the magnificent statesmanship and foresight with which the business interests of the country and the honor of the country have been protected since the 1st of August, 1914.

"I say, without fear of contradiction, that if it had not been for the Federal reserve act and for the effective work of the administration at Washington the great business prosperity which the country is now enjoying would not have been realized. Contrast this in 1907. That painful experience in American history will always and forever be an indictment of the Republican Party. In a situation which was a zephyr as compared with the 'storm' of August, 1914, all of the Republican machinery of government broke down completely and incalculable loss and disaster overtook the American people. As a matter of fact, the present Democratic prosperity is the only prosperity the American people have enjoyed since the panic of 1907.

"Mr. Root was a part of Mr. Roosevelt's administration in 1907, and shares with Mr. Roosevelt and the leaders of the Republican Party the responsibility for the wholly unnecessary and calamitous happenings of that panic.

MR. ROOT LOST THE "PEACOCK FEATHER" OF A PROPHET BY HIS FATUOUS SPEECH AGAINST THE FEDERAL RESERVE ACT.

"One would assume from Mr. Root's speech that the Republican Party has been infallible and that Mr. Root himself has always acted with infallible judgment upon every occasion. The Federal reserve act is now conceded by everybody to be one of the greatest pieces of constructive legislation enacted in this country within the last 50 years at least. As an evidence of Mr. Root's qualities as a statesman and of his foresight and sagacity, I quote from a speech he made in the Senate of the United States on December 13, 1913, denouncing the Federal reserve act:

"I say that this bill presents the financial heresy twice repudiated by the people of the United States. I say that the central reserve board appointed under this bill will have to represent that very heresy. If this bill passes as it stands, America stands to lose all we saved when Grant vetoed the inflation bill, all we saved when Grover Cleveland abolished the silver purchase, all we saved when we elected McKinley, all the Republicans, all the Gold Democrats saved when they helped in the repudiation of the vital principle which has been put into this bill.

"The country has become so deadened by the assaults of sounds, so wearied of discussion, so confused and dazed by complicated figures, that this vital and fateful reversal of the American policy is proceeding with but little attention. But unless all our history of human experience and all the previous judgments—the real judgments—of the American people upon this subject has been wrong, we stand to learn by hard experience what has really been done by the sixteenth section of this currency bill.

"Not a single fundamental of the Federal reserve act as it stands to-day was changed or altered after Mr. Root's speech. This act was passed exactly 10 days later, namely, the 23d of December, 1913, and was approved by the President on the same day. Nearly every Republican in the Senate of the United

States and most of them in the House of Representatives voted against the Federal reserve act. If this infallible party and this infallible statesman could not see the value of a great piece of legislation of this character when they had the opportunity to vote for it in the Congress of the United States in 1913, upon what ground can they claim to possess superior wisdom and upon what ground can they ask the American people to confide their destinies to them?

"After such a dismal failure at prophecy, it would seem as if Mr. Root could well afford to refrain from prophecy as to what will be the condition of business in this country when the war in Europe is over, and as to what might have happened in Mexico and Belgium if the United States had acted otherwise than it did. Failure as a prophet in one thing means failure in all. A prophet must never go wrong. Doubt follows a single slip, and with doubt goes the "peacock feather" of the prophet. Mr. Root lost his "peacock feather" as a prophet when he made his fatuous speech against the Federal reserve act.

UNDERWOOD TARIFF—A SPECIAL PLEADER WHO WOULD WIN BY TRUTH IF HE CAN, BUT BY TRICKERY IF HE MUST.

"In the Underwood Tariff Act the Democratic Party gave the Nation the first customs enactment of a generation in which neither lobby nor special interest had a hand. This great measure unfettered industry and commerce and deprived monopoly of its control over production, distribution, and prices. This tariff stimulated American industry and commerce, met public expectations, and redeemed Democratic pledges for a tariff honestly and intelligently written in behalf of all the people. Until the foreign war reduced importations, no tariff ever worked more satisfactorily. Under it, from November, 1913, to June, 1914, the aggregate importations of merchandise were 10 per cent more than in the corresponding period of the preceding year before the present tariff act was passed and the country's bank clearings in the eight months ending June 30, 1914, following the new tariff law were practically equal to the bank clearings of the corresponding period for the preceding year. These figures show Mr. Root's attack upon the present tariff to be mere words. Mr. Root talks about deficits in trade balances, but says not a word about the fact that out of the entire 48 months of the administration of Benjamin Harrison 25 months showed unfavorable trade balances; that 6 out of the 12 months immediately following the enactment of the Payne-Aldrich tariff showed unfavorable trade balances; that at no time in the last 13 years has the favorable balance on merchandise transactions in our foreign trade been as small as it was for the fiscal year ending June 30, 1910, under the Dingley and Payne tariffs; that the favorable balance for the fiscal year ending June 30, 1914, during 9 months of which the Underwood law prevailed, was nearly \$300,000,000 greater than under the corresponding year when the Payne law was in effect; and that if we select 10 months from the passage of the Underwood law until the breaking out of the war and compare them with the like period following the enactment of the Payne law we find a favorable trade balance of over one hundred and fifty millions greater than was the case under the Payne law.

"Comparisons are always odious, but in this case the odium lies on Mr. Root's side.

"The figures of the comparison show that Mr. Root has stretched to a high degree the lawyer's prerogative of suppressing all evidence save evidence of value to his side. But the Democratic Party did not put all its eggs in one basket. It had sense enough to compel, long before the war broke out, the internal revenue to bear its proper share of governmental taxes, and the soundness of this economic principle is now everywhere acknowledged. No man knows better than Mr. Root that in the latter part of 1913 and the early part of 1914 there was an extreme trade depression the world around, even in countries having a high protective tariff and in which no tariff changes had been made. Every student of economic history knows that at that time the whole world suffered from depression and that our share of the depression was both less and less long than the depression of others. It is a surprising and not a very admirable act on the part of Mr. Root, who knows the facts as well as any man alive, to cull a portion and suppress the rest of the facts in a desperate attempt to make the country believe what he wanted it to believe regardless of the truth. Perhaps it is a fault acquired from long practice at the bar and unconsciously indulged. In a vital question like this, though, the country has a right to know the truth, the whole truth, and nothing but the truth; he who gives it less is a special pleader who would win by truth if he can, but by trickery if he must.

PREPAREDNESS.

"Our opponents claim the Republican Party is the friend of military preparedness. But Grover Cleveland and William C.

Whitney started our Navy on whatever ascendancy it enjoys to-day, and Samuel J. Tilden is the father of our present system of coast defense. The truth of the matter is that Theodore Roosevelt as President and Elihu Root as Secretary of War cut down the authorized enlisted strength of the United States Army.

"In 1906 President Roosevelt declared in his message to Congress that the Navy should not be enlarged, that it was adequate for our national purposes, and if existing warships were replaced as they were abandoned all our needs would be met. In 1908 Germany began its new naval program which gave its navy a superiority over ours, and from that time till the present the ratio of superiority of the German Navy has been continuously maintained. This is the preparedness that the Republican Party enforced and is the policy which is directly responsible for our present condition and is far different from the preparedness for what the Republican Party claims credit to-day.

"If during all the years it had been in power the Republican Party had adopted a definite and gradual program for the increase of the Army and Navy the defensive strength of the country would be what it ought to be to-day.

"Former Secretary of the Navy George von L. Meyer was in charge of the Navy for four years under the Taft administration, and he is strong in his denunciation of President Wilson's administration of the Navy Department. Yet, compared to what the Wilson administration has done for the Navy, Mr. Meyer did very little. The four years that Mr. Meyer was at the head of the Navy he obtained six battleships. In the first two years of the Wilson administration five battleships were authorized and authorized before the European war began. In his whole four years Mr. Meyer obtained \$115,000,000 for the increase of the Navy, while in two years the Wilson administration obtained \$87,000,000, and obtained this authorization before the European war began.

"In his recent trip through the West President Wilson made clear his policy on military and naval preparation, and this policy, we submit, is entitled to the fullest approval from men with the welfare of the country at heart, no matter whether they live on the coast or in the interior part of the country and no matter to what political party they may happen to belong.

"Changed conditions brought about by the European war have changed opinions on preparedness. Mr. Roosevelt, including others, has been obliged to change his mind. At the beginning of the Fifty-seventh Congress President Roosevelt in his annual message to Congress said: 'It is not necessary to increase our Army beyond its size at this time,' but he now recognizes changed conditions and has changed his mind.

"At the beginning of the present session of Congress President Wilson, appreciating these new conditions and doubtless with information not entirely given to the public and probably not advisable to be given, presented a reasonable and practical plan for such a state of preparedness as present conditions seem to demand, and he has taken occasion to impress upon the people the necessity for action by Congress on the plans so carefully outlined by his experts. In his speech in New York he said: 'Americans would not seek a contest or cravenly avoid one. They would fight for the vindication of their honor and character, for liberty, and for free institutions.' Thus does President Wilson 'point out the way, the straight, sure road that leads out of the fool paradise to the firm ground of armed readiness, where we shall know no fear and be equal to defending our own.' At St. Louis, Kansas City, Chicago, and other places the President's plea was, 'Speed up preparedness legislation.' He did not insist on the precise program presented by his experts who have had the matter in hand. What he wanted and what he wants is a system of preparedness that will best serve the people and put the country in the best possible position to resist attack by sea and land. At Chicago the President said: 'The Army as at present constituted is not large enough for time of peace.' At Des Moines he said: 'I want to tell you that the men who say that we should prepare and prepare immediately are telling you the sober truth. I think you will agree that no one is in a position to know the truth better than I.' In Kansas City he said: 'Speaking with all solemnity I assure you there is not a day to be lost.'

PLACING THE BLAME WHERE IT BELONGS.

"In his declaration that we are unprepared for war, Mr. Root alludes to President Wilson's strenuous efforts to secure adequate defenses, and holding up his hands in mock horror exclaims, 'God grant he be not too late.'

"If he be too late, upon whom should the blame fall? Upon Mr. Wilson, who has been President for two years, or upon the leaders of the Republican Party who controlled the military and naval policy of this country for 20 years? And among those leaders responsible for the present unprepared condition of the country must be included Mr. Root, for years at the head of the

military department of this Government. Upon whom should the blame fall? Upon the Democratic Party, whose responsibility is only two years old, or upon the Republican Party, who has controlled the destinies of this Nation for 40 out of the last 50 years?

"The Democratic Party is for a policy of preparedness just as Tilden was, just as Whitney was, just as Cleveland was, but for a policy of preparedness for the benefit of the Nation, not for the benefit of stockjobbers, money lenders, steel makers, or munition manufacturers. The Democratic Party is for enough preparedness to man the walls of the Nation and to sail the seas with honor, but the Democratic Party is for so much preparedness as will insure the serenity of defense and the impossibility of invasion; but the Democratic Party is not for so much preparedness as will beget the insolence of offense or the mania of aggression.

WILL HOLD HIS RUDDER TRUE.

"History repeats itself historians say. In the annals of old there is a story of a ship caught at sea in a storm which raged as if the very heavens were at war. Havoc threatened on every side, confusion beckoned, and nature seemed to be out of joint, but to the elements in their wildest fury the captain of the ship calmly said:

"'You may sink me, you may save me, but I'll hold my rudder true.'

"So to-day the American people, hot-heads and cool heads, partisans, and neutrals—whether they follow wisdom or coax on fury—Woodrow Wilson says by his deeds, not by words:

"'You may sink me, you may save me, but I'll hold my rudder true.'

ON THE RED-LEAVED TABLETS OF GRATEFUL HUMAN HEARTS.

"From this laudable course no oratorical thunder can drive Woodrow Wilson.

"Glittering epigrams, distorted facts, mental quibblings, and verbal twistings will fall upon him like darts without barbs.

"When the ship of state is rocked and tossed by angry waves and howling winds the passengers may lose their heads, but the captain will keep his.

"Excitable people whose European sympathies one way or the other have for the moment blinded them to the welfare of this land, and whose spokesman Mr. Root seems willing to become, may just as well realize once and for all that Woodrow Wilson will not swerve from the course he has laid out for himself in this crisis. He will refuse to surrender the powers of his great office to those who seek to plunge this country into needless war; he will continue to work for the preservation of its prosperity, the assurance of its happiness, and the maintenance of its honor, even if in so doing he brings down upon his head the bitter hostility that Washington had to face and that Lincoln silently suffered in every critical moment of his career.

"No reward, no punishment will make him swerve from what he knows to be his highest duty. He has preserved, strengthened, dignified, and uplifted our noblest national traditions, and he will continue to do so no matter what the cost or what the penalty.

"His ripe wisdom, his knowledge, his infinite patience have contributed more than all other factors combined to rescue the United States from that weight of woe and misery to which the rest of Christendom is now subjected.

"His fellow countrymen will not forget this.

"Already his name is inscribed on the red-leaved tablets of grateful human hearts.

"For these reasons the people of the United States will reelect Woodrow Wilson President to continue the good work he has so nobly begun.

"For these reasons the Democracy of New York follows where Woodrow Wilson leads; but we follow first and foremost for the reason that, amid dangers that threaten and criticism that misrepresents, with an admirable devotion to principle and a wonderful exposition of manhood, Woodrow Wilson stands for the Americanism which, under the magic spell of citizenship and the mystic influence of the Stars and Stripes, imbues Jew and Gentile, Russian, Austrian and Italian, German and Frenchman, Irishman and Englishman with the spirit of the country and teaches them to sing of this old flag of ours:

"Your flag and my flag
And how it waves to-day
O'er your land and my land
And half the world away!
Rose-red and blood-red
Its stripes forever gleam
Snow-white and soul-white
The good Forefather's dream;
Sky-blue and true-blue
Its star that shine aright
A glorious guidon of the day
A shelter through the night.

"Your flag and my flag,
And, oh, how much it holds
Of your heart and my heart
Secure within its folds.
Your heart and my heart
Beat quicker at its sight,
Sun-kissed and wind-tossed
The Red and Blue and White,
The One Flag, the Great Flag,
The flag for me and you
Glorified all else beside
The Red and White and Blue."

REPORT OF OIL SUPPLY.

Mr. PHELAN. I present a paper prepared by M. L. Requa, consulting engineer of the Bureau of Mines, on the exhaustion of the petroleum resources of the United States. It is a very pertinent matter, and I ask that it be referred to the Committee on Printing. The subject matter is of very great interest to the Senate and to the Lands Committee. Therefore I ask that it be printed as a public document.

The PRESIDENT pro tempore. Does the Senator from California desire to have it printed in the CONGRESSIONAL RECORD?

Mr. PHELAN. No; printed as a public document.

Mr. SMOOT. I did not hear the Senator's request.

Mr. PHELAN. Mr. Requa, consulting engineer of the Bureau of Mines, has prepared a statement on the exhaustion of the petroleum resources of the United States. The matter is now before the Lands Committee and the Senate. It is so valuable that the Bureau of Mines has asked me to have it printed as a public document because there are no funds in the possession of that bureau for the purpose.

Mr. SMOOT. I will ask the Senator whether it has been printed by the department in any form or not?

Mr. PHELAN. It has not been printed in any form. It is an original paper.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from California?

Mr. SMOOT. I will ask the Senator to let it go to the Committee on Printing. On the question of printing reports from departments we have decided that the departments themselves should do it. If this report never has been printed before, after an examination I would not have any objection, but I wish to examine it.

Mr. PHELAN. I have no objection to that course.

The PRESIDENT pro tempore. The report will be referred to the Committee on Printing.

CALIFORNIA CHARTS AND BOOKS.

Mr. PHELAN. I ask at the same time that a paper prepared by Mr. P. Lee Phillips, chief of the Map and Charts Division, Congressional Library, on the subject of California charts and books be referred to the Committee on Printing with a view to printing it as a public document.

The PRESIDENT pro tempore. Such will be the order unless there is objection. The Chair hears none.

HOUSE BILLS REFERRED.

H. R. 384. An act to amend the act of June 23, 1910, entitled "An act providing that entrymen for homesteads within the reclamation projects may assign their entries upon satisfactory proof of residence, improvement, and cultivation for five years, the same as though said entry had been made under the original homestead act," was read twice by its title and referred to the Committee on Public Lands.

H. R. 11156. An act to authorize the Secretary of the Interior to cause to be appraised and to sell the Boise & Arrowrock Railroad, and for other purposes, was read twice by its title and referred to the Committee on Irrigation and Reclamation of Arid Lands.

ARMED MERCHANT SHIPS.

Mr. McCUMBER. Mr. President, I ask that Senate concurrent resolution No. 15 be temporarily laid before the Senate.

The PRESIDENT pro tempore. We have not yet reached that order of business; but, unless there is objection, the request of the Senator from North Dakota will be complied with. The Chair hears no objection, and the Secretary will report the concurrent resolution.

The Secretary read the concurrent resolution (S. Con. Res. 15) submitted by Mr. McCUMBER on the 3d instant, as follows:

Whereas the President of the United States, acting in his diplomatic capacity, has so far been unable to secure an understanding with the central belligerent powers of Europe with reference to the attack by submarines without notice on merchant ships of a belligerent nation armed for defense only; and

Whereas the President has maintained through all the negotiations that under the rules of international law heretofore obtaining the firing upon such merchant vessel by any warship without previous notice is illegal, and has notified the said central powers that American citizens have a clear right under international law to travel on such merchant vessels, and has further notified said central Governments that should the lives of American citizens be lost through such illegal acts the said powers would be held to strict accountability; and

Whereas the said central powers have declared that such armed merchant vessels would be considered and treated as ships of war and subject to attack as such without notice, and have further declared their purpose to so attack such merchant ships; and

Whereas it is conceded that the submarine, as an instrument of warfare, was unknown when such international rule was established; and

Whereas it is well known that such submarine by giving notice to an armed ship might endanger its own existence; and

Whereas in one instance at least, during the present war in Europe, a submarine has been sunk and its crew destroyed by such armed merchant ship; and

Whereas many new and novel means of warfare have been employed by all of the nations engaged in that struggle, raising new questions of rights and responsibilities, both as to neutrals and belligerents, and upon which opinions and views may justly differ; and

Whereas the President has requested that each branch of Congress shall express its conviction as to the propriety of warning the citizens of the United States to refrain from travel on such armed ships: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress of the United States that, under the rules of international law heretofore obtaining, such merchant vessels, though armed with a stern gun of comparatively small caliber, and for defense only, has the status and rights in war of an unarmed merchant ship, but that the science of war has developed with such extraordinary rapidity during the present conflict, and new weapons of warfare, including the submarine and aero fighting craft, have been employed with such far-reaching consequences and which may threaten the very life of any one of the nations involved, and which may necessitate a revision of the codes of international law pertaining to the rights and duties of neutrals and belligerents in the light of such new instrumentalities; that, while the strict legal right of an American citizen under international law to travel and ship his goods on an armed merchant vessel may be an established right, it is none the less the moral and patriotic duty of every American citizen, in view of the desperate character of the warfare now raging in Europe and the desperate situation of each and all of the warring powers, to refrain from needlessly exposing himself to danger and, by his recklessness or audacity, involving his country, or threatening to involve it, in a conflict that may seriously affect the welfare of a hundred million of his fellow citizens; and that therefore the citizens of the United States should, and they are hereby requested, to refrain from travel on such armed merchant ships until an agreement has been reached between this country and other warring nations to the end that the endeavors of the President may not be jeopardized or halted or this Government forced into hostility with another country because of the unnecessary or reckless attitude of any citizen of the United States.

Mr. McCUMBER. Mr. President, in view of a rather sharp turn of events during the last 24 hours in our international tangle; in view of what seems to be an authorized statement from the Secretary of State "that seagoing Americans will presently find themselves as effectually warned against passage on armed merchantmen as though this Government had in fact put into force either the Gore or the McLemore resolution"; and in view of the fact that new proposals and counterproposals are being presented by the contending nations, all of which indicate a tendency toward settlement of the U-boat controversy, I feel that any resolution dealing with this question would be improper and possibly embarrassing at this time. The resolution introduced by me, pertinent at a time when the President himself was asking for an expression from Congress and in response to that request, under these changed conditions ought, in my opinion, now to be withdrawn. As the resolution is a concise expression of my own views as to the duty of American citizens during this controversy, if occasion demands it in the future I shall reintroduce it.

I ask, therefore, permission to withdraw the resolution.

The PRESIDENT pro tempore. The Senator from North Dakota has a right to withdraw the resolution without permission. At his request, the resolution is withdrawn.

PORTRAIT OF JOHN LANGDON.

Mr. GALLINGER. Mr. President, I submit a resolution, and I ask the indulgence of the Senate to call attention to an historical fact connected with it which will occupy about five minutes.

The PRESIDENT pro tempore. The Secretary will read the resolution.

The resolution (S. Res. 118) was read, as follows:

Resolved, That the Committee on the Library is hereby authorized to have made an oil portrait of John Langdon, the first President pro tempore of the Senate, to be hung in the main corridor of the Senate, the cost not to exceed the sum of \$1,500, and to be paid from the contingent fund of the Senate.

Mr. GALLINGER. Mr. President, some years ago the late Senator from Georgia, Mr. Bacon, suggested to me that a bust of John Langdon, the first President pro tempore of the Senate, should be placed in the Capitol, but as no busts other than those of Vice Presidents had been so placed it did not seem to me desirable to ask for an appropriation for the suggested purpose.

From that time until now I have had it in mind that John Langdon deserved some recognition on the part of the Senate of the United States.

It will be recalled that when the forces under Gens. Howe and Burgoyne planned to unite and maintain communication from New York to Canada by the Hudson River and Lakes George and Champlain, thus separating our forces into two distinct and feeble sections, the danger was recognized as being very great, and the fear of the people became intense. The authorities of Vermont sent word to the councilors of New Hampshire that unless speedy assistance came to them they would be compelled to yield to the power they could not successfully resist. Had this been done the cause of the colonists might have been lost. When this message came the Assembly of New Hampshire was not in session, but they were immediately summoned. In three days they had assembled. The emergencies were great and their resources few. Apparently everything had been done that could be done. The public credit was exhausted, and many despaired of being able either to raise or support another regiment. At that time John Langdon, a merchant of Portsmouth, was speaker of the house. He addressed the representatives as follows:

I have \$3,000 in hard money; my plate I will pledge for as much more. I have 70 hogsheads of Tobago rum, which shall be sold for the most they will bring. These are at the service of the State. If we succeed, I shall be remunerated; if not, they will be of no use to me. We can raise a brigade, and our friend Stark, who so nobly sustained the honor of our arms at Bunker Hill, may safely be intrusted with the command, and we will check Burgoyne.

A messenger was dispatched for Col. Stark, who had resigned from the Army some time previously. Stark immediately responded in person, and accepted the command of the militia. The reappearance of their old commander filled the people with enthusiasm. The militia enlisted with alacrity, and soon more men had volunteered than had been authorized.

The Battle of Bennington shortly followed, at which Stark achieved a notable victory, for which he received the thanks of Congress. Had it not been for the patriotism and liberality of John Langdon it is doubtful if Burgoyne's advance could have been checked and the Army stores at Bennington saved for our forces.

As stated in the resolution, John Langdon was the first President pro tempore of the Senate, being elected April 6, 1789, serving in the First Congress and also in the second session of the Second Congress. From the Biographical Congressional Directory I take the following sketch of this illustrious son of New Hampshire:

Langdon, John, a Delegate and Senator from New Hampshire; born in Portsmouth, N. H., June 25, 1741; attended the school of Maj. Hale in Portsmouth; engaged in mercantile pursuits; prominent in ante-Revolutionary affairs and during the war; a representative in the general court; elected to the Continental Congress 1775-76; resigned in 1776 to become Navy agent, and superintended the construction of several ships of war; served several terms as speaker of the State house of representatives, and during the session of 1777 staked his fortune to equip Gen. John Stark's brigade; participated in the Battle of Bennington, and commanded a company at Saratoga and in Rhode Island; again a Delegate in the Continental Congress in 1783; president of New Hampshire in 1785; delegate to the Federal constitutional convention in 1787; governor in 1788, 1805, 1809, and 1810-11; elected as a Democrat to the United States Senate, and served from March 4, 1789, to March 3, 1801; elected the first President of the Senate pro tempore April 6, 1789; declined the offer of Secretary of the Navy in 1811 and the Democratic nomination for Vice President in 1812; died in Portsmouth, N. H., September 18, 1819.

Surely such a man deserves the recognition that is proposed, and I sincerely hope that it may be speedily granted.

I move that the resolution, under the terms of the statute, be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

The PRESIDENT pro tempore. Such will be the order, unless there is objection. Morning business is closed.

MANUFACTURE OF ARMOR.

Mr. TILLMAN. Mr. President, I move that the Senate proceed to the consideration of Senate bill 1417, to erect a factory for the manufacture of armor.

Mr. MYERS. Mr. President, I had intended to say a word or two, and I ask unanimous consent to speak for one minute.

Upon reflection and consultation with a number of other Senators, I have decided, speaking for myself only, so far as I am concerned, not to oppose the motion of the Senator from South Carolina. If that motion prevails, I hope, after the disposition of that bill, to be able to get up House bill 408, which is the bill providing for the development of water power and the use of public lands in relation thereto. I now give notice that immediately after the disposition of the bill which is the subject of the motion of the Senator from South Carolina I shall move that the Senate take up and consider House bill 408.

Mr. SMITH of Georgia. Mr. President, I ask the permission of the Senate to speak for just a moment.

The PRESIDENT pro tempore. Unanimous consent will be granted, unless there is objection.

Mr. SMITH of Georgia. The bill which stands first on the calendar as a live bill for action is the judiciary bill. I have consented to yield to the motion of the Senator from South Carolina [Mr. TILLMAN] and to vote for it; but from this time on I shall resist, in every way within my power, taking up or disposing of any measure until this judiciary bill, which is at the head of the calendar, has a hearing. I gave the notice quite a length of time ago. I do not think we ought to jump down through the calendar and take up special bills unless they are of an emergency character, like the armor bill which the Senator from South Carolina has presented.

Mr. GALLINGER. Mr. President, I did not understand what the Senator from Montana said he had concluded to do with reference to his bill.

Mr. MYERS. The substance of what I said was that speaking for myself alone, so far as I am concerned, after reflection and consultation with a number of other Senators, I had decided not to oppose the motion made by the Senator from South Carolina.

Mr. GALLINGER. The Senator could not persuade the friends of the other bill to yield to his wishes, then?

Mr. MYERS. I could not. I was unable to do so.

Mr. GALLINGER. Mr. President, the Senator from Massachusetts [Mr. LODGE], a member of the Committee on Naval Affairs, who sat here patiently week after week thinking that the bill under consideration at that time would be completed, and having a speech prepared on the subject in which the Senator from South Carolina is so much interested, was compelled to leave the city, and will not be back for some days—probably not for 9 or 10 days. I think he made an appeal to others, as well as to myself, that this bill might not be rushed through until he could be heard on it.

I have been here a good while, and it has been a very rare circumstance that a bill has been forced upon the Senate under conditions such as I have detailed.

The Senator from Massachusetts, I know, was prepared to speak on the bill, and has been for weeks, and hoped to have an opportunity to do so. It has been suggested to me by one Senator that the Senator from Massachusetts has gone out on a political mission. There is nothing at all in that. The Senator from Massachusetts had engagements that he had to keep, not of a political nature. I sincerely hope that the bill may not be pushed through to final disposition in the absence of the Senator from Massachusetts.

Mr. TILLMAN. Mr. President, I can assure the Senator from New Hampshire that it is not my purpose to push it through without the Senator from Massachusetts having the fullest opportunity to be heard. All I want is to have an understanding as to a day on which it will be voted on.

Mr. GALLINGER. That is all I desire. The assurance the Senator from South Carolina has given is entirely satisfactory to me.

Mr. TILLMAN. I suggest that the Senator telegraph him right off to come right back here as soon as he possibly can.

Mr. GALLINGER. I will not do that. I would not telegraph the Senator from South Carolina, if he were home, to come back here when he was not prepared to come. The Senator from Massachusetts will of necessity be absent for 9 or 10 days.

Mr. SWANSON. Mr. President, I can not consent that this bill shall be delayed for 9 or 10 days, and I do not suppose the Senator from South Carolina will.

Mr. TILLMAN. No; I can not, either.

Mr. GALLINGER. Then we shall have to detain it; that is all.

Mr. SWANSON. That is for the Senate to determine. We think the most urgent business of any Senator is his work here in the Senate. We will give the Senator from Massachusetts ample time to return and speak and vote, but we can not consent to delay this bill 9 or 10 days.

Mr. GALLINGER. That has not been the rule of the Senate heretofore; and if the usual courtesy is not to be extended to the Senator from Massachusetts—

Mr. SWANSON. It is time for the rule to be established that the business of the Senate is the most important matter upon which any Senator can be engaged. The delay has been sufficiently long.

Mr. GALLINGER. Mr. President, the Senator from Virginia is no more interested in enforcing the rules of the Senate than the rest of us. Of course, I have no power to enforce anything in this matter; but I simply wish to say that if this courtesy is denied the Senator from Massachusetts, possibly courtesy will be denied to other Senators in the future. It has not been the habit of the Senate to do things in that way.

Mr. SWANSON. I should like also to say to the Senator from New Hampshire that the Senator from Massachusetts made no request of the Senator from South Carolina, nor to me, for any delay of this measure.

Mr. GALLINGER. I made the request in his behalf.

Mr. SWANSON. It has already been delayed here for about six weeks. I think the Senator from Massachusetts should be notified that the matter is up for consideration and that every opportunity will be given him in a reasonable time to return, speak, and have an opportunity to vote.

Mr. GALLINGER. The Senator from Massachusetts probably will not determine his action by any suggestion of the Senator from Virginia. The Senator from Massachusetts will doubtless take his own time to return to the Senate, and there is going to be no dragnet sent out to pull him in here.

Mr. SWANSON. I should like to say to the Senator from New Hampshire that every reasonable opportunity and courtesy will be extended to the Senator from Massachusetts; but, as far as I have power in the matter, this bill will not be delayed and defeated by the absence of Senators who have an opportunity to return here and speak and vote on it.

Mr. GALLINGER. The Senator from Virginia suggests that this bill has been delayed for several weeks. All other bills on the calendar, more than a hundred in number, have been delayed. This is not a bill that stands by itself as having been discriminated against; and certainly no great harm can come to the bill itself, or to the interests of the country, if it is delayed a few days.

Mr. TILLMAN. I will say to the Senator from New Hampshire that the Senator from Massachusetts [Mr. LODGE] was in the Committee on Naval Affairs on last Tuesday and never said a word to me about being absent, or anything of the kind, and never asked for any delay on this bill at all.

Mr. GALLINGER. Well, I have asked it for him.

Mr. REED. I call for the regular order.

Mr. WEEKS. Mr. President—

The PRESIDENT pro tempore. The Chair will recognize the Senator from Massachusetts; but the Chair had intended to call attention to the fact that this debate is proceeding in violation of the rule of the Senate, and if it shall proceed after the Senator from Massachusetts concludes it must be done by consent of the Senate.

Mr. WEEKS. Mr. President, I was about to address the Chair to say substantially what has been said by the Senator from New Hampshire. I did not see my colleague [Mr. LODGE] immediately before his departure; but he had stated to me several times that he was extremely interested in this bill, and that he had prepared a comprehensive speech upon the subject. I think it is, as the Senator from New Hampshire has stated, unusual and unfair to take up the bill at a time when my colleague has made arrangements not to attend political meetings but to keep engagements of another character. I think it is the first time my colleague has been absent from the Senate this winter, and it seems to me that proper courtesy should be shown him by refraining from acting finally on this bill until he has filled his engagements and returned to the Senate.

Mr. SWANSON. Will the Senator consent to set a time to vote on this bill next week?

Mr. REED. Mr. President, I make the point of order that debate is out of order.

The PRESIDENT pro tempore. The point of order is sustained.

Mr. ROBINSON. I call for the regular order.

The PRESIDENT pro tempore. The question is on the motion of the Senator from South Carolina.

Mr. OLIVER. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from Pennsylvania will please state it.

Mr. OLIVER. If this motion is carried at this time, will it make this bill the unfinished business after 2 o'clock?

The PRESIDENT pro tempore. If it is under consideration at that time; yes. Morning business is closed. The effect of the adoption of the motion will be to keep the bill the business of the Senate as long as the Senate chooses to consider it. It will not require another motion after 2 o'clock to bring it under consideration.

Mr. OLIVER. Then I wish to make another inquiry, Mr. President. Under those circumstances, what opportunity will be afforded to those who wish to debate the motion to take it up and make it the unfinished business?

The PRESIDENT pro tempore. It becomes the unfinished business by reason of the fact that it is under consideration at the hour of adjournment.

Mr. OLIVER. I should like to say a few words with regard to taking up this bill, Mr. President.

The PRESIDENT pro tempore. Under the rules of the Senate, unfortunately, the Senator can not debate the matter until after 2 o'clock.

Mr. ASHURST. I call for the regular order.

The PRESIDENT pro tempore. The question is on the adoption of the motion of the Senator from South Carolina.

Mr. OLIVER. I ask unanimous consent to say a few words on that matter.

The PRESIDENT pro tempore. The Senator from Pennsylvania asks unanimous consent to debate the motion to proceed to the consideration of this bill.

Mr. ASHURST. I object.

Mr. OLIVER. I will say that it will take only a moment.

The PRESIDENT pro tempore. Objection is made. The Chair can not consider the request. The question is on the adoption of the motion of the Senator from South Carolina that the Senate proceed to the consideration of Senate bill 1417.

Mr. GALLINGER. On that I ask for the yeas and nays.

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

Mr. KERN (when Mr. FLETCHER's name was called). I desire to announce the unavoidable absence of the Senator from Florida [Mr. FLETCHER] on official business. This announcement may stand for the day. He is paired with the Senator from Idaho [Mr. BRADY].

Mr. HARDING (when his name was called). I have a general pair with the junior Senator from Alabama [Mr. UNDERWOOD] and therefore withhold my vote. If at liberty to vote, I should vote "yay."

Mr. SMITH of Georgia (when Mr. HARDWICK's name was called). My colleague [Mr. HARDWICK] is detained from the Senate by sickness in his family. He has a general pair with the Senator from Kansas [Mr. CURTIS]. If my colleague were here he would vote "yea."

Mr. McCUMBER (when his name was called). I have a pair with the senior Senator from Colorado [Mr. THOMAS]. In his absence I withhold my vote.

Mr. SMITH of Georgia (when his name was called). I have a pair with the senior Senator from Massachusetts [Mr. LODGE]. I transfer that pair to the junior Senator from New Jersey [Mr. HUGHES] and will vote. I vote "yea."

Mr. SHAFROTH (when Mr. THOMAS's name was called). I desire to announce the unavoidable absence of my colleague [Mr. THOMAS] and to state that he is paired with the senior Senator from North Dakota [Mr. McCUMBER]. If my colleague were present he would vote "yea."

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

Mr. SMITH of Michigan (when Mr. TOWNSEND's name was called). I again desire to announce the unavoidable absence of my colleague [Mr. TOWNSEND] on account of sickness in his family. He is paired with the junior Senator from Florida [Mr. BRYAN]. I desire this announcement to stand for the day.

Mr. WALSH (when his name was called). I am paired with the senior Senator from Rhode Island [Mr. LIPPITT]. In his absence I refrain from voting.

Mr. WILLIAMS (when his name was called). I transfer my pair with the senior Senator from Pennsylvania [Mr. PENROSE] to the junior Senator from Oklahoma [Mr. GORE] and will vote. I vote "yea."

The roll call was concluded.

Mr. KERN. I desire to announce the unavoidable absence of my colleague [Mr. SHIVELY], who is paired with the junior Senator from Maine [Mr. BURLEIGH].

Mr. CURTIS (after having voted in the negative). I have a general pair with the junior Senator from Georgia [Mr. HARDWICK], who is unavoidably absent. I therefore withdraw my vote.

Mr. CHILTON. I desire to announce the absence of my colleague [Mr. GOFF] on account of illness. I will let this announcement stand for the day.

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

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

The Senator from Illinois [Mr. SHERMAN] with the Senator from South Dakota [Mr. JOHNSON].

Mr. LEWIS. I announce the absence of the junior Senator from South Carolina [Mr. SMITH] on important business.

The result was announced—yeas 55, nays 10, as follows:
YEAS—55.

Ashurst	Hollis	Meyers	Shafroth
Bankhead	Husting	Newlands	Sheppard
Beckham	James	Norris	Shields
Borah	Johnson, Me.	Overman	Simmons
Broussard	Jones	Owen	Smith, Ga.
Chamberlain	Kenyon	Page	Smith, Md.
Chilton	Kern	Phelan	Stone
Clapp	La Follette	Pittman	Swanson
Clark, Wyo.	Lane	Poindexter	Thompson
Clarke, Ark.	Lea, Tenn.	Pomerene	Tillman
Culberson	Lee, Md.	Ransdell	Vardaman
Cummins	Lewis	Reed	Williams
Fall	Martin, Va.	Robinson	Works
Gronna	Martine, N. J.	Saulsbury	

NAYS—10.

Brandegee	du Pont	Smith, Mich.	Weeks
Catron	Nelson	Sutherland	
Dillingham	Oliver	Wadsworth	

NOT VOTING—31.

Brady	Gore	McCumber	Smoot
Bryan	Harding	McLean	Sterling
Burlingame	Hardwick	O'Gorman	Thomas
Colt	Hitchcock	Penrose	Townsend
Curtis	Hughes	Sherman	Underwood
Fletcher	Johnson, S. Dak.	Shively	Walsh
Gallinger	Lippitt	Smith, Ariz.	Warren
Goff	Lodge	Smith, S. C.	

So the motion was agreed to, and the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1417) to erect a factory for the manufacture of armor, which had been reported from the Committee on Naval Affairs with an amendment as a substitute.

The PRESIDENT pro tempore. The Secretary will read the proposed substitute.

The SECRETARY. The committee report to strike out all after the enacting clause and to insert:

That the Secretary of the Navy is hereby authorized and directed to provide, either by the erection of a factory or by the purchase of a factory, or both, for the manufacture of armor for the vessels of the Navy; said factory or factories to have an annual capacity of not less than 20,000 tons of armor; and the sum of \$11,000,000 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be immediately available, for the purposes of this act.

The PRESIDENT pro tempore. The question is on the adoption of the amendment proposed by the committee.

Mr. TILLMAN. I offer an amendment to come in at the end of the substitute.

Mr. GALLINGER. The amendment read is a substitute for the original bill?

The PRESIDENT pro tempore. It is. The Senator from South Carolina submits an amendment to the amendment of the committee. It will be read.

The SECRETARY. Add at the end of the proposed amendment of the committee the following words:

The expenditures for drafting, technical, expert, and clerical assistants necessary shall be paid from the appropriation herein made.

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

Mr. GALLINGER. There is no objection that I can see to adopting the committee amendment, as a whole.

The PRESIDENT pro tempore. Without objection the amendment to the amendment will be agreed to. The Chair hears none.

Mr. GALLINGER. Mr. President, I wish to suggest to the Senator from South Carolina, a Senator to whom we have always tried to be extremely courteous because he is always courteous, that if he will make a request that the final vote on this bill shall be taken one week from Wednesday I certainly shall not object to it, and I do not think any one on this side will object.

Mr. TILLMAN. I agree to that.
Mr. GALLINGER. Does the Senator from South Carolina make that request for unanimous consent?

Mr. TILLMAN. In order to be courteous to the Senator from Massachusetts [Mr. Lodge] and the Senator from Pennsylvania [Mr. Penrose], with whom I have been associated for 20 years and more, I ask unanimous consent that a final vote on the bill and all amendments thereto shall be had on Wednesday a week.

Mr. GALLINGER. At 4 o'clock.
The PRESIDENT pro tempore. At what hour?
Mr. TILLMAN. At 4 o'clock, if not before.

The PRESIDENT pro tempore. The unanimous consent agreement will be reduced to writing. [After a pause.] The Secretary will read the proposed unanimous-consent agreement.

The Secretary read as follows:
The Senator from South Carolina asks unanimous consent that at 4 o'clock, Wednesday, March 22, 1916, the Senate shall proceed to vote upon any amendment that may be pending, any amendment that may

be offered, and upon the bill (S. 1417) to erect a factory for the manufacture of armor, through the regular parliamentary stages to its final disposition.

Mr. GALLINGER. That is right.
The PRESIDENT pro tempore. Is it correctly stated, the Chair will ask the Senator from South Carolina?

Mr. TILLMAN. I think it is.
The PRESIDENT pro tempore. Does any Senator present object?

Mr. JONES. Mr. President, I do not think there ought to be a provision in the agreement that we shall proceed to act on any amendment that may be offered without any debate. If the usual reservation we have been making heretofore is incorporated in this agreement, I shall have no objection at all; that is, that after 4 o'clock Senators may speak 5 or 10 minutes on an amendment, and not more than once. I would make no objection to it then, but I think that ought to be in the request. Unless something of that kind is incorporated in it I shall feel disposed to object.

The PRESIDENT pro tempore. Does the Senator from South Carolina consent to the modification indicated by the Senator from Washington?

Mr. TILLMAN. I do not know whether I ought to consent to it or not.

The PRESIDENT pro tempore. The Senator should make up his mind pretty quickly.

Mr. TILLMAN. I will not consent to that.

The PRESIDENT pro tempore. The Senator will not?
Mr. TILLMAN. No.

The PRESIDENT pro tempore. Is there objection to the request in its present form without the modification suggested?

Mr. JONES. I object.

The PRESIDENT pro tempore. Objection is made.

Mr. OLIVER. Mr. President, if the Senator from South Carolina will allow me, I wish to say that I think we can assure him that if the final vote is postponed until the date mentioned, Wednesday the 22d—that is, if no effort is made to bring about a vote before that time—there will be no effort whatever on the part of those, and I number myself among them, who are violently opposed to this legislation. There will be no attempt to delay the vote or to delay the consideration of the bill longer than next Wednesday a week.

Mr. GALLINGER. I ask that the substitute as amended be read and that the report of the committee be read for the information of the Senate.

Mr. NORRIS. Mr. President, before we pass from this subject, I should like to make a suggestion to the Senator from South Carolina, and I do it as one of the Members of the Senate who is very much in favor of this legislation. I should like to have the Senator consent to the suggestion made by the Senator from Washington [Mr. Jones], which seems to me to be a fair and reasonable one. It only provides that when an amendment shall be offered at that time it shall not be voted upon without any debate. A Senator ought to have five minutes to explain his amendment, if he offers one at that time. It certainly will not delay the bill more than an hour or two at the outside, and it may not delay it at all. It seems to me to be a very reasonable request.

Mr. TILLMAN. I withdraw the objection that I made.

The PRESIDENT pro tempore. The Senator will modify his request?

Mr. TILLMAN. I modify the request to conform to the suggestion of the Senator from Washington [Mr. Jones].

The PRESIDENT pro tempore. The proposed agreement as modified will be read.

The Secretary read as follows:
The Senator from South Carolina asks unanimous consent that at 4 o'clock p. m. Wednesday, March 22, 1916, the Senate shall proceed to vote upon any amendment that may be pending, any amendment that may be offered, and upon the bill (S. 1417) to erect a factory for the manufacture of armor, through the regular parliamentary stages to its final disposition, and that after the hour of 4 o'clock p. m. on said day, March 22, 1916, no Senator shall speak more than once or longer than five minutes upon the bill, or more than once or longer than five minutes upon any amendment offered thereto.

The PRESIDENT pro tempore. That is the proposed agreement in its present form. The Secretary will call the roll.

