

Mr. NELSON. Mr. President, being a member of the Committee on Territories, from which this bill was reported, I beg leave to state that while I have filed no minority report, I was not present when the bill was agreed to be reported by the majority of the committee, and though I am in favor of giving Alaska aid to a reasonable extent in building railroads, I am utterly opposed to the Government embarking upon the construction and operation of railroads. Therefore, I am opposed to the bill in its present form; but I am not opposed to giving the people of Alaska reasonable and proper aid in securing railroads in that country. However, this is an entirely new proposition, involving the expenditure of \$30,000,000 by the Government in building a road in a country as large as Alaska.

Mr. LODGE. Mr. President, I ask if the morning business has been concluded.

The VICE PRESIDENT. It has.

Mr. OVERMAN. I believe I objected to the consideration of the bill, and all debate is out of order, I think.

Mr. LODGE. Yes; it is. I ask for the regular order.

Mr. BRISTOW. I beg the Senator's pardon; I understood that unanimous consent was given for the consideration of the bill.

Mr. OVERMAN. I only gave consent with the understanding that I would first hear the bill read, and then I would object. That was the understanding. After the bill had been read I interposed an objection. So unanimous consent was not given.

The VICE PRESIDENT. There is objection to the present consideration of the bill.

Mr. BRISTOW. Do I understand that the Senator from North Carolina objects to its consideration?

Mr. OVERMAN. Yes; I object to its present consideration.

The VICE PRESIDENT. The calendar under Rule VIII is in order.

#### ASSIGNMENT OF DISTRICT JUDGES.

Mr. O'GORMAN. I ask unanimous consent for the consideration of an emergency bill. It is the bill (S. 2254) to amend chapter 1, section 18, of the Judicial Code. There is a great accumulation of business in the Federal Court for the Southern District of New York, in the city of New York, owing to the insufficient number of judges. There is no request for an increase of judges, but the bill provides that the Chief Justice of the Supreme Court, on the request of the senior circuit judge in any circuit, may assign a justice from another circuit to hold court for a limited time. I ask that the bill may be considered.

The VICE PRESIDENT. The Senator from New York asks unanimous consent for the present consideration of the bill which he has indicated. It will be read.

The Secretary read the bill, as follows:

*Be it enacted, etc.,* That chapter 1, section 18, of the Judicial Code be amended by adding thereto the following:

"Whenever it shall be certified by any senior circuit judge of any circuit, or, in his absence, by the circuit justice of the circuit in which the district lies, that on account of the accumulation or urgency of business in any district court in said circuit it is impracticable to designate and appoint a sufficient number of district judges of other districts within the circuit to relieve such accumulation or urgency of business, the Chief Justice may, if in his judgment the public interests so require, designate and appoint the judge of any district court in another circuit to hold a district court, and to have and exercise within the district to which he is so assigned the same powers that are vested in the judge thereof: *Provided,* That such judge so designated and appointed shall have consented, in writing, to such designation and appointment: *And provided further,* That the senior circuit judge of the circuit within which such judge so designated and appointed resides shall certify, in writing, that the business of the district of such judge will not suffer thereby. Such appointment shall be filed in the clerk's office and entered on the minutes of the said district court, and a certified copy thereof, under the seal of the court, shall be transmitted by the clerk to the judge so designated and appointed. Each of the said district judges may, in the case of such appointment, hold separately, at the same time, a district court in such district, and discharge all of the judicial duties of the district judge therein."

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

Mr. O'GORMAN. I may say, Mr. President, that the Judiciary Committee has unanimously recommended the passage of this bill.

The VICE PRESIDENT. The Chair hears no objection to the request for the present consideration of the bill.

Mr. REED. What is the bill, Mr. President? It has been impossible on this side of the Chamber to hear what has been going on.

Mr. O'GORMAN. The bill provides that whenever there be an accumulation of business in any circuit and the local judges are not able to cope with it, the Chief Justice of the Supreme Court may, on the request of the senior judge of the circuit, appoint a district judge from some other circuit to hold court for a limited time.

Mr. REED. In the circuit court or the district court?

Mr. O'GORMAN. In the district court.

Mr. REED. That he shall designate a circuit judge or a district judge?

Mr. O'GORMAN. A district judge. It requires the approval of the senior circuit judge in each of the two circuits and then the approval of the Chief Justice of the Supreme Court. The bill has been very carefully considered by the entire Judiciary Committee and has its approval.

Mr. REED. When was this bill before the committee?

Mr. O'GORMAN. Some weeks since. There is a crying urgency for this relief at the present time.

Mr. REED. I was not present at the meeting of the committee when the bill was considered.

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

Mr. REED. There may not be, if the Vice President will be patient just a moment. [A pause.]

Mr. O'GORMAN. Mr. President, I understand there is no objection to the consideration of the bill.

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

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

Mr. CLARKE of Arkansas. I enter a motion to reconsider the votes by which the bill which has just been passed was ordered to be engrossed for a third reading, read the third time, and passed, so as to leave the bill on the calendar until I can look into it.

The VICE PRESIDENT. The motion of the Senator from Arkansas will be entered.

