

liquors as a measure of food conservation and for immediate prohibition of the sale of liquors for beverage purposes; to the Committee on the Judiciary.

Also, petition of Annie B. McClure and Samuel G. Fogel, Christiana, Pa., urging immediate prohibition as a war measure; to the Committee on the Judiciary.

Also, petition of Paul W. Nebel, Lancaster, Pa., favoring an exchange of censored news between parties living in the United States and those within the territory of the central-powers; to the Committee on the Judiciary.

SENATE.

MONDAY, August 6, 1917.

(Legislative day of Saturday, August 4, 1917.)

The Senate reassembled at 11 o'clock a. m., on the expiration of the recess.

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

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

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

Ashurst	Husting	McNary	Smith, S. C.
Beckham	James	Martin	Smoot
Brady	Johnson, Cal.	Nelson	Stone
Brandeggee	Jones, N. Mex.	New	Sutherland
Chamberlain	Jones, Wash.	Norris	Thompson
Cuberson	Kellogg	Overman	Underwood
Curtis	Kendrick	Page	Vardaman
Dillingham	King	Pittman	Wadsworth
Fernald	Kirby	Reed	Warren
Gore	Knox	Saulsbury	Williams
Gronna	La Follette	Shafroth	
Harding	Lewis	Sheppard	
Hitchcock	McCumber	Sherman	
Hollis	McKellar	Smith, Ga.	

Mr. CURTIS. I wish to announce the unavoidable absence of the senior Senator from New Hampshire [Mr. GALLINGER]. I will let this announcement stand for the present.

Mr. JAMES. I desire to announce that the senior Senator from New Jersey [Mr. HUGHES] is absent on account of illness. I ask that this announcement may stand for the day.

Mr. SHAFROTH. I wish to announce the unavoidable absence of my colleague [Mr. THOMAS] on account of illness. He is paired with the senior Senator from North Dakota [Mr. McCUMBER]. I will let this announcement stand for the day.

Mr. CURTIS. I desire to announce that the senior Senator from New Mexico [Mr. FALL] is absent on account of illness in his family. I will let this announcement stand for the day.

I desire also to announce that the junior Senator from Michigan [Mr. TOWNSEND] is absent on account of illness in his family. I will let this announcement stand for the day.

Mr. SUTHERLAND. I desire to announce the absence of my colleague, the senior Senator from West Virginia [Mr. GOFF], on account of illness. I will let this announcement stand for the day.

Mr. McKELLAR. I desire to announce the unavoidable absence of my colleague [Mr. SHIELDS] on account of illness in his family.

Mr. LEWIS. I desire to announce that the Senator from Rhode Island [Mr. GERRY] and the Senator from Arkansas [Mr. ROBINSON] are necessarily detained on important business.

I wish also to announce that the Senator from Louisiana [Mr. BROUSSARD] is detained on account of illness and that the Senator from California [Mr. PHELAN] is detained on official business.

The PRESIDENT pro tempore. Fifty-three Senators have answered to their names. There is a quorum present.

WAR WITH GERMANY.

Mr. BRANDEGEE. I ask unanimous consent to have printed in the RECORD the Kaiser's account of the origin of the war as reported by Ambassador Gerard in the Philadelphia Public Ledger, and an editorial from the New York Tribune on the state of the war.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

"MY FOUR YEARS IN GERMANY"—AMBASSADOR GERARD'S BOOK—AMERICAN DIPLOMAT'S EXPERIENCES AT GERMAN COURT UNTIL ENTRANCE OF THE UNITED STATES INTO THE GREAT WAR—GERMAN EMPEROR'S SUPPRESSED CABLE—AUTOGRAPH MESSAGE TO PRESIDENT WILSON NOW PUBLISHED FOR THE FIRST TIME—EXPLAINS ENTERING WAR—EX-AMBASSADOR GERARD PRESENTS IMPERIAL ACCOUNT SHOWING GERMANY WAS AGGRESSOR.

[By James W. Gerard, American Ambassador at the German Imperial court, July 28, 1913, to February 4, 1917.]

FOREWORD.