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

Ashurst	Culberson	Johnson, S. Dak.	Myers
Bankhead	Cummins	Jones	Nelson
Beckham	Curtis	Kenyon	Newlands
Borah	Dillingham	Kern	Norris
Brandegee	du Pont	La Follette	O'Gorman
Catron	Fall	Lane	Oliver
Chamberlain	Gallinger	Lea, Tenn.	Overman
Chilton	Gronna	Lewis	Page
Clapp	Harding	McCumber	Phelan
Clark, Wyo.	Hollis	Martin, Va.	Pittman
Clarke, Ark.	Johnson, Me.	Martine, N. J.	Poindexter

Pomerene	Sheppard	Smoot	Vardaman
Ransdell	Shields	Sterling	Wadsworth
Reed	Simmons	Sutherland	Warren
Robinson	Smith, Ga.	Swanson	Weeks
Saulsbury	Smith, Md.	Thompson	Williams
Shafroth	Smith, Mich.	Tillman	Works

The PRESIDENT pro tempore. Sixty-eight Senators having answered to their names, a quorum of the Senate is present. The Secretary will report to the Senate the request for unanimous consent as heretofore preferred by the Senator from South Carolina.

Mr. GALLINGER. I understand the Senator from South Carolina for good reasons desires to have the vote taken on the 21st, and we do not object to that.

The PRESIDENT pro tempore. The request will be modified in respect to that matter. The Secretary will read it in the amended form.

The Secretary read as follows:

The Senator from South Carolina asks unanimous consent that at 4 o'clock p. m., on Tuesday, March 21, 1916, the Senate shall proceed to vote upon any amendment that may be pending, any amendment that may be offered, and upon the bill, Senate bill 1417, to erect a factory for the manufacture of armor, through the regular parliamentary stages to its final disposition, and that after the hour of 4 o'clock p. m., on said day, March 21, 1916, no Senator shall speak more than once or longer than five minutes upon the bill, or more than once or longer than five minutes upon any amendment offered thereto.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from South Carolina? The Chair hears none, and it is so ordered.

Mr. SMOOT. Do I understand that the bill is to be laid aside?

Mr. TILLMAN. No; not laid aside, because I want to have the report read. I ask that the amendment of the committee as amended be agreed to, and that the bill as amended be reprinted, and I then ask for the reading of the report.

Mr. GALLINGER. I have already asked for the reading of the report.

The PRESIDENT pro tempore. The first matter in order will be the question on adopting the amendment of the committee as amended. If there be no amendment to the original text of the bill, the question is on the adoption of the substitute as amended. The question is on the agreeing to the substitute.

The amendment as amended was agreed to.

The PRESIDENT pro tempore. The Secretary will read the report of the committee.

The Secretary read Report No. 115, submitted by Mr. TILLMAN February 8, 1916, as follows:

Mr. TILLMAN, from the Committee on Naval Affairs, submitted the following report, to accompany S. 1417:

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

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

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

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

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

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

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

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

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

The next step was to get armor for these iron vessels. There was no armor being manufactured at all in the United States, the armor for the *Montonomah* having been imported from England at a cost of about \$550 per ton. Secretary Whitney induced the Bethlehem Co. to enter upon the manufacture of armor, it having one of the largest iron plants in the country, and the price agreed on varied from five to six hundred dollars per ton. The Bethlehem Co. and the Cleveland Rolling Mill Co. were the only two concerns that bid at all. Whitney did not make a close or tight bargain, as he knew the company must necessarily be put to large expense, and he was willing to allow a liberal price on that account. He felt that it was desirable, if not absolutely necessary, that we should have armor manufacturers in the United States; and his successor, Mr. Tracy, felt that there should be more than one concern in the business, and he induced the Carnegie Steel Co. to enter it. There was a dispute with the Carnegie Co. about the price. Mr. Carnegie insisted he must receive the same price the Bethlehem people were getting or he would not touch it. Secretary Whitney further agreed for each pound of armor plate used he would set aside 2 cents to indemnify the company for any damages it might sustain for infringing on certain patents held by the Schneider Co. in France.

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

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

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

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

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

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

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

Secretary Daniels, in his current report, states:

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

The facts as brought out go to prove this beyond dispute.

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

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

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

The effort of the Government to obtain competition among armor makers had failed. It should be said to the credit of the Midvale Co.,

however, that they refused to pay a royalty to either Harvey or Krupp and defended a suit through all the courts up to the United States Supreme Court, which sustained their contention that they had done nothing for which to pay a royalty.

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

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

The hearing before the committee brought out no new facts. The armor men of 1916 showed the same capacity for talking without saying anything as that exhibited so artistically by their brethren of earlier years. The same talk of the "value of trade secrets"; the same reluctance to talk cost of production; the same plea of having been encouraged by the Government to go into the business and the consequent unfairness of Government competition; the same inability to recognize that if such a quasi partnership as they claim exists between them and the Government they should in all fairness, shoulder its liabilities as well as insist on its benefits; indeed, about the only material difference between the hearings of 1916 and those other numerous ones that have followed each other so regularly and so fruitlessly since 1895 is that of dates. To go into these reports would be a waste of time. They are published in pamphlet form and can be easily obtained by interested parties from the document room. The hearings before the Senate committee on this subject are also obtainable, as they have been printed.

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

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

Mr. TILLMAN. Mr. President, I inquire if there is any Senator ready to go on and discuss the pending bill?

The PRESIDENT pro tempore. The Chair is not advised.

Mr. TILLMAN. If not, I suggest that the bill might be temporarily laid aside, and some of the other bills which have been struggling to get a hearing here might be taken up instead.

Mr. GALLINGER. I will ask the Senator if it might not be well, inasmuch as there are now 143 bills on the calendar, to lay aside the unfinished business and take up the calendar for the consideration of unobjected cases? We ought to do that.

Mr. TILLMAN. I have nothing to do with that; that is for the Senate to determine.

Mr. SMITH of Georgia. My objection to that is that I was about to move to proceed to the consideration of Order of Business No. 706.

Mr. TILLMAN. I thought the Senator desired the first bill on the calendar considered.

Mr. SMITH of Georgia. It is one of the first on the calendar. The PRESIDENT pro tempore. In order to have something before the Senate, the Chair will ask, Does the Senator from South Carolina ask unanimous consent that the pending bill may be temporarily laid aside?

Mr. TILLMAN. I ask unanimous consent that the pending bill may be temporarily laid aside.

The PRESIDENT pro tempore. Is there objection? The Chair hears none.

THE CALENDAR.

Mr. SMOOT and Mr. SMITH of Georgia addressed the Chair. The PRESIDENT pro tempore. The Senator from Utah.

Mr. SMOOT. I ask the Senator from Georgia if unanimous consent could not be given at this time to take up the calendar, under Rule VIII, and proceed with the consideration of bills to which there is no objection. I will say to the Senator that there are 19 pages of bills under Rule VIII of the calendar.

The PRESIDENT pro tempore. It does not require unanimous consent for that; it is the regular order to do that.

Mr. SMOOT. The Senator from Georgia was going to make a motion, and I was addressing him with that fact in view.

Mr. SMITH of Georgia. It is the regular order to take up such bills where there is no objection, with the privilege to move to take up a bill when it is reached if objection is made.

Mr. GALLINGER. Yes; but not when we have unanimous consent simply to consider unobjected cases.

Mr. SMOOT. We have 19 pages of bills on the calendar, and there are very few of them to which there is objection. If we can spend a couple of hours to-day on those bills, I believe we can clear the calendar of the bills to which there is no objection, and allow them to go to the House, so that the House may act upon them at an early date. Then, Mr. President, I would have no objection to the Senator from Georgia making his motion to take up the bill of which he speaks.

Mr. SMITH of Georgia. If the request is made that the Senate consider unobjected cases until 4 o'clock, I would agree to that.

Mr. SMOOT. Then, I will ask unanimous consent of the Senate that we proceed to the consideration of the calendar, beginning with order No. 8; that we consider only bills to which there is no objection; and that we continue the consideration of such bills until the hour of 4 o'clock.

Mr. SMITH of Georgia. Not longer than the hour of 4 o'clock?

Mr. SMOOT. Not longer than the hour of 4 o'clock.

Mr. SMITH of Georgia. I wish to go with that the announcement that as soon as the consent order is over, I shall move to take up the judiciary bill to which I have referred. With that understanding, I will not object. I know the importance of agreeing to the request of the Senator, and I wish to facilitate Senators in having consideration for their special bills, so I make no objection to the request, but as soon as that order is concluded, or not later than 4 o'clock, I shall move to take up this judiciary bill.

Mr. OLIVER. Will the Senator yield to me to make a motion for a special order?

Mr. SMOOT. The Senator from Pennsylvania can do that as soon as the unanimous consent for which I have asked is agreed to.

Mr. CLAPP. If that means that at 4 o'clock we are going to abandon the calendar for any particular bill, I should object to that.

Mr. SMOOT. The Senator could move at that time to take up a bill.

Mr. GALLINGER. We shall pass all of the unobjected cases long before 4 o'clock.

Mr. CLAPP. We may do so, but I am not going to agree now that at 4 o'clock we shall cease the consideration of the calendar.

Mr. SMITH of Georgia. What the Senator from Utah [Mr. SMOOT] is endeavoring to obtain is a unanimous-consent agreement until 4 o'clock.

Mr. SMOOT. Yes; not later than 4 o'clock.

Mr. SMITH of Georgia. Provided it requires until 4 o'clock to dispose of all of the unobjected bills on the calendar.

The PRESIDENT pro tempore. Now, let us see what the agreement is for which consent is asked. The Senator from Utah will state it.

Mr. SMOOT. I ask unanimous consent that the Senate now proceed to the consideration of unobjected bills on the calendar under Rule VIII.

Mr. SMITH of Georgia. Unobjected bills.

Mr. SMOOT. Yes; and that the consideration of such bills on the calendar be continued not later than 4 o'clock.

The PRESIDENT pro tempore. The Chair is of the opinion that the request does not require any call of the Senate.

Mr. SMOOT. No.

The PRESIDENT pro tempore. The Chair will not hold that it does, unless some Senator insists upon it. Is there objection to the request of the Senator from Utah that the Senate proceed to the consideration at this time of unobjected bills on the calendar under Rule VIII until the hour of 4 o'clock, at which time any Senator will be at liberty to move to take up any bill on the calendar? The Chair hears none, and it is so ordered.

OSAGE OIL LANDS.

Mr. OLIVER. Mr. President—

The PRESIDENT pro tempore. The Senator from Pennsylvania.

Mr. OLIVER. I move that Senate resolution No. 107 be made a special order for consideration to-morrow, Friday afternoon, at 3 o'clock; and, if necessary, I will explain my reasons for making the motion.

Mr. SMITH of Georgia. What is the resolution?

Mr. OLIVER. It is a resolution reported from the Committee on Indian Affairs by the Senator from Oklahoma [Mr. OWEN], who, I think, would make the motion now if he were present. It refers to leases of oil lands in the Osage oil country.

I will state, Mr. President, that the reason for this request is that these lands, or a large part of them, are advertised for sale on the 15th instant, and if action is to be taken by the Senate it must be taken at once. By agreement this matter has been postponed in order to await the return of the Senator from Oklahoma [Mr. GORE], who is obliged to be away to-day, but who will be back to-morrow and who has agreed to have the resolution taken up to-morrow afternoon, he being opposed to it. Under all the circumstances it is something that I think is worthy of being considered as a special order.

Mr. SMITH of Georgia. Mr. President, the motion of the Senator is out of order at this time, I think. We have agreed to an order of business to continue until 4 o'clock. Furthermore, it will take unanimous consent.

The PRESIDENT pro tempore. Does the Senator object? The request of the Senator from Pennsylvania is that to-morrow afternoon at 3 o'clock the Senate proceed to the consideration of the resolution referred to by him. The Chair does not assume that that will conflict with the pending order of business.

Mr. OLIVER. It will not conflict with the pending order at all, but merely makes the resolution to which I have referred a special order for to-morrow afternoon, and I trust the Senator will not object to it. It is an important matter.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Pennsylvania?

Mr. SMITH of Georgia. Mr. President, I am obliged to object.

Mr. OLIVER. Then I make the motion, Mr. President, that the resolution to which I have referred be made the special order for to-morrow, Friday afternoon, at 3 o'clock.

The PRESIDENT pro tempore. The Senator is entitled to make that motion. It will take two-thirds to adopt it, however. As many as favor making the order—

Mr. OVERMAN. Under the unanimous-consent agreement to proceed with the calendar, is it in order to do other business?

The PRESIDENT pro tempore. It is not.

Mr. OLIVER. I earnestly hope the Senator from Georgia will not insist on his objection. This is a matter which has been pending since January in the Indian Affairs Committee, and it is reported from the committee.

The PRESIDENT pro tempore. The regular order is the consideration of unobjected bills on the calendar.

Mr. LA FOLLETTE. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will please state it.

Mr. LA FOLLETTE. Would not the adoption of the motion made by the Senator from Pennsylvania displace the unfinished business, which is the armor-plate bill?

The PRESIDENT pro tempore. It would displace it, of course, until the time arrived to vote on it.

Mr. OVERMAN. I call for the regular order.

Mr. LA FOLLETTE. Until 4 o'clock a week from Tuesday?

The PRESIDENT pro tempore. Yes.

Mr. LA FOLLETTE. I object.

Mr. BRANDEGEE. Mr. President, a parliamentary inquiry. Is there any unfinished business at present?

The PRESIDENT pro tempore. There is not. There is a unanimous-consent agreement that the Senate will proceed to the consideration of bills on the calendar under Rule VIII.

Mr. BRANDEGEE. Yes; but there is no unfinished business?

The PRESIDENT pro tempore. It has been temporarily laid aside.

Mr. LA FOLLETTE. It has been temporarily laid aside, and maintains its place as the unfinished business.

Mr. BRANDEGEE. Would it be the unfinished business unless it is under consideration at the time of adjournment?

The PRESIDENT pro tempore. It is not before the Senate at this time. By unanimous consent it has been laid aside temporarily, which means until to-morrow after 2 o'clock.

Mr. BRANDEGEE. In view of the Chair's statement some time ago that the matter became the unfinished business, as a matter of fact, upon the happening of certain contingencies, I did not understand—

The PRESIDENT pro tempore. Or by unanimous consent.

Mr. BRANDEGEE. If it was made the unfinished business by unanimous consent, I agree that it could be done. I did not understand that that had happened. I thought we had proceeded to the consideration of the bill, and I did not think that yet made it the unfinished business. I admit it could be done by unanimous consent.

The PRESIDENT pro tempore. By unanimous consent it was temporarily laid aside as the unfinished business, with all the privileges and rights of the unfinished business. That would take it over until to-morrow at 2 o'clock, unless the Senator in charge of it should move to take it up at an earlier time.

Mr. SMOOT. I call for the regular order.

THE CALENDAR.

The PRESIDENT pro tempore. The regular order now is the consideration of bills on the calendar under Rule VIII. The Secretary will state the first bill on the calendar.

BILLS, ETC., PASSED OVER.

The first business on the calendar was the bill (S. 1053) to provide for stock-raising homesteads, and for other purposes.

Mr. SMOOT. Mr. President, a bill similar to this, to take the place of it, will be reported from the Public Lands Committee. Therefore I ask that it go over.

The PRESIDENT pro tempore. Objection is made, and the bill will be passed over.

Mr. NEWLANDS. Mr. President, I move that Senate resolution 89 and Senate resolution 90, being resolutions authorizing the Committee on the Library and the Committee on Interstate Commerce, respectively, to employ stenographers, be taken up at this time.

Mr. SMOOT. That motion is not in order.

The PRESIDENT pro tempore. The Chair thinks, under the unanimous-consent agreement, the bills must be disposed of in the order in which they stand on the calendar.

Mr. GALLINGER. That is right.

The PRESIDENT pro tempore. The Secretary will state the next bill on the calendar.

The bill (S. 1062) relating to the duties of registers of United States land offices and the publication in newspapers of official land-office notices was announced as next in order.

Mr. SMOOT. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over. The bill (S. 706) to amend section 260 of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, was announced as next in order.

Mr. GALLINGER. Let that go over.

Mr. SMITH of Georgia. Mr. President, I understand that under our agreement no motion can be made at this time to proceed to the consideration of a bill in spite of objection.

Mr. SMOOT. Oh, no.

Mr. SMITH of Georgia. Therefore I do not make the motion. I just made that suggestion to apply to other bills.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 609) to aid in the erection of a monument to Pocahontas at Jamestown, Va., was announced as next in order.

Mr. SMOOT. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over. The bill (S. 611) for the erection of a monument to the memory of Matthew Fontaine Maury, of Virginia, was announced as next in order.

Mr. SMOOT. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

The joint resolution (S. J. Res. 1) proposing an amendment to the Constitution of the United States conferring upon women the right of suffrage was announced as next in order.

Mr. OVERMAN and Mr. JAMES. Let that go over.

The PRESIDENT pro tempore. The joint resolution will be passed over.

The joint resolution (S. J. Res. 72) to provide for holding the San Antonio Bicentennial Exposition in 1918 was announced as next in order.

Mr. SHEPPARD. That may go over.

The PRESIDENT pro tempore. The joint resolution will be passed over.

The bill (S. 2406) to amend section 162 of the act to codify, revise, and amend the laws relating to the judiciary, approved March 3, 1911, was announced as next in order.

Mr. GALLINGER. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

The joint resolution (S. J. Res. 43) authorizing and directing the Department of Labor to make an inquiry into the cost of living in the District of Columbia and to report thereon to Congress as early as practicable, was announced as next in order.

Mr. SMOOT. Mr. President, a representative from the Department of Labor called upon me the other day in relation to this joint resolution, and suggested certain amendments to it. I will ask the Senator from Iowa [Mr. KENYON] if the amendments have been brought to his attention?

Mr. KENYON. Yes; there should be an amendment to the joint resolution. The words "exclusive of Government employees" should be omitted from the joint resolution.

Mr. SMOOT. That is an amendment reported by the committee. I have the papers over at my office, and I really did not expect the joint resolution to come up to-day. The Senator will not object to its going over?

Mr. KENYON. I did not expect it would come up, either.

Mr. SMOOT. Then I will ask that it go over.

The PRESIDING OFFICER (Mr. POMERENE in the chair). The joint resolution will be passed over.

EVA M. BOWMAN.

The bill (S. 136) for the relief of Eva M. Bowman was considered as in Committee of the Whole. It authorizes and di-

rects the Secretary of the Treasury to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000 to Eva M. Bowman, widow of Robert L. Bowman, who was killed in the discharge of his duty as Indian agent.

Mr. SMOOT. Mr. President, I should like to ask the Senator reporting the bill if this is the amount of the salary of the deceased for the year or more than that?

Mr. CLAPP. No; it is based upon the proposition that that is a fair amount to award the widow. It is not based upon the amount of the man's salary.

Mr. SMOOT. Will the Senator briefly state the circumstances to the Senate?

Mr. CLAPP. The circumstances are that there was a sort of drunken outbreak at the agency—I think it was in lower California, but I would not be certain—and the deceased very properly attempted to quell the disturbance, in the discharge of his duty, and restore order and peace. In performing that duty he was killed. He left this family.

That is a statement of the facts. The bill has been favorably reported two or three times.

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

OMER D. LEWIS.

The bill (S. 137) for the relief of Omer D. Lewis was considered as in Committee of the Whole. It authorizes and directs the Secretary of the Treasury to pay, out of any money in the Treasury not otherwise appropriated, to Omer D. Lewis, lease clerk at the Flathead Indian Agency, Mont., the sum of \$2,573.25, for expenses incurred for hospital and doctors' fees for personal injuries received while aiding Federal officers in suppressing the sale of liquor to Indians.

Mr. ROBINSON. Mr. President, I should like to ask the author of the bill whether this is intended to reimburse the claimant for expenditures, or whether it is compensation for injuries?

Mr. CLAPP. No; this is to reimburse him for the expenditures that he made in litigation because of his activity in suppressing the liquor traffic. That is my recollection, at least.

Mr. ROBINSON. I have not a copy of the bill before me, but, as I remember the reading of it, it relates to expenses incurred for hospital treatment and matters of that sort. It does not seem to relate to expenses incurred in litigation.

Mr. CLAPP. There are a number of these cases, and I may have been mistaken as to this particular one. As I recall, this is not a matter of compensation, but a matter of reimbursement.

Mr. ROBINSON. As I heard the bill read, it relates to an expenditure for medical treatment and hospital expenses.

Mr. CLAPP. Let the report be read.

Mr. ROBINSON. I have the bill in my hand now. It makes the appropriation "for expenses incurred for hospital and doctors' fees for personal injuries received while aiding Federal officers in suppressing the sale of liquor to Indians." A bill of over \$2,500 is an enormous hospital bill; and I think I shall ask that the bill go over.

Mr. GALLINGER. Before it goes over, let me suggest that the words "doctors' fees" be stricken out and the words "medical attendance" substituted. It is a better phrase.

Mr. CLAPP. That will be unnecessary if it goes over.

Mr. GALLINGER. Let it be amended first.

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. It is proposed to strike out the words "doctors' fees" and to insert in lieu thereof "medical attendance."

The amendment was agreed to.

The PRESIDING OFFICER. The bill, under objection, will be passed over.

JOHANNES T. JENSEN.

The bill (S. 1810) for the relief of Johannes T. Jensen, was considered as in Committee of the Whole. It authorizes and directs the Secretary of the Treasury to pay to Johannes T. Jensen, of Hoboken, N. J., out of any money in the Treasury not otherwise appropriated, the sum of \$1,380, on account of injuries received by him while in the discharge of his duty as an employee of the United States under the supervision and direction of the Isthmian Canal Commission on the Isthmus of Panama on the 3d day of April, 1909.

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

PAYMENT OF CLAIMS.

The bill (S. 1878), making appropriation for payment of certain claims in accordance with findings of the Court of Claims,

reported under the provisions of the acts approved March 3, 1883, and March 3, 1887, and commonly known as the Bowman and the Tucker Acts, and under the provisions of section No. 151 of the act approved March 3, 1911, commonly known as the Judicial Code, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Claims with an amendment, on page 2, lines 4 and 5, to strike out: "To Mary W. Littell, widow of William J. Littell, deceased, of Lincoln County, \$632.18," so as to make the clause read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated—

To Anastacio de Baca, administrator of Francisco de Baca, deceased, of Santa Ana County, \$1,325.

To Edward H. Bergmann, of New Mexico, \$1,200.

To W. J. Goodwin, of New Mexico, formerly of Woodruff County, Ark., \$2,980.

The amendment was agreed to.

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

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

INDEMNITY TO THE NORWEGIAN GOVERNMENT.

The bill (S. 3264) to authorize the payment of an indemnity to the Norwegian Government for the detention of three subjects of Norway in Hudson County, N. J., was considered as in Committee of the Whole. It authorizes the payment out of any money in the Treasury not otherwise appropriated, as a matter of grace and without reference to the question of liability therefor, to the Norwegian Government, of the sum of \$2,787.78 as full indemnity to second mate Trygve Anderson, deck boy Sigurd Nilsen, and Arthur Rasmussen, Norwegian subjects, members of the crew of the Norwegian ship called the *Ingrid*, who were detained by the authorities of Hudson County, N. J., as witnesses in a criminal case in that county, and subsequently released on habeas corpus proceedings instituted in the Circuit Court of the United States for the District of New Jersey.

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

GUARANTEEING OF BANK DEPOSITS.

The bill (S. 710) to authorize national banking associations to avail themselves of State laws providing for the guaranteeing of deposits, was considered as in Committee of the Whole. It proposes that every national banking association doing business in a State where there is a State law providing for the securing of deposits in State banks shall be, and is hereby, authorized, if permitted by the laws of such State, to avail itself of such State law, and to take the necessary steps under the laws of such State to guarantee its deposits.

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

MARCUS A. JORDAN.

The bill (S. 888) authorizing the Secretary of the Treasury to confer upon Marcus A. Jordan the life-saving medal of the first class, was considered as in Committee of the Whole.

The bill had been reported from the Committee on the Library, with an amendment, on lines 8 and 9, to strike out the following words: "while said vessel was sailing in the storm-tossed and shark-infested waters of the Java Sea," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to award the life-saving medal of the first class to Marcus A. Jordan for most gallant and meritorious action in effecting the rescue of a woman who had fallen overboard from the Hamburg-American liner *Cleveland* on December 16, 1911.

The amendment was agreed to.

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

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

LODGE NO. 6, ANCIENT FREE AND ACCEPTED MASONS, OF VIRGINIA.

The joint resolution (S. J. Res. 24) authorizing the Librarian of Congress to return to Williamsburg Lodge, No. 6, Ancient Free and Accepted Masons, of Virginia, the original manuscript of the record of the proceedings of said lodge, was considered as in Committee of the Whole. It authorizes and directs the Librarian of Congress to return to Williamsburg Lodge, No. 6, Ancient Free and Accepted Masons, of Virginia, the original manuscript of the record of the proceedings of said lodge, which is contained in one bound volume now in the Manuscript Division of the Library of Congress, marked "Williamsburg Lodge, 5775," and which manuscript was taken from the

files of said lodge during the Civil War by some party or parties unknown.

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

POSTAL SAVINGS SYSTEM.

The bill (H. R. 562) to amend the act approved June 25, 1910, authorizing a Postal Savings System, was announced as next in order.

Mr. SMOOT. Let that go over.

The PRESIDING OFFICER. The bill will go over.

DEVELOPMENT OF WATER POWER.

The bill (H. R. 408) to provide for the development of water power and the use of public lands in relation thereto, and for other purposes, was announced as next in order.

Mr. GALLINGER. Let that go over.

Mr. WALSH. I should like to ask the Senator from Utah if he does not think we could very profitably spend the afternoon in the consideration of this bill?

The PRESIDING OFFICER. Under the former order the Senate is considering only unobjected bills at this time.

Mr. WALSH. Of course; but the Senator from Nevada [Mr. PITTMAN] here the other day pursued very successful tactics in forcing the consideration of his bill for granting 7,000,000 acres of land to the State of Nevada by objecting to the consideration of any bills on the calendar.

Mr. GALLINGER. I objected to this bill.

Mr. WALSH. It may be that in course of time we shall be forced to emulate that kind of tactics for the purpose of getting consideration of a bill which occupies the position of a kind of a stepchild in this family.

Mr. ROBINSON. Will the Senator from Montana yield to me?

Mr. WALSH. Certainly.

Mr. ROBINSON. It is well known, and I think the Senator from Montana realizes, that this bill will require very prolonged consideration.

Mr. GALLINGER. Days and days.

Mr. ROBINSON. It will probably require several days.

Mr. GALLINGER. I have asked that it go over.

Mr. ROBINSON. For that reason I think we ought to proceed with unobjected bills under the order without the threat implied in the Senator's statement being executed.

Mr. WALSH. Of course, I did not intend to say anything of that kind.

Mr. ROBINSON. I thought not.

Mr. WALSH. I simply rose to endeavor to give the Senate an idea that this is an important measure, and that a number of us in the West believe it is of equal importance to any bill on the calendar or which is likely to go there. We are simply asking consideration for it. I see no reason why there should be, I take occasion to say, any protracted debate upon the bill after the extended discussion the subject has had. Notwithstanding what anyone may say about the matter, I undertake to say now that the discussion of this bill, whenever it comes up, will pursue identically the lines followed in the consideration of the other water-power bill. They differ only in this respect, that this touches the ownership of the Government in the adjacent lands, and a dam can not be constructed simply because the Government owns the land. In the other case it could not be constructed simply because the Government has authority to prevent obstructions in navigable streams.

SEVERAL SENATORS. Regular order!

The PRESIDING OFFICER. The regular order is called for, and the next bill on the calendar will be stated.

BILL PASSED OVER.

The bill (S. 640) for the relief of Ellen B. Monahan was announced as next in order on the calendar.

Mr. WORKS. Let that go over.

The PRESIDING OFFICER. The bill will go over.

VILHELM TORKILDSEN.

The bill (S. 1326) for the relief of Vilhelm Torkildsen was considered as in Committee of the Whole.

The bill was reported from the Committee on Claims with an amendment, in line 6, to strike out the figures "\$19,813.14" and insert the figures "\$13,561.88," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury of the United States not otherwise appropriated, to Vilhelm Torkildsen the sum of \$13,561.88 as compensation for the injuries sustained by his vessel, the steamship *Henrik Ibsen*, while coaling war vessels of the United States of America in Panama Bay in December, 1908.

The amendment was agreed to,

The bill was reported to the Senate as amended and the amendment was concurred in.

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

MRS. GEORGE A. MILLER.

The bill (S. 142) for the relief of Mrs. George A. Miller was considered as in Committee of the Whole.

The bill was reported from the Committee on Claims with an amendment, in line 5, to strike out the figures "\$200" and insert the figures "\$108.50," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$108.50 to Mrs. George A. Miller, on account of money expended by her husband in defending a suit brought against him growing out of his effort to enforce the law against selling liquor to Indians.

The amendment was agreed to.

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

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

PENSIONS AND INCREASE OF PENSIONS.

The bill (S. 3984) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War, and certain widows and dependent relatives of such soldiers and sailors, was considered as in Committee of the Whole.

The bill proposes to pension the following persons at the rates stated:

Patience Rosa Archer, former widow of John Rosa, late of Companies E and D, Tenth Regiment United States Infantry, \$20 per month.

John T. Pribble, late of Company E, Seventh Regiment Kentucky Volunteer Cavalry, \$36 per month in lieu of that he is now receiving.

Sarah Saxey, widow of Alfred Saxey, late of Company F, Tenth Regiment Kansas Volunteer Infantry, and first lieutenant Company H, First Regiment Indian Home Guards, \$20 per month in lieu of that she is now receiving.

Erasmus W. Tatlock, late of Company A, Third Regiment Iowa Volunteer Cavalry, \$36 per month in lieu of that he is now receiving.

Silas W. Norris, late of Company B, Seventy-seventh Regiment Illinois Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

Simeon L. Wilson, late of Company K, Twelfth Regiment Indiana Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

John Nighswander, helpless and dependent son of Martin Nighswander, late of Company B, Fifty-fifth Regiment Ohio Volunteer Infantry, \$12 per month.

William E. Howard, late of Company C, One hundred and twentieth Regiment Indiana Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

Paleman S. Castle, late of Company L, Eleventh Regiment Michigan Volunteer Cavalry, \$30 per month in lieu of that he is now receiving.

Jennie R. Cusick, widow of Thomas Cusick, late of the Third Battery Minnesota Volunteer Light Artillery, \$12 per month.

Annie Bridges, widow of Elisha Bridges, late of Company E, Forty-sixth Regiment Missouri Volunteer Infantry, \$12 per month.

Rosa Rossiter, widow of Lemuel Rossiter, late second lieutenant Company B, Fifth Regiment Wisconsin Volunteer Infantry, and captain Company C, Sixth Regiment United States Veteran Volunteer Infantry, \$25 per month in lieu of that she is now receiving.

Anna Barker, widow of William B. Barker, late of Company C, First Regiment Wisconsin Volunteer Cavalry, and Company K, Second Regiment United States Veteran Volunteer Infantry, \$20 per month in lieu of that she is now receiving.

Gustav Schoneck, late of Company D, Thirty-second Regiment Wisconsin Volunteer Infantry, \$40 per month in lieu of that he is now receiving.

Theodore Basterdes, late of Company B, Twenty-fifth Regiment New York Volunteer Cavalry, \$30 per month in lieu of that he is now receiving.

Margaret P. Sherman, widow of Philo B. Sherman, late second lieutenant Second Independent Battery Connecticut Volunteer Light Artillery, \$20 per month in lieu of that she is now receiving.

Charles R. Potter, late of Company E, Eighty-fourth Regiment New York Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

Hiram F. Bundage, late of Company D, Sixth Regiment New York Volunteer Heavy Artillery, \$40 per month in lieu of that he is now receiving.

Mary C. Hills, widow of Leroy T. Hills, late of Company G, Sixteenth Regiment Connecticut Volunteer Infantry, \$20 per month in lieu of that she is now receiving.

Patrick J. Quigley, late of Company E, Fifteenth Regiment Connecticut Volunteer Infantry, \$40 per month in lieu of that he is now receiving.

Nellie Judkins, widow of Harvey D. Judkins, late of Company G, Third Regiment Vermont Volunteer Infantry, \$12 per month.

Alva M. Titchout, late of Company I, First Regiment Vermont Volunteer Heavy Artillery, \$30 per month in lieu of that he is now receiving.

Francis Blanchard, late of Company E, Ninth Regiment Vermont Volunteer Infantry, \$50 per month in lieu of that he is now receiving.

Fidelia M. Waffle, former widow of Hiram F. Moe, late of Company K, Sixth Regiment Michigan Volunteer Cavalry, \$12 per month.

John R. Mabee, late of Company B, Twenty-eighth Regiment New York Volunteer Infantry, \$40 per month in lieu of that he is now receiving.

William I. Scott, late of Company K, One hundred and sixteenth Regiment Ohio Volunteer Infantry, \$40 per month in lieu of that he is now receiving.

Edwin D. Kaynor, late of Company K, Thirty-ninth Regiment Wisconsin Volunteer Infantry, \$24 per month in lieu of that he is now receiving.

George A. Barker, late of Company D, Seventh Regiment Iowa Cavalry, \$30 per month in lieu of that he is now receiving.

Melcenia C. Baker, widow of Simeon S. Baker, late first lieutenant Company C, Sixth Regiment Missouri Volunteer Infantry, \$25 per month in lieu of that she is now receiving.

Christiana H. Nicholls, widow of Thomas B. Nicholls, late quartermaster sergeant, First Regiment New York Volunteer Engineers, \$12 per month.

John S. Corson, late of Company D, First Regiment New Hampshire Volunteer Heavy Artillery, \$24 per month in lieu of that he is now receiving.

Clarinda A. Spear, widow of Otis G. Spear, late of Company B, Fourth Regiment Maine Volunteer Infantry, and acting master's mate, United States Navy, \$20 per month in lieu of that she is now receiving.

Daniel L. Thompson, late of Company C, Forty-fifth Regiment Massachusetts Militia Infantry, \$30 per month in lieu of that he is now receiving.

Robert H. Barton, late of Company E, Second Regiment, and Company F, Tenth Regiment, Michigan Volunteer Cavalry, \$50 per month in lieu of that he is now receiving.

Aad Peterson, late of Company D, Second Regiment Wisconsin Volunteer Infantry, \$36 per month in lieu of that he is now receiving.

Adeline Reynolds, widow of William Reynolds, late of Company A, Eighth Regiment New York Volunteer Heavy Artillery, \$20 per month in lieu of that she is now receiving.

George H. Shefter, late of Company A, Eighth Regiment Iowa Volunteer Cavalry, \$30 per month in lieu of that he is now receiving.

John F. Treadwell, late of Company E, Second Regiment Arkansas Volunteer Cavalry, \$36 per month in lieu of that he is now receiving.

Henry G. Wilson, late of Company K, Eighth Regiment Illinois Volunteer Cavalry, \$30 per month in lieu of that he is now receiving.

John R. Snook, late of Company A, One hundred and thirty-fourth Regiment Indiana Volunteer Infantry, \$24 per month in lieu of that he is now receiving.

Elizabeth Kniffin, widow of Daniel Kniffin, late of Company K, Thirteenth Regiment Illinois Volunteer Infantry, and Company K, Twenty-fourth Regiment Veteran Reserve Corps, \$20 per month in lieu of that she is now receiving.

David Youts, late of Company G, Fifty-first Regiment Pennsylvania Volunteer Infantry, \$40 per month in lieu of that he is now receiving.

George Bateson, late of Company A, Twenty-eighth Regiment Illinois Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

Daniel W. Coan, late of Company B, Eleventh Regiment, and Company I, One hundred and forty-first Regiment Illinois Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

Mary King, widow of Cassius M. King, late of Company G, Ninth Regiment Michigan Volunteer Infantry, \$20 per month in lieu of that she is now receiving.

John W. Greene, late of Company E, One hundred and thirty-second Regiment Indiana Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

Peter S. Hare, late of Company I, Seventy-fourth Regiment Indiana Volunteer Infantry, \$40 per month in lieu of that he is now receiving.

Jefferson Lyons, late of Company K, Tenth Regiment Indiana Volunteer Infantry, \$50 per month in lieu of that he is now receiving.

Andy Perrin, late of Companies D and F, Fiftieth Regiment Indiana Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

Burton Gillaspie, late of Company I, Twenty-fifth Regiment Indiana Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

Henry Creery, late of Company K, Fifth Regiment Indiana Volunteer Cavalry, \$30 per month in lieu of that he is now receiving.

Turner Barns, late of Company I, Seventeenth Regiment Indiana Volunteer Infantry, \$50 per month in lieu of that he is now receiving.

Rachel A. Woodmansee, former widow of William M. Gould, late of Company C, Twenty-second Regiment Indiana Volunteer Infantry, \$12 per month.

James E. Bacon, late of Company K, Tenth Regiment Massachusetts Volunteer Infantry, and Company I, Second Regiment Massachusetts Volunteer Cavalry, \$50 per month in lieu of that he is now receiving.

Alden Powers, late of Company F, Twenty-fourth Regiment Maine Volunteer Infantry, \$40 per month in lieu of that he is now receiving.

Duane F. Perkins, late of Company H, Sixth Regiment New Hampshire Volunteer Infantry, \$40 per month in lieu of that he is now receiving.

Sylvester Stewart, late of Company K, First Regiment District of Columbia Volunteer Cavalry, and Company A, First Regiment Maine Volunteer Cavalry, \$40 per month in lieu of that he is now receiving.

Joseph F. Grawe, late of Company G, Ninety-third Regiment Illinois Volunteer Infantry, \$40 per month in lieu of that he is now receiving.

George F. Cowan, late of Company B, Fourth Regiment Wisconsin Volunteer Cavalry, \$40 per month in lieu of that he is now receiving.

Frederick A. Heebner, late of Company F, Twelfth Regiment Indiana Volunteer Cavalry, \$30 per month in lieu of that he is now receiving.

William H. Manley, late of Company I, One hundred and fifty-fifth Regiment Illinois Volunteer Infantry, \$12 per month.

William Cake, alias William Baker, late of Company H, Thirty-first Regiment Wisconsin Volunteer Infantry, \$40 per month in lieu of that he is now receiving.

William H. Hills, late hospital steward, United States Army, \$40 per month in lieu of that he is now receiving.

Eliza J. Banning, widow of Samuel M. Banning, late of Company A, Twenty-sixth Regiment Connecticut Volunteer Infantry, \$20 per month in lieu of that she is now receiving.

Martha Connor, widow of William Connor, late of Company A, Eighteenth Regiment Indiana Volunteer Infantry, \$20 per month in lieu of that she is now receiving.

Anastasia Corcoran, widow of William J. Corcoran, late of Company E, Twenty-sixth Regiment Connecticut Volunteer Infantry, \$20 per month in lieu of that she is now receiving.

Mary C. Daniels, widow of Albert E. Daniels, late first lieutenant Company F, Sixty-first Regiment Massachusetts Volunteer Infantry, \$25 per month in lieu of that she is now receiving.

Sarah F. Hovey, widow of Lewis Hovey, late of Company A, Eighteenth Regiment Connecticut Volunteer Infantry, \$20 per month in lieu of that she is now receiving.

William Roudebush, late of Company G, One hundred and twenty-eighth Regiment Indiana Volunteer Infantry, \$36 per month in lieu of that he is now receiving.

Charles Whitkemper, late of Company I, Fifty-fourth Regiment Indiana Volunteer Infantry, \$40 per month in lieu of that he is now receiving.

John Smiley, late of Company D, Seventeenth Regiment Indiana Volunteer Infantry, \$36 per month in lieu of that he is now receiving.

Nancy Wilson, dependent mother of Chester Callaway, late of Company E, Sixty-seventh Regiment Indiana Volunteer Infantry, \$12 per month, to be paid to her without deduction or rebate on account of former alleged erroneous payments of pension.

William Whitten, late of Company I, Sixty-sixth Regiment Indiana Volunteer Infantry, \$50 per month in lieu of that he is now receiving.

Georgia B. Nelson, widow of Jesse P. Nelson, late first lieutenant of Company E, Twenty-fourth Regiment Kentucky Volunteer Infantry, \$20 per month in lieu of that she is now receiving.

Sarah T. Wright, widow of John H. Wright, late of Company D, Thirty-sixth Regiment Indiana Volunteer Infantry, \$20 per month in lieu of that she is now receiving.

Eliza J. Wells, widow of John E. Wells, late second lieutenant and captain Company G, Sixteenth Regiment Kentucky Volunteer Infantry, \$25 per month in lieu of that she is now receiving.

John M. Pittman, late of Company H, Sixth Regiment United States Volunteer Infantry, \$15 per month in lieu of that he is now receiving.

Martha A. Reynolds, former widow of John T. Gillespie, late of Company E, Sixteenth Regiment Kentucky Volunteer Infantry, \$12 per month.

Albert A. Lance, late of Company H, Thirty-eighth Regiment New Jersey Volunteer Infantry, \$15 per month.

Oliver K. Landrew, late of Company A, Eleventh Regiment Iowa Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

George Crawford, late of Company C, Sixteenth Regiment Michigan Volunteer Infantry, \$24 per month in lieu of that he is now receiving.

Edward Morris, late of Company A, Thirteenth Regiment Pennsylvania Volunteer Cavalry, \$50 per month in lieu of that he is now receiving.

Nelson Briley, late of Company K, One hundred and eighteenth Regiment United States Colored Volunteer Infantry, \$36 per month in lieu of that he is now receiving.

James L. Spaulding, late of Company H, Eleventh Regiment Illinois Volunteer Cavalry, \$40 per month in lieu of that he is now receiving.

James M. Jameson, late first lieutenant and regimental quartermaster Twenty-seventh Regiment Indiana Volunteer Infantry, \$50 per month in lieu of that he is now receiving.

Henry Wilcox, late of Company G, Second Regiment Vermont Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

James A. Snodgrass, late of Company H, First Regiment Colorado Volunteer Cavalry, \$50 per month in lieu of that he is now receiving.

James P. Weter, late of Company C, Twenty-second Regiment Wisconsin Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

William H. Lewis, late of Company E, Twenty-fifth Regiment Missouri Volunteer Infantry, and Company C, First Regiment Missouri Volunteer Engineers, \$30 per month in lieu of that he is now receiving.

Elias B. Thompson, late of Company G, Twenty-first Regiment Wisconsin Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

Sarah E. Prender, widow of George Prender, late of Company D, First Regiment New York Volunteer Cavalry, \$20 per month in lieu of that she is now receiving.

Enoch F. Anderson, late of U. S. S. *Ohio*, *Rhode Island*, and *Sassacus*, United States Navy, \$30 per month in lieu of that he is now receiving.

Maria Savage, widow of David Savage, late of Company K, Twelfth Regiment Maine Volunteer Infantry, \$20 per month in lieu of that she is now receiving.

Marrietta Fowler, widow of John B. Fowler, late of Company A, Twenty-third Regiment Maine Volunteer Infantry, \$20 per month in lieu of that she is now receiving.

Francis B. Nofsinger, late acting assistant surgeon, United States Army, \$20 per month.

John Alexander, late of Company B, Thirty-second Regiment Illinois Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

Mary Jane Drew, widow of Daniel F. M. Drew, late of Company G, Thirty-fifth Regiment Massachusetts Volunteer Infantry, and Company C, Thirteenth Regiment Veteran Reserve Corps, \$20 per month in lieu of that she is now receiving.