#### PRESIDENT'S ADDRESS—PROPOSED CURRENCY LEGISLATION.

Mr. KERN (at 12 o'clock and 25 minutes p. m.). Mr. President, I move that the Senate repair to the Hall of the House of Representatives in accordance with the terms of the concurrent resolution heretofore agreed to.

The VICE PRESIDENT. The Senator from Indiana moves that the Senate repair to the Hall of the House of Representatives.

The motion was agreed to.

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

Thereupon the Senate, headed by the Sergeant at Arms and the Assistant Doorkeeper, and preceded by the Vice President and the Secretary of the Senate, proceeded to the Hall of the House of Representatives.

The Senate returned to its Chamber at 1 o'clock and 15 minutes p. m.

The address of the President of the United States, this day delivered to both Houses of Congress, is as follows:

Mr. Speaker, Mr. President, gentlemen of the Congress, it is under the compulsion of what seems to me a clear and imperative duty that I have a second time this session sought the privilege of addressing you in person. I know, of course, that the heated season of the year is upon us, that work in these Chambers and in the committee rooms is likely to become a burden as the season lengthens, and that every consideration of personal convenience and personal comfort, perhaps, in the cases of some of us, considerations of personal health even, dictate an early conclusion of the deliberations of the session; but there are occasions of public duty when these things which touch us privately seem very small; when the work to be done is so pressing and so fraught with big consequence that we know that we are not at liberty to weigh against it any point of personal sacrifice. We are now in the presence of such an occasion. It is absolutely imperative that we should give the business men of this country a banking and currency system by means of which they can make use of the freedom of enterprise and of individual initiative which we are about to bestow upon them.

We are about to set them free; we must not leave them without the tools of action when they are free. We are about to set them free by removing the trammels of the protective tariff. Ever since the Civil War they have waited for this emancipation and for the free opportunities it will bring with it. It has been reserved for us to give it to them. Some fell in love, indeed, with the slothful security of their dependence upon the Government; some took advantage of the shelter of the nursery to set up a mimic mastery of their own within its walls. Now both the tonic and the discipline of liberty and maturity are to ensue. There will be some readjustments of purpose and point of view. There will follow a period of expansion and new enterprise, freshly conceived. It is for us to determine now whether it shall be rapid and facile and of easy accomplishment. This it can not be unless the resourceful business

men who are to deal with the new circumstances are to have at hand and ready for use the instrumentalities and conveniences of free enterprise which independent men need when acting on their own initiative.

It is not enough to strike the shackles from business. The duty of statesmanship is not negative merely. It is constructive also. We must show that we understand what business needs and that we know how to supply it. No man, however casual and superficial his observation of the conditions now prevailing in the country, can fail to see that one of the chief things business needs now, and will need increasingly as it gains in scope and vigor in the years immediately ahead of us, is the proper means by which readily to vitalize its credit, corporate and individual, and its originative brains. What will it profit us to be free if we are not to have the best and most accessible instrumentalities of commerce and enterprise? What will it profit us to be quit of one kind of monopoly if we are to remain in the grip of another and more effective kind? How are we to gain and keep the confidence of the business community unless we show that we know how both to aid and to protect it? What shall we say if we make fresh enterprise necessary and also make it very difficult by leaving all else except the tariff just as we found it? The tyrannies of business, big and little, lie within the field of credit. We know that. Shall we not act upon the knowledge? Do we not know how to act upon it? If a man can not make his assets available at pleasure, his assets of capacity and character and resource, what satisfaction is it to him to see opportunity beckoning to him on every hand, when others have the keys of credit in their pockets and treat them as all but their own private possession? It is perfectly clear that it is our duty to supply the new banking and currency system the country needs, and it will need it immediately more than it has ever needed it before.

The only question is, When shall we supply it—now, or later, after the demands shall have become reproaches that we were so dull and so slow? Shall we hasten to change the tariff laws and then be laggards about making it possible and easy for the country to take advantage of the change? There can be only one answer to that question. We must act now, at whatever sacrifice to ourselves. It is a duty which the circumstances forbid us to postpone. I should be recreant to my deepest convictions of public obligation did I not press it upon you with solemn and urgent insistence.

The principles upon which we should act are also clear. The country has sought and seen its path in this matter within the last few years—sees it more clearly now than it ever saw it before—much more clearly than when the last legislative proposals on the subject were made. We must have a currency, not rigid as now, but readily, elastically responsive to sound credit, the expanding and contracting credits of everyday transactions, the normal ebb and flow of personal and corporate dealings. Our banking laws must mobilize reserves; must not permit the concentration anywhere in a few hands of the monetary resources of the country or their use for speculative purposes in such volume as to hinder or impede or stand in the way of other more legitimate, more fruitful uses. And the control of the system of banking and of issue which our new laws are to set up must be public, not private, must be vested in the Government itself, so that the banks may be the instruments, not the masters, of business and of individual enterprise and initiative.