Enoch M. Martin, late of Company A, Fifth Regiment Kansas Volunteer Cavalry, \$50 per month in lieu of that he is now receiving.

Gardner B. Taylor, late of Company A, One hundred and fifty-first Regiment Pennsylvania Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

Agnes E. Tooker, widow of John S. Tooker, late sergeant of Company G, Sixth Regiment Michigan Volunteer Cavalry, \$20 per month in lieu of that she is now receiving.

Nelson Haggerty, late of Company K, First Regiment New Jersey Volunteer Cavalry, \$50 per month in lieu of that he is now receiving.

Minnie Mahler, widow of Paul R. Mahler, late of Company C, One hundred and twenty-eighth Regiment Ohio Volunteer Infantry, \$20 per month in lieu of that she is now receiving.

Annie T. McCreary, widow of Charles C. McCreary, late captain Company H, Fourth Regiment Indiana Volunteer Cavalry, \$20 per month in lieu of that she is now receiving.

James A. Lucas, late of Company B, Fourteenth Regiment Iowa Volunteer Infantry, \$36 per month in lieu of that he is now receiving.

Amanda Phillips, widow of Alexander Phillips, late of Company I, Eleventh Regiment West Virginia Volunteer Infantry, \$20 per month in lieu of that she is now receiving.

Ellen L. Webster, widow of Edson H. Webster, alias Edwin Webster, late of the United States Marine Corps, \$20 per month in lieu of that she is now receiving.

Annie E. Nave, widow of Mark Nave, late of Company A, Thirteenth Regiment Tennessee Volunteer Cavalry, \$12 per month.

Maria J. Mahon, widow of Peter Mahon, late of Company I, Third Regiment Rhode Island Volunteer Heavy Artillery, \$20 per month in lieu of that she is now receiving.

Sigmund Bauer, late of Company E, One hundred and forty-second Regiment New York Volunteer Infantry, \$36 per month in lieu of that he is now receiving.

Martin B. Worrell, late of Company E, Twenty-third Regiment Indiana Volunteer Infantry, \$40 per month in lieu of that he is now receiving.

Ruth A. Smith, widow of Allen Smith, late of Company B, Fifth Regiment Minnesota Volunteer Infantry, \$20 per month in lieu of that she is now receiving.

Edwin W. Haynes, late of Company A, One hundred and seventeenth Regiment Indiana Volunteer Infantry, \$40 per month in lieu of that he is now receiving.

Daniel J. Cummings, late of Company G, First Regiment New Hampshire Volunteer Heavy Artillery, \$30 per month in lieu of that he is now receiving.

James M. Crossman, late of Company E, Fourth Regiment Vermont Volunteer Infantry, \$36 per month in lieu of that he is now receiving.

George Dallison, late of Company H, Second Regiment Pennsylvania Volunteer Heavy Artillery, \$50 per month in lieu of that he is now receiving.

Elijah Booher, late of Company I, One hundred and forty-eighth Regiment Illinois Volunteer Infantry, \$24 per month in lieu of that he is now receiving.

Mary E. Taylor, widow of William Taylor, late of Company H, Forty-second Regiment Illinois Volunteer Infantry, \$20 per month in lieu of that she is now receiving.

Burton Vanhook, late of Company H, One hundred and fiftieth Regiment Indiana Volunteer Infantry, \$40 per month in lieu of that he is now receiving.

Andrew J. Woolf, late of Companies F and C, Seventh Regiment Indiana Volunteer Cavalry, \$50 per month in lieu of that he is now receiving.

John Woods, late of Company C, One hundred and thirty-sixth Regiment Indiana Volunteer Infantry, \$24 per month in lieu of that he is now receiving.

Milton P. Julian, late of Company D, One hundred and fifteenth Regiment Illinois Volunteer Infantry, \$36 per month in lieu of that he is now receiving.

Mary C. Lyon, widow of Willis Lyon, late of Company H, Thirty-eighth Regiment Iowa Volunteer Infantry, \$20 per month in lieu of that she is now receiving.

Lucie B. Kasson, widow of Harvey A. Kasson, late of Company K, First Regiment New York Volunteer Light Artillery, \$20 per month in lieu of that she is now receiving.

Norman B. Stacy, late of Company D, Eighteenth Regiment Wisconsin Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

Florence K. Patterson, widow of Joseph B. Patterson, late of U. S. S. *Alleghany*, *Release*, and *Maratanza*, United States Navy, \$12 per month in lieu of that she is now receiving.

Mary A. Hoon, widow of Francis Hoon, late of Company A, Ninety-eighth Regiment Pennsylvania Volunteer Infantry, \$12 per month.

Milton T. Callahan, jr., helpless and dependent son of Milton T. Callahan, late major Thirty-fourth Regiment Kentucky Volunteer Infantry, \$12 per month.

William Thomas, late of Company G, Twenty-third Regiment Indiana Volunteer Infantry, \$50 per month in lieu of that he is now receiving.

Edmund Hishley, helpless and dependent child of Coonrod Hishley, late of Company A, Second Battalion District of Columbia Militia Infantry, \$12 per month.

Stephen P. Stites, late of Company K, Twenty-seventh Regiment New Jersey Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

Carrie V. Lawton, widow of Winslow Lawton, jr., late of Company F, Thirteenth Regiment, and Company B, Thirtieth Regiment, Maine Volunteer Infantry, \$20 per month in lieu of that she is now receiving.

John M. Null, late of Company A, Fifteenth Regiment Pennsylvania Volunteer Cavalry, \$30 per month in lieu of that he is now receiving.

Mary H. Babcock, widow of Benjamin Babcock, late of Company H, One hundred and ninety-seventh Ohio Volunteer Infantry, \$12 per month.

John Johnston, late of Company A, One hundred and eighty-seventh Regiment Ohio Volunteer Infantry, \$50 per month in lieu of that he is now receiving.

Ella Taylor, former widow of Robert D. McCracken, late of Companies A and B, First Regiment Indiana Volunteer Cavalry, \$12 per month.

Sidney A. Ladd, late of Company C, Fourteenth Regiment Vermont Volunteer Infantry, \$36 per month in lieu of that he is now receiving.

Daniel Casey, late of Company D, Sixth Regiment Wisconsin Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

Jameson S. Tweed, late of Company M, First Regiment Tennessee Volunteer Cavalry, \$36 per month in lieu of that he is now receiving.

Lucinda Applegate, widow of Andrew J. Applegate, late of Fourth Independent Company, Ohio Volunteer Cavalry, \$20 per month in lieu of that she is now receiving.

Bernard McNaney, late of Company D, Fifth Regiment Iowa Volunteer Cavalry, \$30 per month in lieu of that he is now receiving.

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

The bill (H. R. 8493) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments.

The first amendment of the Committee on Pensions was, on page 4, line 2, before the words "per month," to strike out "\$24" and insert "\$20," so as to make the clause read:

The name of Deborah Hart, widow of James S. Hart, late of Company B, Third Regiment Provisional Enrolled Missouri Militia, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 4, line 24, after the word "Volunteer," strike out "Cavalry" and insert "Infantry (First Cavalry)," and on page 5, line 2, before the words "per month," to strike out "\$24" and insert "\$30," so as to make the clause read:

The name of Maximilian Schneider, late of Company M, Twenty-eighth Regiment Indiana Volunteer Infantry (First Cavalry), and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 5, line 8, after the word "Battalion," to insert "Eighteenth Regiment," so as to make the clause read:

The name of William Evans, late of Company C, First Battalion Eighteenth Regiment United States Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 6, line 9, before the words "per month," to strike out "\$24" and insert "\$20," so as to make the clause read:

The name of Elizabeth Fry, widow of John T. S. Fry, late of Company C, Fortieth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 6, after line 14, to strike out: The name of William Holdridge, late of Company B, Ninth Regiment New York Heavy Artillery, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 7, line 1, before the words "per month," to strike out "\$27" and insert "\$30," so as to make the clause read:

The name of Patrick Kenyon, late of Company E, Ninety-second Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 9, after line 2, to strike out:

The name of Mabel F. Coen, widow of Charles G. Coen, late of Company D, Eleventh Regiment Minnesota Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

Mr. JONES. Mr. President, I hope that amendment will not be agreed to. I have examined the report, and I can not find anything stated in the report to show why the Senate committee cut out this item.

The facts are briefly these: This woman was married to a soldier, who died in 1899. Then she got a pension as his widow for herself and a couple of minor children. In 1906 she thought she married a man by the name of Lattin, but it was found afterwards he already had a wife living from whom he had not been divorced. He brought suit against this woman for a divorce; and upon the advice of her attorney, from whom I have a letter, she filed a cross bill admitting the marriage and the legitimacy of the child that had been born to her from the last marriage. As a matter of fact, she was never married to the man Lattin, and the House committee in its report so finds. The House committee said that the widow is pre-eminently entitled to this relief.

I hope the amendment will be rejected.

Mr. POINDEXTER. Mr. President, I desire to join in the views expressed by my colleague in this matter. I have a letter in regard to the case from the attorney who advised her to obtain a divorce from the man to whom she was never legally married and by whom she had been previously deceived. The attorney is a man in whom I have sufficient confidence to accept the statement he made in regard to her. He recommends her as being an exceedingly deserving woman, having lived an exemplary life and raised a large family of children. Except for the apparent second marriage, which was really no marriage at all, she would be entitled to this pension. Because she was deceived by the man with whom she went through the form of a marriage I think it would be no reason why she should be deprived of a pension.

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

The amendment was rejected.

The next amendment was, on page 9, line 10, before the words "per month," to strike out "\$24" and insert "\$20," so as to make the clause read:

The name of Perlia J. Wilcox, widow of Jeremiah C. Wilcox, late of Company H, Fifth Regiment Iowa Cavalry, and of the Sixth Regiment United States Cavalry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 10, line 2, before the words "per month," to strike out "\$20" and insert "\$12," so as to make the clause read:

The name of Elizabeth Gross, widow of Reuben Gross, late of Company A, Fifty-sixth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The amendment was agreed to.

The next amendment was, on page 11, after line 14, to strike out:

The name of Ingalls Evans, late of Company K, Twelfth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 15, line 14, before the words "per month," to strike out "\$36" and insert "\$40," so as to make the clause read:

The name of Benjamin E. Hoy, late of Company I, Forty-fifth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 16, line 9, before the words "per month," to strike out "\$24" and insert "\$30"; so as to make the clause read:

The name of Nathaniel Patterson, la of Company F, Forty-seventh Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 18, after line 21, to strike out:

The name of Joseph Coies, late of Company B, One hundredth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 21, after line 4, to strike out:

The name of Estella M. Howlett, former widow of George W. Baldwin, late of Company A, Third Regiment New Jersey Volunteer Cavalry, and pay her a pension at the rate of \$12 per month.

The amendment was agreed to.

The next amendment was, on page 24, line 15, before the words "per month," to strike out "\$24" and insert "\$30"; so as to make the clause read:

The name of Stephen Clevenger, late of Company A, One hundred and forty-seventh Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 25, line 16, before the words "per month," to strike out "\$24" and insert "\$20"; so as to make the clause read:

The name of Mary Marsh, widow of Edwin Marsh, late of Company K, Twenty-ninth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 26, line 19, before the words "per month," to strike out "\$27" and insert "\$36"; so as to make the clause read:

The name of George W. Johnston, late of Company E, Forty-fourth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 27, line 1, before the name "Garthwait," to strike out "Mathew" and insert "Mathew"; so as to make the clause read:

The name of Eliza A. Garthwait, widow of Mathew Garthwait, late of Twentieth Battery, Indiana Light Artillery, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 28, line 2, before the words "per month," to strike out "\$30" and insert "\$36," so as to make the clause read:

The name of Thomas Nichols, late of Company A, Eightieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 30, line 24, before the words "per month," to strike out "\$24" and insert "\$30," so as to make the clause read:

The name of William B. Rutledge, late of Company C, Eighth Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 32, after line 15, to strike out:

The name of Annie Tompkins, widow of William M. Tompkins, late of Company C, One hundred and fifty-third Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 34, after line 12, to strike out:

The name of Mary E. Clark, widow of Jerome B. Clark, late of Company F, First Regiment Connecticut Volunteer Cavalry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The amendment was agreed to.

Mr. JOHNSON of Maine. I move, on page 3 of the bill, to strike out from line 3 to line 14 the three items there included.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 3, after line 2, it is proposed to strike out the following items:

The name of Joshua Shriver, late of Company E, Seventy-fourth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of Murray Myers, late of Company C, Forty-fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of William C. Hershberger, late of Company A, Fifteenth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The amendment was agreed to.

Mr. JOHNSON of Maine. I move to strike out the provision relating to Frank Dart, he having died.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 28, strike out lines 20 to 23, inclusive, in the following words:

The name of Frank Dart, late of Company D, Fifty-eighth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$27 per month in lieu of that he is now receiving.

The amendment was agreed to.

Mr. JOHNSON of Maine. On page 31 I move to strike out the paragraph, beginning in line 24, the beneficiary having died.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 31, lines 24 and 25, and on page 32, lines 1 and 2, strike out the following words:

The name of Angeline Kelchner Wolfe, former widow of Eleazer A. Kelchner, late of Company A, Seventy-fourth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The amendment was agreed to.

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.

FREIGHT BLOCKADE AT NEW YORK.

The next business on the calendar was Senate resolution 43, for the appointment of a committee to investigate and inquire into the causes of existing freight blockade and embargoes on the trunk-line railroads entering into the port of New York.

Mr. GALLINGER. Let that go over.

The PRESIDING OFFICER. The resolution will go over.

POLITICAL ACTIVITY OF MEMBERS OF CONGRESS.

The bill (S. 668) making it unlawful for any Member of Congress to serve on or solicit funds for any political committee, club, or organization was announced as next in order.

Mr. SMOOT. Let that go over.

The PRESIDING OFFICER. The bill will go over.

PUBLICITY OF CAMPAIGN CONTRIBUTIONS.

The bill (S. 665) to codify, revise, and amend the laws relating to publicity of contributions and expenditures made for the purpose of influencing the nomination and election of candidates for the offices of Representative and Senator in the Congress of the United States, limiting the amount of campaign expenses, and for other purposes, was announced as next in order.

Mr. SMOOT. Let that go over.

The PRESIDING OFFICER. It will go over.

Mr. KERN. Was there an objection?

The PRESIDING OFFICER. There was.

Mr. KERN. May I inquire who objected?

Mr. SMOOT. The Senator from Utah objected. I will state to the Senator that these bills would lead to long discussion, and I want to get through with the calendar.

Mr. KERN. I simply desired to know who made the objection.

CAMPAIGN FUNDS.

The bill (S. 669) to limit the use of campaign funds in presidential and national elections was announced as next in order.

Mr. SMOOT. Let that go over.

The PRESIDING OFFICER. The bill will go over.

RIGHT OF WAY NEAR ENGLE, N. MEX.

The bill (S. 1843) to authorize the Secretary of the Interior to acquire certain right of way near Engle, N. Mex., was considered as in Committee of the Whole.

Mr. SHAFROTH. Is there a minority report on that bill.

Mr. SMOOT. There is not.

Mr. SHAFROTH. Does the Senator know whether my colleague [Mr. THOMAS] has any objection to it?

Mr. CATRON. The Senator's colleague said that he would make no objection to it.

Mr. SHEPPARD. I desire to ask the Senator from New Mexico if he did not introduce a similar bill on the same subject in the last Congress?

Mr. CATRON. Yes.

Mr. SHEPPARD. It was practically the same bill?

Mr. CATRON. It was the same bill.

Mr. SHEPPARD. The bill passed the Senate?

Mr. CATRON. It passed the Senate.

Mr. SHEPPARD. Why did it not become a law?

Mr. CATRON. It did not pass the House.

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

COURT OF PRIVATE LAND CLAIMS.

The bill (S. 1840) to amend an act entitled "An act to establish a court of private land claims and to provide for the settle-

ment of private land claims in certain States and Territories," approved March 3, 1891, and the acts amendatory thereto, approved February 21, 1893, June 27, 1898, and February 26, 1909, was announced as next in order.

Mr. OVERMAN. Let the bill go over.

The PRESIDING OFFICER. It will go over.

HOT SPRINGS RESERVATION, ARK.

The bill (S. 1388) to authorize the Secretary of the Interior to furnish hot water from the hot springs on the Hot Springs Reservation for drinking and bathing purposes free of cost to the Leo N. Levi Memorial Hospital Association, was considered as in Committee of the Whole.

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

JOHN L. SEVY.

The bill (S. 31) for the relief of John L. Sevy was considered as in Committee of the Whole, and was read as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized to issue patent to John L. Sevy for the following-described lands: The south half of the northwest quarter of the southeast quarter of section 12, township 36 south, range 8 west; the north half of lot 1, section 18, township 36 south, range 7 west; the south half of lot 3, section 12, township 36 south, range 8 west; the west half of the southeast quarter of the southeast quarter of section 7, township 36 south, range 7 west; the southeast quarter of the southeast quarter of the southeast quarter, section 7, the west half of the northwest quarter of the northwest quarter and the northwest quarter of the southwest quarter of the northwest quarter of section 17, township 36 south, range 7 west of Salt Lake meridian, situate in the Sevier National Forest, upon the transfer by the said John L. Sevy to the United States of the north half of the northeast quarter of the southwest quarter of section 12, township 36 south, range 8 west; the south half of lot 1 of section 13, township 36 south, range 8 west; the northeast quarter of the northeast quarter of section 25, township 35 south, range 4 west; the southeast quarter of the southwest quarter of section 17, township 36 south, range 3 west of Salt Lake meridian, situate in the Sevier and Powell National Forests: *Provided*, That upon the reconveyance of the surrendered lands they will become a part of the Sevier and Powell National Forests.

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

WILLIAM G. WILLIAMS, SR.

The bill (S. 32) for the relief of William G. Williams, sr., was considered as in Committee of the Whole. It proposes to allow William G. Williams, sr., to enter, under the homestead laws and subject to the terms, conditions, and limitations of the reclamation act and acts amendatory thereof, lot 1 of section 2 and lots 1 and 2 of section 3, township 8 south, range 1 east, Salt Lake meridian, Salt Lake City, Utah, land district. But the entry and patent therefor shall expressly reserve to the United States the right to take or use, without compensation to entryman, patentee, or his assignees, any or all of the said land which may be actually needed for or in connection with the construction, maintenance, and operation of the Strawberry Valley reclamation project.

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

DANIEL M. FROST.

The bill (S. 33) for the relief of Daniel M. Frost was considered as in Committee of the Whole. It authorizes Daniel M. Frost to make a homestead entry for an unappropriated quarter section of public land, subject to said entry, as though his former entry No. 6595, Larned, Kans., series, had not been made.

The Secretary of the Interior is directed to allow Frost credit for the residence and cultivation had by him in connection with said Larned entry, as though it were had on said second entry, when proof is submitted on the latter.

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

TENNESSEE STATE CLAIMS.

The joint resolution (S. J. Res. 37) to amend S. J. Res. 8, approved May 4, 1898, entitled "Joint resolution providing for the adjustment of certain claims of the United States against the State of Tennessee and certain claims against the United States," was read.

Mr. GALLINGER. The only explanation of the joint resolution seems to be in the whereases. I wish to look into it a little and I ask that it may go over.

The PRESIDING OFFICER. Objection is made and the joint resolution goes over.

Mr. SHIELDS. I understand the Senator from New Hampshire [Mr. GALLINGER] asks that the joint resolution shall go over.

The PRESIDING OFFICER. He does.

Mr. ROBINSON. In order that he may investigate it, as I understood the Senator.

Mr. GALLINGER. Yes; I want to examine it a little.

Mr. SHIELDS. I wish to make a statement about the joint resolution, which I think will remove the objection of the Senator from New Hampshire.

Mr. GALLINGER. I certainly will withdraw my objection to enable the Senator from Tennessee to do that.

Mr. SHIELDS. Mr. President, this joint resolution was introduced in the last session of the last Congress and reported favorably by the Committee on Claims and passed by the Senate. It reached the House too late for disposition there. The present joint resolution is identical with the one which was then passed.

A brief history of it, without going into the merits, is as follows: The United States Treasury holds about \$600,000 of the bonds of Tennessee that are now past due. The State of Tennessee claims to have some \$500,000 of offset on account of the appropriation of certain railroad and other property during the war and certain other claims of smaller amounts.

This controversy has been in existence for quite a number of years. Some years ago a joint resolution was passed by Congress submitting the controversy to three commissioners on the part of the United States, composed of the Secretary of War, the Secretary of the Treasury, and the Attorney General, and the General Assembly of Tennessee appointed to represent the State three other commissioners, Col. John J. Vertrees, of Nashville; Mr. John M. Hickey, of Mississippi; and Mr. Dabney M. Scales, of Memphis.

The commissioners have never been able to agree far enough to sufficiently get to the merits. In other words, the question is whether or not the fact that the State of Tennessee seceded would bar her from making the claim. The joint resolution simply proposes to direct those commissioners to proceed and find the facts and report to Congress.

The original joint resolution did not settle anything, but merely referred the matter to these commissioners to report the facts and the rights of the parties according to the respective equities. This direction is to go on to do that and leave the question of loyalty to be hereafter determined by Congress.

Mr. GALLINGER. Mr. President—

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

Mr. SHIELDS. I do.

Mr. GALLINGER. Mr. President, may I ask the Senator from Tennessee a question? I did not quite understand who represents the Government in this matter.

Mr. SHIELDS. The Government is represented by the Attorney General, the Secretary of War, and the Secretary of the Treasury.

Mr. GALLINGER. And the State of Tennessee has appointed three commissioners to confer with those three gentlemen?

Mr. SHIELDS. Yes.

Mr. GALLINGER. And they are to report their findings to Congress?

Mr. SHIELDS. They are to report their findings to Congress. There is nothing binding in their agreement until it reaches Congress and is ratified.

Mr. GALLINGER. This matter has never been before a court for adjudication?

Mr. SHIELDS. It never has been in litigation at all, and this is a method provided to prevent litigation.

Mr. GALLINGER. Mr. President, in view of the statement made by the Senator from Tennessee, I withdraw my objection. I thought this was a final adjudication, as I glanced at the joint resolution.

The PRESIDING OFFICER. Objection is withdrawn.

Mr. GALLINGER. As this matter is to be reported back to Congress, I shall make no objection.

Mr. SHIELDS. The whole matter is to be settled by Congress on the incoming of that report.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution, which had been reported from the Committee on Claims with amendments. The first amendment was, on page 2, to strike out lines 3 and 4, as follows:

That the said Senate joint resolution 8 be, and is hereby, amended by adding thereto the following, namely:

And in lieu thereof to insert:

That the joint resolution entitled "A joint resolution providing for the adjustment of certain claims of the United States against the State of Tennessee and certain claims against the United States," approved May 12, 1898, be, and is hereby, amended by adding at the end thereof the following:

The amendment was agreed to.

The next amendment was, at the end of the joint resolution, on page 3, line 8, after the word "parties," to insert "The said compromise or settlement is not to be effective or final until approved by Congress," so as to read:

The claims of the parties respectively shall be considered, adjusted, and settled on their merits without regard to any question of loyalty or disloyalty, and upon such terms as to amounts, allowance of interest, etc., as shall do equal and impartial justice to the parties. The said compromise or settlement is not to be effective or final until approved by Congress.

The amendment was agreed to.

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

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

The PRESIDING OFFICER. The amendments to the preamble will now be considered.

The first amendment to the preamble was on page 1, in the first line, after the words "Whereas the," to strike out "resolution in the caption mentioned, being Senate joint resolution 8, approved May 4, 1898," and to insert "joint resolution entitled 'a joint resolution'"; in the fourth line, after the words "State of," to strike out "Tennessee," and to insert "Tennessee, approved May 12, 1898," so as to make the clause read:

Whereas the joint resolution entitled "A joint resolution providing for the adjustment of certain claims of the United States and of the State of Tennessee," approved May 12, 1898, provides that the Attorney General, the Secretary of the Treasury, and the Secretary of War of the United States, as representatives of the United States, and agents or commissioners to be appointed by the State of Tennessee, as representatives of the State, shall proceed by conference to compromise, adjust, and settle the claims in the resolution mentioned, but that the compromise or settlement shall not be effective as final until approved by Congress.

The amendment was agreed to.

The next amendment to the preamble was, on page 2, in the second clause, fifth line, after the word "said," to strike out "S. J. Res. 8" and to insert "resolution," so as to make the clause read:

Whereas at conference held between said representatives they have been unable to proceed because the said representatives of the United States have insisted that the settlement or compromise of the claims of the State of Tennessee under said resolution should be precluded by the consideration that the State of Tennessee was, during the Civil War, in the resolution mentioned, a public enemy and in rebellion, and not entitled to compensation for any losses suffered by reason of the action of the United States in suppressing such rebellion.

The amendment was agreed to.

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

Mr. GALLINGER. Mr. President, I will ask the Senator from Tennessee if he has any objection to striking out the preamble to the joint resolution? The preamble recites matters that ought to be recited in a report, and their inclusion makes the joint resolution very awkward.

Mr. SHIELDS. I thought the preamble, to some extent, clarified the matter. This joint resolution was prepared by Col. John J. Vertrees, of Nashville, one of our most distinguished lawyers, and then submitted here to the Attorney General. I discussed the joint resolution with the Attorney General before I introduced it. The preamble, of course, does not settle anything.

Mr. GALLINGER. No; but it is a mere declaration which ought to have been put into a report. I will move to strike out the preamble, and the Senate can do what it pleases about it. In the preamble this statement is found:

Whereas it is not deemed just that the consideration of the claims of Tennessee should or can be precluded or the same disallowed upon the ground that the State was a public enemy and in rebellion.

That is an argument on one side of this question which is now going to commissioners, so I have moved to strike out the preamble.

The PRESIDING OFFICER. The question is on the motion of the Senator from New Hampshire to strike out the preamble.

Mr. SHIELDS. Do I understand that the Senator's objection is to the last paragraph of the preamble?

Mr. GALLINGER. That language caught my eye, and I thought it was a very serious matter to make an argument in a preamble on one side of a controversy. I think the Senator from Tennessee ought to agree that the entire preamble should go out. The facts which are recited in the preamble can be submitted to the commissioners.

Mr. SHIELDS. I wish to suggest to the Senator from New Hampshire that if it is only the last paragraph of the preamble, making that statement to which he objects, he can confine his motion to striking out that language, because the preamble contains some reference to former resolutions in other portions of it.

Mr. GALLINGER. Well, let the last paragraph of the preamble be stricken out, and I will raise no further objection if

the Senator from Tennessee thinks the remainder of the preamble ought to stand.

The PRESIDING OFFICER. The Chair understands that the motion of the Senator from New Hampshire is to strike out the last paragraph of the preamble, which he has stated.

Mr. GALLINGER. I move to strike out the last paragraph of the preamble, which I have read.

The motion was agreed to.

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

The preamble as amended was agreed to.

The title was amended so as to read: "A joint resolution to amend a joint resolution entitled 'A joint resolution providing for the adjustment of certain claims of the United States against the State of Tennessee and certain claims against the United States,' approved May 12, 1898."

PAYMENT OF CLAIMS.

Mr. CLARKE of Arkansas. Mr. President, I ask unanimous consent to return to calendar No. 42, being Senate bill 1878. The bill was disposed of without disposition having been made of an amendment that was pending, which I had offered on the 15th of February.

The PRESIDING OFFICER. That matter can be brought up, as the Chair thinks, on a motion to reconsider.

Mr. CLARKE of Arkansas. I move to reconsider the vote by which the bill was ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. The Senator from Arkansas moves to reconsider the vote by which the bill referred to by him was ordered to a third reading, read the third time, and passed.

The motion was agreed to; and the Senate resumed the consideration of the bill (S. 1878) making appropriation for payment of certain claims in accordance with findings of the Court of Claims, reported under the provisions of the acts approved March 3, 1883, and March 3, 1887, and commonly known as the Bowman and the Tucker Acts, and under the provisions of section No. 151 of the act approved March 3, 1911, commonly known as the Judicial Code.

Mr. CLARKE of Arkansas. I offer the amendment to the bill, which I send to the desk.

The PRESIDING OFFICER. The Senator from Arkansas offers an amendment to the bill, which will be stated.

The SECRETARY. At the end of the bill it is proposed to insert:

To Prairie County, Ark., \$13,200.

Mr. CLARKE of Arkansas. Mr. President, I desire to say, in explanation of my action in offering that amendment at this time, that that amount was adjudicated in favor of Prairie County, Ark., one of the oldest counties of the State in point of organization. The court found the jail and courthouse at that place had been demolished by the Federal authorities during their occupancy of that vicinity and devoted to purposes of the Army, and that the reasonable value of the materials taken and converted to public use was \$13,200. The court found that the county was not at all times loyal to the Union. That, of course, is a conclusion of law. As a matter of fact, that particular part of Arkansas fell under the jurisdiction of the Federal forces in December, 1863. An independent State government was organized early in 1864, a legislature created, and a representative from that county sat in the loyal legislature for some months before this destruction took place. The territory was in control of the Federal forces at the time the materials out of which the courthouse and jail were constructed were taken and devoted to Federal use. Of course, the county was carried out of the Union with the State by the adoption of the secession ordinance, and until it was brought under Federal jurisdiction, in the latter part of 1863, I take it for granted that its character was fixed by the sovereignty that assumed to administer affairs there up to that time; but for many months before the destruction of the courthouse and jail took place the county had been under Federal jurisdiction, a loyal State government was administering affairs therein, loyal officers served, and a loyal member from the county sat in the so-called loyal legislature. That legislature voted for the ratification of the thirteenth amendment before this destruction took place. So there is not any reason for saying that the county was disloyal at that time. The court does not say so. The court says it was not during the entire Civil War loyal to the United States Government.

If that is true, it is a conclusion of law. During the time it was controlled by the Confederate forces, we may well assume that its character was fixed by that condition; but when it passed under the control of that part of the State which for

months had been, and up to this minute has been, under the control of the loyal authorities, there was not any reason for saying that the county was not loyal because it took its character from the State government that was being administered therein. There is not any reason for saying that the county as an organization was disloyal when its character was otherwise fixed by its participation in the affairs of the Union, and did not thereafter lend any aid or comfort to the Confederate cause.

Mr. GRONNA. Mr. President—

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from North Dakota?

Mr. CLARKE of Arkansas. Very gladly.

Mr. GRONNA. May I inquire of the Senator from Arkansas whether the amount proposed to be paid under the claim which is offered as an amendment goes to the county or to an individual?

Mr. CLARKE of Arkansas. It goes to the county of Prairie.

Mr. GRONNA. I am a member of the Committee on Claims, and I do not recollect that we ever had an opportunity to examine the amendment.

Mr. CLARKE of Arkansas. The claim is supported by a judgment of the Court of Claims, reported to Congress on the 11th day of January, 1913. It contains this statement:

Prairie County was not loyal to the Government of the United States during the whole Civil War.

And that is literally true; but at the time this destruction and appropriation took place it was a part of the territory over which a loyal State government was administering affairs, and it was not in a hostile country at the time the destruction took place.

Mr. WARREN. Mr. President, the Senator says a "judgment of the Court of Claims." Does he mean a judgment or a statement of the court?

Mr. CLARKE of Arkansas. It is a finding by the Court of Claims.

Mr. WARREN. A finding; and the amount is what?

Mr. CLARKE of Arkansas. The amount is \$13,200, which is the value of the material taken. Of course, the courthouse and jail were worth very much more than that, but the material devoted to the uses of the Government was found by the court to have a value of \$13,200.

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

The amendment was agreed to.

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

NATIONAL SYSTEM OF HIGHWAYS (S. DOC. NO. 350).

The resolution (S. Res. 83) submitted by Mr. FLETCHER on January 28, 1916, was considered and agreed to, as follows:

Resolved, That the manuscript submitted by the Senator from Tennessee [Mr. SHIELDS] on January 13, 1916, entitled "A National System of Highways and Landscape Designing," being an address delivered before the American Civic Association of Washington, D. C., on December 31, 1915, by Cyrus Kehr, of Knoxville, Tenn., be printed as a Senate document.

BILL PASSED OVER.

The bill (S. 1082) to prevent the manufacture and sale of alcoholic liquors in the District of Columbia, and for other purposes, was announced as next in order.

Mr. JAMES. Let that go over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

ISSUANCE OF DUPLICATE CHECKS.

The bill (H. R. 3636) to amend section 3646 of the Revised Statutes of the United States as reenacted and amended by act of February 23, 1909, was considered as in Committee of the Whole. It proposes to amend section 3646 of the Revised Statutes so as to read as follows:

"SEC. 3646. That whenever any original check is lost, stolen, or destroyed disbursing officers and agents of the United States are authorized, within three years from the date of such check, to issue a duplicate check under such regulations in regard to its issue and payment, and upon the execution of such bond, with sureties, to indemnify the United States, and proof of loss of original check as the Secretary of the Treasury shall prescribe: *Provided*, That whenever any original check or warrant of the Post Office Department has been lost, stolen, or destroyed the Postmaster General may authorize the issuance of a duplicate thereof at any time within three years from the date of such original check or warrant upon the execution by the owner thereof of such bond of indemnity as the Postmaster General may prescribe: *Provided further*, That when such original check or warrant does not exceed in amount the sum of \$50 and the payee or owner is, at the date of the application, an officer or employee in the service of the Post Office Department, whether by contract, designation, or appointment, the Postmaster General may, in lieu of an indemnity bond, authorize the issuance of a duplicate check or warrant upon such an affidavit as he may prescribe, to be made before any postmaster by the payee or owner of an original check or warrant."

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

BILLS PASSED OVER.

The bill (S. 2730) to fix the compensation of assistant appraisers of merchandise, and for other purposes, was announced as next in order.

Mr. SMOOT. I ask that that bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 703) to provide for the promotion of vocational education; to provide for cooperation with the States in the promotion of such education in agriculture and the trades and industries; to provide for cooperation with the States in the preparation of teachers of vocational subjects; and to appropriate money and regulate its expenditure, was announced as next in order.

Mr. SMITH of Georgia. Mr. President, there are a number of Senators who desire to speak upon that bill, so that it will be impossible for it to pass at this time, and as a friend of the measure I ask that it go over.

The PRESIDING OFFICER. The bill will be passed over.

ELDRIDGE BROS. LIVE STOCK CO.

The bill (S. 53) for the relief of the Eldredge Bros. Live Stock Co., a corporation, was considered as in Committee of the Whole. It proposes to refund to the Eldredge Bros. Live Stock Co., a corporation organized under the laws of the State of Utah, \$2,738.73 and pay to the corporation that amount on account of duties collected on cattle temporarily driven into the United States from Canada.

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

REFUNDING OF MONEYS ILLEGALLY ASSESSED.

The bill (S. 54) to provide for the refunding of certain moneys illegally assessed and collected in the district of Utah was considered as in Committee of the Whole. It proposes to appropriate to the corporations hereinafter named the amounts respectively placed opposite their names, such amounts having been illegally assessed by the Commissioner of Internal Revenue and collected by the collector of internal revenue for the district of Utah in 1879 as a tax on notes used for circulation and paid out, such tax having been held illegal by the Supreme Court of the United States: Zion's Cooperative Mercantile Institution, of Bountiful, Utah, \$123.30; Logan Branch of Zion's Cooperative Mercantile Institution, of Logan, Utah, \$4,852.42.

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

RETIREMENT OF ARMY OFFICERS.

The bill (S. 1162) to place certain officers of the Army on the retired list was announced as next in order.

Mr. SMITH of Georgia. I ask that the bill go over.

Mr. CHAMBERLAIN. I hope that the Senator will not ask that that bill go over.

Mr. SMITH of Georgia. I think that bill can not be disposed of without considerable discussion.

Mr. CHAMBERLAIN. I will say to the Senator that when the calendar was called once before the only objection made to the bill was that it was general in its terms. That objection was made by the Senator from Florida [Mr. BRYAN]. With that objection removed, as it can be removed by a very simple amendment, I hope the Senator will not object.

Mr. SMITH of Georgia. If the Senator will prepare the amendment and let me see it—I am looking after it for the Senator from Florida—we may be able to go back to the bill, but I know the Senator from Florida objected very seriously to it on a previous occasion.

Mr. CHAMBERLAIN. Mr. President, if the Senator makes the objection himself, that is all right, but if he is acting—

Mr. SMITH of Georgia. I make the objection in the absence of the Senator from Florida, unless we can adjust the matter.

The PRESIDING OFFICER. The consideration of the bill is objected to, and it will go over.

RESOLUTION PASSED OVER.

The resolution (S. Res. 7) providing that any Senator upon his own request may be recorded and counted as present in order to constitute a quorum, was announced as next in order.

Mr. CLARKE of Arkansas. I object.

The PRESIDING OFFICER. The resolution will be passed over.

TREATY OF WASHINGTON.

The bill (S. 649) making appropriation for expenses incurred under the treaty of Washington, was considered as in Committee of the Whole. It proposes to reappropriate the unexpended balance of the appropriation for expenses incurred under the treaty of Washington, being \$831.59, together with the further

sum of \$668.41, to enable the Secretary of State to pay to any secretary to the counsel of the United States, as remuneration for services rendered by him in the preparation and trial of the case of the United States at Geneva, such sum, if any, as remains due and unpaid of the amount directed by Secretary Fish to be allowed as compensation to each of the secretaries to the counsel of the United States.

Mr. OVERMAN. I think that bill had better go over. I do not understand it. I think it should have been referred to the Committee on Appropriations.

Mr. GALLINGER. The bill passed the Senate at the last session. The amount involved is very small—only a thousand dollars, I think, or thereabouts.

Mr. OVERMAN. Ought not the bill to have been referred to the Appropriation Committee? Has the Senator looked into it?

Mr. GALLINGER. Yes; I have looked into it very carefully.

Mr. OVERMAN. Then I withdraw my objection.

Mr. GALLINGER. An appropriation was made really, but the money was not paid out.

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

INDEMNITIES TO AUSTRIA-HUNGARY, GREECE, AND TURKEY.

The bill (S. 3080) to authorize the payment of indemnities to the Governments of Austria-Hungary, Greece, and Turkey for injuries inflicted on their nationals during riots occurring in South Omaha, Nebr., February 21, 1909, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Foreign Relations with an amendment, on page 2, line 7, after the word "all," to strike out "\$41,230" and insert "\$41,030," so as to make the bill read:

Be it enacted, etc., That there is hereby authorized to be paid, out of any money in the Treasury not otherwise appropriated, as a matter of grace and without reference to the question of liability therefor, to the Governments of Austria-Hungary, Greece, and Turkey, as full indemnity on account of injuries inflicted on their nationals during riots which occurred in South Omaha, Nebr., on February 21, 1909, as set forth in the message of the President of the United States, dated January 14, 1916, with accompanying papers (H. Doc. No. 576, 64th Cong., 1st sess.), as follows: To the Government of Austria-Hungary, \$800; to the Government of Greece, \$40,000; and to the Government of Turkey, \$230; in all, \$41,030.

The amendment was agreed to.

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

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

OTTAWA INDIAN TRIBE OF BLANCHARDS FORK.

The bill (S. 138) for the relief of the Ottawa Indian Tribe of Blanchards Fork and Roche de Bœuf, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Indian Affairs with an amendment to strike out all after the enacting clause and to insert:

That jurisdiction is hereby conferred upon the Court of Claims to consider and determine all legal and equitable claims, if any, of the Indian tribe of Blanchards Fork and Roche de Bœuf against the United States for the misappropriation of any funds of the tribe or for the failure of the United States to pay the tribe any money due under any treaty, and also to consider and determine any legal or equitable defenses, set-offs, or counterclaims which the United States may have against the said tribe of Indians, and to enter judgment thereon, all claims and defenses to be considered without regard to lapse of time, and the final judgment and satisfaction thereof shall be a full and final settlement of all claims of said Indians against the United States.

SEC. 2. That suit under this act shall be begun by the filing of a single petition setting forth the claims of Indians, to be verified by an attorney or attorneys selected by the claimant Indians, with the approval of the Secretary of the Interior and the Commissioner of Indian Affairs, as provided by existing law. The Indian tribe of Blanchards Fork and Roche de Bœuf shall be party plaintiff and the United States party defendant, and such suit shall, on motion of either party, be advanced on the docket of the Court of Claims and of the Supreme Court. Official letters, papers, reports, and public records, or certified copies thereof, may be used as evidence. The compensation to be paid the attorneys for the claimant Indians shall be determined by the Court of Claims, but in any event shall not be greater than that provided in the contract between the claimant Indians and their attorney or attorneys, and shall be paid out of any sum or sums found and adjudged to be due said Indians.

SEC. 3. That the balance of any judgment rendered in favor of claimant Indians may be placed in the Treasury of the United States to the credit of the Indians entitled thereto, and shall draw interest at the rate of 4 per cent per annum, or may, in the discretion of the Secretary of the Interior, be deposited in such bonded bank or banks as the Secretary may select, and under such regulations as he may prescribe, and said principal and interest may, in the discretion of the Secretary of the Interior, be paid to the Indians or expended for their benefit.

The amendment was agreed to.

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

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

The title was amended so as to read: "A bill for the relief of the Ottawa Indian Tribe of Blanchards Fork and Roche de Bœuf."

RESOLUTION PASSED OVER.

The resolution (S. Res. 20) for the appointment of a committee of Senators to examine into questions relating to the acquisition or construction of manufacturing plants to supply the Army and Navy with arms, armament, etc., was announced as next in order.

Mr. GALLINGER. Let that go over.

The PRESIDENT pro tempore. The resolution will be passed over.

ADDITIONAL CLERK, COMMITTEE ON TRANSPORTATION ROUTES TO THE SEABOARD.

The Senate proceeded to consider the resolution (S. Res. 81) authorizing the Committee on Transportation Routes to the Seaboard to employ an additional clerk, etc., which had been reported from the Committee to Audit and Control the Contingent Expenses of the Senate with an amendment on page 1, lines 3 and 4, to strike out "the balance of the present fiscal year," and insert "two months," so as to make the resolution read:

Resolved, That the Committee on Transportation Routes to the Seaboard be authorized to employ an additional clerk at a salary of \$100 per month for two months, the same to be paid out of the contingent fund of the Senate.

The amendment was agreed to.

The resolution as amended was agreed to.

ADDITIONAL CLERK, COMMITTEE ON THE CENSUS.

The Senate proceeded to consider the resolution (S. Res. 82) authorizing the Committee on the Census to employ an additional clerk temporarily, which had been reported from the Committee to Audit and Control the Contingent Expenses of the Senate with an amendment, on page 1, line 2, after the words "rate of," to strike out "\$120" and insert "\$100," so as to make the resolution read:

Resolved, That the Committee on the Census be authorized to employ an assistant clerk at the rate of \$100 per month, to be paid out of the contingent fund of the Senate for a period not exceeding two months.

The amendment was agreed to.

The resolution as amended was agreed to.

HEARINGS BEFORE THE COMMITTEE ON THE LIBRARY.

The resolution (S. Res. 89) submitted by Mr. NEWLANDS on February 3 (calendar day, February 4), 1916, was considered and agreed to, as follows:

Resolved, That the Committee on the Library, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-fourth Congress to employ a stenographer, at a cost not exceeding \$1 per printed page, to report such hearings as may be had in connection with any subject which may be pending before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recess of the Senate.

HEARINGS BEFORE COMMITTEE ON INTERSTATE COMMERCE.

The resolution (S. Res. 90) submitted by Mr. NEWLANDS on the 9th instant was considered and agreed to, as follows:

Resolved, That the Committee on Interstate Commerce, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-fourth Congress to employ a stenographer, at a cost not exceeding \$1 per printed page, to report such hearings as may be had in connection with any subject which may be pending before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recess of the Senate.

COAST GUARD CUTTERS.

The bill (S. 2719) providing for the purchase or construction of cutters for the Coast Guard was considered as in Committee of the Whole. It directs the Secretary of the Treasury to construct and equip two steam Coast Guard cutters for service on the Pacific coast and in Alaskan waters, at a total cost not to exceed \$700,000; one steam Coast Guard cutter for service as an anchorage patrol boat in New York Harbor, at a cost not to exceed \$125,000, such vessel to be especially constructed for ice breaking; to purchase or construct and equip two or more cutters for service in harbors and shoal waters, at a total cost not to exceed \$50,000; to purchase or construct and equip three light-draft river steamboats, including lifeboats and such other life-saving appliances and equipment as may be necessary, to be used in rescuing lives and property and in distributing food and clothing to marooned people during flood times on the Mississippi and Ohio Rivers and their tributaries, for patrolling those waters for the enforcement of navigation and motor-boat laws, and for rendering aid to vessels in distress, at a total cost not to exceed \$240,000.

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

BILL PASSED OVER.

The bill (S. 1222) to amend section 4464 of the Revised Statutes of the United States was announced as next in order, and the Secretary read the bill.

Mr. WADSWORTH. Mr. President, I ask that that bill go over.

The PRESIDENT pro tempore. The Senator from New York objects. The bill goes over.

HENRY O. SLAYTON.

The bill (S. 1259) to restore to the active list First Lieut. of Engineers Henry O. Slayton, retired, United States Revenue-Cutter Service, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Commerce with amendments, in line 5, before the name "Henry," to strike out "Revenue-Cutter Service" and insert "Coast Guard," and in line 6, after the words "United States," to strike out "Revenue-Cutter Service" and insert "Coast Guard," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to restore to the active list of the Coast Guard, Henry O. Slayton, first lieutenant of engineers, United States Coast Guard, retired, as an extra number, to take rank as No. 18 on the list of first lieutenants of engineers: *Provided,* That said Henry O. Slayton is found physically fit for active duty by a medical board appointed by the Secretary of the Treasury.

The amendments were agreed to.

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

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

The title was amended so as to read: "A bill to restore to the active list First Lieut. Henry O. Slayton, retired, United States Coast Guard."

FREDERICK J. BIRKETT.

The bill (S. 1460) to reinstate Frederick J. Birkett as third lieutenant in the United States Revenue-Cutter Service was considered as in Committee of the Whole.

The bill had been reported from the Committee on Commerce with amendments, on page 1, line 5, after the words "the United States," to strike out "Revenue-Cutter Service" and insert "Coast Guard," and in line 7, after the word "States," to strike out "Revenue-Cutter Service" and insert "Coast Guard," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to appoint as a third lieutenant in the United States Coast Guard Frederick J. Birkett, formerly third lieutenant in the United States Coast Guard, and who voluntarily resigned from such service on October 8, 1913: *Provided,* That this appointment shall not be made until the said Birkett shall have passed a satisfactory physical examination before a board of surgeons of the United States Public Health Service.

The amendments were agreed to.

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

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

The title was amended so as to read: "A bill to reinstate Frederick J. Birkett as third lieutenant in the United States Coast Guard."

STEAM PRESSURE ON BOILERS IN STEAM VESSELS.

The bill (S. 1225) to amend section 4433 of the Revised Statutes of the United States, relating to working steam pressure allowable on boilers in steam vessels, and section 4418 of the Revised Statutes of the United States, relating to hydrostatic test of steam boilers, was considered as in Committee of the Whole.

The Secretary read the bill, as follows:

Be it enacted, etc., That section 4433 of the Revised Statutes of the United States be, and is hereby, amended so as to read as follows: "SEC. 4433. The working steam pressure allowable on all boilers inspected as required by Title LII shall be determined by the rules of the Board of Supervising Inspectors, with the approval of the Secretary of Commerce."

SEC. 2. That section 4418 of the Revised Statutes of the United States, as amended by the act of Congress approved March 3, 1905, be and is hereby, amended so as to read as follows:

"SEC. 4418. The local inspectors shall also inspect the boilers and their appurtenances in all steam vessels before the same shall be used, and once at least in every year thereafter, and shall subject all boilers to the hydrostatic pressure. All such vessels shall comply with the following requirements, namely: That the boilers are well made, of good and suitable material; that the openings for the passage of water and steam, respectively, and all pipes and tubes exposed to heat, are of proper dimensions, and free from obstructions; that the spaces between and around the flues are sufficient; that flues, boilers, furnaces, safety valves, fusible plugs, low-water indicators, feed-water apparatus, gauge cocks, steam gauges, water and steam pipes connecting boilers, means of prevention of sparks and flames from fire doors, low-water

gauges, means of removing mud and sediment from boilers, and all other such machinery and appurtenances thereof, are of such construction, shape, condition, arrangement, and material that the same may be safely employed in the service proposed without peril to life; and the local inspectors shall satisfy themselves by thorough examination that said requirements of law and regulations in regard thereto have been fully complied with. All boilers used on steam vessels and inspected as required by Title LII shall be subjected to such hydrostatic test as shall be determined by the rules of the Board of Supervising Inspectors, with the approval of the Secretary of Commerce. No boiler, flue, or pipe, nor any of the connections therewith shall be approved which is made in whole or in part of bad material, or is unsafe in its form, or dangerous from defective workmanship, age, use, or other cause."

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

CHILCOCCO INDIAN RESERVATION LANDS.

The bill (S. 1099) to authorize the Atchison, Topeka & Santa Fe Railway Co. to change its line of railroad through the Chilcooco Indian Reservation, State of Oklahoma, was considered as in Committee of the Whole. It authorizes the Atchison, Topeka & Santa Fe Railway Co. to reconstruct its line of railroad through the Chilcooco Indian Reservation in the State of Oklahoma to eliminate, where necessary, existing heavy grades and curves, and for such purpose to acquire the necessary right of way, not exceeding 250 feet in width, subject to the approval of the Secretary of the Interior and to the payment for the land so taken and occupied by such new right of way of such an amount as may be determined by the Secretary of the Interior to be fair and adequate compensation therefor, including all damages which may be caused by the reconstruction of said line of railroad to adjoining lands, crops, and other improvements, said amount to be paid to the Secretary of the Interior for the use and benefit of the Chilcooco Indian School.

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

MANUFACTURE OF ARMOR.

The bill (S. 1417) to erect a factory for the manufacture of armor was announced as next in order.

The PRESIDENT pro tempore. This bill is the unfinished business. By virtue of the unanimous-consent agreement of the Senate, it will be temporarily laid aside.

BILL PASSED OVER.

The bill (S. 1428) to reimburse certain fire insurance companies the amounts paid by them for property destroyed by fire in suppressing the bubonic plague in the Territory of Hawaii in the years 1899 and 1900, was announced as next in order.

Mr. OVERMAN. Let that go over, Mr. President.

The PRESIDENT pro tempore. Objection is made, and the bill will be passed over.

SISSETON AND WAHPETON BANDS OF SIOUX INDIANS.

The bill (S. 585) conferring jurisdiction on the Court of Claims to hear, determine, and render judgment in claims of the Sisseton and Wahpeton Bands of Sioux Indians against the United States, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Indian Affairs, with an amendment to strike out all after the enacting clause and insert:

That all claims of whatsoever nature which the Sisseton and Wahpeton Bands of Sioux Indians may have or claim to have against the United States shall be submitted to the Court of Claims, with the right to appeal to the Supreme Court of the United States by either party, for the amount due or claimed to be due said bands from the United States under any treaties or laws of Congress; and jurisdiction is hereby conferred upon the Court of Claims to hear and determine all claims of said bands against the United States and also any legal or equitable defense, set-off, or counterclaim which the United States may have against said Sisseton and Wahpeton Bands of Sioux Indians, and to enter judgment, and in determining the amount to be entered herein the court shall deduct from any sums found due said Sisseton and Wahpeton Bands of Sioux Indians any and all gratuities paid said bands or individual members thereof subsequent to March 3, 1863: *Provided,* That in determining the amount to be entered herein, the value of the land involved shall not exceed the value of such land on March 3, 1863. If any such question is submitted to said court it shall settle the rights, both legal and equitable, of said bands of Indians and the United States, notwithstanding lapse of time or statute of limitations. Such action in the Court of Claims shall be presented by a single petition, to be filed within one year after the passage of this act, making the United States a party defendant, which shall set forth all the facts on which the said bands of Indians base their claims for recovery; and the said petition may be verified by the agent or authorized attorney or attorneys of said bands, to be selected by said bands and employed under contract approved by the Commissioner of Indian Affairs and the Secretary of the Interior, in accordance with the provisions of existing law, upon information or belief as to the existence of such facts, and no other statements or verifications shall be necessary. Official letters, papers, reports, and public records, or certified copies thereof, may be used as evidence. Whatever moneys may be found due the Sisseton and Wahpeton Bands of Indians under the provisions of this act, less attorney's fees, shall be placed to their credit in the Treasury of the United States: *Provided,* That the compensation to be paid the attorney or attorneys for the claimant Indians shall be determined by the

Secretary of the Interior, but in any event shall not be greater than the amount named in the approved contract: *Provided further*, That such compensation shall in no event exceed \$15,000.

The amendment was agreed to.

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

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

FRANK PAYNE SELBY.

The bill (S. 2720) for the relief of Frank Payne Selby was considered as in Committee of the Whole.

The bill had been reported from the Committee on Claims with an amendment, on page 1, line 6, to strike out "\$7,500" and insert "\$2,530.80," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Frank Payne Selby, \$2,530.80, as full compensation to said Frank Payne Selby for the loss of a foot, which occurred as the result of an accident, without negligence on his part, while he was engaged in the performance of his duties as conductor of a dirt train on the Panama Canal excavation.

The amendment was agreed to.

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

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

JOHN ALEXANDER BESONEN.

The bill (S. 3436) for the relief of John Alexander Besonen was considered as in Committee of the Whole. It authorizes and directs the Secretary of the Treasury to pay to John Alexander Besonen, of the county of Marquette, State of Michigan, out of any money not otherwise appropriated, the sum of \$297.27, in compliance with the findings of the Court of Claims, Senate Document No. 711, Sixtieth Congress, second session.

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

PENSIONS AND INCREASE OF PENSIONS.

The bill (S. 4399) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors was considered as in Committee of the Whole. It proposes to place upon the pension roll, at the rate per month therein specified, the following-named persons:

Joanna E. Kiley, widow of John M. Kiley, late of Company C, Twentieth Regiment Indiana Volunteer Infantry, \$20 per month in lieu of that she is now receiving.

John Denton, late of Company H, One hundred and fifty-third Regiment Indiana Volunteer Infantry, \$24 per month in lieu of that he is now receiving.

Jacob Boyd, late of Company C, Seventh-fifth Regiment Indiana Volunteer Infantry, and Company G, Eleventh Regiment Veteran Reserve Corps, \$40 per month in lieu of that he is now receiving.

Stephen W. Cottingham, late of Company B, Thirty-ninth Regiment Indiana Volunteer Infantry, \$36 per month in lieu of that he is now receiving.

Samuel Franklin, jr., late of Company H, Thirty-first Regiment Indiana Volunteer Infantry, \$36 per month in lieu of that he is now receiving.

Robert Posey, late of Company I, Ninety-seventh Regiment Indiana Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

Zachariah V. Purdy, late of Company D, Fifteenth Regiment Indiana Volunteer Infantry, \$50 per month in lieu of that he is now receiving.

Helen Morgan, widow of William Morgan, late of Company I, One hundred and thirty-first Regiment Indiana Volunteer Infantry, \$20 per month in lieu of that she is now receiving.

Abraham Smith, late of Fifteenth Battery Indiana Volunteer Light Artillery, \$30 per month in lieu of that he is now receiving.

Joseph H. Wilson, late of Company C, Fifty-fourth Regiment Ohio Volunteer Infantry, \$40 per month in lieu of that he is now receiving.

John Snider, late of Companies B and G, Thirty-first Regiment Wisconsin Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

Mary J. Thompson, widow of Robert Q. Thompson, late captain Company G, Twelfth Regiment Illinois Volunteer Infantry, \$20 per month in lieu of that she is now receiving.

John C. McNaught, late of Company D, One hundred and fifty-first Regiment Pennsylvania Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

Maria L. Roraback, widow of Nathaniel Roraback, late of Company B, Second Regiment Connecticut Volunteer Heavy Artillery, \$20 per month in lieu of that she is now receiving.

Elizabeth Turner, widow of Peter Turner, late of Company K, Fourth Regiment New Jersey Volunteer Infantry, and Company C, First Battalion New Jersey Veteran Volunteer Infantry, \$20 per month in lieu of that she is now receiving.

Mary F. Weed, widow of Charles L. Weed, late of Company B, Twenty-eighth Regiment Connecticut Volunteer Infantry, \$20 per month in lieu of that she is now receiving.

Lovina S. Remington, widow of Asaph Remington, late of Company H, Second Regiment Connecticut Volunteer Infantry, \$20 per month in lieu of that she is now receiving.

Grace S. Wood, helpless and dependent daughter of Thomas Wood, late second lieutenant Company K, Fifty-first Regiment New York Volunteer Infantry, \$12 per month.

Mary E. Starr, widow of Elisha R. Starr, late first lieutenant Company K, Fifth Regiment Connecticut Volunteer Infantry, \$20 per month in lieu of that she is now receiving.

James K. Stebbins, late of U. S. S. *Vermont*, *New Ironsides*, and *Princeton*, United States Navy, \$30 per month in lieu of that he is now receiving.

Carrie M. Pierce, widow of George W. Pierce, late of Company C, Second Regiment Connecticut Volunteer Heavy Artillery, \$20 per month in lieu of that she is now receiving.

Lucy A. Pond, widow of Seth C. Pond, late of Company A, Second Regiment Connecticut Volunteer Heavy Artillery, \$20 per month in lieu of that she is now receiving.

Jennie E. Puffer, widow of Charles E. Puffer, late of Company K, Twenty-fifth Regiment Connecticut Volunteer Infantry, and former widow of James H. Hough, late of Company E, Sixteenth Regiment Connecticut Volunteer Infantry, \$20 per month in lieu of that she is now receiving.

Jerome S. Manchester, late of Companies C and B, Second Regiment New York Volunteer Cavalry, \$40 per month in lieu of that he is now receiving.

Mary G. Fox, widow of James F. Fox, late of Company G, Twenty-fifth Regiment Connecticut Volunteer Infantry, \$20 per month in lieu of that she is now receiving.

Mary L. Case, widow of Ellsworth Case, late of Company E, Thirteenth Regiment Connecticut Volunteer Infantry, \$20 per month in lieu of that she is now receiving.

Ervin Nye, late of Company A, Fourth Regiment Vermont Volunteer Infantry, \$40 per month in lieu of that he is now receiving.

Stephen Johnson, late of Company B, Thirteenth Regiment, and Company G, Sixth Regiment, Vermont Volunteer Infantry, \$36 per month in lieu of that he is now receiving.

James Kephart, late of Company C, Thirteenth Regiment United States Infantry, \$40 per month in lieu of that he is now receiving.

George C. Jones, late of Troop I, Third Regiment United States Cavalry, \$40 per month in lieu of that he is now receiving.

James W. Lankford, late of Company A, Forty-ninth Regiment Indiana Volunteer Infantry, \$36 per month in lieu of that he is now receiving.

Victoria G. McFadden, widow of John W. McFadden, late of Company C, Twentieth Regiment, and hospital steward, One hundred and fifty-second Regiment, Illinois Volunteer Infantry, \$20 per month in lieu of that she is now receiving.

Anna Paden, widow of James Paden, late of Company B, One hundred and twenty-fifth Regiment Ohio Volunteer Infantry, and Company K, Twelfth Regiment Veteran Reserve Corps, \$20 per month in lieu of that she is now receiving.

Sarah H. White, widow of Adrian C. White, late first lieutenant Company K, Twentieth Regiment Michigan Volunteer Infantry, \$25 per month in lieu of that she is now receiving.

Cyrus F. Martin, late of Company E, One hundred and second Regiment United States Colored Volunteer Infantry, \$24 per month in lieu of that he is now receiving.

Mary M. Clark, widow of Nelson W. Clark, late first lieutenant Company K, Seventh Regiment Michigan Volunteer Infantry, \$12 per month.

Martin L. Fisher, late of Company F, Seventy-fourth Regiment Indiana Volunteer Infantry, \$40 per month in lieu of that he is now receiving.

David R. Miller, late of Company D, Seventh Regiment Kansas Volunteer Cavalry, \$21 per month in lieu of that he is now receiving.

Artemisia McCowen, widow of Sampson McCowen, late of Company D, Ninety-first Regiment Indiana Volunteer Infantry, \$24 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of John N. McCowen, helpless and dependent child of said Sampson McCowen, the additional pen-

sion herein granted shall cease and determine: *And provided further*, That in the event of the death of Artemisia McCowen the name of the said John N. McCowen shall be placed on the pension roll at \$12 per month from and after the date of death of said Artemisia McCowen.

Joel T. Booz, late of Company D, Tenth Regiment Missouri Volunteer Infantry, \$36 per month in lieu of that he is now receiving.

Daniel M. Banks, late of Company D, Seventh Regiment Illinois Volunteer Cavalry, \$30 per month in lieu of that he is now receiving.

Matilda Bennett, former widow of Francis M. Smith, late of Company C, Thirty-second Regiment Illinois Volunteer Infantry, \$12 per month.

Charity E. Smith, widow of Franklin A. Smith, late of Company D, Eleventh Regiment Illinois Volunteer Cavalry, \$20 per month in lieu of that she is now receiving.

Alfred Hooker, late of Company B, Eighty-first Regiment Illinois Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

Henry L. Miller, late of Company C, Thirty-first Regiment Ohio Volunteer Infantry, \$36 per month in lieu of that he is now receiving.

Leroy F. Morse, late acting assistant surgeon, United States Navy, \$40 per month in lieu of that he is now receiving.

John Ensley Hixon, late of Company H, Seventy-fifth Regiment Indiana Volunteer Infantry, \$40 per month in lieu of that he is now receiving.

Henry Gathman, late of Company G, Eighty-third Regiment Indiana Volunteer Infantry, \$50 per month in lieu of that he is now receiving.

John W. W. Craig, late of Company E, Twenty-sixth Regiment Indiana Volunteer Infantry, \$36 per month in lieu of that he is now receiving.

Dewitt C. Burns, late of Company F, Second Regiment Illinois Volunteer Light Artillery, \$36 per month in lieu of that he is now receiving.

John M. Barber, late of Company F, One hundred and eighty-eighth Regiment Ohio Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

Charles Thurston, late of Company D, One hundred and twenty-first Regiment New York Volunteer Infantry, and ordinary seaman, U. S. S. *Sabine*, *Hibiscus*, and *Ino*, United States Navy, \$50 per month in lieu of that he is now receiving.

Charles A. Holmes, late of Company I, Ninth Regiment Maine Volunteer Infantry, \$40 per month in lieu of that he is now receiving.

Frank S. Mildram, late of U. S. S. *Colorado*, *North Carolina*, and *Mohongo*, United States Navy, \$40 per month in lieu of that he is now receiving.

Ella Farnum, widow of Luther B. Farnum, late of Company F, Seventeenth Regiment Maine Volunteer Infantry, \$12 per month.

John E. Gilmore, late of Company A, Twenty-sixth Regiment Iowa Volunteer Infantry, \$40 per month in lieu of that he is now receiving.

John B. Goodie, late of Company I, Eightieth Regiment Ohio Volunteer Infantry, \$36 per month in lieu of that he is now receiving.

Jonas H. Munson, late of Company B, Second Regiment Vermont Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

Elmer M. Yocom, late of Company K, Sixty-first Regiment Illinois Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

Sarah J. Alling, widow of Ichabod E. Alling, late of Company H, Twentieth Regiment Connecticut Volunteer Infantry, \$20 per month in lieu of that she is now receiving.

Charlotte A. Avery, widow of Giles W. Avery, late of Company K, Twenty-sixth Regiment Connecticut Volunteer Infantry, \$20 per month in lieu of that she is now receiving.

Jane A. Babcock, widow of William L. Babcock, late acting master United States Navy, \$20 per month in lieu of that she is now receiving.

Abbie C. Boardman, widow of Frederick Boardman, late of Company E, Eighth Regiment Connecticut Volunteer Infantry, \$20 per month in lieu of that she is now receiving.

Martha Crumb, widow of Franklin H. Crumb, late first major Eighth Regiment Connecticut Volunteer Infantry, \$20 per month.

Mary Moriarty, widow of Henry Moriarty, late of Company E, Second Battalion, Fourteenth Regiment United States Infantry, \$20 per month in lieu of that she is now receiving.

Nellie R. Palmer, widow of Willard L. Palmer, late of Company G, Twelfth Regiment Connecticut Volunteer Infantry, \$20 per month in lieu of that she is now receiving.

Ethan S. Anderson, late of Company F, One hundred and forty-third Regiment Indiana Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

John A. Smith, late of Company H, Sixteenth Regiment Indiana Volunteer Infantry, \$36 per month in lieu of that he is now receiving.

Emma McCue, former widow of Stephen Cornelius, late of Company F, Ninety-third Regiment Ohio Volunteer Infantry, \$12 per month.

Mary E. Brown, widow of Henry Brown, late of Company H, Thirteenth Regiment Kentucky Volunteer Cavalry, \$12 per month.

Clementine Williams, widow of William H. Williams, late of Company H, Thirteenth Regiment Kentucky Volunteer Cavalry, \$12 per month.

John W. Detwiler, late of Company F, Seventy-sixth Regiment Pennsylvania Volunteer Infantry, \$40 per month in lieu of that he is now receiving.

Joseph E. Clough, late of Company D, Fourteenth Regiment Maine Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

Virgil D. Keaton, late of Company F, Eighty-fifth Regiment Indiana Volunteer Infantry, \$40 per month in lieu of that he is now receiving.

Mollie B. Crawford, widow of Amos Crawford, late of Company C, Ninety-first Regiment Illinois Volunteer Infantry, \$12 per month.

Zephaniah Roberts, late of Company F, Fourteenth Regiment Illinois Volunteer Infantry, \$40 per month in lieu of that he is now receiving.

Mary C. Schellner, widow of Charles S. Schellner, late of Company I, One hundred and fifty-fourth Regiment New York Volunteer Infantry, \$20 per month in lieu of that she is now receiving.

Peter Williams, late of Battery B, Fourth Regiment United States Artillery, \$30 per month in lieu of that he is now receiving.

Oliver E. Durrant, late of Company C, Sixth Regiment Michigan Volunteer Cavalry, \$30 per month in lieu of that he is now receiving.

Ellen Conley, widow of James Conley, late of Company F, Thirtieth Regiment New York Volunteer Infantry, and Company D, Second Regiment New York Veteran Volunteer Cavalry, \$20 per month in lieu of that she is now receiving.

Merritt J. Hedges, late of Company A, Fiftieth Regiment Illinois Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

Julia Jackson, widow of Andrew Jackson, late of Company C, Two hundred and third Regiment Pennsylvania Volunteer Infantry, \$20 per month in lieu of that she is now receiving.

William K. Griffith, late of Company A, Fourth Regiment Tennessee Volunteer Cavalry, \$40 per month in lieu of that he is now receiving.

Mary R. Strayer, widow of Isaac P. Strayer, late captain Company B, One hundred and fifty-second Regiment Illinois Volunteer Infantry, \$20 per month in lieu of that she is now receiving.

Theodore A. Cox, late of Company H, One hundred and forty-sixth Regiment Illinois Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

Mary S. Underhill, widow of Leeman Underhill, late of Company D, First Regiment Wisconsin Volunteer Heavy Artillery, \$20 per month in lieu of that she is now receiving.

Richard Whitten, late of Company E, Fifty-sixth Regiment Massachusetts Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

Louise Fischer, widow of Herman Fischer, late musician, band Ninth Regiment Iowa Volunteer Infantry, \$20 per month in lieu of that she is now receiving.

Melissa J. Chandler, former widow of Edwin S. Bowers, late of Company A, Sixth Regiment Massachusetts Volunteer Infantry, \$12 per month.

Clara A. Estes, former widow of Pharaoh Perry, late of Company D, Twenty-seventh Regiment Maine Volunteer Infantry, \$12 per month.

Henry S. Moulton, late of Company L, Eighteenth Regiment Maine Volunteer Infantry (First Heavy Artillery), \$30 per month in lieu of that he is now receiving.

Ida M. McLaughlin, widow of Charles H. McLaughlin, late of Company A, First Regiment Maine Volunteer Cavalry, \$12 per month.

Michael Hickey, late of First Battery, Maine Volunteer Light Artillery, \$40 per month in lieu of that he is now receiving.

Benjamin F. Clifford, late of Company H, Twentieth Regiment Maine Volunteer Infantry, \$50 per month in lieu of that he is now receiving.

David Walker, late of Company D, Third Regiment Wisconsin Volunteer Infantry, \$50 per month in lieu of that he is now receiving.

Andrew A. Holmes, late of Company D, Nineteenth Regiment Iowa Volunteer Infantry, \$50 per month in lieu of that he is now receiving.

Ebenezer Watson, late of Company E, Thirty-seventh Regiment Wisconsin Volunteer Infantry, \$36 per month in lieu of that he is now receiving.

William O. White, late of Company H, Thirteenth Regiment Vermont Volunteer Infantry, \$40 per month in lieu of that he is now receiving.

Ella Le Suer, widow of William H. Le Suer, late of Company G, Twenty-fifth Regiment Michigan Volunteer Infantry, \$20 per month in lieu of that she is now receiving.

Jacob Schmidt, late of Company E, Seventh Regiment New York Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

Zernah A. Newell, widow of Eben Payne Newell, late of Company F, First Regiment Minnesota Volunteer Heavy Artillery, \$20 per month in lieu of that she is now receiving.

Robert O. Jones, late of Company B, Eighteenth Regiment Kentucky Volunteer Infantry, \$40 per month in lieu of that he is now receiving.

William J. Cottrell, late of Company C, One hundred and fifty-first Regiment Illinois Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

James A. McAllister, late of Company L, First Regiment Ohio Volunteer Cavalry, \$50 per month in lieu of that he is now receiving.

Edward Mason, late of Company A, Eighteenth Regiment Massachusetts Volunteer Infantry, \$40 per month in lieu of that he is now receiving.

Lucy L. Wessels, widow of James H. Wessels, late of Company D, One hundred and forty-first Regiment New York Volunteer Infantry, \$20 per month in lieu of that she is now receiving.

Balsler Minges, late of Company F, Forty-second Regiment Indiana Volunteer Infantry, \$36 per month in lieu of that he is now receiving.

Edward L. Curtis, late of Company D, Seventy-fifth Regiment Illinois Volunteer Infantry, \$36 per month in lieu of that he is now receiving.

Elizabeth Sparling, widow of Almon Sparling, late of Company B, Twentieth Regiment Wisconsin Volunteer Infantry, \$20 per month in lieu of that she is now receiving.

George W. Holdson, late of Company I, Ninety-seventh Regiment Indiana Volunteer Infantry, \$40 per month in lieu of that he is now receiving.

Madeline Smith, widow of James H. Smith, late of Company C, Fourteenth Regiment Indiana Volunteer Infantry, and Company C, Sixth Regiment United States Cavalry, \$12 per month.

Lemuel Emmerson, late of Company D, One hundred and twentieth Regiment Indiana Volunteer Infantry, \$50 per month in lieu of that he is now receiving.

James Mosier, late of Company D, One hundred and sixteenth Regiment Indiana Volunteer Infantry, \$40 per month in lieu of that he is now receiving.

Charles M. Smilie, late of Battery G, First Regiment Illinois Volunteer Light Artillery, \$24 per month in lieu of that he is now receiving.

William C. Doak, late of Company B, Second Regiment North Carolina Volunteer Mounted Infantry, \$50 per month in lieu of that he is now receiving.

Joseph C. Tousley, late of Company A, Second Regiment Ohio Volunteer Cavalry, \$40 per month in lieu of that he is now receiving.

Minnie Holz, widow of William Holz, late of Company D, Forty-fourth Regiment Wisconsin Volunteer Infantry, \$30 per month in lieu of that she is now receiving.

Daniel C. Ehrhart, late of Company L, Fifteenth Regiment Pennsylvania Volunteer Cavalry, \$30 per month in lieu of that he is now receiving.

Isaac Conner, late of Company H, Thirty-eighth Regiment, and Company H, Thirty-fourth Regiment Iowa Volunteer Infantry, \$40 per month in lieu of that he is now receiving.

Anna S. Weaver, widow of John H. Weaver, late of Company E, Second Regiment Pennsylvania Volunteer Heavy Artillery, \$20 per month in lieu of that she is now receiving.

Sarah R. Anderson, widow of Allen L. Anderson, late colonel Eighth Regiment California Volunteer Infantry, \$30 per month in lieu of that she is now receiving.

Stephen B. Garrigus, late of Company H, Fifty-third Regiment Illinois Volunteer Infantry, \$40 per month in lieu of that he is now receiving.

George F. Edmunds, late of Company D, Eleventh Regiment New Hampshire Volunteer Infantry, \$40 per month in lieu of that he is now receiving.

Olive L. Baldwin, widow of Benjamin F. Baldwin, late of Company B, Sixteenth Regiment New York Volunteer Infantry, \$20 per month in lieu of that she is now receiving.

Gorham Tufts, late of Company A, One hundred and forty-fourth Regiment Indiana Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

William H. Taylor, late of U. S. S. *Vicksburg*, *Hartford*, and *Wyoming*, United States Navy, \$50 per month in lieu of that he is now receiving.

Ernest E. M. Vinton, late of Company G, Twenty-ninth Regiment Maine Volunteer Infantry, \$24 per month in lieu of that he is now receiving.

Joseph M. Elliott, late of Company K, Thirtieth Regiment Maine Volunteer Infantry, \$50 per month in lieu of that he is now receiving.

Charles A. Pepper, late of Company H, Seventh Regiment Iowa Volunteer Cavalry, \$36 per month in lieu of that he is now receiving.

James L. Zeigler, late of Company D, Twenty-seventh Regiment Missouri Volunteer Infantry, \$40 per month in lieu of that he is now receiving.

Zenas R. Detwiler, late of Company G, Thirteenth Regiment Iowa Volunteer Infantry, \$50 per month in lieu of that he is now receiving.

Ozro F. Walker, late of Company K, First Regiment Maine Volunteer Cavalry, \$40 per month in lieu of that he is now receiving.

Nancy Miller, helpless and dependent daughter of Hiram Miller, late of Company A, Third Regiment North Carolina Volunteer Mounted Infantry, \$12 per month.

Garrett C. Brewer, late of Company D, Seventeenth Regiment Indiana Volunteer Infantry, \$50 per month in lieu of that he is now receiving.

John M. Rupert, late of Company E, Twelfth Regiment Illinois Volunteer Cavalry, \$30 per month in lieu of that he is now receiving.

Robert C. Young, late of Company E, Eighty-fourth Regiment Illinois Volunteer Infantry, \$40 per month in lieu of that he is now receiving.

Thomas Mullen, alias Maloney, late of Company E, Fortieth Regiment Missouri Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

Lewis W. Graham, late of Companies I and C, Second Regiment Kansas Volunteer Cavalry, \$40 per month in lieu of that he is now receiving.

John C. Gray, late of Company G, Thirtieth Regiment Maine Volunteer Infantry, \$36 per month in lieu of that he is now receiving.

Hanson Hutchings, jr., late of Company E, First Regiment Maine Volunteer Cavalry, \$36 per month in lieu of that he is now receiving.

Oliver P. Lockhart, late of Company K, Seventieth Regiment Indiana Volunteer Infantry, \$36 per month in lieu of that he is now receiving.

James Gallagher, late of Company I, Eighty-first Regiment Pennsylvania Volunteer Infantry, \$40 per month in lieu of that he is now receiving.

William P. McCartney, late of Company I, One hundred and sixty-sixth Regiment, Ohio National Guard Infantry, \$30 per month in lieu of that he is now receiving.

William Wright, late of Company H, One hundredth Regiment New York Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

Teodora Antonia Baca de Martinez, widow of Candelario Martinez, late first lieutenant Companies A and K, First Regiment New Mexico Volunteer Infantry, \$20 per month in lieu of that she is now receiving.

Rosa L. Tobin, widow of William Tobin, late of Company I, Seventh Regiment Vermont Volunteer Infantry, and Companies G and A, First Regiment Vermont Volunteer Heavy Artillery, \$20 per month in lieu of that she is now receiving.

Sophia E. Bissonett, widow of Marble Bissonett, late of Company G, Fourteenth Regiment Vermont Volunteer Infantry, \$20 per month in lieu of that she is now receiving.

Ellen A. Sheehan, widow of James A. Sheehan, late of Company A, Fourth Battalion District of Columbia Militia Infantry, \$20 per month in lieu of that she is now receiving.

George W. Miller, late of Company C, One hundred and eighty-seventh Regiment Ohio Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

Henry Collett, late of Company I, Fortieth Regiment Ohio Volunteer Infantry, \$36 per month in lieu of that he is now receiving.

Martha A. White, widow of Henry White, late of Company B, One hundred and twenty-third Regiment Indiana Volunteer Infantry, \$20 per month in lieu of that she is now receiving.

Henry T. Raymond, late of Company C, Seventeenth Regiment Vermont Volunteer Infantry, \$24 per month in lieu of that he is now receiving.

William Blair, late of Company E, Fourteenth Regiment New Hampshire Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

Eliza P. Gullihur, widow of James K. Gullihur, late of Company F, Seventh Regiment Iowa Volunteer Infantry, and former widow of Ebenezer T. Jones, late of Company A, Fifty-first Regiment New York Volunteer Infantry, \$12 per month.

Mr. JOHNSON of Maine. On page 15, I move to strike out the provision relative to Mary C. Schellner.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 15, it is proposed to strike out lines 1, 2, 3, 4, and 5, in the following words:

The name of Mary C. Schellner, widow of Charles S. Schellner, late of Company I, One hundred and fifty-fourth Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The amendment was agreed to.

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

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

ABRAM H. JOHNSON.

The bill (S. 2564) correcting the military record of Abram H. Johnson was considered as in Committee of the Whole.

The bill had been reported from the Committee on Military Affairs with an amendment to strike out all after the enacting clause and insert:

That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, Abram H. Johnson, who was a corporal of Company K, Third Michigan Volunteer Cavalry, shall hereafter be held and considered to have been discharged honorably from the military service of the United States as a member of said company and regiment March 18, 1864: *Provided*, That no pay, bounty, or other emolument shall become due or payable by virtue of the passage of this act.

The amendment was agreed to.

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

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

The title was amended so as to read: "A bill for the relief of Abram H. Johnson."

JOHN H. ARMSTRONG.

The bill (S. 741) to remove the charge of desertion from the military record of John H. Armstrong was announced as next in order.

Mr. GALLINGER. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

Mr. SMITH of Michigan subsequently said: Mr. President, the Senator from New Hampshire [Mr. GALLINGER], I think unintentionally, objected to the passage of Senate bill 741. I ask that the Chair return to that bill. It is No. 121 on the calendar. It has been favorably reported from the Committee on Military Affairs, and that fact ought to be sufficient for its passage.

The PRESIDENT pro tempore. If the Senator from New Hampshire insists upon his objection, the bill can not be considered to-day.

Mr. GALLINGER. I will not insist upon my objection. The Senator from Michigan has explained to me a matter in connection with the bill.

The PRESIDENT pro tempore. The Secretary will return to Order of Business No. 121, then.

The Senate, as in Committee of the Whole, proceeded to consider the bill. It provides that in the administration of any laws conferring rights, privileges, or benefits upon honorably discharged soldiers, John H. Armstrong, late of Battery A, Third Regiment Rhode Island Volunteer Artillery, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of

said company and regiment, provided that other than as above set forth no pay, bounty, pension, or other emolument shall accrue by reason of the passage of this act.

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

The title was amended so as to read: "A bill for the relief of John H. Armstrong."

REVISION OF THE ARTICLES OF WAR.

The bill (S. 3191) to amend section 1342 and chapter 6, Title XIV, of the Revised Statutes of the United States, and for other purposes, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Military Affairs with amendments.

The Secretary proceeded to read the bill, but before the reading was concluded—

Mr. GALLINGER. Mr. President, I will interrupt the reading for the purpose of asking Senators who are much better informed in military matters than I am whether this is a bill that has been well considered and has been agreed to by military authorities?

Mr. WARREN. It has been very well considered, not only at this session but at the last session, and passed the Senate, but failed to get action in the House.

Mr. GALLINGER. It is a very long bill, and I made the inquiry for the purpose of asking unanimous consent that the further reading of the bill be dispensed with.

The PRESIDENT pro tempore. Unless there is objection, the request of the Senator from New Hampshire will be agreed to. The Chair hears no objection. The Secretary will state the amendments proposed by the committee.

The first amendment of the Committee on Military Affairs was under the subhead "D, Procedure," on page 9, line 2, after the word "proceedings," to strike out the semicolon and insert: "The accused shall enjoy the right to have the assistance of counsel for his defense," and in line 4, after the word "should," to strike out "the accused" and insert "he, for any reason"; so as to make article 17 read:

ART. 17. Judge advocate to prosecute.—The judge advocate of a general or special court-martial shall prosecute in the name of the United States, and shall, under the direction of the court, prepare the record of its proceedings. The accused shall enjoy the right to have the assistance of counsel for his defense, but should he, for any reason, be unrepresented by counsel, the judge advocate shall from time to time throughout the proceedings advise the accused of his legal rights.

The amendment was agreed to.

The next amendment was, on page 9, line 14, after "Art. 19," to strike out "oaths of members and judge advocates" and insert "oaths"; so as to make article 19 read:

ART. 19. Oaths.—The judge advocate of a general or special court-martial shall administer to the members of the court, before they proceed upon any trial, the following oath or affirmation: "You, A. B., do swear (or affirm) that you will well and truly try and determine, according to the evidence, the matter now before you, between the United States of America and the person to be tried, and that you will duly administer justice, without partiality, favor, or affection, according to the provisions of the rules and articles for the government of the Armies of the United States, and if any doubt should arise, not explained by said articles, then according to your conscience, the best of your understanding, and the custom of war in like cases; and you do further swear (or affirm) that you will not divulge the findings or sentence of the court until they shall be published by the proper authority, except to the judge advocate and assistant judge advocate; neither will you disclose or discover the vote or opinion of any particular member of the court-martial, unless required to give evidence thereof as a witness by a court of justice in due course of law. So help you God."

The amendment was agreed to.

The next amendment was, on page 10, after line 18, to insert:

All persons who give evidence before a court-martial shall be examined on oath or affirmation in the following form: "You swear (or affirm) that the evidence you shall give in the case now in hearing shall be the truth, the whole truth, and nothing but the truth. So help you God."

The amendment was agreed to.

The next amendment was, on page 10, after line 27, to insert:

Every reporter of the proceedings of a court-martial shall, before entering upon his duties, make oath or affirmation in the following form: "You swear (or affirm) that you will faithfully perform the duties of reporter to this court. So help you God."

The amendment was agreed to.

The next amendment was, on page 11, after line 3, to insert:

Every interpreter in the trial of any case before a court-martial shall, before entering upon his duties, make oath or affirmation in the following form: "You swear (or affirm) that you will truly interpret in the case now in hearing. So help you God."

The amendment was agreed to.

The next amendment was, on page 11, line 11, to strike out "shall" and insert "may," so as to make article 20 read:

ART. 20. Continuances.—A court-martial may, for reasonable cause, grant a continuance to either party for such time and as often as may appear to be just.

The amendment was agreed to.

The next amendment was, at the top of page 12, to strike out article 23, as follows:

ART. 23. Oath of witnesses.—All persons who give evidence before a court-martial shall be examined on oath or affirmation in the following form: "You swear (or affirm) that the evidence you shall give in the case now in hearing shall be the truth, the whole truth, and nothing but the truth. So help you God."

In the case of affirmation the closing sentence of adjuration will be omitted.

The amendment was agreed to.

The PRESIDENT pro tempore. The sections will be renumbered in accordance with the amendments which have been adopted.

The next amendment was, on page 14, after line 17, to insert:

ART. 27. Courts of inquiry—Records of, when admissible.—The record of the proceeding of a court of inquiry may be read in evidence before any court-martial or military commission in any case not capital nor extending to the dismissal of an officer, and may also be read in evidence in any proceeding before a court of inquiry or a military board: *Provided*, That such evidence may be adduced by the defense in capital cases or cases extending to the dismissal of an officer.

The amendment was agreed to.

The next amendment was, on page 15, line 10, after the word "who," to strike out "quits the organization to which he properly belongs and, without having first received a regular discharge from such organization, enlists in any other organization of," and insert "without having first received a regular discharge, again enlists in"; in line 14, after the word "or," to insert "in the"; in line 16, after the words "United States," to insert "or in any foreign army"; in line 18, after the word "and," to insert "where the enlistment is in one of the forces of the United States mentioned above"; and in line 19, after the word "enlisted," to insert "therein," so as to make the clause read:

ART. 29. Enlistment without discharge—Any soldier who without having first received a regular discharge again enlists in the Army, or in the Militia when in the service of the United States, or in the Navy or Marine Corps of the United States, or in any foreign army, shall be deemed to have deserted the service of the United States; and where the enlistment is in one of the forces of the United States mentioned above, to have fraudulently enlisted therein.

The amendment was agreed to.

The next amendment was, on page 15, after line 20, to strike out:

ART. 30. Oaths of reporters and interpreters.—Every reporter of the proceedings of a court-martial shall, before entering upon his duties, make oath or affirmation in the following form: "You swear (or affirm) that you will faithfully perform the duties of reporter to this court. So help you God."

And every interpreter in the trial of any case before a court-martial shall, before entering upon his duties, make oath or affirmation in the following form: "You swear (or affirm) that you will truly interpret in the case now in hearing. So help you God."

In case of affirmation the closing sentence of adjuration will be omitted.

The amendment was agreed to.

The next amendment was, on page 19, after line 3, to insert:

ART. 38. President may prescribe rules.—The President may by regulations, which he may modify from time to time, prescribe the procedure, including modes of proof, in cases before courts-martial, courts of inquiry, military commissions, and other military tribunals: *Provided*, That nothing contrary to or inconsistent with these articles shall be so prescribed: *Provided further*, That all rules made in pursuance of this article shall be laid before the Congress annually.

The amendment was agreed to.

The next amendment was under the subhead "E. Limitations upon prosecutions," on page 19, line 19, after the word "any," to strike out "noncapital"; in line 20, after the word "articles," to strike out "ninety-two" and insert "ninety-three"; and in line 21, before the words "of this code," to strike out "ninety-three" and insert "ninety-four," so as to make article 39 read:

ART. 39. As to time.—Except for desertion committed in time of war, or for murder, no person subject to military law shall be liable to be tried or punished by a court-martial for any crime or offense committed more than two years before the arraignment of such person: *Provided*, That for desertion in time of peace or for any crime or offense punishable under articles 93 and 94 of this code the period of limitations upon trial and punishment by court-martial shall be three years: *Provided further*, That the period of any absence of the accused from the jurisdiction of the United States, and also any period during which by reason of some manifest impediment the accused shall not have been amenable to military justice, shall be excluded in computing the aforesaid periods of limitation: *And provided further*, That this article shall not have the effect to authorize the trial or punishment for any crime or offense barred by the provisions of existing law.