The committees of the Congress to which legislation of this character is referred have devoted careful and dispassionate study to the means of accomplishing these objects. They have honored me by consulting me. They are ready to suggest action. I have come to you, as the head of the Government and the responsible leader of the party in power, to urge action now, while there is time to serve the country deliberately and as we should, in a clear air of common counsel. I appeal to you with a deep conviction of duty. I believe that you share this conviction. I therefore appeal to you with confidence. I am at your service without reserve to play my part in any way you may call upon me to play it in this great enterprise of exigent reform which it will dignify and distinguish us to perform and discredit us to neglect.

#### DIFFERENCES BETWEEN RAILWAY COMPANIES AND EMPLOYEES.

Mr. NEWLANDS. Mr. President, are reports from committees in order?

The VICE PRESIDENT. The morning business has closed. If there be no objection, however, the report will be received out of order.

Mr. NEWLANDS. In behalf of the Committee on Interstate Commerce, I make a favorable report upon the bill (S. 2517) providing for mediation, conciliation, and arbitration in controversies between certain employers and their employees, the

members of the committee reserving the right to offer amendments on the floor.

I will state, Mr. President, in connection with this report that the bill presented has the sanction of the various brotherhoods connected with the employees of the railways of the country and of the Civic Federation and the railway managers. It has also the approval of Judge Knapp, presiding judge of the Commerce Court, and of Mr. Neill, the former Commissioner of Labor, who figured so conspicuously in labor disputes between the railway companies and their employees.

The members of the committee, in view of the preparations that are being made for a strike regarding differences between the railroad companies and their employees, thought it of the highest importance that this effort of the parties interested to arrange a method of conciliation and arbitration should receive the immediate sanction of Congress, and that the methods selected by the parties interested should be adopted, unless they were in conflict with the public good.

I will state that the Secretary of Labor, Mr. Wilson, whilst in sympathy with the general purposes of the bill, has suggested certain amendments, and those amendments will be taken up within a day or two under the auspices of the Civic Federation by the employees and the managers of the railways in consultation with Secretary Wilson.

The view of the railway employees seems to be—and they are very fixed and determined in that view—that the board of mediation and conciliation should not be attached to any department. They fear that political complications may in some way arise in the future, though they have the highest confidence in the man who now presides over the Department of Labor, and they desire these matters to be under the jurisdiction of an independent board, just as Congress has seen fit to give the jurisdiction relating to railroad rates of freight and fare to an independent commission not connected with any department. That is the sole question of difference, I believe, between the Secretary of Labor and the railway employees.

I imagine that within a few days this matter will be adjusted, I hope to the satisfaction of all, and I shall urge at an early day the consideration of this bill. It is hoped in case any amendments are desired by the railway employees that they will be presented at an early date; otherwise it might be advisable to pass the bill in the Senate immediately and have it go to the House, where a similar bill has been presented to the Judiciary Committee of that body, and where all questions of difference between the Secretary of Labor and the railway employees may be thrashed out.

I will state further, Mr. President, that at an early day I shall file a report upon this bill.

I ask unanimous consent to have printed in the Record the authorization to report and the bill as reported by the committee.

There being no objection, the authorization of the committee and the bill were ordered to be printed in the Record, as follows:

#### UNITED STATES SENATE, COMMITTEE ON INTERSTATE COMMERCE, June 25, 1913.

The undersigned, members of the Committee on Interstate Commerce, hereby authorize a favorable report on Senate bill No. 2517, providing for mediation, conciliation, and arbitration in controversies between certain employers and their employees, reserving the right to offer amendments on the floor.

FRANCIS G. NEWLANDS.  
ALBERT B. CUMMINS.  
FRANK B. BRANDEGEE.  
HENRY F. LIPPITT.  
JAS. HAMILTON LEWIS.  
MOSES B. CLAPP.  
WILLARD SAULSBURY.

WM. H. THOMPSON.  
ATLEE POMERENE.  
T. P. GORR.  
JOB T. ROBINSON.  
H. L. MYERS.  
E. D. SMITH.

A bill (S. 2517) providing for mediation, conciliation, and arbitration in controversies between certain employers and their employees.

*Be it enacted, etc.* That the provisions of this act shall apply to any common carrier or carriers and their officers, agents, and employees, except masters of vessels and seamen, as defined in section 4612, Revised Statutes of the United States, engaged in the transportation of passengers or property wholly by railroad, or partly by railroad and partly by water, for a continuous carriage or shipment from one State or Territory of the United States or the District of Columbia to any other State or Territory of the United States or the District of Columbia, or from any place in the United States to an adjacent foreign country, or from any place in the United States through a foreign country to any other place in the United States.

The term "railroad" as used in this act shall include all bridges and ferries used or operated in connection with any railroad, and also all the road in use by any corporation operating a railroad, whether owned or operated under a contract, agreement, or lease; and the term "transportation" shall include all instrumentalities of shipment or carriage.

The term "employees" as used in this act shall include all persons actually engaged in any capacity in train operation or train service of any description, and notwithstanding that the cars upon or in which they are employed may be held and operated by the carrier under lease or other contract: *Provided, however,* That this act shall not be held to apply to employees of street railroads and shall apply only to employees engaged in railroad train service. In every such case the carrier