The amendment was agreed to.

The next amendment was, under subhead "G. Action by appointing or superior authority," on page 22, line 17, after the word "guilt," to insert "and"; in line 19, after the words

"part of the," to strike out "sentence; and" and insert "sentence"; and after line 19 to strike out "(c) The power to change the sequence in which a sentence as adjudged by the court may require the execution of the punishments of dishonorable discharge and confinement," so as to make article 47 read:

ART. 47. Powers incident to power to approve.—The power to approve the sentence of a court-martial shall be held to include, inter alia:

(a) The power to approve or disapprove a finding and to approve only so much of a finding of guilty of a particular offense as involves a finding of guilty of a lesser included offense when, in the opinion of the authority having power to approve, the evidence of record requires a finding of only the lesser degree of guilt; and

(b) The power to approve or disapprove the whole or any part of the sentence.

The amendment was agreed to.

The next amendment was, under the head "III. Punitive articles," subhead "D. Arrest; Confinement," on page 32, after line 6, to strike out:

ART. 70. Investigation of and action upon charges.—The charge against any person placed in arrest or confinement shall be investigated promptly by the commanding officer or other proper military authority, and immediate steps shall be taken to try and punish the person accused or to dismiss the charges against him and release him from arrest or confinement. Any officer who is responsible for unreasonable or unnecessary delay in carrying the case to a final conclusion shall be punished as a court-martial may direct: *Provided*, That in time of peace no person shall, against his objection, be brought to trial before a general court-martial within a period of five days subsequent to the service of charges upon him. The accused shall be furnished a copy of the charges against him on his request therefor.

And insert:

ART. 70. Investigation of and action upon charges.—The charge against any person placed in arrest or confinement shall be investigated promptly by the commanding officer or other proper military authority, and immediate steps shall be taken to try and punish the person accused or to dismiss the charges against him and release him from arrest or confinement. In every case where a person remains in military custody for more than eight days without being served with charges upon which he is to be tried a special report of the necessity for the delay shall be made by his commanding officer in the manner prescribed by regulations, and a similar report shall be forwarded every eight days thereafter until charges are served or until such person is released from custody; and if the person remains in military custody for more than 30 days without being brought before a court-martial for trial, the authority responsible for bringing him to trial shall render to superior authority a special report of the necessity for the delay. Any officer whose duty it is to make such investigation or to take such steps or to render such report who willfully or negligently fails to do so promptly, and any officer who is responsible for unreasonable or unnecessary delay in carrying the case to a final conclusion shall be punished as a court-martial may direct: *Provided*, That in time of peace no person shall, against his objection, be brought to trial before a general court-martial within a period of five days subsequent to the service of charges upon him.

The amendment was agreed to.

The next amendment was, under the head of "F. Miscellaneous crimes and offenses," on page 40, line 21, after the words "one hundred and," to strike out "four" and insert "five," so as to make article 89 read:

ART. 89. Good order to be maintained and wrongs redressed.—All persons subject to military law are to behave themselves orderly in quarters, garrison, camp, and on the march; and any person subject to military law who commits any waste or spoil, or willfully destroys any property whatsoever (unless by order of his commanding officer), or commits any kind of depredation or riot shall be punished as a court-martial may direct. Any commanding officer who, upon complaint made to him, refuses or omits to see reparation made to the party injured, in so far as the offender's pay shall go toward such reparation, as provided for in article 105, shall be dismissed from the service, or otherwise punished, as a court-martial may direct.

The amendment was agreed to.

The next amendment was, on page 41, line 4, after the subhead "Dueling," to insert "Attempts to commit suicide," and in line 9, after the word "authority," to insert "or who attempts to commit suicide," so as to make article 91 read:

ART. 91. Dueling.—Attempts to commit suicide.—Any person subject to military law who fights or promotes or is concerned in or connives at fighting a duel, or who having knowledge of a challenge sent or about to be sent fails to report the fact promptly to the proper authority or who attempts to commit suicide shall, if an officer, be dismissed from the service or suffer such other punishment as a court-martial may direct; and if any other person subject to military law, shall suffer such punishment as a court-martial may direct.

The amendment was agreed to.

The next amendment was, on page 41, after line 13, to strike out lines 14 to 24, both inclusive, in the following words:

ART. 92. Various crimes.—Larceny, embezzlement, forgery, robbery, burglary, arson, mayhem, manslaughter, murder, assault with intent to kill or to do bodily harm, wounding by shooting or stabbing with an intent to commit murder, rape or assault with intent to commit rape, shall be punishable by a general court-martial when committed by persons subject to military law, and the punishment in any such case shall not be less than the punishment provided for the like offense by the laws of the State, Territory, District, or other place in which such offense may have been committed.

And to insert:

ART. 92. Murder—Rape.—Any person subject to military law who commits murder or rape shall suffer death or imprisonment for life,

as a court-martial may direct; but no person shall be tried by court-martial for murder or rape committed within the geographical limits of the States of the Union and the District of Columbia in time of peace.

The amendment was agreed to.

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

ART. 93. Various crimes.—Any person subject to military law who commits manslaughter, mayhem, arson, burglary, robbery, larceny, embezzlement, perjury, assault with intent to commit any felony, or assault with intent to do bodily harm, shall be punished as a court-martial may direct.

The amendment was agreed to.

The next amendment was, under the head of "V. Miscellaneous provisions," on page 51, line 24, to strike out "95" and insert "96"; in line 25, to strike out "3" and insert "4"; and in the same line to strike out "8" and insert "9," so as to make article 110 read:

ART. 110. Certain articles to be read and explained.—Articles 1, 2, and 20, 54 to 96, inclusive, and 104 to 109, inclusive, shall be read and explained to every soldier at the time of his enlistment or muster in, or within six days thereafter, and shall be read and explained once every six months to the soldiers of every garrison, regiment, or company in the service of the United States.

The amendment was agreed to.

The next amendment was, on page 54, line 14, after the word "administration," to insert:

And in foreign places where the Army may be serving shall have the general powers of a notary public or of a consul of the United States in the administration of oaths, the execution and acknowledgment of legal instruments, the attestation of documents, and all other forms of notarial acts to be executed by person subject to military law.

So as to make article 114 read:

ART. 114. Authority to administer oaths.—Any judge advocate or acting judge advocate, the president of a general or special court-martial, any summary court-martial, the judge advocate or any assistant judge advocate of a general or special court-martial, the president or the recorder of a court of inquiry or of a military board, any officer designated to take a deposition, any officer detailed to conduct an investigation, and the adjutant of any command shall have power to administer oaths for the purposes of the administration of military justice and for other purposes of military administration; and in foreign places where the Army may be serving shall have the general powers of a notary public or of a consul of the United States in the administration of oaths, the execution and acknowledgment of legal instruments, the attestation of documents, and all other forms of notarial acts to be executed by persons subject to military law.

The amendment was agreed to.

The next amendment was, on page 56, line 23, after the word "Volunteers," to strike out "Officers," and insert:

That in time of war or public danger, when two or more officers of the same grade are on duty in the same field, department, or command, or of organizations thereof, the President may assign the command of the forces of such field, department, or command, or of any organization thereof, without regard to seniority of rank in the same grade. In the absence of such assignment by the President, officers—

So as to make article 119 read:

ART. 119. Rank and precedence among regulars, militia, and volunteers.—That in time of war or public danger, when two or more officers of the same grade are on duty in the same field, department, or command, or of organizations thereof, the President may assign the command of the forces of such field, department, or command, or of any organization thereof, without regard to seniority of rank in the same grade. In the absence of such assignment by the President, officers of the same grade shall rank and have precedence in the following order, without regard to date of rank or commission as between officers of different classes, namely: First, officers of the Regular Army and officers of the Marine Corps detached for service with the Army by order of the President; second, officers of the Organized Militia in the service of the United States; and, third, officers of the volunteer forces: *Provided*, That officers of the Regular Army holding commissions in the Organized Militia in the service of the United States or in the volunteer forces shall rank and have precedence under said commissions as if they were commissions in the Regular Army; but the rank of officers of the Regular Army under their commissions in the Organized Militia shall not, for the purposes of this article, be held to antedate muster into the service of the United States.

The amendment was agreed to.

The next amendment was, in section 2, page 58, line 8, after the word "six," to strike out "and"; in line 9, after the word "and" the second time it occurs, to insert "by the Act of"; and in line 15, after the word "That," to strike out "in addition to the acting judge advocates now authorized by law, acting judge advocates may be detailed to assist judge advocates of geographical departments and tactical divisions, and when not immediately required for service with geographical departments or tactical divisions all acting judge advocates may be assigned to such other legal duty as the exigencies of the service may require" and insert "acting judge advocates may be detailed for separate brigades and other separate general court-martial jurisdiction, and when not immediately required for service with the geographical department, tactical division, separate brigade, or other separate general court-martial jurisdictions, acting judge advocates may be assigned to such other legal duty as the exigencies of the service may require, so as to make the section read:

SEC. 2. That hereafter the provisions of section 26 of the act of February 2, 1901, as modified for the Ordnance Department by section 2 of the act of June 25, 1906, by act of March 3, 1909, and by the act of February 24, 1915, shall be held to include the Judge Advocate

General's Department: *Provided*, That the board of officers which is to recommend officers for detail in the Judge Advocate General's Department shall be composed of officers of that department: *Provided further*, That acting judge advocates may be detailed for separate brigades and other separate general court-martial jurisdiction, and when not immediately required for service with the geographical department, tactical division, separate brigade, or other separate general court-martial jurisdictions, acting judge advocates may be assigned to such other legal duty as the exigencies of the service may require.

The amendment was agreed to.

The next amendment was, in subsection (d), on page 60, line 3, after the word "approved," to strike out "July" and insert "June"; so as to make subsection (d) read:

(d) Sections 1 and 4 of an act entitled "An act to amend an act entitled 'An act to promote the administration of justice in the Army,' approved October 1, 1890, and for other purposes," approved June 18, 1898.

The amendment was agreed to.

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

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

NELSON T. SAUNDERS.

The bill (S. 1818) to correct the military record of Nelson T. Saunders was considered as in Committee of the Whole.

The bill had been reported from the Committee on Military Affairs with an amendment, to strike out all after the enacting clause and insert:

That in the administration of the laws conferring rights, privileges, and benefits upon honorably discharged officers, Nelson T. Saunders, late commissary sergeant of the Sixty-fourth Regiment New York Volunteer Infantry, shall hereafter be held and considered to have been mustered into service as a second lieutenant of Company F, Sixty-fourth New York Volunteer Infantry, September 30, 1864, vice Charles W. Schutt, promoted, and to have been honorably discharged as of that grade and organization October 13, 1864: *Provided*, That no back pay, bounty, or pension shall become due or payable by reason of the passage of this act.

The amendment was agreed to.

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

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

The title was amended so as to read "A bill for the relief of Nelson T. Saunders."

FORT SILL MILITARY RESERVATION, OKLA.

The bill (H. R. 403) granting to the State of Oklahoma permission to occupy a certain portion of the Fort Sill Military Reservation, Okla., and to maintain and operate thereon a fish hatchery, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Military Affairs, with an amendment, on page 2, line 21, after the word "improvements," to insert "or property," so as to read:

Provided further, That the United States shall not be liable for any damages whatsoever that may at any time occur to the improvements or property of the State of Oklahoma on said lands.

The amendment was agreed to.

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

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

COOS HEAD MILITARY RESERVATION, OREG.

The bill (S. 1159) authorizing the Secretary of War to grant the use of the Coos Head Military Reservation, in the State of Oregon, to the cities of Marshfield and North Bend, Oreg., both being municipal corporations, for park purposes, was considered as in Committee of the Whole.

The Secretary read the bill, as follows:

Be it enacted, etc., That the Secretary of War is hereby authorized and directed to grant permission to and to authorize the cities of Marshfield and North Bend, each being a municipal corporation of and within the State of Oregon, to use and occupy all of those tracts or parcels of land known as the Coos Head Military Reservation, and also described as lots 1, 2, and 3, and the southwest quarter of the northwest quarter of section 2, township 26 south, range 14 west of the Willamette meridian, and lots 1, 2, and 4, and the southeast quarter of the northeast quarter of section 3, township 26 south, range 14 west of the Willamette meridian, situated on the south shore of the entrance to Coos Bay, at Coos Head, in Coos County, State of Oregon, for park purposes, and to exercise such use and occupation by and through a commission consisting of three persons, two of whom shall be named and appointed by the said city of Marshfield from among its resident citizenship, and one to be named and appointed by the said city of North Bend from among its resident citizenship; and for the purpose of enabling said cities more effectually to promote the purpose herein defined, the said commission is hereby granted the privilege—

(a) To fell and remove trees and underbrush from said parcels of land, and to otherwise clear and improve the same.

(b) To erect temporary buildings upon said parcels of land for the accommodation and convenience of the public.

(c) To grant to private parties and to others the privilege of erecting temporary buildings upon said parcels of land for the accommodation of private persons and the public.

(d) To survey and plat said parcels of land, or any part thereof, for the purpose of enabling said commission to indicate and define the particular tract or tracts of land granted for such privileges to any person or persons.

(e) To police said parcel or parcels of land while the same or any part thereof is being used or occupied as a park or for parking purposes, or while the same or any part thereof is used or occupied under any privilege granted by said commission in accordance herewith.

(f) To provide and enforce reasonable charges, restrictions, rules, and regulations for the use of property and the conduct of persons while upon said parcels of land or upon any part thereof while being used or occupied, in whole or in part, for park purposes; subject, however, at all times to the rights of the United States in any manner to assume control of, hold, use, and occupy, without leave or consent from any one or from said cities of Marshfield or North Bend, or from said commission, any or all of said parcels of land for any and all military, naval, life-saving station, lighthouse, and any and all other Government purposes, freed from any and all grants, conveyances, privileges, charges, encumbrances, improvements, or liens, matured or unmatured, made, created, permitted, or sanctioned thereon, by said cities of Marshfield or North Bend or said commission, or either of them, under and by virtue of this act: *Provided*, That the United States shall not be or become liable to any person or persons for any damages or compensation whatever to the said cities of Marshfield or North Bend or to said commission, or to either of them, for any future use by the said Government of any and all of the above-described parcels of land for any of the above-named Government purposes: *Provided further*, That each and all of the uses, occupations, and privileges hereby granted are and shall be of a temporary character only, and the said Secretary of War is hereby authorized to revoke the same at his discretion.

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

REMOVAL OF REMAINS FROM THE DISTRICT OF COLUMBIA.

The bill (S. 2290), authorizing the health officer of the District of Columbia to issue a permit for the removal of the remains of the late Elsie McCaulley from Glenwood Cemetery, District of Columbia, to Philadelphia, Pa., was considered as in the Committee of the Whole. It authorizes the health officer of the District of Columbia to issue a permit for the removal of the remains of the late Elsie McCaulley from Glenwood Cemetery, District of Columbia, to Philadelphia, Pa.

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

COLUMBUS DAY.

The bill (S. 2291) to make October 12 of each and every year a public holiday in the District of Columbia, to be known as Columbus Day, was considered as in Committee of the Whole. It provides that the 12th day of October in each and every year, being the anniversary day of the discovery of America by Christopher Columbus, be, and the same hereby is, made a legal public holiday in the District of Columbia, to be known as Columbus Day, to all intents and purposes in the same manner as the first Monday of September in each and every year is now made by law a legal and public holiday: *Provided*, That when the 12th day of October shall fall on a Sunday in any year said holiday shall be celebrated on the following Monday.

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

JOSEPH GORMAN.

The bill (S. 1782) to correct the military record of Joseph Gorman was considered as in Committee of the Whole.

The bill has been reported to the Committee on Military Affairs with an amendment to insert at the end of the bill the following: "*Provided*, That no back pay, bounty, or other emolument shall accrue prior to the passage of this act," so as to make the bill read:

Be it enacted, etc., That in the administration of the pension laws Joseph Gorman, who served as a private in Company D, Eighty-sixth Regiment Indiana Volunteer Infantry, shall hereafter be held and considered to have been enrolled and mustered into the military service of the United States on October 8, 1864, and discharged honorably from the military service of the United States on June 12, 1865, as a member of that company and regiment: *Provided*, That no back pay, bounty, or other emolument shall accrue prior to the passage of this act.

The amendment was agreed to.

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

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

The title was amended so as to read: "A bill for the relief of Joseph Gorman."

JAMES ANDERSON.

The bill (S. 2465) to correct the military record of James Anderson was considered as in Committee of the Whole. It provides that in the administration of the pension laws James Anderson, who was a private in Company A, Cass County Regiment Missouri Home Guards, and Company A, Second Battalion Missouri State Militia Cavalry, and Company F,

Fourteenth Regiment Kansas Volunteer Cavalry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of the last-mentioned company and regiment on the 19th day of December, 1864: *Provided*, That no pension shall accrue prior to the passage of this act.

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

The title was amended so as to read: "A bill for the relief of James Anderson."

JOHN CHICK.

The bill (S. 2545) for the relief of John Chick was considered as in Committee of the Whole. It provides that in the administration of the pension laws and the laws conferring rights and privileges upon honorably discharged soldiers, John Chick, late of Company K, Third Regiment United States Artillery, shall be held and considered to have been honorably discharged from the military service of the United States as a member of said company and regiment on the 2d day of August, 1865: *Provided*, That no pension shall accrue prior to the passage of this act, and no pay nor bounty shall become due or payable by virtue thereof.

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

BILLS, ETC., PASSED OVER.

The bill (S. 3551) relating to the procedure in the United States courts was announced as next in order.

Mr. HOLLIS. I ask that that go over.

The PRESIDENT pro tempore. The bill will be passed over.

The joint resolution (S. J. Res. 98) to print as a public document the final report and testimony submitted to Congress by the United States Commission on Industrial Relations was announced as next in order.

Mr. SMOOT. I ask that the joint resolution may be temporarily passed over, at least until the Senator from Georgia [Mr. SMITH] enters the Chamber.

The PRESIDENT pro tempore. The joint resolution will be passed over.

The bill (S. 2986) to provide capital for agricultural development, to create a standard form of investment based upon farm mortgage, to equalize rates of interest upon farm loans, to furnish a market for United States bonds, to create Government depositaries and financial agents for the United States, and for other purposes, was announced as next in order.

Mr. HOLLIS. As the author of that bill, I ask that it may go over.

The PRESIDENT pro tempore. Objection is made and the bill goes over.

PENSIONS AND INCREASE OF PENSIONS.

The bill (H. R. 10037) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war was considered as in Committee of the Whole.

The bill had been reported from the Committee on Pensions with amendments.

The first amendment was, on page 1, line 9, before the word "widow," to insert "former," so as to make the clause read:

"The name of Mary J. Fruit, former widow of William L. Fruit, late of Company C, Ninth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of \$12 per month."

The amendment was agreed to.

The next amendment was, on page 2, after line 23, to strike out:

"The name of Mahala Burns, former widow of John T. Montgomery, late of Company C, Fourth Regiment Missouri State Militia Cavalry, and pay her a pension at the rate of \$12 per month."

The amendment was agreed to.

The next amendment was, on page 6, line 12, before the words "per month," to strike out "\$20" and insert "\$12," and in the same line, after the word "month," to strike out "in lieu of that she is now receiving," so as to make the clause read:

"The name of Sarah A. Touseul, now Cardwell, former widow of Charles J. Touseul, late of Battery H, Fourth Regiment United States Artillery, and pay her a pension at the rate of \$12 per month."

The amendment was agreed to.

The next amendment was, on page 6, after line 13, to strike out:

"The name of Anna M. Jenkin, former widow of Joel N. Camp, late of Company B, Twenty-second Regiment New York Volunteer Cavalry, and pay her a pension at the rate of \$12 per month."

The amendment was agreed to.

The next amendment was, on page 7, line 7, after the word "and," to strike out "of Companies" and insert "Company," so as to make the clause read:

The name of Margaret M. Hack, widow of George A. Hack, late of Company E, One hundred and thirty-third Regiment, New York Volunteer Infantry, and Company F, Twenty-sixth and Twenty-seventh Regiments, United States Infantry, and pay her a pension at the rate of \$12 per month.

The amendment was agreed to.

The next amendment was, on page 8, line 9, before the words "per month," to strike out "\$27" and insert "\$30," so as to make the clause read:

The name of James R. Parker, late of Company D, Twenty-fifth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 11, line 20, before the word "child," to strike out "defendant" and insert "dependent," so as to make the clause read:

The name of Arzila Wolf, helpless and dependent child of John Wolf, late of Company F, Thirty-third Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The amendment was agreed to.

The next amendment was, on page 12, after line 8, to strike out:

The name of Elvira Russell, former widow of George Vandruff, late of Company E, Forty-second Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The amendment was agreed to.

The next amendment was, on page 12, line 20, before the words "per month," to strike out "\$24" and insert "\$20," so as to make the clause read:

The name of Maria W. Wilson, widow of George E. Wilson, late of Company D, Sixth Regiment New Jersey Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 14, line 18, after the word "musician," to strike out "of" and insert "band," so as to make the clause read:

The name of Ellen Carr, widow of Thomas Carr, late musician, band, Sixtieth Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 14, line 21, before the word "widow," to insert "former," so as to make the clause read:

The name of Lida W. Ashton, former widow of Charles L. Ashton, late of Company G, Fifty-fifth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The amendment was agreed to.

The next amendment was, on page 15, line 10, after the word "late," to strike out "of" and insert "lieutenant colonel," so as to make the clause read:

The name of Helen M. Brown, former widow of Harvey M. Brown, late lieutenant colonel Thirty-sixth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The amendment was agreed to.

The next amendment was, on page 16, line 13, after the name "Mills," to strike out "who served under the name of" and insert "alias," so as to make the clause read:

The name of Hiram J. Mills, alias James H. Thomas, late of Company F, Twelfth Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 16, after line 17, to strike out:

The name of Martha J. Curtiss, widow of Frank S. Curtiss, late of One hundred and twenty-seventh Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$25 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 18, after line 12, to strike out:

The name of Anna Nau, widow of Joseph Nau, late of Company E, Ninth Regiment New Jersey Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 22, line 14, after the word "late," to strike out "of" and insert "lieutenant colonel," so as to make the clause read:

The name of Harriet F. Kidd, widow of Meredith H. Kidd, late lieutenant colonel Eleventh Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 28, line 13, after the word "late," to strike out "of the" and insert "quartermaster sergeant," so as to make the clause read:

The name of Thomas A. Williamson, late quartermaster sergeant One hundred and eighty-second Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 29, line 4, before the word "Regiment," to strike out "twenty-third" and insert "twenty-first," so as to make the clause read:

The name of John H. Moore, late of Company H, One hundred and twenty-first Regiment, and Company K, Sixty-fifth Regiment, New York Volunteer Infantry, and pay him a pension at the rate of \$27 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 31, line 8, after the name "Roseberry," to insert "widow of William W. Roseberry, late of Company L, Second Regiment Missouri State Militia Cavalry, and," so as to make the clause read:

The name of Mary E. Roseberry, widow of William W. Roseberry, late of Company L, Second Regiment Missouri State Militia Cavalry, and former widow of Richard B. Price, late of Company B, Thirty-ninth Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The amendment was agreed to.

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.

ISRAEL FOLSOM.

The bill (S. 140) for the relief of the estate of Israel Folsom was considered as in Committee of the Whole.

The bill was reported from the Committee on Indian Affairs with an amendment, on page 2, line 1, to strike out "governor" and insert "principal chief," so as to make the bill read:

Be it enacted, etc., That the Court of Claims is hereby authorized and directed to hear and adjudicate the claim of the administrator of the estate of Israel Folsom, deceased, and to render judgment thereon in such amount, if any, as may appear to be equitably due. Said judgment, if any, in favor of said administrator of Folsom shall be paid out of any funds in the Treasury of the United States belonging to the Choctaw Indians or Nation, said judgment to be rendered on the principle of quantum meruit for services rendered and expenses incurred. Notice of said suit shall be served on the principal chief of the Choctaw Nation, and the Attorney General of the United States shall appear and defend said suit on behalf of said nation.

The amendment was agreed to.

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

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

POWER SQUADRONS.

The bill (S. 1416) to amend section 4215 of the Revised Statutes of the United States, and for other purposes, was considered as in Committee of the Whole. It provides that members of the United States Power Squadrons, a corporation duly organized under the laws of the State of Massachusetts, who shall, after having passed the examination provided for by the by-laws or rules and regulations of said squadron, have received a certificate of competency to operate and navigate a power boat in accordance with the rules and regulations of said United States Power Squadrons, may, instead of the signal provided for by section 4215 of the Revised Statutes of the United States, be permitted to fly a distinguishing signal rectangular in shape, the width to be nineteen thirty-sixths of the length, consisting of a fly of 7 blue and 6 white alternate vertical strips of equal width and a red field on which shall be placed a circle of 13 white five-pointed stars surrounding a white fowl anchor; the field shall occupy the upper corner, next the hoist, six-thirteenths of the length and seven-thirteenths of the hoist of the flag.

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

NAVAJO RESERVATION, ARIZ.

The bill (S. 2500) authorizing the adjustment of rights of settlers on the Moqui and Navajo Indian Reservations in the State of Arizona was considered as in Committee of the Whole.

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

The title was amended so as to read: "A bill authorizing the adjustment of rights of settlers on a part of the Navajo Indian Reservation in the State of Arizona."

BILLS OF LADING.

The bill (S. 19) relating to bills of lading in interstate and foreign commerce, was considered as in Committee or the Whole.

The bill had been reported from the Committee on Interstate Commerce with amendments.

The Secretary proceeded to read the bill.

The first amendment of the Committee on Interstate Commerce was, on page 5, line 20, after the word "section," to strike out "twenty-nine" and insert "twenty-six."

The amendment was agreed to.

The reading of the bill was resumed.

Mr. BRANDEGEE. I see the report on the bill states that it is the same measure with the exception of a few formal amendments that has been twice passed by the Senate, having been recommended by the department. I wish to inquire of the Senator from Ohio if he thinks it is necessary to read the entire bill again?

Mr. POMERENE. I do not. I wish to make a little explanation, however. Sections 2, 3, and 10 of the bill as it passed before were eliminated, as I think I stated before the committee. I have no desire that the time of the Senate shall be occupied by a further reading of the bill except that there are a few very minor amendments which are referred to in the original part of the report accompanying the bill.

Mr. BRANDEGEE. Yes. I was under the impression that those verbal amendments had been agreed to.

The PRESIDENT pro tempore. They are being agreed to in the order in which they are reached in the reading.

Mr. BRANDEGEE. My suggestion was made simply to save time.

The PRESIDENT pro tempore. The Senator from Connecticut asks unanimous consent that the further reading of the bill be dispensed with, except as it may be read in connection with minor amendments. Unless there is objection, such will be the order. The next amendment of the committee will be stated.

The SECRETARY. On page 9, line 14, after the word "quantity," strike out "if" and insert "of."

The amendment was agreed to.

The SECRETARY. On page 19, line 3, after the word "thereof," insert "or section or part thereof."

The amendment was agreed to.

The PRESIDENT pro tempore. That completes the committee amendments.

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

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

Mr. POMERENE. Accompanying the bill is the report of the committee, and it discusses the history of this legislation and also treats of certain constitutional questions which are involved in it. I suggest that, in my judgment, it would be well to have the entire report printed in the CONGRESSIONAL RECORD immediately following the passage of the bill.

The PRESIDENT pro tempore. Such will be the order unless there is objection. The Chair hears none.

The report, submitted by Mr. POMERENE on the 15th of February, 1916, is as follows:

CALENDAR NO. 140.

[Senate Report No. 149, 64th Cong., 1st sess.]

BILLS OF LADING.

Mr. POMERENE, from the Committee on Interstate Commerce, submitted the following report (to accompany S. 19).

The Committee on Interstate Commerce, to which was referred Senate bill 19, reports it back to the Senate with the recommendation that it pass with the following amendments:

On page 5, line 21, strike out "nine" and insert in lieu thereof "six."

On page 9, line 14, strike out "if" and insert therefor the word "of."

On page 19, after the word "thereof," line 3, insert "or section or part thereof."

This is, in substance, the same bill passed on August 24, 1912, and again on June 5, 1914. It is the result of the labors of the commissioners on uniform State laws of the American Bar Association, after repeated conferences with representatives of the American Bankers' Association, the railroad organizations, and the shippers associations. It was originally prepared for the purpose of having it presented to the several State legislatures with a view to providing uniform legislation upon the subject. It has already become the law in 10 of the leading commercial States—Connecticut, Illinois, Iowa, Louisiana, Massachusetts, Maryland, Michigan, New York, Ohio, and Pennsylvania.

The pending bill does not vary substantially from the acts passed by the legislatures of the States just named, save that it is made to apply to interstate and foreign commerce.

In its present form the bill was approved by the American Bar Association at its thirty-eighth annual meeting held in Salt Lake City in August, 1915.

NECESSITY FOR FEDERAL LEGISLATION.

The total exports and imports for the year 1915 amounted to \$5,329,521,248.

In the hearings before the Interstate Commerce Committee it was testified by well-informed witnesses that bills of lading were annually

issued in American commerce representing consignments of merchandise valued at \$25,000,000,000; that 99 per cent of the tonnage and value of the commodities shipped and covered by these bills of lading involved interstate and foreign commerce and only 1 per cent intrastate commerce.

On these bills of lading it is estimated that \$5,000,000,000 in cash was advanced annually by the banks. It must follow, therefore, that any reasonable legislation which will lead to the security of these bills of lading in the hands of their owners or holders must be of immense value to the commerce of the country.

It affects the business of 100,000,000 of people, extending into 48 States of the Union and to all the nations of the world.

In 1889 the United States Supreme Court, in *Friedlander v. Texas & Pacific Railroad* (130 U. S., 416), held:

"A bill of lading fraudulently issued by the station agent of a railroad company, without receiving the goods named in it for transportation but in other respects according to the customary course of business, imposes no liability upon the company to an innocent holder who receives it without knowledge or notice of the fraud and for a valuable consideration."

Under the agreed statement of facts in the case just cited it appears that the bill of lading issued November 6, 1883, was executed by one Easton, the agent of the railroad company, fraudulently and in collusion with one Lahnstein, and without receiving any of the cotton called for by the bill of lading, and without any expectation of receiving it on the part of Easton. A conspiracy had been entered into between Easton and Lahnstein to issue these bills of lading for Lahnstein's benefit. They had been guilty of similar transactions.

The court held that under these circumstances the agent was acting beyond the scope of his authority, and therefore the railroad company was not bound.

Whether this decision was sound or not, it was based upon precedents, and ever since has been recognized as the law of the land by the Federal courts, as well as by some of the State courts. This ruling has resulted in great losses to the buyers of merchandise who have the right to depend upon the bona fides of bills of lading, to bankers and financial men who have bought or discounted drafts secured by these bills of lading, and to sellers and buyers of cotton, grain, or other merchandise, whose transactions are discredited by reason of the frauds which have been perpetrated by fraudulent shippers conspiring with freight agents. As a result millions of dollars have been lost to commerce.

The pending bill, section 22, modifies the law as laid down in the *Friedlander* case by declaring:

"That if a bill of lading has been issued by a carrier or on his behalf by an agent or employee the scope of whose actual or apparent authority includes the issuing of bills of lading, the carrier shall be liable to (a) the consignee named in a straight bill, or (b) the holder of an order bill, who has given value in good faith, relying upon the description therein of the goods, for damages caused by the nonreceipt by the carrier of all or part of the goods or their failure to conform with the description thereof in the bill at the time of its issue."

The committee will not take the time to discuss all of the features of the bill, but among the most important they desire to call attention to the following:

1. Duplicate bills of lading.
2. Altered bills of lading.
3. Spent bills of lading.
4. Shipper's load and count.
5. Forgeries.

DUPLICATE BILLS OF LADING.

The proposed regulations with regard to duplicate bills of lading are found in sections 4 and 5 and 15, which read as follows:

"SEC. 4. That order bills issued in a State for the transportation of goods to any place in the United States on the Continent of North America, except Alaska and Panama, shall not be issued in parts or sets. If so issued, the carrier issuing them shall be liable for failure to deliver the goods described therein to anyone who purchases a part for value in good faith, even though the purchase be after the delivery of the goods by the carrier to a holder of one of the other parts: *Provided, however,* That nothing contained in this section shall be interpreted or construed to forbid the issuing of order bills in parts or sets for such transportation of goods to Alaska, Panama, Porto Rico, the Philippines, Hawaii, or foreign countries, or to impose the liabilities set forth in this section for so doing.

"SEC. 5. That when more than one order bill is issued in a State for the same goods to be transported to any place in the United States on the Continent of North America, except Alaska and Panama, the word 'duplicate' or some other word or words indicating that the document is not an original bill, shall be placed plainly upon the face of every such bill except the one first issued. A carrier shall be liable for the damage caused by his failure so to do to anyone who has purchased the bill for value in good faith as an original, even though the purchase be after the delivery of the goods by the carrier to the holder of the original bill: *Provided, however,* That nothing contained in this section shall in such case for such transportation of goods to Alaska, Panama, Porto Rico, the Philippines, Hawaii, or foreign countries be interpreted or construed so as to require the placing of the word 'duplicate' thereon, or to impose the liabilities set forth in this section for failure so to do.

"SEC. 15. That a bill, upon the face of which the word 'duplicate,' or some other word or words indicating that the document is not an original bill, is placed plainly shall impose upon the carrier issuing the same the liability of one who represents and warrants that such bill is an accurate copy of an original bill properly issued, but no other liability."

ALTERED BILLS OF LADING.

Section 13 provides:

"That any alteration, addition, or erasure in a bill after its issue without authority from the carrier issuing the same, either in writing or noted on the bill, shall be void, whatever be the nature and purpose of the change, and the bill shall be enforceable according to its original tenor."

SPENT BILLS OF LADING.

Many frauds have been committed in the commercial world by using bills of lading after the goods have been delivered, and which have not been taken up or canceled. Frequently they have been used for the purpose of securing credit, although the goods called for have been delivered. The railroads have not been liable because they have been able to prove the delivery of the goods. Sections 11 and 12 of the bill remedy these abuses. They read as follows:

"SEC. 11. That except as provided in section 29, and except when compelled by legal process, if a carrier delivers goods for which an order bill had been issued, the negotiations of which would transfer the right to the possession of the goods, and fails to take up and cancel the bill, such carrier shall be liable for failure to deliver the goods to anyone who for value and in good faith purchases such bill, whether such purchaser acquired title to the bill before or after the delivery of the goods by the carrier and notwithstanding delivery was made to the person entitled thereto.

"SEC. 12. That except as provided in section 26, and except when compelled by legal process, if a carrier delivers part of the goods for which an order bill had been issued and fails either—

"(a) To take up and cancel the bill, or

"(b) To place plainly upon it a statement that a portion of the goods has been delivered with a description which may be in general terms either of the goods or packages that have been so delivered or of the goods or packages which still remain in the carrier's possession—he shall be liable for failure to deliver all the goods specified in the bill to anyone who for value and in good faith purchases it, whether such purchaser acquired title to it before or after the delivery of any portion of the goods by the carrier, and notwithstanding such delivery was made to the person entitled thereto."

SHIPPER'S LOAD AND COUNT.

Many abuses have arisen by carriers marking bills of lading "Shipper's load and count." This of course affects their value for banking and credit purposes. These abuses are sought to be remedied by sections 20 and 21 of the bill, which provide:

"SEC. 20. That when goods are loaded by a carrier such carrier shall count the packages of goods if package freight, and ascertain the kind and quantity if bulk freight, and such carrier shall not, in such cases, insert in the bill of lading or in any notice, receipt, contract, rule, regulation, or tariff, 'Shipper's weight, load, and count,' or other words of like purport, indicating that the goods were loaded by the shipper and the description of them made by him. If so inserted, contrary to the provisions of this section, said words shall be treated as null and void and as if not inserted therein.

"SEC. 21. That when goods are loaded by a shipper at a place where the carrier maintains an agency, such carrier shall, on written request of such shipper, and when given a reasonable opportunity by the shipper so to do, count the packages of goods if package freight, and ascertain the kind and quantity if bulk freight, within a reasonable time after such written request, and such carrier shall not, in such cases, insert in the bill of lading, or in any notice, receipt, contract, rule, regulation, or tariff, 'Shipper's weight, load, and count,' or other words of like purport indicating that the goods were loaded by the shipper and the description of them made by him. If so inserted, contrary to the provisions of this section, said words shall be treated as null and void and as if not inserted therein."

FORGED BILLS OF LADING.

While the laws of the several States penalize the forging of bills of lading, it is believed, because of the fact that approximately 99 per cent of our commerce is interstate or foreign in character, there should be some Federal legislation making the forging and issuing of forged bills of lading punishable by Federal courts. This is done by section 41 of the pending bill, which is as follows:

"That any person who, knowingly or with intent to defraud, falsely makes, alters, forges, counterfeits, prints or photographs any bill of lading, or with like intent utters or publishes as true and genuine any such falsely altered, forged, counterfeited, falsely printed or photographed bill of lading, knowing it to be falsely altered, forged, counterfeited, falsely printed or photographed, or aids in making, altering, forging, counterfeiting, printing or photographing, or uttering or publishing the same, or issues or aids in issuing or procuring the issue of, or negotiates or transfers for value a bill which contains a false statement as to the receipt of the goods, or as to any other matter, or who, with intent to defraud, violates, or fails to comply with, or aids in any violation of, or failure to comply with any provisions of this act, shall be guilty of a misdemeanor, and, upon conviction, shall be punished for each offense by imprisonment not exceeding five years, or by a fine not exceeding \$5,000, or both."

It is not intended by this report to call special attention to all the provisions of the bill. They are self-explanatory. Suffice it to say that in addition to the correction of the abuses hereinbefore specially referred to, the bill is a codification of the law and principles now controlling, and which ought to control, interstate and foreign shipments. It defines the right and liabilities of the common carriers, consignors, consignees, and all other immediate owners or holders of bills of lading. If adopted, it will serve to make more uniform the commercial law of our country.

CONSTITUTIONALITY OF THE PENDING BILL.

Some doubt has been expressed as to the constitutionality of those provisions of the bill relating to the transfer or negotiation of bills of lading. A brief discussion of this question is therefore opportune:

The Constitution vests Congress with power "to regulate commerce with foreign nations and among the several States and with the Indian tribes." This authority is very broad, very comprehensive. It covers all phases and features of interstate commerce. It touches not only the property of the railroad, but all of its instrumentalities. It controls and protects its operation and its business. The shipment of goods from one State to another is surely interstate commerce. If so, when it comes to the physical property itself, can there be any doubt that the same power extends to all of the instrumentalities used in the conveyance of the property or to any contract which may pertain to it for the safeguarding of the parties interested? If the goods which are shipped from one State to another be interstate commerce, are we going far afield when we say that the bill of lading, which is the symbolic representative of the goods, is also interstate commerce?

The committee will not take the time to discuss all of the decisions of our Supreme Court bearing upon this subject. We shall only refer to a few of them:

In 1911 the Supreme Court had before it the case of the Southern Railway Co. v. The United States. The statute involved was what is commonly known as the "safety appliance act" of March 2, 1893, as amended March 2, 1903. Its regulatory features applied to all locomotives, cars, and similar vehicles used on any railway that is a highway of interstate commerce, and were not confined exclusively to vehicles engaged in such commerce.

In the syllabus of the case, 222 U. S., 20, the court says:

"The power of Congress under the commerce clause of the Constitution is plenary and competent to protect persons and property moving in interstate commerce from all danger, no matter what the source may be; to that end Congress may require all vehicles moving on highways of interstate commerce to be so equipped as to avoid danger to persons and property moving in interstate commerce.

"It is of common knowledge that interstate and intrastate commerce are commingled in transportation over highways of interstate commerce; that trains and cars on the same railroad, whether engaged in one form of traffic or the other, are interdependent, and that absence of safety appliances from any part of a train is a menace not only to that train, but to others."

Mr. Justice Van De Vanter, in delivering the opinion of the court, on page 26, says:

"We come, then, to the question whether these acts are within the power of Congress under the commerce clause of the Constitution, considering that they are not confined to vehicles used in moving interstate traffic, but embrace vehicles used in moving intrastate traffic. The answer to this question depends upon another, which is, Is there a real or substantial relation or connection between what is required by these acts in respect of vehicles used in moving intrastate traffic and the object which the acts obviously are designed to attain, namely, the safety of interstate commerce and of those who are employed in its movement? Or, stating it in another way: Is there such a close or direct relation or connection between the two classes of traffic, when moving over the same railroad, as to make it certain that the safety of the interstate traffic and of those who are employed in its movement will be promoted in a real or substantial sense by applying the requirements of these acts to vehicles used in moving the traffic which is intrastate as well as to those in moving that which is interstate? If the answer to this question, as doubly stated, be in the affirmative, then the principal question must be answered in the same way. And this is so not because Congress possesses any power to regulate intrastate commerce as such, but because its power to regulate interstate commerce is plenary and competently may be exerted to secure the safety of the persons and property transported therein and of those who are employed in such transportation, no matter what may be the source of the dangers which threaten it. That is to say, it is no objection to such an exertion of this power that the dangers intended to be avoided arise, in whole or in part, out of matters connected with intrastate commerce."

In the same report, on page 370, Mr. Chief Justice White handed down the opinion of the Supreme Court in *Northern Pacific Ry. v. State of Washington*. The case involved the validity of the act of Congress known as the "hours-of-service law," passed March 4, 1907.

In the syllabus the court says:

"A train moving and carrying freight between two points in the same State, but which is hauling freight between points one of which is within and the other without the State, or hauling it through the State between points both without the State, is engaged in interstate commerce and subject to the laws of Congress enacted in regard thereto."

On page 377 the court quotes approvingly the language of the Supreme Court of the State of Washington, as follows:

"The power of Congress to regulate interstate commerce is plenary, and that, as an incident to this power, the Congress may regulate by legislation the instrumentalities engaged in the business, and may prescribe the number of consecutive hours an employee of a carrier so engaged shall be required to remain on duty; and that when it does legislate upon the subject, its act supersedes any and all State legislation on that particular subject."

The court cites in support of this doctrine a number of its former decisions. In fact, this proposition is not regarded by the courts as debatable.

In *Illinois Central Railroad Co. v. Behrens*, administrator (233 U. S., 473), the court said:

"When a railroad is a highway of both interstate and intrastate commerce, and the two classes of traffic are interdependent in point of both movement and safety, Congress may, under the power committed to it by the commerce clause of the Constitution, regulate the liability of the carrier for injuries suffered by an employee engaged in general work pertaining to both classes of commerce, whether the particular service performed at the time, isolatedly considered, is in interstate or intrastate commerce."

In *St. Louis, Iron Mountain & Southern Railway Co. v. Edwards* (227 U. S., 265) the Supreme Court held that—

"As applied to interstate shipments, the State can not impose penalties for delay in delivery to consignee, as Congress has acted on that subject by the passage of the Hepburn Act."

In *Adams Express Co. v. Croninger* (226 U. S., 491) Mr. Justice Lurton, at page 500, says:

"That the constitutional power of Congress to regulate commerce among the States and with foreign nations comprehends power to regulate contracts between the shipper and the carrier of an interstate shipment by defining the liability of the carrier for loss, delay, injury, or damage to such property needs neither argument nor citation of authority.

"That the legislation (of Congress) supersedes all the regulations and policies of a particular State upon the same subject results from its general character. It embraces the subject of the liability of the carrier under a bill of lading which he must issue and limits his power to exempt himself by rule, regulation, or contract. Almost every detail of the subject is covered so completely that there can be no rational doubt but that Congress intended to take possession of the subject and supersede all State regulation with reference to it. Only the silence of Congress authorized the exercise of the police power of the State upon the subject of such contracts. But when Congress acted in such a way as to manifest a purpose to exercise its conceded authority, the regulating power of the State ceased to exist."

In *Houston & Texas Railway v. United States* (234 U. S., 343) the language of the syllabus, in part, is:

"The object of the commerce clause was to prevent interstate trade from being destroyed or impeded by the rivalries of local governments; and it is the essence of the complete and paramount power confided to Congress to regulate interstate commerce that wherever it exists it dominates.

"Wherever the interstate and intrastate transactions of carriers are so related that the government of one involves the control of the other, it is Congress and not the State that is entitled to prescribe the final and dominant rule, otherwise the Nation would not be supreme within the national field.

"While Congress does not possess authority to regulate the internal commerce of a State, as such, it does possess power to foster and protect interstate commerce, although in taking necessary measures so to do it may be necessary to control intrastate transactions of interstate carriers.

"The use of the State of an instrument of interstate commerce in a discriminatory manner so as to inflict injury on any part of that commerce is a ground for Federal intervention; nor can a State authorize a carrier to do that which Congress may forbid and has forbidden."

Again, in *Chicago, Rock Island & Pacific Railway v. Hardwick Elevator Co.* (226 U. S., 427), it was held that—

"There can be no divided authority over interstate commerce, and regulations of Congress on that subject are supreme.

"As to those subjects upon which the States may act in the absence of legislation by Congress, the power of the State ceases the moment Congress exerts its paramount authority thereover.

Now, let us apply the doctrine of these cases to the bill under consideration. They show conclusively that if Congress passes this bill it will supersede any and all State legislation upon the subject.

It is urged by those who oppose this bill that if goods be sent from New York to Cleveland and the bill of lading is indorsed and transferred by one citizen of Cleveland to another citizen of Cleveland, within the State of Ohio, it is an intrastate transaction and can not be controlled by Congress. As applied to an ordinary contract, if there were no other facts involved, this position would be correct. But we answer, the lines of shipment are interstate lines; the trains carrying the goods from one State to another are "instrumentalities" employed in interstate commerce, the shipment of the goods from one State to another is interstate commerce, and in order to define the rights and liabilities of the carrier, the consignor, consignee, and immediate owners, both law and public policy require that the company shall issue bills of lading.

Can it be said that the bill of lading, which is the representative of this interstate business, defining the rights and liabilities of all concerned, is not a contract relating to interstate commerce, and therefore not controlled by its principles?

Those who object to the bill admit that interstate shipments are subject to Federal control, save only where it relates to a transfer of the bill of lading within a State between citizens of that State. If Congress assumes control of this legislation affecting interstate commerce, must it continue to divide its authority with the State when it comes to the mere negotiation and transfer of the bill of lading between two citizens of the same State within the State, but under all other circumstances the State shall have no control? If such be the case, what becomes of the doctrine that the power of Congress is plenary after it has once assumed to legislate upon a given subject? If so, would the Federal law supersede State legislation?

If Congress has the power to compel safety appliances to be placed on cars used both in interstate and intrastate transportation over interstate highways in order to insure the safety of interstate traffic, as was held in *Southern Railway v. United States*, above cited; if it has power to prescribe the number of consecutive hours of service of a crew moving a train from one point to another in the State of Washington hauling merchandise from points within the State to points without the State, as well as in carrying merchandise through the State from a point without the State to a foreign destination, in view of the unity and indivisibility of the service of the train crew and the paramount character of the authority of Congress to regulate commerce, as was held in *Northern Pacific Railway v. State of Washington*, above cited; if Congress has the power to regulate the carrier's liability for injuries to an employee occurring upon a highway of both interstate and intrastate commerce where the two kinds of traffic are interdependent in point of movement and safety and where the injuries were suffered while the employee was engaged in general work pertaining to both classes of commerce, whether the particular service performed at the time isolatedly considered is interstate or intrastate commerce, as was held in *Illinois Central Railroad Co. v. Behrens*, administrator, above cited; if the State can not impose penalties for delay and delivery to a consignee because Congress has acted upon that subject by the passage of the Hepburn Act as was held in *St. Louis, etc., Railway v. Edwards*, above cited; and if when Congress acts in such a way as to manifest its purpose to exercise its conceded authority, the regulatory power of the State ceases to exist, as was held in *Adams Express Co. v. Croninger*, above cited, are we going far afield when we conclude that if Congress decides to regulate a bill of lading from the time it is issued until it is spent it supersedes the authority of the State to control such bills in its transfer from one citizen of a State to another citizen within that State?

Paraphrasing the language of Mr. Justice Van Devanter, may not this power of Federal control be exerted to secure the safety of the property transported therein, no matter what may be the source of the danger which threatens, whether it be by transfer or negotiation between two parties residing in different States or in the same State? Can we not say, again borrowing the thought of the learned justice, that it is no objection that the dangers intended to be avoided arise in whole or in part out of matters connected with intrastate commerce?

Would it not be hypercritical to say that the bill of lading thus relating to interstate shipments is valid and binding on all parties concerned from the day it is issued to the day it is spent, and subject to the control of Congress at all times save only when it is transferred or negotiated by or between two citizens of a State within the same State? Is it sound to say the Federal law can regulate its issuance and operation before it is thus transferred or negotiated between two citizens of the same State, and resume its jurisdiction immediately after it is thus transferred or negotiated between them, provided the subsequent transfers or negotiations shall be between citizens of different States? Must Congress, after it has assumed jurisdiction, surrender it for a moment of time to the State authorities only to resume it again after a certain contingency? If so, what becomes of the doctrine of our Supreme Court that when Congress does legislate upon a subject its act supersedes any and all State legislation on that particular subject?

A careful study of these decisions of our Supreme Court force the conclusion that the constitutional objections raised are not sound.

DENATURED ALCOHOL.

The bill (S. 3861) to amend an act entitled "An act to amend an act entitled 'An act for the withdrawal from bond tax free of domestic alcohol when rendered unfit for beverage or liquid medicinal uses when mixed with suitable denaturing materials,'" approved March 2, 1907, was considered as in Committee of the Whole.

The bill was reported from the Committee on Finance with an amendment, on page 2, line 7, before the word "accident," to strike out the word "unavoidable," so as to make the bill read:

Be it enacted, etc., That the act entitled "An act to amend an act entitled 'An act for the withdrawal from bond tax free of domestic alcohol when rendered unfit for beverage or liquid medicinal uses when mixed with suitable denaturing materials,'" approved March 2, 1907, be, and the same is hereby, amended by adding to section 3 thereof the following:

"Provided, That where alcohol is withdrawn from a distillery warehouse for shipment to a central denaturing bonded warehouse under the provisions of this act it shall be lawful under such rules, regulations, and limitations as shall be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, for an allowance to be made for leakage or loss by any accident, and without any fraud or negligence of the distiller, owner, carrier, or their agents or employees, occurring during transportation from a distillery warehouse to a central denaturing bonded warehouse."

The amendment was agreed to. The bill was reported to the Senate as amended and the amendment was concurred in. The bill was ordered to be engrossed for a third reading, and was read the third time. The PRESIDENT pro tempore. The question is on the passage of the bill.

Mr. OVERMAN. I object to the bill. Mr. BROUSSARD. I hope the Senator will not object. I think if he will look into the matter he will find—

Mr. OVERMAN. I should like to look into the bill. I do not exactly understand it.

Mr. BROUSSARD. I can state the object of the bill to the Senator in just a minute if he will permit me.

Mr. OVERMAN. Is this the bill which provides for the leakage of alcohol and the repayment of certain taxes?

Mr. BROUSSARD. No, sir.

Mr. OVERMAN. I thought it was similar to a bill—

Mr. BROUSSARD. It provides that in transporting alcohol from the distillery to the denaturization plant in transit the tax upon the alcohol, when denaturized, should not be collected.

Mr. OVERMAN. It refers only to denatured alcohol?

Mr. BROUSSARD. It refers only to denatured alcohol.

Mr. OVERMAN. I withdraw the objection. I thought it was another bill.

The bill was passed.

ARMY AVIATION SERVICE.

The joint resolution (S. J. Res. 65) creating a joint commission of Congress to be known as the Joint Commission of Congress to Investigate the Aviation Service of the United States Army was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with amendments. The first amendment was, on page 1, line 5, before the word "members," to strike out "three" and insert "two," so as to read "to consist of two members of the Senate Committee on Military Affairs," etc.

Mr. ROBINSON. Mr. President, in connection with this amendment I wish to state to the Senate that I do not believe the amendment should be agreed to. I think the Senate should have an equal representation with the House of Representatives on the commission. The chairman of the Committee on Military Affairs authorized me to state that that is his conclusion, and that the members of the committee, so far as he has been able to consult them, agree in that view. Therefore I ask that the amendment be not agreed to.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the committee reducing the representation in the Senate from three to two.

The amendment was rejected.

The next amendment was, on page 2, line 6, after the word "stenographers," to insert "to report hearings which may be held by such commission."

The amendment was agreed to.

The next amendment was, in line 14, page 2, after the word "papers," to insert "to administer oaths."

The amendment was agreed to.

The next amendment was to add at the end of the bill: That the sum of \$10,000, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated, to be immediately available and to be paid out on the audit and order of the chairman or acting chairman of said commission, which audit and order shall be conclusive and binding upon all departments as to the correctness of the accounts of such commission.

The amendment was agreed to.

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

The joint resolution was ordered to be engrossed for a third reading, and was read the third time.

Mr. BRANDEGEE. I wish to ask a question about the joint resolution before it is passed.

The PRESIDENT pro tempore. The Senator from Connecticut.

Mr. BRANDEGEE. I notice the bill provides, on page 2, that the commission must report before May 1. I wish to ask the Senator from Arkansas if he thinks that will give them time enough.

Mr. ROBINSON. I think there should be an amendment extending the time. The joint resolution was introduced some months ago. I ask unanimous consent for the adoption of an amendment making it July 1.

The PRESIDENT pro tempore. The motion ordering the joint resolution to a third reading will be reconsidered, unless there is objection. The joint resolution is in the Senate and open to amendment. The amendment will be stated.

The SECRETARY. On page 2, line 18, strike out "May" and insert "July."

The amendment was agreed to.

The joint resolution was ordered to a third reading, read the third time, and passed.

The joint resolution as amended and passed reads as follows:

Resolved, etc., That a Joint Commission of Congress to Investigate the Aviation Service, Signal Corps, of the United States Army, be, and the same is hereby, created to consist of three members of the Senate Committee on Military Affairs, to be appointed by the Presiding Officer of the Senate, and three members of the Committee on Military Affairs of the House of Representatives, to be appointed by the Speaker of the House of Representatives.

That said commission shall investigate the organization, conduct, and efficiency of the Aviation Service, Signal Corps, of the United States Army.

Said commission, as soon as practicable after it has been appointed, shall organize by the election of a chairman and secretary, and shall have power to employ stenographers to report hearings which may be held by such commission at not exceeding \$1 per printed page, and such other officers, assistants, and employees as the commission may deem necessary.

Said commission is authorized to sit during the sessions and during the recess of Congress, to issue process, and to compel the attendance of witnesses and the production of books and papers, to administer oaths, and to perform any other act or thing necessary to the efficient discharge of its duty.

That said commission shall report its findings and recommendations to the Congress on or before July 1, 1916.

That the sum of \$10,000, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated, to be immediately available and to be paid out on the audit and order of the chairman or acting chairman of said commission, which audit and order shall be conclusive and binding upon all departments as to the correctness of the accounts of such commission.

HAWAIIAN HARBOR COMMISSIONERS.

The bill (H. R. 3042) to ratify, approve, and confirm sections 1, 2, and 3 of an act duly enacted by the Legislature of the Territory of Hawaii relating to the board of harbor commissioners of the Territory, as herein amended, and amending the laws relating thereto, was considered as in Committee of the Whole.

The bill was reported from the Committee on Pacific Islands and Porto Rico with an amendment, on page 6, line 18, after the word "oils," to strike out the word "unto" and insert "into."

The amendment was agreed to.

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

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

HAWAIIAN FRANCHISES.

The bill (H. R. 65) to ratify, approve, and confirm an act duly enacted by the Legislature of the Territory of Hawaii relating to certain gas, electric light and power, telephone, railroad, and street railway companies and franchises in the Territory of Hawaii, and amending the laws relating thereto was announced as next in order.

Mr. GRONNA. Let that go over.

The PRESIDENT pro tempore. Objection is made.

Mr. SHAFROTH subsequently said: There was objection made to House bill 65, to ratify, approve, and confirm an act duly enacted by the Legislature of the Territory of Hawaii relating to certain gas, electric light and power, and so forth. The Senator from North Dakota [Mr. GRONNA] has had the bill explained to him. He is the Senator who made the objection, and he is willing that the bill should now be taken up.

Mr. GRONNA. I withdraw my objection.

The PRESIDENT pro tempore. The Senator from Colorado asks unanimous consent that the bill be taken up at this time?

Mr. SHAFROTH. I do.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported

from the Committee on Pacific Islands and Porto Rico with amendments.

The amendments were, on page 4, line 1, before "powers" to strike out "of" and insert "or"; and in line 3 to strike out after "commerce" the words "within the States and the Territories of the United States."

The amendments were agreed to.

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.

HAWAIIAN ISLAND ELECTRIC CO.

The bill (H. R. 6241) to ratify, approve, and confirm an act amending the franchise granted to H. P. Baldwin, R. A. Wadsworth, J. N. S. Williams, D. C. Lindsay, C. D. Lufkin, James L. Coke, and W. T. Robinson, and now held under assignment to Island Electric Co. (Ltd.), by extending it to include the Makawao district on the island of Maui, Territory of Hawaii, and extending the control of the Public Utilities Commission of the Territory of Hawaii to said franchise and its holder, was announced as next in order.

Mr. GRONNA. I object.

The PRESIDENT pro tempore. Objection is made, and the bill goes over.

MATHILDA P. HANSEN.

The bill (S. 67) for the relief of Mathilda P. Hansen was considered as in Committee of the Whole.

The bill was reported from the Committee on Claims, with an amendment, in line 7, to strike out "\$1,000" and insert "\$500," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any moneys in the Treasury of the United States not otherwise appropriated, to Mathilda P. Hansen, of Salt Lake City, Utah, widow of Christian Hansen, the sum of \$500, for improvements made by Christian Hansen on lots Nos. 1, 2, 3, 4, and 5, section 12, township 21 north, range 11 east, Willamette meridian, North Yakima, Wash., land district.

The amendment was agreed to.

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

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

CLARENCE HAZELBAKER.

The bill (S. 927) for the relief of Clarence Hazelbaker was considered as in Committee of the Whole.

The bill was reported from the Committee on Indian Affairs with an amendment, to add at the end of the bill:

Provided, That the sum herein appropriated shall only be paid out in sums from time to time upon the direction of the Commissioner of Indian Affairs.

So as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Me-yone-yah, a Nez Perce Indian, or the legal representative of said Indian, the sum of \$2,400, upon the execution by said Indian, or his legal representative, of a proper quitclaim deed in relinquishment of all right and title of said Indian in and to the west half of the northeast quarter of section 15, township 31 north, range 3 east, Boise meridian, under allotment No. 1287, so that there shall be no conflict by reason of such allotment with the claim of one Clarence Hazelbaker to such land by virtue of homestead patent No. 152479, issued to the said Hazelbaker by the General Land Office of the United States September 15, 1910: *Provided*, That the sum herein appropriated shall only be paid out in sums from time to time upon the direction of the Commissioner of Indian Affairs.

The amendment was agreed to.

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

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

AGRICULTURAL ENTRIES IN INDIAN RESERVATIONS.

The bill (S. 40) to authorize agricultural entries on surplus coal lands in Indian reservations was considered as in Committee of the Whole.

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

OMER D. LEWIS.

Mr. ROBINSON. I ask unanimous consent to recur to the bill (S. 137) for the relief of Omer D. Lewis. I objected to the bill.

The PRESIDENT pro tempore. The Senator from Arkansas asks unanimous consent that the Senate take up for consideration the bill he has indicated. Is there objection? The Chair

hears none, and the bill is before the Senate as in Committee of the Whole.

Mr. ROBINSON. The bill has been read. It will be recalled that an amendment was adopted at the suggestion of the Senator from New Hampshire [Mr. GALLINGER]. I now move, in line 8, before the word "for," to insert the word "and," so as to read "medical attendance and."

The amendment was agreed to.

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

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

LANDS AT MYTON, UTAH.

The bill (S. 35) to authorize the Secretary of the Interior to issue patents for certain lands to the town of Myton, Utah, was considered as in Committee of the Whole.

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

FISH HATCHERY IN UTAH.

The bill (S. 34) granting to the State of Utah title to certain lands in said State for use as a fish hatchery was announced as next in order.

Mr. SMOOT. I ask that the bill may go over.

The PRESIDENT pro tempore. Objection is made, and the bill goes over.

PENSIONS AND INCREASE OF PENSIONS.

The bill (H. R. 11078) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments.

The first amendment was, on page 3, line 4, before the words "per month," to strike out "\$24" and insert "\$20," so as to make the clause read:

The name of Nannie J. McDowell, widow of James H. McDowell, late of Company B, Seventeenth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 3, line 6, after the name "Hammond," to insert the word "late," so as to make the clause read:

The name of Frances M. Hammond, widow of George P. Hammond, late of the United States Navy, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The amendment was agreed to.

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

The name of Henry H. Kloek, late of Ninth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was on page 8, line 21, before the word "Mounted," to insert "Volunteer," and in the same line, after the word "Mounted," to strike out "Volunteer," so as to make the clause read:

The name of Robert A. Evins, late of Company E, Thirtieth Regiment Kentucky Volunteer Mounted Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was on page 9, line 15, before the words "per month," to strike out "\$30" and insert "\$20"; so as to make the clause read:

The name of Sarah A. Nichols, widow of Henry B. Nichols, late of Company C, Nineteenth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was on page 10, line 5, after the word "late," to strike out "of Company E, Tenth Regiment Indiana Volunteer Infantry, and of the" and insert "captain and aide-de-camp"; so as to make the clause read:

The name of Weltha A. Brown, widow of Edward O. Brown, late captain and aide-de-camp, United States Volunteers, and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was on page 10, line 19, before the words "per month," to strike out "\$30" and insert "\$20"; so as to make the clause read:

The name of Susanah M. Fraker, widow of Robert M. Fraker, late of Company E, Sixth Regiment Missouri Volunteer Cavalry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was on page 13, line 22, before the words "per month," to strike out "\$24" and insert "\$20"; so as to make the clause read:

The name of Louise K. Bard, widow of John P. Bard, late of Company K, Forty-second Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was on page 15, line 25, after the word "Infantry" to strike out the comma and the word "and" and insert a semicolon; so as to make the clause read:

The name of Sarah H. Benedict, widow of John Benedict, late of Company C, Nineteenth Regiment New York Volunteer Infantry; Company C, Third Regiment New York Volunteer Light Artillery, and of Company D, Sixteenth Regiment New York Volunteer Heavy Artillery, and pay her a pension at the rate of \$12 per month.

The amendment was agreed to.

The next amendment was, on page 18, line 19, before the words "per month," to strike out "\$20" and insert "\$12," so as to make the clause read:

The name of Mary M. Varble, former widow of John H. Varble, late of Company A, Fiftieth Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The amendment was agreed to.

The next amendment was, on page 20, line 6, before the words "per month," to strike out "\$24" and insert "\$20," so as to make the clause read:

The name of Margaret J. Valentine, widow of Alfred Valentine, late hospital steward, United States Army, and Company F, Sixty-fourth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 20, line 10, before the words "per month," to strike out "\$24" and insert "\$20," so as to make the clause read:

The name of Azubath Srofe, widow of John V. Srofe, late of Company E, Seventh Regiment Ohio Volunteer Cavalry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 24, line 10, before the words "per month," to strike out "\$24" and insert "\$20," so as to make the clause read:

The name of Eliza S. Bowen, widow of Alexander S. Bowen, late of Company H, Forty-eighth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 26, line 3, before the name "Hathaway," to strike out "Mariette" and insert "Maryette"; in line 6, before the words "per month," to strike out "\$20" and insert "\$12," and in the same line, after the words "per month," to strike out "in lieu of that she is now receiving," so as to make the clause read:

The name of Maryette Hathaway, widow of Gilbert B. Hathaway, late of Company E, One hundred and fifth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The amendment was agreed to.

The next amendment was, on page 26, line 15, before the words "per month," to strike out "\$30" and insert "\$20," so as to make the clause read:

The name of Nancy M. Gray, widow of Abner S. Gray, late of Company F, One hundred and eleventh Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The amendment was agreed to.

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.

ORDER OF BUSINESS.

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

The PRESIDENT pro tempore. The Senator from Connecticut suggests the absence of a quorum.

Mr. SMOOT. I merely wish to ask unanimous consent—

Mr. BRANDEGEE. I withdraw the suggestion.

Mr. SMOOT. Mr. President, the hour of 4 o'clock having arrived, I now ask unanimous consent that the Senate proceed with the consideration of the remainder of the bills on the calendar to which there is no objection, under Rule VIII, down to and including calendar No. 205.

Mr. VARDAMAN. What is the request?

Mr. SMOOT. I am simply asking unanimous consent that we proceed with the calendar, under Rule VIII, until we reach calendar No. 205—the last bill on the calendar.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Utah?

Mr. VARDAMAN. How long will it take to do that?

Mr. SMOOT. It will not take very long.

Mr. SMITH of Georgia. I will not object to that request, provided it does not take longer than an hour.

Mr. SMOOT. Very well. I will modify my request and ask that it extend until 5 o'clock.

Mr. OVERMAN. Not later than 5 o'clock.

Mr. BRANDEGEE. And to include unobjected matters only.

Mr. SMOOT. Yes.

The PRESIDENT pro tempore. Is there objection to the request preferred by the Senator from Utah? The Chair hears none, and it is so ordered.

STATUE OF JAMES BUCHANAN.

The joint resolution (S. J. Res. 93) authorizing the erection on the public grounds in the city of Washington, D. C., of a statue of James Buchanan, a former President of the United States, was announced as next in order.

Mr. SMOOT. Let that go over, Mr. President.

The PRESIDENT pro tempore. The joint resolution, being objected to, goes over.

LAND GRANT TO LEMMON, S. DAK.

The bill (S. 3203) granting to the city of Lemmon, S. Dak., certain lands for reservoir purposes was considered as in Committee of the Whole. The bill had been reported from the Committee on Public Lands with an amendment, on page 1, line 9, before the word "quarter," to strike out "northwest" and insert "northeast," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to issue a patent to the authorities of the city of Lemmon, in the State of South Dakota, for reservoir purposes, in connection with the water supply of said city, for the following described lands situate in the county of Adams and the State of North Dakota, to wit: The east half of the northeast quarter of section 10 and the west half of the northwest quarter of section 11, in township 129 north of range 92 west of the fifth principal meridian, in the Dickinson, N. Dak., land district, containing 160 acres, said patent to contain a provision that said land shall be used for reservoir purposes and in connection with the water supply for said city and for a public pleasure resort; and in case said land shall cease to be used for such purposes it shall at once revert to the United States: *Provided,* That said city shall pay \$1.25 per acre therefor.

The amendment was agreed to.

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

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

ENLARGED HOMESTEADS.

The bill (S. 3263) to amend an act entitled "An act to provide for an enlarged homestead" was considered as in Committee of the Whole. The bill had been reported to the Committee on Public Lands with an amendment, on page 2, line 20, after the word "entry," to strike out the word "to" and to insert "shall be in reasonably compact form and," so as to make the bill read:

Be it enacted, etc., That section 3 of the act entitled "An act to provide for an enlarged homestead," approved February 19, 1909 (35 Stat., 639), as said act is amended by the acts of June 13, 1912 (37 Stat., 132), February 11, 1913 (37 Stat., 666), March 3, 1915 (38 Stat., 953, 956), and March 4, 1915 (38 Stat., 1162), be amended so as to read as follows:

"SEC. 3. That any person who has made, or shall make, homestead entry of lands of the character herein described, and who has not submitted final proof thereon, or who having submitted final proof still owns and occupies the land thus entered, shall have the right to enter public lands, subject to the provisions of this act, contiguous to his first entry, which shall not, together with the original entry, exceed 320 acres: *Provided,* That any person who has prior to the passage of this act made a homestead entry of lands of the character herein described and is unable, because there is no vacant land of like character contiguous to his original entry, to enter additional land, may be permitted to make an additional entry of noncontiguous land of the character described in this act, which shall not, together with the original entry, exceed 320 acres; such additional entry shall be in reasonably compact form and be subject to all the provisions of this act relating to improvement, cultivation, and final proof: *Provided,* That the land originally entered and that covered by the additional entry shall have first been designated as subject to this act, as provided by section 1 thereof."

The amendment was agreed to.

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

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

FRED B. BALANO.

The bill (S. 540) for the relief of Fred B. Balano was considered as in Committee of the Whole. It proposes to pay to Fred B. Balano, of Port Clyde, Me., \$893.20, being the expenses incurred by him in the prosecution of the case of Vincent Marie-Marie, charged with the murder of Capt. F. N. Balano at Port de France, Martinique, French West Indies, in November and December, 1912.

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

HEIRS OF JOHN HOWARD PAYNE.

The bill (S. 1372) for the relief of the heir or heirs of John Howard Payne was considered as in Committee of the Whole. It proposes to appropriate \$205.92 for the payment of the amount due to the legal heir or heirs of John Howard Payne, late United States consul at Tunis.

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

ESTATE OF LUIS R. YANGCO.

The bill (S. 1425) for the relief of D. M. Carman, representing the estate of Luis R. Yangco, deceased, was considered as in Committee of the Whole. It proposes to pay to D. M. Carman, of Manila, P. I., representing the estate of Luis R. Yangco, deceased, \$2,876.42, being the equivalent of the reduced amount of ₱5,752.85, as recommended by the Quartermaster General, United States Army, in full satisfaction of a claim for \$8,276.16 Mexican for rent and repairs of 10 cascos used by the Quartermaster's Department of the United States Army in Manila Bay in the year 1900, during the insurrection in the Philippine Islands, as appears from a letter of the Hon. William H. Taft, Secretary of War, to the President of the United States, dated December 21, 1906, printed in Senate Document No. 165, Fifty-ninth Congress, second session, and from the report of the Court of Claims of the United States, on said claim to the Senate of the United States, printed in Senate Document No. 637, Sixty-second Congress, second session.

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

ESTATE OF JOHN STEWART.

The bill (S. 3388) for the relief of the estate of John Stewart, deceased, was considered as in Committee of the Whole. It proposes to pay to William L. Browning, administrator of the estate of John Stewart, deceased, late civil engineer, for extra compensation for services rendered by him to the Government in connection with the Potomac Flats case, \$2,000.

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

STORING AND CLEANSING OF "GOBBANZOS."

The bill (S. 3536) to provide for the storing and cleansing of imported Mexican peas, commonly called "gobbanzos," was announced as next in order.

Mr. GRONNA. I ask that that bill go over, Mr. President. The PRESIDENT pro tempore. The Senator from North Dakota objects, and the bill goes over.

CONVEYANCE OF LAND TO BOZEMAN, MONT.

The bill (S. 1067) to authorize the Secretary of the Treasury to convey to the city of Bozeman, Mont., certain land for alley purposes was considered as in Committee of the Whole. It empowers the Secretary of the Treasury to convey, by quitclaim deed, to the city of Bozeman, Mont., for the purpose of a public alley, and for no other purpose, all the right, title, and interest of the United States in and to a strip of land 10 feet in width off of the rear of the Federal building site in that city provided the adjacent and abutting property owners shall also quitclaim to the city a strip of land of sufficient width to create a 17½-foot alley; and the city of Bozeman shall open the alley and improve and maintain it as other public alleys of the city are improved and maintained.

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

NONMINERAL ENTRY OF WITHDRAWN LANDS.

The bill (S. 1064) to provide for the nonmineral entry of lands withdrawn, classified, or reported as containing coal, phosphate, nitrate, potash, oil, gas, or asphaltic minerals in Alaska, was announced as next in order.

Mr. SMOOT. Mr. President, I ask that that bill go over.

The PRESIDENT pro tempore. Objection is made, and the bill will go over.

Mr. MYERS. I should like to be heard for just a minute.

Mr. SMOOT. I wish to say to the Senator from Montana, in a few words, that I myself do not object to the bill, but there is a Senator who wishes to offer amendments to it and

to speak upon the bill. I am, therefore, following out the request which he has made of me.

Mr. MYERS. I merely wish to say—

Mr. SMOOT. I voted to report the bill to the Senate.

Mr. MYERS. I know the Senator did so in committee, and, if he is still in favor of it, I hope he will be willing to withdraw his objection.

Mr. WALSH. Mr. President, I think this is rather an astonishing request of the Senator from Utah [Mr. SMOOT]. We have just passed calendar No. 148, a bill which was introduced by the Senator from Utah, applicable to the coal lands in Indian reservations, which is identical in its terms with the bill to the consideration of which the Senator from Utah has entered his objection.

Mr. SMOOT. Mr. President, the bill to which the Senator refers related to Indian lands. I stated to the Senator's colleague that I had no objection to the passage of the bill, that I voted to report it favorably to the Senate, and that I will vote for the bill when it is acted upon by the Senate. I have no amendment to offer to it, but a Senator called my attention to the fact that he desired to offer an amendment to the bill, and that Senator is not in the Chamber at this time. If the Senator from Montana, under those conditions, asks me to withdraw my objection, I will do so.

Mr. WALSH. The Senate has to-day, without objection, passed more bills which have been introduced by the Senator from Utah than were introduced by any other Senator on the floor.

Mr. SMOOT. Does the Senator, under the situation I have stated, want me to withdraw my objection to the consideration of this bill?

Mr. WALSH. I do not want the Senator to act according to my suggestions at all. He can take his own course about it.

Mr. SMOOT. Mr. President, I am perfectly willing, and I shall now, in order to show the Senator from Montana that I have no personal interest in the matter, ask that the bill be considered, and I shall not object to it. If, however, the Senator to whom I have referred wishes on to-morrow to move for a reconsideration of the bill, I shall hope the Senate will give him that privilege.

The PRESIDENT pro tempore. The Chair does not understand what the Senator from Utah means. Does the Senator object to the present consideration of the bill which has been called on the calendar?

Mr. SMOOT. No; I do not object to its consideration, with the explanation I have made.

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

Be it enacted, etc., That lands withdrawn or classified as coal, phosphate, nitrate, potash, oil, gas, or asphaltic minerals or which are valuable for those deposits, shall be subject to appropriation, location, selection, entry, or purchase, if otherwise available, under the non-mineral land laws of the United States applicable to Alaska whenever such location, selection, entry, or purchase shall be made with a view of obtaining or passing title with a reservation to the United States of the deposits on account of which the lands were withdrawn or classified or reported as valuable, together with the right to prospect for, mine, and remove the same: *Provided*, That all applications to locate, select, enter, or purchase under this section shall state that the same are made in accordance with and subject to the provisions and reservations of this act.

Sec. 2 That upon satisfactory proof of full compliance with the provisions of the laws under which the location, selection, entry, or purchase is made, the locator, selector, entryman, or purchaser shall be entitled to a patent to the land located, selected, entered, or purchased, which patent shall contain a reservation to the United States of the deposits on account of which the lands so patented were withdrawn or classified or reported as valuable, together with the right to prospect for, mine, and remove the same, such deposits to be subject to disposal by the United States only as shall be hereafter expressly directed by law. Any person qualified to acquire the reserved deposits may enter upon said lands with a view of prospecting for the same upon the approval by the Secretary of the Interior of a bond or undertaking to be filed with him as security for the payment of all damages to the crops and improvements on such lands by reason of such prospecting, the measure of any such damage to be fixed by agreement of parties or by a court of competent jurisdiction. Any person who has acquired from the United States the title to or the right to mine and remove the reserved deposits, should the United States dispose of the mineral deposits in lands, may reenter and occupy so much of the surface thereof as may be required for all purposes reasonably incident to the mining and removal of the minerals therefrom, and mine and remove such minerals, upon payment of damages caused thereby to the owner of the land, or upon giving a good and sufficient bond or undertaking therefor in an action instituted in any competent court to ascertain and fix said damages: *Provided*, That nothing herein contained shall be held to deny or abridge the right to present and have prompt consideration of applications to locate, select, enter, or purchase, under the land laws of the United States applicable to Alaska, lands which have been withdrawn or classified as coal, phosphate, nitrate, potash, oil, gas, or asphaltic mineral lands, with a view of disproving such classification and securing patent without reservation, nor shall persons who have located, selected, entered, or purchased lands subsequently withdrawn, or classified as valuable for said mineral deposits, be debarred from the privilege of showing, at any time before final

entry, purchase, or approval of selection or location, that the lands entered, selected, or located are in fact nonmineral in character.

Sec. 3. That any person who has, in good faith, located, selected, entered, or purchased, or any person who shall hereafter locate, select, enter, or purchase, under the nonmineral and laws of the United States applicable to Alaska any lands which are subsequently withdrawn, classified, or reported as being valuable for coal, phosphate, nitrate, potash, oil, gas, or asphaltic minerals, may, upon application therefor, and making satisfactory proof of compliance with the laws under which such lands are claimed, receive a patent therefor, which patent shall contain a reservation to the United States of all deposits on account of which the lands were withdrawn, classified, or reported as being valuable, together with the right to prospect for, mine, and remove the same.

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

DESERT-LAND ENTRIES.

The bill (S. 1068) relating to desert-land entries was considered as in Committee of the Whole. The bill had been reported from the Committee on Public Lands with an amendment, on page 1, line 7, after the word "acquired," to insert "as an enlarged homestead entry and," so as to make the bill read:

Be it enacted, etc., That the right to make a desert-land entry shall not be denied to any applicant therefor who has already made an enlarged homestead entry of 320 acres: *Provided*, That said applicant is a duly qualified entryman and the whole area to be acquired as an enlarged homestead entry and under the provisions of this act does not exceed 480 acres.

The amendment was agreed to.

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

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

FLORIDA NATIONAL FOREST.

The bill (S. 3764) to consolidate certain forest lands in the Florida National Forest was considered as in Committee of the Whole. It empowers the Secretary of the Interior, for the purpose of consolidating the forest lands belonging to the United States within the Florida National Forest, upon the recommendation of the Department of Agriculture, to exchange lands belonging to the United States which are part of the Florida National Forest for privately owned lands of approximately equal value, as determined by the Secretary of Agriculture, within the exterior limits of the national forest, which lands upon the consummation of the exchange shall become a part of the Florida National Forest.

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

LAND GRANT TO ALABAMA.

The bill (S. 3685) granting certain lands to the State of Alabama for the use of the insane hospital for the colored, was considered as in Committee of the Whole. It proposes to grant to the State of Alabama for the use of the Alabama Insane Hospital for the Colored all of fractional section 1, township 1 N., R. 1 W., south of Cedar Creek and west of John Chastang's private-land claim, containing 132.91 acres, and directs the Secretary of the Interior to issue a patent to the State for the same; but the State shall not have the right to sell or convey the lands herein granted, or any part thereof, or to devote them to any other purpose than as hereinbefore described, and in the event of attempted alienation or failure to use the lands for the purposes described they shall revert to the United States.

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

LAND CONVEYANCES BY PONCA CITY, OKLA.

The bill (S. 1086) authorizing Ponca City, Okla., and the board of education of said city to convey certain lands, was considered as in Committee of the Whole. The bill had been reported from the Committee on Public Lands with an amendment, on page 1, line 8, after the name "Hartman," to strike out "and the west half of block 28," and to insert "and all of block A"; so as to make the bill read:

Be it enacted, etc., That the city of Ponca City and the board of education of the city of Ponca City, in the State of Oklahoma, be, and they are hereby, authorized to sell and convey, for the benefit of the school district of said city, the west half of block 35, in the town site of Bluffdale; the west half of block 13, in the town site of Hartman; and all of block A, in the town site of Lynchville, according to the approved plats of said town sites, respectively; said tracts lying and being in the corporate limits of the city of Ponca City, Okla., and containing 3.168 acres, and heretofore patented to said city for school purposes under section 22 of the act of May 2, 1890 (26 Stat., p. 81).

The amendment was agreed to.

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

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

CLAIMS UNDER NAVY DEPARTMENT.

The bill (S. 4268) to satisfy certain claims against the Government arising under the Navy Department was considered as in Committee of the Whole. It proposes to appropriate the following sums to pay the claims arising under the Navy Department hereinafter stated, being in full for and the receipt of the same to be taken and accepted in each case as a full and final release and discharge of the respective claims, namely:

First. To reimburse James H. Boone, Frank J. Browning, Ernest Fischer, jr., John McCabe, James Plant, Millard C. Ray, and Charles H. Storer, then enlisted men of the Navy, for personal effects lost at the time of the boiler explosion on the U. S. S. *Aylwin* on April 6, 1914, \$45.39.

Second. To reimburse the Seaboard Air Line Railway for the cost of repairs to Virginia & Southwestern steel gondola car No. 10,569 for the cost of repairs to this car damaged at the navy yard, Norfolk, Va., on June 17, 1914, \$46.62.

Third. To reimburse the owners of Washington Tug & Barge Co.'s scow No. 15 for damages suffered by this scow while discharging cargo at the navy yard, Puget Sound, Wash., on the night of November 20-21, 1914, \$91.79.

Fourth. To reimburse the owners of the American schooner *William H. Sumner* for damages arising out of the collision between this schooner and the U. S. S. *North Dakota* off Cape Henry, Va., on November 21, 1914, \$2,354.57.

Fifth. To reimburse the owners of scow No. 8 for damages suffered by their boat as the result of a collision with the U. S. S. *Goldsborough* at Tacoma, Wash., on December 17, 1914, \$674.22.

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

MICHAEL F. O'HARE.

The bill (H. R. 4530) for the relief of Michael F. O'Hare was considered as in Committee of the Whole. It directs the Secretary of the Treasury to pay to Michael F. O'Hare, of Tynngboro, Mass., \$85 in full compensation for loss of a cow and injury to his business through negligence on the part of employees of the United States Department of Agriculture, Bureau of Entomology, on June 11, 1911.

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

BUSINESS PASSED OVER.

The bill (S. 1107) to amend, revise, and codify the laws relating to the public printing and binding and the distribution of Government publications was announced as next in order.

Mr. OWEN. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

The resolution (S. Res. 110) to print the pamphlet entitled "The National Bank Act and other laws relating to National Banks" as a Senate document was announced as next in order.

Mr. GRONNA. I object to that.

The PRESIDENT pro tempore. Objection is made. The resolution will be passed over.

INDEX-DIGEST OF THE CLAYTON ANTITRUST ACT (S. DOC. NO. 355).

The resolution (S. Res. 109) to print the manuscript entitled "Index-Digest of the Clayton Antitrust Act" as a Senate document, was considered and agreed to, as follows:

Resolved, That the manuscript submitted by the Senator from Oklahoma [Mr. OWEN] on February 12, 1916, entitled "Index-Digest of the Clayton Antitrust Act" be printed as a Senate document.

JOINT RESOLUTION PASSED OVER.

The joint resolution (S. J. Res. 63) authorizing the erection on the public grounds in the city of Washington, D. C., of a memorial to Alfred Noble, was announced as next in order.

Mr. SMOOT. Let that go over.

The PRESIDENT pro tempore. Objection is made, and the joint resolution goes over.

RED RIVER OF THE NORTH DAM AT FARGO, N. DAK.

The bill (S. 3283) to give a legal status to a dam constructed in the Red River of the North at Fargo, N. Dak., was considered as in Committee of the Whole. It legalizes the dam constructed in the Red River of the North by the city of Fargo, N. Dak., at Island Park and gives the consent of Congress to its maintenance by the city, subject, however, to all the provisions of the statutes now or hereafter in force relating to the preservation and protection of navigable waters; but any changes in the dam which the Secretary of War may at any

time deem necessary and order in the interest of navigation shall be promptly made by the owners thereof at their own expense, and within 60 days from the approval of this act the city shall furnish for the files of the War Department a map and plan for approval in accordance with regulations.

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

CAPT. THOMAS MOORE.

The joint resolution (S. J. Res. 52) to convey the thanks of Congress to Capt. Thomas Moore, master of the Alaska Steamship Co.'s steamer *Cordova*, and to the officers and crew, and also to the officers and crew of the United States Coast and Geodetic Survey steamer *Patterson*, for the prompt and heroic services rendered by them in rescuing the survivors of the United States revenue cutter *Tahoma*, was considered as in Committee of the Whole.

The joint resolution had been reported from the Committee on Commerce with an amendment to strike out all after the enacting clause and insert:

That the thanks of Congress be, and the same are hereby, extended to Capt. Thomas Moore and the officers and crew of the steamer *Cordova*, belonging to the Alaska Steamship Co., to Capt. C. C. Christiansen and the officers and crew of the steamer *Kodiak*, belonging to the Pacific Sea Products Co., and to the officers and crew of the United States Coast and Geodetic Survey steamer *Patterson*, for their heroic rescue of the survivors of the United States revenue cutter *Tahoma*, shipwrecked near the coast of Alaska; and that duly certified copies of this resolution be sent to Capt. Thomas Moore and to the officers and members of his crew, to Capt. C. C. Christiansen and to the officers and members of his crew, as well as to the officers and crew of steamer *Patterson*, participating in this rescue.

The amendment was agreed to.

The joint resolution was reported to the Senate as amended, and the amendment was concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A joint resolution to convey the thanks of Congress to Capt. Thomas Moore, master of the Alaska Steamship Co.'s steamer *Cordova*, and to the officers and crew; to Capt. C. C. Christiansen, master of the Pacific Sea Products Co.'s steamer *Kodiak*, and to the officers and crew; and also to the officers and crew of the United States Coast and Geodetic Survey steamer *Patterson*, for the prompt and heroic services rendered by them in rescuing the survivors of the U. S. revenue cutter *Tahoma*."

NAVAJO TIMBER CO.

The bill (S. 3934) to reimburse the Navajo Timber Co., of Delaware, for a deposit made to cover the purchase of timber was considered as in Committee of the Whole.

The bill had been reported from the Committee on Claims with an amendment, on page 1, line 6, after the words "United States," to strike out "not otherwise appropriated, the sum of \$5,000," and to insert "standing to the credit of the fund 'Indian moneys, proceeds of labor, Fort Apache Indians,' the sum of \$4,904.10," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the Navajo Timber Co., of Delaware, out of any moneys in the Treasury of the United States standing to the credit of the fund "Indian moneys, proceeds of labor, Fort Apache Indians," the sum of \$4,904.10, the same to be a reimbursement for a deposit made by said Navajo Timber Co. with the Commissioner of Indian Affairs of the United States on October 15, 1913, to accompany a bid for the purchase of certain timber on the Apache and Sitgreaves National Forests, Arizona, and on the Fort Apache Indian Reservation, Ariz.

The amendment was agreed to.

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

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

BILLS PASSED OVER.

The bill (S. 4654) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors, was announced as next in order.

Mr. SMITH of Georgia. Let that go over.

The PRESIDENT pro tempore. Objection is made, and the bill will be passed over.

The bill (H. R. 9803) to emancipate from certain disabilities children who have judgments of conviction for crime of record against them in the Juvenile Court of the District of Columbia was announced as next in order.

Mr. SMITH of Maryland. Let that bill go over.

The PRESIDENT pro tempore. Objection is made, and the bill will be passed over.

JOHN E. WOODS.

The bill (S. 797) for the relief of John E. Woods was considered as in Committee of the Whole. It directs the Secretary of the Treasury to pay for salary due John E. Woods, superintendent of live stock on the Tongue River Indian Reservation, from April 21, 1914, to January 19, 1915, at \$720 per annum, \$536.

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

INTERSTATE BRIDGE CO.

The bill (H. R. 10238) granting the consent of Congress to Interstate Bridge Co. to construct a bridge across Mississippi River was considered as in Committee of the Whole.

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

MISSISSIPPI RIVER BRIDGE AT BATON ROUGE, LA.

The bill (S. 3722) to extend the time for constructing a bridge across the Mississippi River at or near the city of Baton Rouge, La., was considered as in Committee of the Whole.

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

ALLOTTEES OF THE QUAPAW AGENCY, OKLA.

The bill (S. 1728) to amend section 1 of an act approved March 3, 1909 (35 Stat. L., p. 751), entitled "An act for the removal of restrictions on alienation of lands of allottees of the Quapaw Agency, Okla., and the sale of all tribal land, school, agency, or other lands on any of the reservations within the jurisdiction of such agency, and for other purposes," was considered as in Committee of the Whole. It proposes to amend section 1 of an act approved March 3, 1909, entitled "An act for the removal of restrictions on alienation of lands of allottees of the Quapaw Agency, Okla., and the sale of all tribal lands, school, agency, or other lands on any of the reservations within the jurisdiction of such agency, and for other purposes," so as to read as follows:

SECTION 1. That the Secretary of the Interior may, in his discretion, and he is hereby, authorized to remove the restrictions as to sale, encumbrance, or taxation from all the allotted lands of any adult allottees of any of the tribes of Indians, including the Modocs, belonging to the Quapaw Indian Agency, in the State of Oklahoma, whenever he shall be satisfied that any Indian allottee is competent to manage his or her affairs, but said lands from which the restrictions have been removed shall not be liable for the satisfaction of any debt contracted prior to the removal of said restrictions by the Secretary.

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

BILL PASSED OVER.

The bill (S. 645) to provide for the closing of barber shops in the District of Columbia on Sunday was announced as next in order.

Mr. GRONNA. Let that bill go over.

Mr. HARDING. I ask that the bill be passed over.

The PRESIDENT pro tempore. The bill will be passed over, objection having been made.

REGULATION OF ADVERTISING IN THE DISTRICT OF COLUMBIA.

The bill (H. R. 10490) to prevent fraudulent advertising in the District of Columbia was considered as in Committee of the Whole.

The bill had been reported from the Committee on the District of Columbia with amendments, in section 1, page 2, line 2, before the word "intent," to strike out "fraudulent"; in the same line, after the word "to," to insert "purchase any goods, wares, or merchandise or anything of value or to"; in line 7, before the word "purpose," to strike out "fraudulent"; in line 11, before the word "intent," to strike out "fraudulent"; and in line 13, before the words "to employ," to strike out "for a valuable consideration," so as to make the section read:

That it shall be unlawful in the District of Columbia for any person, firm, association, corporation, or advertising agency, either directly or indirectly, to display or exhibit to the public in any manner whatever, whether by handbill, placard, poster, picture, film, or otherwise; or to insert or cause to be inserted in any newspaper, magazine, or other publication printed in the District of Columbia; or to issue, exhibit, or in any way distribute or disseminate to the public; or to deliver, exhibit, mail, or send to any person, firm, association, or corporation any false, untrue, or misleading statement, representation, or advertisement with an intent to purchase any goods, wares, or merchandise or anything of value or to deceive, mislead, or induce any person, firm, association, or corporation to purchase, discount, or in any way invest in or accept as collateral security any bonds, bill, share of stock, note, warehouse receipt, or any security; or with the purpose to deceive, mislead, or induce any person, firm, association, or corporation to purchase, make any loan upon, or invest in any property of any kind; or use any of the aforesaid methods with the intent or purpose to deceive, mislead, or induce any other person, firm, or corporation to employ the services of any person, firm, association, or corporation so advertising such services.

The amendments were agreed to.

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.

BILL PASSED OVER.

The bill (H. R. 7571) to provide for the appointment of the recorder of deeds of the District of Columbia by the Commissioners of the District of Columbia was announced as next in order.

Mr. HOLLIS. I ask that the bill be passed over.

Mr. SMITH of Georgia. Let the bill go over.

The PRESIDENT pro tempore. Objection being made, the bill will be passed over.

LOGAN MONUMENT AND VOLUNTEER SOLDIERS' MEMORIAL ASSOCIATION.

The joint resolution (S. J. Res. 103) to furnish to the Logan Monument and Volunteer Soldiers' Memorial Association a list of the names and addresses of all soldiers and sailors now living was considered as in Committee of the Whole. It directs the Commissioner of Pensions to furnish to the Logan Monument and Volunteer Soldiers' Memorial Association the names and addresses of all soldiers and sailors now living, showing the company and regiment of each, as requested by the National Encampment of the Grand Army of the Republic.

Mr. SMITH of Georgia. I should like to inquire of the Senator from Maine, who, I see, has reported the joint resolution, whether it will involve any expense?

Mr. JOHNSON of Maine. I will say, Mr. President, that we have a letter from the department stating that it will involve no extra clerk hire and no extra expense.

Mr. SMITH of Georgia. Very well; I have no objection.

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

BILL PASSED OVER.

The bill (H. R. 11240) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, was announced as next in order.

Mr. SMITH of Georgia. Let that bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

COOSA RIVER, ALA.

The bill (S. 3900) to authorize the sale and disposal of an island in the Coosa River, in the State of Alabama, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Commerce with amendments on page 2, line 5, after the word "navigation," to insert "or of water power"; and in line 8, after the word "improvement," to insert "or of the development of water power," so as to make the bill read:

Be it enacted, etc., That, with the assent of the Secretary of War, that a certain island in Coosa River, St. Clair County, Ala., known as Rock Island and described upon the official plat of survey as lot 1, section 24, township 14 south, range 5 east, and lot 1, section 19, township 14 south, range 6 east, Huntsville meridian, containing 2.55 acres, may be restored to entry, and that the Secretary of the Interior be, and he hereby is, authorized, in his discretion, to sell and convey said land to the Rock Island Fishing and Hunting Club, at \$1.25 per acre: *Provided*, That the aforesaid land shall forever be and remain subject to the right of the United States to overflow same or any part thereof in the improvement and development of navigation or of water power on the Coosa River; and no claim or right to compensation shall accrue from the overflowing of said land on account of said work of improvement or of the development of water power: *Provided further*, That in any patent that the Secretary of the Interior may issue for said land the right to overflow without liability for damage shall be expressly reserved to the United States: *Provided further*, That if said Rock Island Fishing and Hunting Club should at any time use or attempt to use said tract of land for any other purpose than that of recreation or club purposes, or should attempt to sell, lease, or convey said tract of land shall revert to the United States.

The amendments were agreed to.

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

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

CROW INDIAN LANDS IN MONTANA.

The joint resolution (S. J. Res. 14) to permit offerings at public sale of certain lands in Montana ceded by the Crow Indians was considered as in Committee of the Whole.

The joint resolution had been reported from the Committee on Public Lands with amendments. The first amendment was, on page 1, line 9, after the word "purposes," to strike out "or in the act of April 27, 1904, entitled 'An act to ratify and amend an agreement with the Indians of the Crow Reservation in

Montana, and making appropriations to carry the same into effect," so as to read:

That nothing contained in section 31 of the act of March 3, 1891, entitled "An act making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the year ending June 30, 1892, and for other purposes," shall hereafter be so construed as to prohibit the offering at public sale of any tract of land affected thereby which is otherwise subject to such offering, under the provisions of section 2455, United States Revised Statutes, as amended by the act of March 28, 1912 (37 Stat. L., p. 77): *Provided*, That in no order for an offering of such lands shall a minimum price be fixed less than the price therefor fixed by existing laws.

The amendment was agreed to.

The next amendment was, on page 2, after line 11, to insert a new section as follows:

SEC. 2. That all lands not otherwise reserved that have been withdrawn or classified as coal lands, or are valuable for coal, restored to entry under the authority of the act approved April 27, 1904 (33 Stat., p. 352), entitled "An act to ratify and amend an agreement with the Indians of the Crow Reservation in Montana, and making appropriations to carry the same into effect," shall be subject to disposal in the same manner and under such terms and conditions as have been or may be provided for the disposition of nonmineral lands opened to entry or sale by the aforesaid act: *Provided*, That such disposals and the lands affected thereby shall be subject to all the provisions of the act approved June 22, 1910 (36 Stat., p. 583), entitled "An act to provide for agricultural entries on coal lands," hereby extended thereto.

The amendment was agreed to.

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

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "Joint resolution to permit of the disposition of certain lands in Montana ceded by the Crow Indians."

JOINT RESOLUTION PASSED OVER.

The joint resolution (S. J. Res. 50) authorizing the Secretary of the Interior to sell the coal deposits in and under certain public lands to the Republic Coal Co., a corporation, was announced as next in order.

Mr. KENYON. Let that go over.

The PRESIDENT pro tempore. The joint resolution will be passed over.

MOUNT RAINIER NATIONAL PARK.

The bill (S. 3928) to accept the cession by the State of Washington of exclusive jurisdiction over the lands embraced within the Mount Rainier National Park, and for other purposes, was announced as next in order.

Mr. JONES. Mr. President, I wish to say that that is rather a long bill, but it has passed the Senate twice and is identical with the law which is now on the statute books with reference to the control in the Glacier National Park. If it is possible to have it passed without a full reading, I ask that that be done.

The PRESIDENT pro tempore. The Senator from Washington asks unanimous consent that the formal reading of the bill may be dispensed with. Is there objection?

Mr. WALSH. Mr. President, I should like to inquire of the Senator whether or not the bill conforms to an amendment which was made to the Glacier Park act, so as to give the commissioner to be appointed control over petty offenses?

Mr. JONES. I understand it does. It is recommended by the department and, in fact, was suggested by them.

The PRESIDENT pro tempore. Without objection, the formal reading of the bill is dispensed with. The bill is in the Senate as in Committee of the Whole and open to amendment.

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

H. L. CORBIN.

The bill (S. 17) permitting H. L. Corbin to purchase certain public lands was considered as in Committee of the Whole. It grants permission to H. L. Corbin to purchase the west half of the southwest quarter of section 35, township 8 south, range 70 west of the sixth principal meridian, containing 80 acres, at \$1.25 per acre.

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

LANDS IN UNCOMPAGRE INDIAN RESERVATION, UTAH.

The bill (S. 43) in relation to the location, entry, and patenting of lands within the former Uncompagre Indian Reservation, in the State of Utah, containing gilsonite or other like substances, and for other purposes, was considered as in Committee of the Whole. It provides that the lands and also all the mineral therein within the former Uncompagre Indian Reservation, in the State of Utah, which was specifically re-

served for future action of Congress in the act approved March 3, 1903 (32 Stat., 998), and the remainder of the lands within even-numbered section in that reservation reserved in the act approved June 7, 1897 (30 Stat., 87), as containing gilsonite, asphaltum, elaterite, or other like substances, and which were by the act of March 3, 1903, authorized to be sold and disposed of in tracts not exceeding 40 acres, shall, unless otherwise reserved, be immediately open to settlement, location, occupation, and entry under all the land laws of the United States according to the character of the lands or of the mineral deposits therein.

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

MOORE, WOODSON, AND WHITFIELD.

The joint resolution (S. J. Res. 59) authorizing the Secretary of the Interior to cause the settlement of the accounts of Special Agents Moore, Woodson, and Whitfield, under the treaty of 1854 with the Delaware Indians, was considered as in Committee of the Whole.

The joint resolution had been reported from the Committee on Public Lands, with an amendment, on page 2, line 16, to strike out "second auditor and second comptroller" and insert "Auditor for the Interior Department," so as to make the joint resolution read:

Resolved, etc., That the Secretary of the Interior is hereby authorized and required to direct the Commissioner of Indian Affairs to make an administrative examination of the accounts of Ely Moore, deceased, as special register and superintendent, and Daniel Woodson, as special receiver and superintendent, and John W. Whitfield, special register and superintendent of the sales of the Indian trust lands, under the Delaware treaty of May 6, 1854; the Iowa treaty of May 17, 1854, and Wea, etc., treaty of May 30, 1854, under said treaties, as construed by the Supreme Court of the United States in case No. 216, on March 3, 1884, as shown in the opinion of said court, recorded in 110 United States Reports, page 688, who shall allow said special agents the same additional commissions allowed by said court in said case of one of the four special agents employed to carry said treaties into effect; and there shall also be allowed them any other expenses incurred in the sales of said trust lands not heretofore allowed them, together with the interest that has accrued on the moneys withheld from them, which were loaned out by acts of Congress, and who shall send their accounts to the Auditor for the Interior Department for final settlement.

The amendment was agreed to.

The joint resolution was reported to the Senate as amended, and the amendment was concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

LANDS IN NORTH DAKOTA.

The bill (S. 592) to authorize an exchange of lands with the State of North Dakota for promotion of experiments in dry-land agriculture, and for other purposes, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Public Lands with an amendment, on page 1, line 5, to strike out "sixth" and insert "fifth," so as to make the bill read:

Be it enacted, etc., That upon receipt of a proper deed from the State of North Dakota, executed under authority of the act of its legislative assembly, approved February 5, 1915, reconveying to the United States title to section 16, township 138 north, range 81 west, fifth principal meridian, the Secretary of the Interior is authorized to issue patents to said State for such vacant, surveyed, unreserved, unoccupied, non-mineral public lands as may be selected by said State within its boundaries, not exceeding 1,280 acres in aggregate area, and said section, when so reconveyed, shall not be subject to settlement, location, entry, or selection under the public-land laws, but shall be reserved for the use of the Department of Agriculture in carrying on experiments in dry-land agriculture at the Northern Great Plains Field Station, Mandan, N. Dak.

The amendment was agreed to.

The bill was reported to the Senate as amended and the amendment was concurred in.

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

IMPROVEMENT OF ROADS.

The bill (H. R. 7617) to provide that in order to promote agriculture, afford better facilities for rural transportation and marketing farm products, and encourage the development of a general system of improved highways, the Secretary of Agriculture, on behalf of the United States, shall in certain cases aid the States in the construction, improvement, and maintenance of roads which may be used in the transportation of interstate commerce, military supplies, or postal matter, was announced as next in order.

Mr. SMITH of Georgia. Mr. President, as a friend of that measure I ask that it go over. It will be utterly impossible for us to dispose of it under the five-minute rule.

The PRESIDENT pro tempore. Objection being made, the bill will be passed over.

FISH-CULTURAL STATION, OKLAHOMA.

The bill (S. 4490) to establish a fish-cultural station in the State of Oklahoma was considered as in Committee of the Whole. It authorizes the Secretary of Commerce to establish a fish-cultural station in the State of Oklahoma, at a suitable place to be selected by him, and for that purpose \$50,000, or so much thereof as may be necessary, is appropriated for the purchase of site, construction of buildings and ponds, and equipment, provided that before any final steps shall have been taken for the construction of a fish-cultural station in accordance with this bill the State of Oklahoma, through appropriate legislative action, shall accord to the United States Commissioner of Fisheries and his duly authorized agents the right to conduct fish hatching and all operations connected therewith, in any manner and at any time that may by them be considered necessary and proper, any fishery laws of the State to the contrary notwithstanding, provided, further, that the operations of said hatchery may be suspended by the Secretary of Commerce whenever, in his judgment, the laws and regulations affecting the fishes cultivated are allowed to remain so inadequate as to impair the efficiency of said hatchery.

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

FISH-CULTURAL STATION, WASHINGTON.

The bill (S. 3129) to establish a fish-cultural station in the State of Washington was considered as in Committee of the Whole.

The bill had been reported from the Committee on Fisheries under an amendment, on page 1, line 7, to strike out "\$25,000" and insert "\$50,000," so as to make the bill read:

Be it enacted, etc., That the Secretary of Commerce be, and he is hereby, authorized and directed to establish a fish-cultural station in the State of Washington on the Quinault River or its tributaries or on Lake Quinault, and for said purpose the sum of \$50,000, or so much thereof as may be necessary, is hereby appropriated for the purchase of site, construction of buildings and ponds, and equipment: *Provided*, That before any final steps shall have been taken for the construction of a fish-cultural station in accordance with this act, the State of Washington, through appropriate legislative action shall accord to the United States Commissioner of Fisheries and his duly authorized agents the right to conduct fish hatching and all operations connected therewith in any manner and at any time that may by them be considered necessary and proper, any fishery laws of the State to the contrary notwithstanding: *And provided further*, That the operations of said hatchery may be suspended by the Secretary of Commerce whenever, in his judgment, the laws and regulations affecting the fishes cultivated are allowed to remain so inadequate as to impair the efficiency of said hatchery.

The amendment was agreed to.

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

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

FISH HATCHERY, ALABAMA.

The bill (S. 4067) to establish a fish hatchery in the State of Alabama was considered as in Committee of the Whole. It appropriates the sum of \$50,000, or so much thereof as may be necessary, for the establishment of a fish hatchery in the State of Alabama, including purchase of site, construction of buildings and ponds, and equipment, at some suitable point to be selected by the Secretary of Commerce: *Provided*, That before any final steps shall have been taken for the construction of a fish hatchery in accordance with this bill the State of Alabama, through appropriate legislative action, shall accord to the United States Commissioner of Fisheries and his duly authorized agents the right to conduct fish hatching and all operations connected therewith in any manner and at any time that may by them be considered necessary and proper, any fish laws of the State to the contrary notwithstanding: *And provided further*, That the operations of said hatchery may be suspended by the Secretary of Commerce whenever, in his judgment, the laws and regulations affecting the fishes cultivated are allowed to remain so inadequate as to impair the efficiency of said hatchery.

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

FISH HATCHERY, FLORIDA.

The bill (S. 2993) to establish a fish hatchery in the State of Florida was considered as in Committee of the Whole. It appropriates \$50,000, or so much thereof as may be necessary, for the establishment of a fish hatchery in the State of Florida, including purchase of site, construction of buildings and ponds, and equipment, at some suitable point to be selected by the Secretary of Commerce: *Provided*, That before any final steps shall have been taken for the construction of a fish hatchery in accordance with this bill the State of Florida, through appro-

appropriate legislative action, shall accord to the United States Commissioner of Fisheries and his duly authorized agents the right to conduct fish hatching and all operations connected therewith in any manner and at any time that may by them be considered necessary and proper, any fishery laws of the State to the contrary notwithstanding: *And provided further*, That the operations of said hatchery may be suspended by the Secretary of Commerce whenever, in his judgment, the laws and regulations affecting the fishes cultivated are allowed to remain so inadequate as to impair the efficiency of said hatchery.

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

FISH-CULTURAL STATION, ARIZONA.

The bill (S. 4449) to establish a fish-cultural station at some point in the State of Arizona was considered as in Committee of the Whole. It appropriates the sum of \$50,000, or so much thereof as may be necessary, for the establishment of a fish-cultural station at some point in the State of Arizona, including the purchase of site, construction of building, and equipment, to be selected by the Secretary of Commerce: *Provided*, That before any final steps shall have been taken for the construction of a fish-cultural station in accordance of this act, the State of Arizona, through legislative action, shall accord to the United States Commissioner of Fisheries and his duly authorized agents the right to conduct fish hatching and all operations connected therewith in any manner and at any time that may by them be considered necessary and proper, any fishery laws of the State to the contrary notwithstanding: *Provided further*, That the operations of said hatchery may be suspended by the Secretary of Commerce whenever, in his judgment, the laws and regulations affecting the fishes cultivated are allowed to remain so inadequate as to impair the efficiency of said hatchery.

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

FISH-CULTURAL STATION, TEXAS.

The bill (S. 3261) to establish an additional fish-cultural station in the State of Texas was considered as in Committee of the Whole. It appropriates the sum of \$50,000, or so much thereof as may be necessary, for the establishment of an additional fish-cultural station in the State of Texas, including the purchase of site, construction of building, and equipment, at some suitable point to be selected by the Secretary of Commerce: *Provided*, That before any final steps shall have been taken for the construction of a fish-cultural station in accordance with this act the State of Texas, through appropriate legislative action, shall accord to the United States Commissioner of Fisheries and his duly authorized agents the right to conduct fish hatching and all operations connected therewith in any manner and at any time that may by them be considered necessary and proper, any fishery laws of the State to the contrary notwithstanding: *Provided further*, That the operations of said hatchery may be suspended by the Secretary of Commerce whenever, in his judgment, the laws and regulations affecting the fishes cultivated are allowed to remain so inadequate as to impair the efficiency of said hatchery.

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

FISH-CULTURAL STATION, NEW MEXICO.

The bill (S. 1859) to establish a fish-cultural station in the State of New Mexico was considered as in Committee of the Whole.

The bill had been reported from the Committee on Fisheries, with an amendment, on page 1, line 3, to strike out "\$25,000" and to insert "\$50,000," so as to make the bill read:

Be it enacted, etc., That the sum of \$50,000, or so much thereof as may be necessary, be, and the same is hereby, appropriated for the establishment of a fish-cultural station in the State of New Mexico, including purchase of site, construction of building and ponds, and equipment, at some suitable point to be selected by the Secretary of Commerce: *Provided*, That before any final steps shall have been taken for the construction of a fish-cultural station in accordance with this act, the State of New Mexico, through appropriate legislative action, shall accord to the United States Commissioner of Fisheries and his duly authorized agents the right to conduct fish hatching and all operations therewith connected in any manner and at any time that may by them be considered necessary and proper, any fishery laws of the State to the contrary notwithstanding: *Provided further*, That the operations of said hatchery may be suspended by the Secretary of Commerce whenever, in his judgment, the laws and regulations affecting the fishes cultivated are allowed to remain so inadequate as to impair the efficiency of said hatchery.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in,

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

PUGET SOUND NAVY YARD.

The bill (S. 4505) appropriating money to equip Puget Sound Navy Yard for battleship construction was announced as next in order.

Mr. OVERMAN. I object to the consideration of that bill.

The PRESIDENT pro tempore. Objection is made. The bill will be passed over.

CREDIT ORGANIZATION IN NORTHERN FRANCE (S. DOC. NO. 352).

The resolution (S. Res. 115) to print the manuscript entitled "Report on Credit Organization for the Farmer and Tradesman in Northern France" as a Senate document was considered and agreed to, as follows:

Resolved, That the manuscript submitted by the Senator from Florida [Mr. FLETCHER] on February 25, 1916, entitled "Report on Credit Organization for the Farmer and Tradesman in Northern France," by John Ball Osborne, United States consul at Havre, France, be printed as a Senate document.

RURAL CREDITS AND LAND REGISTRATION (S. DOC. NO. 351).

The resolution (S. Res. 117) to print the manuscript entitled "Uniform State Laws Relating to Rural Credits and Land Registration" as a Senate document was considered and agreed to, as follows:

Resolved, That the manuscript submitted by the Senator from Florida [Mr. FLETCHER] on February 25, 1916, entitled "Uniform State Laws Relating to Rural Credits and Land Registration," being a statement submitted by S. R. Child, chairman, Committee on Adoption of Approved Acts of National Conference of Commissioners on Uniform State Laws, be printed as a Senate document.

STATUTE IN CONTRAVENTION OF THE FUNDAMENTAL LAW.

The resolution (S. Res. 116) to print the pamphlet entitled "The Duty of Courts to Refuse to Execute Statutes in Contravention of the Fundamental Law" as a Senate document was announced as next in order.

Mr. OWEN. I ask that that resolution be placed under Rule IX.

The PRESIDENT pro tempore. An objection carries it over.

Mr. OWEN. I wish to have it transferred to Rule IX.

The PRESIDENT pro tempore. That will be in order, unless there is objection.

Mr. SMOOT. Mr. President, did I understand the Senator from Oklahoma to request that this resolution be placed on the calendar under Rule IX?

Mr. OWEN. I made that motion.

The PRESIDENT pro tempore. That was the request preferred by the Senator from Oklahoma.

Mr. SMOOT. I do not think the Senator ought to do that in the absence of the Senator from Florida [Mr. FLETCHER], who reported the resolution.

Mr. OWEN. I object to the resolution very seriously, and I wish to have an opportunity to discuss it.

Mr. SMOOT. But, Mr. President, the Senator can simply object and let it go over. In the absence of the Senator from Florida, I should think the Senator from Oklahoma would prefer to take that course.

The PRESIDENT pro tempore. The statement has been made that the Senator from Florida will be absent for two months on official business. That statement has been made to the Chair by a Senator, and the Chair thinks he saw a statement to that effect in the public press.

Mr. SMOOT. If that is the case, I have no objection.

The PRESIDENT pro tempore. The order transferring the resolution to Rule IX will be made, in the absence of objection.

That completes the bills on the calendar.

Mr. SMITH of Georgia. Mr. President, I move that the Senate now take up Senate bill 706.

Mr. KENYON. Mr. President, a bill was reported this morning and went upon the calendar.

The PRESIDENT pro tempore. No doubt the Senator from Georgia will yield to the Senator from Iowa for that purpose.

Mr. KENYON. I should like to inquire if that bill would not properly be a part of the general calendar at this time.

Mr. SMITH of Georgia. It will go upon the calendar tomorrow.

Mr. KENYON. I do not insist upon it; but it is a bill that was unanimously reported by the Committee on Indian Depredations—the first bill in the history of that committee—and I thought it would be well to have it considered.

The PRESIDENT pro tempore. It all depends upon the unanimous-consent agreement. Did the unanimous-consent agreement contemplate that the Senate should consider bills that are not actually printed on the calendar? What is the understanding of the Senator from Utah on that point?

Mr. SMOOT. I do not think so.

The PRESIDENT pro tempore. If that is the case, the inquiry of the Senator from Iowa must be answered in the negative. The Senator from Georgia is recognized.

FEDERAL JUDGES.

Mr. SMITH of Georgia. I move the Senate proceed to the consideration of Senate bill 706, to amend section 260 of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911.

Mr. CLARK of Wyoming. Mr. President, I hope the Senator from Georgia will not insist upon that motion at this time. This is a very important bill—a bill which, in the opinion of some members of the Judiciary Committee at least, creates new offices, and, as such, is a delegation of authority to the President.

Mr. SMITH of Georgia. If the Senator will allow me, I do not expect to dispose of it this afternoon. I desire to take it up in order to start it on its road. I have no doubt we will have all day to-morrow to discuss it.

Mr. CLARK of Wyoming. Do I understand, then, that this will displace the unfinished business?

Mr. SMITH of Georgia. There is no unfinished business, and it will become the unfinished business.

The PRESIDENT pro tempore. The Chair is not sure that he can agree with the Senator from Georgia about that. There can not be two unfinished businesses before the Senate at the same time. The armor bill is the unfinished business.

Mr. SMITH of Georgia. But the armor bill was displaced before 2 o'clock.

The PRESIDENT pro tempore. The armor bill was displaced temporarily, which, under our practice, carries it over until 2 o'clock to-morrow unless it is sooner called up. That is the meaning of "temporarily laid aside"—that it will not be considered again, except upon specific action, until the hour of 2 o'clock has arrived.

Mr. SMITH of Georgia. Then, Mr. President, I still desire to take up the judiciary bill, and go as far as we can with it to-night, and go on with it to-morrow.

The PRESIDENT pro tempore. And take the chances on taking it up to-morrow?

Mr. SMITH of Georgia. Yes.

The PRESIDENT pro tempore. A motion this afternoon would not have the effect of making it the unfinished business, even though we might not finish its consideration this afternoon. It would go back to the calendar for such action as the Senate might take regarding it.

Mr. CLARK of Wyoming. Mr. President, there has been some variety of opinion in the last day or two as to whether or not a motion at this time, such as is made by the Senator from Georgia, is debatable.

The PRESIDENT pro tempore. As it is after 2 o'clock, there is not the slightest doubt that it is debatable.

Mr. CLARK of Wyoming. That was my impression when I rose. I started to say that I think this is a bill that ought to receive the most careful and continuous attention of the Senate before it is finally acted upon, because of the very great importance not only of the bill itself but of the constitutional questions involved in the bill. Therefore I think we ought not to take it up by piecemeal, a little this afternoon and a little to-morrow afternoon.

Mr. SMITH of Georgia. I do not think there will be "a little" to-morrow afternoon. It is not expected that the armor bill will be called up to-morrow. I understand from the Senator from South Carolina that he does not expect it to come up to-morrow, and this is the chance to take up this bill and dispose of it.

Mr. CLARK of Wyoming. I am afraid this is not the chance to take up the bill and dispose of it, because I am inclined to believe that this bill, striking as it does at many notions—perhaps ill-conceived notions—as to the constitutionality of it, as well as the political effect of it, may take some considerable time for discussion.

I am perfectly willing, so far as I am concerned, that the bill should be considered; but it is a bill of such very great importance that I believe it ought to be taken up in its own time, and it ought not to be taken up to become the buffer of other bills then pending before the Senate.

We all know how anxious the Members of the Senate are to take up the armor-plate bill, and I consider this bill of far more importance than the armor-plate bill or any temporary measure that may be brought before the Senate. It seems to me that it ought to be taken up so that we may discuss it continuously until it is disposed of, and that it may really be the business before the Senate, and not be taken up in a piecemeal

or haphazard sort of a way when the Senate will not be present to hear the discussion.

I hope this bill will not be taken up at this time, when we can have only a little time for discussion to-night and perhaps no time for discussion to-morrow. We can not have two pieces of unfinished business before the Senate at the same time.

Mr. SMITH of Georgia. Mr. President, I think we have practically agreed on this side to give this bill the right of way until it can be finished. I am sure the Senator from South Carolina [Mr. TILLMAN] does not expect to call up the armor bill to-morrow. I do not know of any speeches to be made on it to-morrow. We have had a unanimous-consent agreement to vote on the armor bill Tuesday week, nearly two weeks off. That was done to give time to the two Senators who are out of the city and who desire to speak on the armor bill to return and make their speeches. Are we to displace this bill for two weeks on that account, when other matters can be brought before the Senate?

I submit that we can finish this bill long before we can get to a vote on the armor bill, and this is an excellent opportunity to give it a full, fair discussion. I shall ask to-morrow morning—and I think the request will be supported on this side—that we take up the bill as soon as we meet. I can ask that a recess be taken to-day, in order that the Senator from Wyoming may have all to-day and to-morrow continuously to consider this bill, and if the Senator will join me he can be sure he will have all day to-morrow to consider it.

Mr. CLARK of Wyoming. I should be very glad if the Senator from Georgia would tell us what other arrangements the Members of the Senate on that side have made as to the time of the Senate, pending the vote upon the armor-plate bill.

Mr. SMITH of Georgia. I will tell the Senator all that is necessary and all that I know about. I have urged Senators who have other measures that they are pressing to yield, and not to press their measures ahead of this bill for the present, and to give me this opportunity to bring it before the Senate. That is the only arrangement I know of, and it was an entirely legitimate and proper one.

Mr. CLARK of Wyoming. Of course.

Mr. SMITH of Georgia. And I told the Senator of it.

Mr. CLARK of Wyoming. The only difficulty is that the Senator makes his arrangements as to transacting the business of the Senate with only the Members on the other side of the Chamber.

Mr. SMITH of Georgia. No; that is a mistake.

Mr. CLARK of Wyoming. I supposed that the Members on this side of the aisle had been aware of the exact arrangement that had been made to lay aside the armor-plate bill, which we were told this morning it was necessary to act upon in haste. If we had known that, probably we would have consented. I certainly should.

Mr. SMITH of Georgia. The Senator is mistaken. The arrangement was not made entirely on this side. I acquainted the Senator from Utah [Mr. SMOOR] with our plans when he desired to call up the regular calendar. I was prepared to press my motion ahead of the calendar. I have yielded for three hours to that, in order that Senators might have brought up their special bills about which there was no contention. We conferred about it, and I understood that it was pleasing to all of us. While I had the floor, and could have pressed the motion to take up this bill before 2 o'clock, I yielded in order that we might take up the general calendar and dispose of unobjected bills; and, so far as I could, I communicated with Senators on the other side. The agreement that I have, so far as I have any—I do not claim to have a definite agreement—has been rather an earnest request on my part that certain Senators who are pressing other matters should not seek to press them until I had had an opportunity to present this measure to the Senate.

Mr. WALSH. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Wyoming yield to the Senator from Montana?

Mr. CLARK of Wyoming. I had about concluded what I have to say. I simply wanted to enter my most earnest protest against proceeding with a bill of this importance at this time.

Mr. WALSH. I desire to address a question to the Senator from Wyoming.

Mr. CLARK of Wyoming. Certainly.

Mr. WALSH. I was going to remark that we ought to vote upon the motion of the Senator from Georgia with some kind of an idea, so far as we are able to get it, as to the amount of time that is likely to be consumed in this discussion. This bill comes from the Judiciary Committee, and, of course, I know of the rather marked division that existed in the committee with respect to the bill. I should like to inquire of the Senator from

Wyoming what information he can give us as to about how long the subject will be likely to be debated upon that side of the Chamber?

Mr. CLARK of Wyoming. I am unable to give the Senator any information whatever on that subject. I only know what my course shall be in regard to the bill. I am opposed to the bill and shall have a few remarks to make upon it. The Senator is well aware that I do not consume unnecessary time in the discussion of any bill, nor shall I in the discussion of this bill; but it shall be my purpose, so far as I am personally concerned—and I can speak for no other Member of the Senate—to discuss the bill rather fully, and its effect.

Mr. WALSH. I felt very sure that would be the attitude of the Senator from Wyoming; and I am sure that he will discuss these matters fairly and intelligently and forcefully, as he always does, and then he will cease.

I must say that if any agreement has been made on this side of the Chamber that the time is to be taken up by the consideration of the bill referred to by the Senator from Georgia, I personally was not a party to that agreement, and of course do not feel myself in anywise bound by any such agreement. Whether there was any such agreement or not I am not able to state.

Mr. SMITH of Georgia. Mr. President, if the Senator will yield—

Mr. WALSH. Whether some concourse of Senators upon this side of the Chamber was held, into the deliberations of which I was not admitted, I am unable to say. I should doubt, however, whether my colleagues would dispose of me in just exactly that way, or attempt to do so.

Mr. SMITH of Georgia. Mr. President, will the Senator yield for a moment?

Mr. WALSH. I insist, sir, that House bill 408 is entitled to whatever time may be available, when the unfinished business is not before the Senate, for discussion and action by this body. I think we have been very decent to our colleagues upon this side in our insistence that that bill come before the Senate. I shall make no more appeals for consideration if such a bill as the one the Senator from Georgia now asks to have taken up is to be considered as entitled to precedence over that measure, which affects the state of industry in 10 great States of this Union. I do not believe a reason can be advanced why the judiciary bill should be given precedence at this time.

I am in favor of the bill urged by the Senator from Georgia. I voted for it in the Judiciary Committee. I hope to vote for it when it comes up. But we shall be obliged to ask for a vote upon the question as to whether that bill shall now have consideration.

Mr. VARDAMAN obtained the floor.

Mr. SMITH of Georgia. Mr. President, I should like to say just one word in reply to the Senator from Montana.

Mr. VARDAMAN. I yield to the Senator from Georgia.

Mr. SMITH of Georgia. The Senator from Montana was not present in the Chamber—at least, if he was here I did not see him—at a time when, unexpectedly to all of us, or certainly unexpectedly to me, we found that the armor-plate bill would not really go on to-day. I spoke to certain associates of his who were interested in the bill in which he is also interested; and I qualified my own statement from the statement that there was an agreement in the statement that at my earnest request they consent that I should make this motion. The Senator from Montana was in no way a party to it, and I certainly did not mean for a moment to intimate that he was. I qualified my statement about the agreement, lest it should be understood to have been intended by me to apply to all Senators on this side. It was rather a request by myself to certain of his associates that I might bring up this matter and press it.

Mr. SUTHERLAND. Mr. President—

Mr. SMITH of Georgia. I do not in any way claim that they were bound not to vote for their own measures if they saw fit. It was rather that I should present this motion first.

Mr. MYERS. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Mississippi yield to the Senator from Montana?

Mr. VARDAMAN. I do.

Mr. MYERS. So far as any agreement amongst any concourse of Senators is concerned, I know nothing about it. I will say that the Senator from Georgia [Mr. SMITH] talked to me several times to-day very earnestly about desiring to get up for the remainder of the day the bill which he has moved to take up; and after he had talked with me several times on the matter I finally told him that as far as I was concerned, speaking for myself and no one else, I would make no opposition to his endeavor to get up his bill for the remainder of to-day. I

spoke for one day only. I did not say what I would do to-morrow, or some other day, or any other day. I told him that as far as this day was concerned, if he wanted to get up the bill I would make no opposition to it for this day, or to his getting it before the Senate for the balance of this day if the armor-plate bill should be laid aside.

So far as accommodating fellow-Senators is concerned by giving way, I will say that to-day at 12 o'clock I was ready and disposed to renew my fight to bring up House bill 408, and to use every endeavor in my power to get it ahead of the armor-plate bill. I do not engage in a great many fights, but when I do engage in a fight I am disposed to go ahead with it and not to give up or back up. My inclination and disposition to-day was very strongly to go ahead with the fight that I inaugurated last evening and fight it to a finish to-day, and let the Senate decide the result. But at the very earnest request of a number of Democratic Senators, including my colleague [Mr. WALSH], I yielded my own judgment on the matter and gave up my intention.

When it comes to giving in to one Senator or giving in to another, when you start giving in it is pretty hard to draw the line. I had given in, at the urgent solicitation of a number of Senators, to the Senator from South Carolina [Mr. TILLMAN] for what I felt was to be a prolonged fight, and think yet will probably be a prolonged fight; and when the Senator from Georgia [Mr. SMITH] conferred with me several times to-day and urged me very earnestly not to oppose the proposition of allowing him the remnant of one day, having started out the day with a charitable spirit of giving in I kept it up, so far as the Senator from Georgia was concerned, as to the remnant of this one day. At least I told him that I personally would not oppose him in his efforts for this day only, so far as I was concerned. I started out the day in a charitable frame of mind, and, I suppose, concluded that it would be well to keep it up and to live at least one day in that frame of mind.

That is just exactly what transpired between me and the Senator from Georgia. I did not consult anybody else about it, and I do not know whether any one else agrees with me or not, but that is my attitude in the matter, and it is limited to this day only.

ARMED MERCHANT SHIPS.

Mr. VARDAMAN. Mr. President, the lateness of the hour and the great amount of work accomplished by the Senate to-day will cause me to make brief the remarks which I shall submit, and not trespass upon the patience of this body longer than possible. I am not going to discuss the question of whether or not we should take up the bill proposed by the Senator from Georgia [Mr. SMITH], but I am going to talk about another question of vastly more importance.

In the outset I am going to ask permission to insert in my remarks the correspondence between the Senior Senator from Missouri [Mr. STONE] and the President of the United States on the subject of Americans traveling on armed merchant ships belonging to belligerent nations, together with certain extracts from the diplomatic history of this country where the Congress has taken part in the diplomatic intercourse between this and other nations, and also the resolution introduced by the Senator from Oklahoma [Mr. GORE], in its original form and the amended resolution which was laid on the table. (See Appendix.)

Mr. President, the time has arrived when Members of this Congress, confronted with an emergency pregnant with issues of grave and far-reaching consequences, should speak their minds candidly, but with that prudent reserve which always characterizes the acts of wisdom. Where so much is at stake it is dangerous to speculate; but in the twilight of doubt, under the shadow of uncertainty, the attrition of ideas and friction of suggestions when freely made can with safety be depended upon to produce the light which will lead us to the essential truth. The vanity of opinion, the pride of place, the exigencies of politics, or the prestige of power should not influence a Member of Congress in the performance of a great and patriotic duty. I belong to a school of Democrats who believe profoundly in the philosophy of party organization and the patriotism of party discipline. It is my deliberate judgment that, through the instrumentality of the Democratic Party, guided by the ancient landmarks of that organization, that free government in America is to be preserved. A vital tenet in the Democratic faith is the upholding and maintenance of the Government in the form and purpose of its original construction.

The wise framers of the Constitution, who "dipped into the future far as human eye could see," recognized the virtue of a division of authority, and therefore created the three coordinate branches of the Government—the legislative, executive, and judicial. The functions of these various departments have

been clearly defined and are well understood and recognized by the Members of this body. We all agree that the encroachment by one department upon the rights and prerogatives of another department must necessarily serve to disorganize and disturb the entire fabric. It is therefore prudent that the equilibrium should at all times be maintained perfectly. Far be it from any purpose on my part to have the Congress interfere with the executive functions of the Government or trench in any way upon the sacred rights or prerogatives of the White House.

There is no danger, I apprehend, of the legislative department of the Government usurping any of the powers that belong to the executive department. But there is danger of the President dominating and controlling the Congress in a way not contemplated by the builders of the Constitution. I have been apprehensive at times that Executive interference with the legislative function is one of the real menaces to the permanency of our system of government. The votes that have been taken by the Congress in the last few days on the question of permitting American citizens to travel on belligerent merchant ships, I respectfully submit, were not votes of confidence, but, rather, votes of obedience; they were not votes of counsel, expressing the convictions of the individual Congressman upon this grave question, but, rather, I fear, in many instances, but the sullen, silent submission to what was thought to be the demands of the presidential will and to meet the exigencies of party politics. There is beauty in the symmetry of our system of government, and we all recognize that there is strength in the perfect order of its construction. Mr. President, I wish it were possible for the legislative and executive departments of this Government, especially in times of stress like the present, to deal with each other with perfect candor and in a spirit of cooperation rather than of antagonism. There should not be the slightest friction or conflict of interests. When the ends to be reached are the same and the responsibilities are equal there is every reason why there should be perfect cooperation and the subject treated by the Executive and the Congress on the dead level of equality. Let it be understood and proclaimed to the world that the President of the United States is not the master of Congress or the ruler of this Republic, nor is there a divinity which hedges him about that renders him immune from error. And it is equally important that we should not lose sight of the truth that the Congress is in no way superior or paramount to the executive department. But they are coordinate branches, each created and designed to serve the American people, the masters of us all. I shall not refrain from stating, lest I be charged with being academic or indulging in the repetition of an ancient platitude, the vital truth, that the source of all political power is with the people, and therefore the people have a right to know what their Representatives in Congress and the President may do, and, so far as possible, the motives behind their every official act. I believe that it would be a godsend to America if the blessed sunlight of publicity might be permitted to shine upon every official act of every officer of this Government and throw upon the canvas of time in vivid portrayal the motives behind such acts.

Men in high official stations are often unnecessarily sensitive or jealous of the honor and dignity of their particular functions. Too often vanity beclouds the vision and personal ambition dulls the sense of duty. We are too inclined to regard the office which we hold temporarily as our private property rather than a trust, whose functions we are called upon to perform for the good of the people. When the resolution was introduced in the Senate a few days ago by the learned Senator from Oklahoma [Mr. GORE], and a resolution of similar import was introduced in the House of Representatives by the Hon. Mr. McLEMORE, of Texas, the cry went up in solemn and foreboding tones from those who seem to feel it their God-imposed duty to protect the Executive function from any possible encroachment by the Members of the coordinate branch, contending that the passage of such a resolution would be taken by the President—in truth, I think the President said something like that himself—and construed by the nations of the earth as an abridgment of the President's power, and some seemed to think, it might possibly be taken as a reflection upon his imputed infallibility.

They claim that the Presidency is an office created by the Constitution and vested solely with the power of conducting all diplomatic negotiations and charged with the duty of attending to all matters similar to the questions embodied in the resolution introduced by the Senator from Oklahoma. Of course I do not agree to such a contention. It is unauthorized by the terms of the Constitution and contradicted by the precedents of history. Congress in the past has not hesitated to advise and counsel with the Executive in matters of great importance similar to the question at issue to-day. It was done during the administration of President Andrew Jackson, in the official lifetime of

Henry Clay, and before and since. There is nothing new or novel in the proposition, and it has the approval of common sense and tested by time and trial. Now, I am perfectly willing, however, to concede, for the sake of this discussion, that the President thinks he is vested solely with the power which he arrogates to himself in his letter to the honorable senior Senator from Missouri [Mr. Stone]. I am going to concede to the President all the power and dignity, and I shall not detract or derogate in any way from the exercise of that power which the Constitution confers upon him. I am perfectly willing that he shall go to the end of his constitutional tether. Nor shall I, as a Senator, presume to advise him personally as to how he should perform the functions of his place, or submit to him any suggestion as to what he should do, unless he should solicit such assistance.

But, Mr. President, I am not willing to delegate to the President or any other officer the right to perform a duty devolving upon me which means as much to the American people as is involved in the issue which confronts the country to-day. I am not willing to leave to the discretion of the President or any other officer to say whether American citizens shall be permitted upon merchantmen belonging to belligerent countries, when we have been told by the President that if a person thus traveling should lose his life by the sinking of the merchantman by a German submarine that he would consider it a gross violation of international law, and I think I am within the facts of recent history when I say he intimated that the breaking off of diplomatic relations with Germany would follow. I am not willing to submit even to the President a matter of such vital moment to the people of Mississippi and America when I have assurance that he would decide the question against what I believe to be their best interests. And in taking this position I should dislike for anybody to conclude that it is because of a lack of confidence in the President's honesty or done in a spirit of hostility.

I have an impression, created by what has happened in the last few months, that the President distinctly leans toward the allies in the European conflict, and whatever he may think his duty in the premises I am sure he will do, just as I am not going to leave undone anything which should be done, that I have a right to do, and which is my duty to do as a Member of this Congress, that would render impossible an unnecessary war with any of the belligerent powers of Europe. If I may be pardoned for the diversion, I want to say just here, that I have the greatest admiration and respect for the learning of the extraordinary man who is the present Executive head of this Republic. He has written some good books—splendid books: he is familiar with the history of the rise and fall of civilizations, whose skeletons mark the shores of time; he knows the causes that produced them, and he is doubtless familiar with the influences that caused their disintegration and downfall. But, even conceding all that, I do not think he possesses a corner on all political wisdom, nor do I believe that he is any more patriotic than the majority of the Members of Congress, who share with him the responsibility of this Government. I might concede to him all the qualities with which the perfervid love-tinted imaginations of his self-constituted, special senatorial defenders, partisan friends, and devoted adherents in Congress clothe him, but even then, Mr. President, I should still be in favor of the Congress exercising its proper function and not leave all the responsibility of the Government to the President. The President is a mere man, whose heart is filled with the hopes and hates, loves and limitations, fears and forebodings, favoritisms and fancies incident to mortality. His brain is the storehouse of ambitions, vanities, virtues, faults, and frailties that belong to the human race. Only a man—just a man—that's all. And I realize that he can not do anything that will not affect for weal or woe the Nation, and I am also mindful of the fact, which is of concern to me, that upon his conduct very largely the immediate future success or failure of the Democratic Party depends. It is therefore my desire to help, not hinder; to build up, not tear down. But, Mr. President, God forbid that partisan politics should have any place in the consideration of this great question. We should rise above such influences as the sun rises above the fog. If there ever was a time in the history of this Republic when "none should be for party" but "all for the state" that time is now. Viewing it, there should be no Democratic or Republican standpoints; but it should be viewed and contemplated solely from the coign of vantage of the highest and purest patriotism and statesmanship to which a Member of the American Congress is capable of attaining.

Knowledge comes, but wisdom lingers—
And I linger on the shore—
And the individual withers;
And the world is more and more.

Having stated this much, I trust that my position may not be misunderstood. The person who would for any reason or purpose put me in the attitude of personal hostility or official antagonism to the President makes a mistake which is discredit-able to his judgment, and is an imputation of dishonor upon himself which injures him and does not hurt me. Mr. President, I do not think it should be taken as an act of treason for a United States Senator to differ from the President in a matter of public policy, especially if the Senator shall stand upon the Democratic platform and in accordance with the genius, history, and traditions of the party to which he owes allegiance. Their responsibilities are equal. They derive their authority from the same source, and the obligation is equally binding upon each to do and stand for the things that will promote the interests of the people. Submission to any power or influences other than the demands of duty involves a base repudiation of the first paramount obligation of a Senator. This Nation is confronted with a grave problem; the war cloud is rising above the horizon and its lightning flashes have inflamed the hearts of our people. The blighting simoom of war sweeps across the Old World, and the fair fields of Europe have been laid waste. Great cities—the monuments of a nation's superb civilization, the growth of ages past—have been razed to the earth, and the vine-clad hills and fragrant groves, vocal with the songs of birds, have been converted into veritable Golgothas, with moaning in the winds and tears of weeping women and children form the dewdrops upon the flowers, while the nations throughout the world, like wild beasts, are "snarling at each other's heels." For some time after the beginning of hostilities in Europe our isolation—the wide sea between our Government and the scenes of the deadly conflict—gave our people a sense of security, and that sense of security was deepened by the precautions taken by the Chief Magistrate, who went so far as to warn the American people, even in picture shows, to withhold their expressions of partiality when war scenes were flashed upon the screens. But the disaster is spreading. The flames that are consuming Europe are throwing their sparks across the dividing ocean, and the sense of security which a few months ago we enjoyed has given way to soul-disturbing apprehensions. The opportunities for investment, the greed for gain, the cupidity which is eating out the hearts of a certain class of citizens in some sections of this Republic, the bad advice of such individuals who are enjoying enormous profits from the manufacture of munitions of war, together with the public press, which has become the active agent of the harpies of predatory interests and is now engaged in the diabolical work of inculcating false sentiments, to the end that their masters may, from the wreck and carnage of war, grow richer still and fill their capacious coffers with gold coined of the blood and tears, the sufferings and sacrifices of the victims of war.

Now, let us see what the issue really is. Let us look at it and consider it in its due proportions, divested of all false coloring, and clear out of our eyes the vanity that seems to distort our mental vision. First, do the people of America want war? Has an exigency arisen or anything happened which makes it necessary that we should go to war with any foreign power in Europe or justify any other nation in declaring war against us? And if not, is it not the sacred duty of Congress, in the performance of its sovereign function, to remove every possible irritating cause and render war improbable? From my viewpoint—and I have endeavored to consider this matter in all its phases—the only probable excuse for war that I am able to discern at this time is the fact that some American traveling upon the high seas on a merchantman belonging to a belligerent nation may lose his life by the sinking of such a ship by a submarine belonging to the German Government. There may be other causes that possibly may bring about war, but if so, they have not been hinted at or mentioned in this exhaustive discussion. So we may take it as admitted that the real question at issue is the right of the American citizen to travel upon armed merchant ships belonging to a belligerent nation and the wisdom or the prudence of the American Government permitting it. I am perfectly willing for the sake of this discussion to admit that an American citizen has the technical right, vouchsafed to him by international law, to travel upon merchant ships, armed or unarmed, belonging to a belligerent nation.

I am going to consent to the further proposition that they have the right to travel upon these ships and if the Congress by solemn enactment, does not limit or abridge that right, or authorize the President of the United States to withhold protection if the right shall be exercised—in other words, if notice is not given—it is the duty of the Government of the United States to throw around such traveler theegis of its protection and hold the nation which violates the law to a strict accounting for the injury that such citizen may suffer. Now,

admitting that, I want to go a little further and say that while the American citizen has the right under international law to do the things I have detailed, would it not be wise? Would it not be prudent? Would it not be an act of humanity and a service to mankind if this Congress, chosen by the people to write their laws, should see to it that citizens of the United States—owing allegiance to our flag—should not be permitted to exercise the privilege even though it be vouchsafed to them under international law, which in so doing would necessarily involve this country in war with Germany or some other country, the result of which we all understand, would mean the loss of billions of dollars to the wealth producers of America and probably the sacrifice of millions of human lives? Mr. President, is this vaunted privilege, vouchsafed by an ancient international custom, superior and paramount to an act by the Congress and the Executive charged with the control of the Government? Is the interest of an irresponsible, imprudent, vagrant, fool-hardy creature, knowing the perils of the sea, to outweigh with the Congress the peace and happiness of 100,000,000 of prosperous and law-abiding people? Is it fair, is it just, is it reasonable, is it humane that these few irresponsible, notoriety-loving individuals should be permitted to involve this country in a war, the horrible consequences of which words may be inadequate to describe? To my mind there is but one answer to the question. Oh, but it is maintained by the President and those who are defending his views in this Chamber that America must preserve international law. That the seas must be kept open, trade untrammelled, and commerce unhindered between the nations must be maintained. That sentiment sounds fine to the fellow who enjoys the profits. It reminds one of the patriotic utterances of Patrick Henry and other heroes, whose heroism have made American history glorious, only because it is so different. It is merely stage thunder, the rattling of the tin and the flash of the red lights behind the curtain. There is not in it the real music of the heavens—the symphony of the spheres. It is the manufactured article intended more to promote the interests, enlarge the profits of the Wall Street patriot, the commercial bandit, the financial buccaneer, than it is for the conservation of the vital principles of international law and the protection of human lives.

If the question were submitted to the American people to-day as to whether or not the United States should go to war with Germany for the sinking of a merchantman belonging to Great Britain with an American citizen upon it, is there a Senator in this Chamber, is there a reasonable, patriotic man on this continent who believes that the American people would vote to permit this vagrant citizen to travel on belligerent merchant ships if they knew it meant war for the United States? Do you believe there is a mother in America who would be willing to offer her son upon the altar of such a cause? Is there a loving wife who would give her husband to be sacrificed that the rights of such a reckless individual might be upheld, or that the ancient principle of international law, which has long since become obsolete, might be vindicated? Oh, no; you know they would not. There is no question about that. There is no difference of opinion between us on this subject. I believe I have as much reverence for the American flag as any man who lives beneath its sacred folds. I yield to no man in my devotion to America, my reverence for its past, and my hope for its future. I want the flag of our Nation to float as an emblem of courage, of honor, of justice, and of humanity. I would not, knowingly, do anything, or permit anything to be done, or left undone that should be done, to preserve the independence, the integrity, and the honor of this Government. It is my Government. Every fiber of my being, every impulse of my soul, every pulsation of my heart beats in unison with its every purpose and pleads for the fulfillment of its great destiny. And for that reason, Mr. President, I shall not dishonor that flag and I shall not betray my Government by a failure on my part to take every necessary precaution against unnecessary, unprovoked, and unjustifiable war. I should not knowingly, not even to save my own life, do anything or leave anything undone that is necessary to be done, to save the American people from the horrors of war. I shall not be intimidated by the mendacious newspaper editors who are the servile tools of that greedy gang of Government wreckers, who would coin the blood and tears of the men, women, and children of this Republic into dollars that they may grow richer and richer still. I despise the slander, the detraction, the villification of that class of people who are patriots for pelf, who are partisans for plunder, and who would make the flag of the United States the flag of the pirate or the ensign of the privateer. I received an anonymous letter from some craven creature who signed himself "A Mississippian," in which he criticized me for being an "advocate of peace at any

price." The soul-sodden, dollar-hearted, brain-owned emissary of adversity charged me with having betrayed the Democratic Party; that I had proven false to "the President of my party." I hurl back into the teeth of such a creature the statement and denounce it as absolutely false. There is not enough of the element of truth in the statement to make a respectable falsehood.

Mr. President, I do not have to defend my loyalty to America and my fealty to the Democratic Party or my adherence to the platform promises. That has been attested in every vote I have cast since I came to the United States Senate. If there be one instance in all my legislative career—which is short and unimportant in this body—where I have deviated one iota from the Democratic confession of faith, where I have violated a single plank in the Democratic platform to which I owe allegiance, I challenge any man to point it out. I have kept the faith without variableness or shadow of turning, and fulfilled every promise made to my constituents, so far as it was possible for me to do so. I am not for peace at any price. I am not afraid to fight for the right, and I am not afraid to refuse to fight for the wrong or have my country go to war without just cause even though the Chief Magistrate of this Republic should order me to do so. I should not hesitate to vote in this body to commit my country to a policy which I knew would lead the Nation to war if the question of honor, the question of principle, and the rights of the American people were involved. Mindful of the sacred trust committed to my keeping as a Member of the Congress of the United States, I feel that—

A valiant man
Ought not to undergo, or tempt a danger,
But worthily, and by selected ways.
He undertakes with reason, not by chance,
His valor is the salt 't' his other virtues,
They're all unseasoned without it.

Mr. President, If I may be permitted or pardoned the personal reference, as an expression of the respect and reverence I bear for the memory of my ancestors, permit me to say, that in every war in which this Republic has engaged some member of my family, in whose veins coursed my own life current, contributed to the sacredness of the American soil by feeding the dry sand with their precious blood. Their honorable records will not be dishonored by their sons. I have three sons, all of whom are of military age, and should their country need their services to defend the flag, it would be a source of humiliation and disappointment to me, a humiliation which I have no fear, however, of ever being called upon to suffer, if either one of them should fail to respond to the first call of the Nation's need. But feeling that way about it, it in no way lessens my obligation to do everything honorable to save my country from the horrors of war. I would not sacrifice one American youth and becloud the heart of his sainted mother with the sorrows which his death would bring—I would not draw from the eyes of one good American wife the tears of grief shed over the death of her patriotic husband for all the money in America. And I am not unmindful of the value of riches, either. I realize the importance of the protection of American business rights, but the dollars to be made by the manufacturers of munitions of war or the sale of other forms of merchandise to the belligerents of Europe are to me, when compared with the value of one human soul, as a grain of sand in weight to the rock-ribbed, snow-capped mountain of the West.

If the belligerent countries of Europe desire to purchase American goods, let them come and get them. But I shall never consent to go to war because some venturesome, foolhardy creature, hired, possibly, to sail upon the British ship as a mascot to protect it against the assault of an enemy engaged in a death grapple. If the resolution proposed by the Senator from Oklahoma had been adopted by the Congress as it was originally introduced, in my judgment, the probabilities of war with Germany would have vanished as a nightmare from the troubled brain of innocence. And I am sorry the Senator from Oklahoma did not allow the resolution, as originally introduced, to be voted on. If I had been in the honorable Senator's stead, I should have forced a vote upon it. I should have held my flag in the air until it was shot from my hands. But he saw fit to do otherwise, and I have no criticism to offer for his conduct. But I am not sure we would have war even if an American citizen should lose his life on a belligerent merchant ship. It might result in the severance of diplomatic relations between Germany and the United States, but even then, I am not sure that war would follow. Germany has shown a disposition to do well nigh any and every thing demanded by the United States in order to avoid war, and it is my deliberate judgment that if we should have war with Germany, and God forbid that we may, it will be after Germany has made every possible concession to avoid it. Germany has been quite as respectful and observed the rules of

international law in her dealings with the United States as the allies. Really Germany has been more observant and respectful of international law than the allies. She could not have shown greater contempt or disregard for international law and the rights of the American people on the high seas than Great Britain has shown. Great Britain's policy in interfering with commerce on the high seas in violation of international law, which she herself helped to write, has cost the cotton growers of the South on the crops of 1914 and 1915 not less than seven hundred millions of dollars. But that fact does not affect in any way my views upon the pending question. It is also my deliberate judgment that some of the gentlemen who hold the bonds of the allies and are probably carrying large accounts against the allies for munitions of war would be very glad to see the United States drawn into this vortex of slaughter and death. Meetings are being held in some of the Eastern States urging the United States to take action. Some of the hired organs of the bondholders and munition manufacturers are taunting the people of the United States with being cowards, and saying that Great Britain and the allies are fighting America's battles. It has been intimated that there is a leaning or sympathy in high official circles in Washington toward the allies, and I do not hesitate to say that unless this Congress takes affirmative action looking to the prohibition of Americans from riding on belligerent ships, there is a possibility; aye, more, a probability that the United States Government, under pretext of defending the rights of the American citizen, will be drawn into this horrible maelstrom.

Mr. President, I feel very deeply on this subject. The time has arrived, I think, when men charged with the great responsibility with which the Members of this body are charged, that their minds should be expressed prudently and freely, and the things needful to be done should be done, notwithstanding the fact that it may displease the holders of the Anglo-French bonds, the manufacturers of munitions of war, and a few men in high official stations. Now, I want to say in conclusion, that I have no desire to encroach upon the prerogatives of the President. I would not take from him one iota of his constitutional prerogative. I would not impute to him unpatriotic or improper motives. He, in all probability, will act in accordance with what he believes to be for the better interests of the American people. That which I concede to him I trust I may with modesty be permitted to arrogate to myself.

My position on this question is not one of antagonism to the President, but rather one of cooperation and help. I am only doing that which I believe to be in the interests of the American people. I am trying to serve them as they deserve to be served. My first duty is to them, and I am going to perform that duty as my sense of right may dictate, regardless of the personal consequences. It is very much more important that America should be kept out of war with honor than it is that I should flatter the vanity, glorify the prestige, or apotheosize any individual regardless of the position which he holds. If this country should become involved in war with Germany on account of the failure of this Congress to take such action as may be necessary to prohibit Americans from traveling on ships belonging to belligerent nations, the blood of every soldier that shall be sacrificed in that conflict will be on the hands of the Members of this Congress. Every tear shed by broken-hearted mothers and grief-stricken wives ought to burn like molten lead upon the souls of the Members of this body who, through indiscretion or imprudence, fail to do the things needful to avoid it. Every pang of pain, every impulse of anguish, every heartache of the orphaned children that may be made by such a war will live accusing spirits to haunt the Members of this Congress and the President of the United States to the end of time.

No, Mr. President, I am not antagonistic to the President of the United States, who happens to be also the head of the political party to which I acknowledge allegiance, except in the matter and on the questions in which and about which I think he is wrong. Just that far and no further do I oppose the President. And just that far and no further ought I to oppose the President. Any other course for me would be dishonorable. But I prefer to describe my attitude to the President, however, as being more a difference of opinion than one of antagonism. I do not hesitate to say that to follow the lead of the President in the matter of prohibiting by law Americans to travel on belligerent merchant ships involves a violation of my every idea of duty to my constituents. It involves a violation of my sense of loyalty to the right and a betrayal of the American people. The sacrifice is too great to ask a self-respecting American Congressman to make. I will not be guilty of such a perfidious crime against my own conscience. Public office has

no charm for me, if to hold it I must sacrifice the priceless jewels of my soul.

What conscience dictates to be done
Or warns me not to do,
This teach me more than hell to shun
That more than heaven pursue.

Mr. President—

Though every leaf were a tongue to cry Thou must,
I will not say the unjust thing is just.

APPENDIX.

GORE RESOLUTION AS MODIFIED.

Whereas a number of leading powers of the world are now engaged in a war of unexampled proportions; and
Whereas the United States is happily at peace with all of the belligerent nations; and
Whereas it is equally the desire and the interest of the American people to remain at peace with all nations; and
Whereas the President has recently afforded fresh and signal proofs of the superiority of diplomacy to butchery as a method of settling international disputes; and
Whereas the right of American citizens to travel on unarmed belligerent vessels has recently received renewed guaranties of respect and inviolability; and
Whereas the right of American citizens to travel on armed belligerent vessels rather than upon unarmed vessels is essential neither to their life, liberty, or safety, nor to the independence, dignity, or security of the United States; and
Whereas Congress alone has been vested with the power to declare war, which involves the obligations to prevent war by all proper means consistent with the honor and vital interest of the Nation: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That the sinking by a German submarine without notice or warning of an armed merchant vessel of her public enemy, resulting in the death of a citizen of the United States, would constitute a just and sufficient cause of war between the United States and the German Empire.

GORE RESOLUTION AS INTRODUCED.

Whereas a number of leading powers of the world are now engaged in a war of unexampled proportions; and
Whereas the United States is happily at peace with all of the belligerent nations; and
Whereas it is equally the desire and the interest of the American people to remain at peace with all nations; and
Whereas the President has recently afforded fresh and signal proofs of the superiority of diplomacy to butchery as a method of settling international disputes; and
Whereas the right of American citizens to travel on unarmed belligerent vessels has recently received renewed guaranties of respect and inviolability; and
Whereas the right of American citizens to travel on armed belligerent vessels rather than upon unarmed vessels is essential neither to their life, liberty, or safety, nor to the independence, dignity, or security of the United States; and
Whereas Congress alone has been vested with the power to declare war, which involves the obligations to prevent war by all proper means consistent with the honor and vital interest of the Nation: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress, vested as it is with the sole power to declare war, that all persons owing allegiance to the United States should, in behalf of their own safety and the vital interest of the United States, forbear to exercise the right to travel as passengers upon any armed vessel of any belligerent power, whether such vessel be armed for offensive or defensive purposes; and it is the further sense of the Congress that no passport should be issued or renewed by the Secretary of State or by anyone acting under him to be used by any person owing allegiance to the United States for purpose of travel upon any such armed vessel of a belligerent power.

WILSON TO POU—THE LETTER THAT SURPRISED ALL.

THE WHITE HOUSE,
Washington, February 29, 1916.

MY DEAR MR. POU: Inasmuch as I learn that Mr. HENRY, the chairman of the Committee on Rules, is absent in Texas, I take the liberty of calling your attention, as ranking member of the committee, to a matter of grave concern to the country which can, I believe, be handled, under the rules of the House, only by that committee.

The report that there are divided counsels in Congress in regard to the foreign policy of the Government is being made industrious use of in foreign capitals. I believe that report to be false, but so long as it is anywhere credited it can not fail to do the greatest harm and expose the country to the most serious risks. I therefore feel justified in asking that your committee will permit me to urge an early vote upon the resolutions with regard to travel on armed merchantmen which have recently been so much talked about in order that there may be afforded an immediate opportunity for full public discussion and action upon them and that all doubts and conjectures may be swept away and our foreign relations once more cleared of damaging misunderstandings.

The matter is of so grave importance and lies so clearly within the field of Executive initiative that I venture to hope that your committee will not think that I am taking unwarranted liberty in making this suggestion as to the business of the House, and I very earnestly commend it to their immediate attention.

Cordially and sincerely, yours,

WOODROW WILSON.

STONE TO PRESIDENT.

DEAR MR. PRESIDENT: Since Senator KERN, Mr. FLOOD, and I talked with you on Monday evening I am more troubled than I have been for many a day. I have not felt authorized to repeat our conversation, but I have attempted, in response to numerous inquiries from my colleagues, to state to them, within the confidence that they should observe, my

general understanding of your attitude. I have stated my understanding of your attitude to be substantially as follows:

REPEATS WILSON'S VIEWS.

That while you would deeply regret the rejection by Great Britain of Mr. Lansing's proposal for the disarmament of merchant vessels of the allies with the understanding that Germany and her allies would not fire upon a merchant ship if she hauled to when summoned, not attempting to escape, and that the German warships would only exercise the admitted right of visitation and capture, and would not destroy the captured ship except in circumstances that reasonably assured the safety of passengers and crew, you were of the opinion that if Great Britain and her allies rejected the proposal and insisted upon arming her merchant ships she would be within her right under international law. Also that you would feel disposed to allow armed vessels to be cleared from our ports; also that you are not favorably disposed to the idea of this Government taking any definite steps toward preventing American citizens from embarking upon armed merchant vessels.

Furthermore, that you would consider it your duty, if a German warship should fire upon an armed merchant vessel of the enemy upon which American citizens were passengers, to hold Germany to strict account.

Numerous Members of the Senate and the House have called to discuss this subject with me. I have felt that the Members of the two Houses who are to deal with this grave question were entitled to know the situation we are confronting as I understand it to be.

I think I should say to you that the Members of both Houses feel deeply concerned and disturbed by what they read and hear. I have heard of some talk to the effect that some are saying that, after all, it may be possible that the program of preparedness, so called, has some relation to such a situation as we are now called upon to meet.

I have counseled all who have talked with me to keep cool; that this whole business is still the subject of diplomacy, and that you are striving to the utmost to bring about some peaceable adjustment; and that in the meantime Congress should be careful not to "ball up" a diplomatic situation by any kind of hasty and ill-considered action. However, the situation in Congress is such as to excite a sense of deep concern in the minds of careful and thoughtful men. I have felt that it is due to you to say this much.

AMOUNTS TO MORAL TREASON.

I think you understand my personal attitude with respect to this subject. As much and as deeply as I would hate to radically disagree with you, I find it difficult for my sense of duty and responsibility to consent to plunge this Nation into the vortex of this world war because of the unreasonable obstinacy of any of the powers, upon the one hand, or, on the other hand, of foolhardiness, amounting to a sort of moral treason against the Republic, of our people recklessly risking their lives on armed belligerent ships. I can not escape the conviction that such would be so monstrous as to be indefensible.

WANTS TO UPHOLD WILSON.

I want to be with you and to stand by you, and I mean to do so up to the last limit; and I want to talk with you and Secretary Lansing with the utmost frankness—to confer with you and have your judgment and counsel—and I want to be kept advised as to the course of events, as it seems to me I am entitled to be. In the meantime I am striving to prevent anything being done by any Senator or Member calculated to embarrass your diplomatic negotiations. Up to the last you should be left free to act diplomatically as you think for the best to settle the questions involved. I need hardly say that my wish is to help, not to hinder, you.

With the highest regard and most sympathetic consideration, I have the honor, Mr. President, to be,

Very sincerely, yours,

WM. J. STONE.

WILSON TO STONE.

FEBRUARY 24, 1916.

MY DEAR SENATOR: I very warmly appreciate your kind and frank letter of to-day, and feel that it calls for an equally frank reply.

You are right in assuming that I shall do everything in my power to keep the United States out of war. I think the country will feel no uneasiness about my course in that respect.

Through many anxious months I have striven for that object, amidst difficulties more manifold than can have been apparent upon the surface, and so far I have succeeded. I do not doubt that I shall continue to succeed.

The course which the central European powers have announced their intention of following in the future with regard to undersea warfare seems for the moment to threaten insuperable obstacles, but its apparent meaning is so manifestly inconsistent with explicit assurances recently given us by these powers, with regard to their treatment of merchant vessels on the high seas, that I must believe that explanations will presently ensue which will put a different aspect upon it.

CAN NOT QUESTION FAITH.

We have had no reason to question their good faith or their fidelity to their promises in the past and I, for one, feel confident that we shall have none in the future.

But in any event our duty is clear. No nation, no group of nations, has the right while war is in progress to alter or disregard the principles which all nations have agreed upon in mitigation of the horrors and sufferings of war; and if the clear rights of American citizens should ever unhappily be abridged or denied by any such action, we should, it seems to me, have in honor no choice as to what our own course should be.

For my own part, I can not consent to any abridgment of the rights of American citizens in any respect. The honor and self-respect of the Nation is involved. We covet peace and shall preserve it at any cost but the loss of honor.

To forbid our people to exercise their rights for fear we might be called upon to vindicate them would be a deep humiliation indeed. It would be an implicit, all but an explicit, acquiescence in the violation of the rights of mankind everywhere and of whatever nation or allegiance. It would be a deliberate abdication of our hitherto proud position as spokesman, even amid the turmoil of war, for the law and the right.

It would make everything this Government has attempted and everything that it has achieved during this terrible struggle of nations meaningless and futile.

FEARS MORE CONCESSIONS.

It is important to reflect that if in this instance we allowed expediency to take the place of principle the door would inevitably be opened to still further concessions.

Once accept a single abatement of right and many other humiliations would certainly follow, and the whole fine fabric of international law might crumble under our hands, piece by piece. What we are contending for in this matter is of the very essence of the things that have made America a sovereign Nation. She can not yield them without conceding her own impotency as a Nation and making virtual surrender of her independent position among the nations of the world.

I am speaking, my dear Senator, in deep solemnity, without heat, with a clear consciousness of the high responsibilities of my office, and as your sincere and devoted friend. If we should unhappily differ, we shall differ as friends; but where issues so momentous as these are involved we must, just because we are friends, speak our minds without reservation.

Faithfully, yours,

WOODROW WILSON.

FEDERAL JUDGES.

Mr. SMITH of Georgia. Mr. President, I have been yielding all the afternoon to the wishes of other Senators, so as to facilitate their getting up the short matters that are on the calendar, and I am going to yield again to the views of the Senator from Wyoming [Mr. CLARK], so far as pressing the motion I made this afternoon; but as I shall renew that motion to-morrow morning, and, if I have the opportunity, renew it before 2 o'clock, at a time when I can say nothing in behalf of the motion, I wish to state at this time that the bill I am pressing has been recommended by three Attorneys General. It was recommended by Mr. Justice McReynolds when he was Attorney General, and it has been twice recommended by the present Attorney General. It is a bill that the Department of Justice thinks of great importance and of great value in the administration of justice.

I hope the Senate to-morrow morning, if I shall succeed in obtaining an opportunity to make the motion, will give us an opportunity to consider the bill. I am advised by one of the Senators in charge of the armor-plate bill that he knows of no Senator who wishes to speak upon that bill to-morrow, or possibly even on Saturday. I am satisfied, if the Senate takes the bill up, we can have at least a continuous discussion all day to-morrow upon it, and I hope this will meet the wishes of the Senator from Wyoming. Now, I understand that the Senator from West Virginia [Mr. CHILTON] desires to move an executive session.

RETIREMENT OF CIVIL EMPLOYEES.

Mr. POMERENE. Mr. President, before that motion is made, I desire to submit a request. The Committee on Civil Service and Retrenchment, of which I am chairman, have under consideration certain retirement bills, and I have in my hand a report of the Commission on Economy and Efficiency on the subject of the retirement from the classified civil service of superannuated employees, which was submitted in the form of a message by former President Taft, and is known as Document No. 732. I understand that it is out of print, and I ask that this matter be referred to the Committee on Printing, with a view to having another edition printed.

The PRESIDENT pro tempore. Such will be the order, unless there is objection. The Chair hears none.

CERTIFICATES OF PASSENGER-CARRYING VESSELS.

Mr. CHILTON obtained the floor.

Mr. WADSWORTH. Mr. President—

Mr. CHILTON. I yield to the Senator from New York.

Mr. WADSWORTH. Mr. President, when Calendar No. 104, being the bill (S. 1222) to amend section 4464 of the Revised Statutes of the United States was reached upon the calendar, I asked that it go over. The bill was introduced by the Senator from Florida [Mr. FLETCHER]. I had a conversation with that Senator before he left the city, and he assured me that he would not object to the bill being sent back to the Committee on Commerce. I therefore ask unanimous consent that the bill be recommitted to the Committee on Commerce.

The PRESIDENT pro tempore. Such will be the order, unless there is objection. The Chair hears none.

EXECUTIVE SESSION.

Mr. CHILTON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened.

DEATH OF REPRESENTATIVE BROWN, OF WEST VIRGINIA.

Mr. CHILTON. Mr. President, Hon. WILLIAM G. BROWN, Jr., Member of the House of Representatives from the second congressional district of West Virginia, died a few hours ago at his residence in this city. He had been a Member of the House since 1911, and was the oldest in service of the membership of that body from my State.

To me this is a personal bereavement; to my State and his district it is a signal loss; and when I think of his dependent family and his circle of devoted friends at home I fail to find words to express the depths of my sympathy. He was an able,

earnest, effective man and public servant, a reliable friend, a public-spirited citizen, and a devoted husband and father.

At some future time I shall ask the Senate to set apart a day when appropriate memorial services may be held that his friends here may express their appreciation of his public and private life.

I now offer the resolutions which I send to the desk and ask for their immediate consideration.

The PRESIDENT pro tempore. The resolutions will be read. The Secretary read the resolutions (S. Res. 124), as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of the Hon. WILLIAM G. BROWN, Jr., late a Representative from the State of West Virginia.

Resolved, That a committee of 10 Senators be appointed by the President pro tempore to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

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

The resolutions were unanimously agreed to.

The PRESIDENT pro tempore. Under the provision of the second resolution the Chair appoints, as the committee on the part of the Senate, Mr. CHILTON, Mr. UNDERWOOD, Mr. JAMES, Mr. ROBINSON, Mr. ASHURST, Mr. MARTINE of New Jersey, Mr. GOFF, Mr. GALLINGER, Mr. CUMMINS, and Mr. CLAPP.

Mr. CHILTON. I also offer the resolution which I send to the desk.

The PRESIDENT pro tempore. The resolution will be read. The Secretary read the resolution, as follows:

Resolved, That as a further mark of respect to the memory of the deceased, the Senate do now adjourn.

The resolution was unanimously agreed to; and (at 5 o'clock and 45 minutes p. m.) the Senate adjourned until to-morrow, Friday, March 10, 1916, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate March 9, 1916.

APPOINTMENT IN THE ARMY.

CHAPLAIN.

Rev. Milton O. Beebe, of Illinois, to be chaplain, with the rank of first lieutenant, from March 4, 1916, vice Chaplain Ivory H. B. Headley, Coast Artillery Corps, who died October 29, 1914.

PROMOTION IN THE ARMY.

INFANTRY ARM.

Second Lieut. Robert H. Willis, jr., Infantry (first lieutenant, Aviation Section, Signal Corps), to be first lieutenant of Infantry from March 3, 1916, vice First Lieut. Robert W. Adams, Seventh Infantry, dropped for absence without leave March 2, 1916.

POSTMASTERS.

FLORIDA.

John F. Stunkel, to be postmaster at Leesburg, Fla., in place of John F. Stunkel. Incumbent's commission expired February 8, 1916.

ILLINOIS.

John C. Kohn, to be postmaster at Elgin, Ill., in place of Harry D. Hemmens. Incumbent's commission expired January 26, 1916.

Peter J. Yentes, to be postmaster at Morton, Ill., in place of Yale T. Kiblinger. Incumbent's commission expires April 9, 1916.

KANSAS.

John C. Jones to be postmaster at Kanorado, Kans. Office became presidential April 1, 1916.

Christina Walker to be postmaster at Moline, Kans., in place of Elon G. Dewey. Incumbent's commission expires March 21, 1916.

Bessie Young to be postmaster at Dighton, Kans. Office became presidential April 1, 1916.

MAINE.

J. Theodore Kneeland to be postmaster at Harrison, Me., in place of George S. Pitts, deceased.

MISSISSIPPI.

Nevan C. Hathorn to be postmaster at Columbia, Miss., in place of Nevan C. Hathorn. Incumbent's commission expires March 20, 1916.

MISSOURI.

Thomas E. Heatherly to be postmaster at La Grange, Mo., in place of B. C. Klusmeier. Incumbent's commission expires April 5, 1916.

Charles H. Smith to be postmaster at Canton, Mo., in place of Charles L. Zenge. Incumbent's commission expires April 5, 1916.

MONTANA.

Carl E. Bowman to be postmaster at Hardin, Mont., in place of Fred B. Gladden. Incumbent's commission expired December 12, 1915.

NEBRASKA.

Ella E. Ayers to be postmaster at Winnebago, Nebr., in place of Henry Niebuhr.

NEW YORK.

George W. Batten to be postmaster at Lockport, N. Y., in place of Robert N. Roberts, resigned.

John F. Brennen to be postmaster at Hudson, N. Y., in place of Henry R. Bryan. Incumbent's commission expired February 21, 1916.

Timothy Dacey to be postmaster at Sherrill, N. Y. Office became presidential October 1, 1915.

Clark E. De Forest to be postmaster at Unadilla, N. Y., in place of Wesley Mulford. Incumbent's commission expired February 13, 1916.

John J. Finnerty to be postmaster at Croton-on-Hudson, N. Y., in place of James S. Clark, resigned.

Robert J. Fitzpatrick to be postmaster at Dannemora, N. Y., in place of James H. Signor, deceased.

Henry F. Hoornbeek to be postmaster at Napanoch, N. Y. Office became presidential October 1, 1915.

John A. Kramer to be postmaster at Wayland, N. Y., in place of Peter H. Zimmerman. Incumbent's commission expired January 29, 1916.

Mansfield F. McLean to be postmaster at Wappingers Falls, N. Y., in place of Myatt E. Goring. Incumbent's commission expired February 13, 1916.

Uri H. Mersereau to be postmaster at Union, N. Y., in place of Dudley S. Mersereau. Incumbent's commission expires March 13, 1916.

Allen R. Nevinger to be postmaster at Bliss, N. Y. Office became presidential January 1, 1916.

Eugene Smith to be postmaster at Sharon Springs, N. Y., in place of Daniel L. Fethers. Incumbent's commission expires April 11, 1916.

Timothy C. Sullivan to be postmaster at Comstock, N. Y. Office became presidential October 1, 1915.

NORTH DAKOTA.

William Gamble to be postmaster at Portal, N. Dak., in place of Emily D. Prairie. Incumbent's commission expired January 23, 1916.

Reinhart Gilbertson to be postmaster at Glenburn, N. Dak., in place of Reinhart Gilbertson. Incumbent's commission expired January 29, 1916.

PENNSYLVANIA.

Eulalie D. Lockard to be postmaster at St. David, Pa. Office became presidential January 1, 1916.

Joseph C. Luman to be postmaster at Hyndman, Pa., in place of George S. Mullin. Incumbent's commission expired January 18, 1916.

SOUTH CAROLINA.

V. Brown McFadden to be postmaster at Rock Hill (late Rockhill), S. C., in place of Edgar E. Poag. Incumbent's commission expired February 20, 1916.

James E. Searson to be postmaster at Allendale, S. C., in place of Robinson P. Searson, deceased.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 9, 1916.

REGISTERS OF LAND OFFICE.

Clyde B. Walker to be register of the land office at Juneau, Alaska.

Victor G. Cozad to be register of the land office at Burns, Oreg.

RECEIVER OF PUBLIC MONEYS.

Frank A. Boyle to be receiver of public moneys at Juneau, Alaska.

POSTMASTERS.

ALABAMA.

Claud Harper, Guntersville.

ARKANSAS.

John W. Pinnell, Walnut Ridge.

ARIZONA.

Charles Metcalfe, Kingman.

CALIFORNIA.

John H. Bacon, Fellows.
George B. Finnegan, Nevada City.
James Myers, Live Oak.

IDAHO.

John F. Brown, Kendrick.

ILLINOIS.

Edward C. Fahy, New Berlin.
Elmer H. Murphey, Cuba.
William H. Smith, Apple River.

INDIANA.

Charles Bates, New Carlisle.
Nicholas Volz, Batesville.

IOWA.

Clarence E. Adamson, Tabor.
William M. Bausch, Ashton.
J. W. Blake, Atlantic.
Robert A. Donahoe, Griswold.
Manford C. Evans, Thompson.
S. Paul Figi, Renwick.
D. F. Kirkpatrick, Wellman.
William Neese, Stratford.
L. Harold Neville, Orient.
D. J. Rhoads, Woodward.
James B. Thompson, Casey.

KANSAS.

Nell E. Bevans, Mulberry.
Catherine T. Butler, Glasco.
J. H. Hostetler, Belleville.
J. D. Stevenson, Clafin.

KENTUCKY.

W. A. Dickinson, Trenton.

MAINE.

James M. Haley, Cornish.
Charles H. Leland, Ellsworth.

MISSISSIPPI.

Wiley W. Brashears, Gunnison.
Maggie Josephine Hill, Ellisville.
Robert W. Magruder, Port Gibson.

MISSOURI.

Carrie E. McCandless, Downing.
Peter McKee, Knox City.
William P. Spillman, Grant City.

MONTANA.

Tilda R. Stageberg, Westby.

NEBRASKA.

Cecilia M. Coleman, Newcastle.
J. H. Grosvenor, Aurora.
Frank Haworth, Elwood.
J. W. Henthorn, Blue Springs.
Samuel Hinkle, Havelock.
J. B. Leach, Beaver City.

NEVADA.

William H. Murray, Carson City.

NEW HAMPSHIRE.

K. M. McLaughlin, Salem Depot.
Frank E. Merrill, Hillsboro.
Thomas Smith, Exeter.

NEW JERSEY.

Joseph A. Brady, Caldwell.
Thomas M. Ferrell, Glassboro.
Frank N. Hughes, Florence.
D. S. Pancoast, Pitman.

NORTH DAKOTA.

W. T. Campbell, Goldenvally.
Gladys Thompson, Kensal.

OHIO.

L. G. Barton, Millersburg.
Theresa M. Beacham, Williamsburg.
G. M. Galbraith, Lexington.
Robert L. Hagerty, Mingo Junction.
Karl H. Sherman, Minster.
J. D. Smoots, Fredericktown.

OKLAHOMA.

Lura Williams, Manitou.

OREGON.

Chester Noland, Creswell.

TENNESSEE.

James S. Pritchett, Jonesboro.

UTAH.

Richard T. Fry, Morgan.

WASHINGTON.

William L. Adams, Zillah.
Charles L. McKelvey, Cosmopolis.
S. F. Patton, Waltsburg.
William Sample, Roslyn.
George H. Watrous, Bellingham.

WEST VIRGINIA.

Fred Amick, Richwood.
Ira J. Partlow, Keystone.

REJECTION.

Executive nomination rejected by the Senate March 9, 1916.
M. W. A. Murray, to be postmaster at Parkers Prairie, Minn.

HOUSE OF REPRESENTATIVES.

THURSDAY, March 9, 1916.

The House met at 12 o'clock noon.

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

O Thou great Jehovah, infinite in all Thy resources, revealed in the works of Thy hands, in the progress of mankind, in the inspired Word, in the precepts, example, and incomparable life of the Jesus of Nazareth, pour out Thy holy influence upon us, that we may be wise in our conceptions, firm in our convictions, pure in our motives; that we may be the instruments in Thy hands for the furtherance of Thy plans and purposes, and, departing, leave behind us an example worthy of emulation. In His Name. Amen.

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

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATIONS.

Mr. BYRNS of Tennessee. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill, H. R. 12207, the legislative appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12207, the legislative appropriation bill, with Mr. CRISP in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12207, which the Clerk will report.

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

A bill (H. R. 12207) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1917, and for other purposes.

The CHAIRMAN. When the committee rose at its last sitting, a point of order was made by the gentleman from Iowa [Mr. Good] to the following words in line 17, page 119 of the bill:

Who shall also act as chief clerk.

If the gentleman from Iowa or others desire briefly to discuss the point of order, the Chair will hear them; if not, the Chair will rule.

Mr. GOOD. Mr. Chairman, I have nothing further to add to what I said on the point of order.

Mr. STAFFORD. Mr. Chairman, in addition to the observation I made the other day, I merely wish to say that, of course, it is not only necessary to retrench expenditures, but I recognize that the amendment must also be within the authority of the committee to legislate upon. I know of no law that creates this position of chief clerk connected with the office of the Solicitor of the Treasury Department other than appropriation law, and I know of no committee that would have jurisdiction of the elimination of this office or of providing for it other than the Committee on Appropriations. I take it that the Committee on Appropriations has authority to legislate, so far as this office of chief clerk is concerned, because it is purely, so far as I am advised, an office created by an appropriation law. If the committee has authority to make this recommendation in the purview of the rules of the House, then, of course, it comes within the provisions of the Holman rule, retrenching expenditures.