I am writing what should have been the last chapter as the foreword of this book, because I want to bring home to our people the gravity of the situation; because I want to tell them that

the military and naval power of the German Empire is unbroken; that of the 12,000,000 men whom the Kaiser has called to the colors but 1,500,000 have been killed, 500,000 permanently disabled, not more than 500,000 are prisoners of war, and about 500,000 constitute the number of wounded or on the sick list of each day, leaving at all times about 9,000,000 effectives under arms.

I state these figures because Americans do not grasp either the magnitude or the importance of this war. Perhaps the statement that more than 5,000,000 prisoners of war are held in the various countries will bring home to Americans the enormous mass of men engaged.

There have been no great losses in the Germany Navy, and any losses of ships have been compensated for by the building of new ones. The 9,000,000 men and more—for at least 400,000 come of military age in Germany every year—because of their experience in two and a half years of war, are better and more efficient soldiers than at the time when they were called to the colors. Their officers know far more of the science of this war and the men themselves now have the skill and bearing of veterans.

GERMAN NATION WILL NOT STARVE OR REVOLT.

Nor should any one believe that Germany will break under starvation or make peace because of revolution.

The German nation is not one which makes revolutions. There will be scattered riots in Germany, but no simultaneous rising of the whole people. The officers of the army are all of one class, and of a class devoted to the ideals of autocracy. A revolution of the army is impossible, and at home there are only the boys and old men, easily kept in subjection by the police.

There is far greater danger of the starvation of our allies than of the starvation of the Germans. Every available inch of ground in Germany is cultivated, and cultivated by the aid of the old men, the boys, and women and the 2,000,000 prisoners of war.

The arable lands of northern France and of Rumania are being cultivated by the German Army with an efficiency never before known in these countries, and most of that food will be added to the food supplies of Germany. Certainly the people suffer; but still more certainly this war will not be ended because of the starvation of Germany.

Although thinking Germans know that if they do not win the war the financial day of reckoning will come, nevertheless, owing to the clever financial standing of the country by the Government and the great banks, there is at present no financial distress in Germany; and the knowledge that unless indemnities are obtained from other countries the weight of the great war debt will fall upon the people perhaps makes them readier to risk all in a final attempt to win the war and impose indemnities upon not only the nations of Europe but upon the United States of America.

We are engaged in a war against the greatest military power the world has ever seen; against a people whose country was for so many centuries a theater of such devastating wars that fear is bred in the very marrow of their souls, making them ready to submit their lives and fortunes to an autocracy which for centuries has ground their faces, but which has promised them, as a result of the war, not only security but riches untold and the dominion of the world; a people which, as from a high mountain, have looked upon the cities of the world and the glories of them and have been promised these cities and these glories by the devils of autocracy and of war.

We are warring against a nation whose poets and professors, whose pedagogues, and whose parsons have united in stirring its people to a white pitch of hatred, first against Russia, then against England, and now against America.

The U-boat peril is a very real one for England. Russia may either break up into civil wars or become so ineffective that the millions of German troops engaged on the Russian front may be withdrawn and hurled against the western lines. We stand in great peril, and only the exercise of ruthless realism can win this war for us. If Germany wins this war, it means the triumph of the autocratic system. It means the triumph of those who believe not only in war as a national industry, not only in war for itself, but in war as a high and noble occupation. Unless Germany is beaten, every nation will be compelled to turn itself into an armed camp until the German autocracy either brings the whole world under its dominion or is forever wiped out as a form of government.

FROM NOW ON WE NEED THE DOERS.

We are in this war because we were forced into it, because Germany not only murdered our citizens on the high seas but filled our country with spies and sought to incite our people to civil war. We were given no opportunity to discuss or negotiate. The 48 hours' ultimatum sent by Austria to Serbia was not, as Bernard Shaw said, "a decent time in which to ask a man to pay

his hotel bill." What of the six-hour ultimatum given to me in Berlin on the evening of January 31, 1917, when I was notified at 6 that ruthless warfare would commence at 12? Why, the German Government, which up to that moment had professed amity and a desire to stand by the *Sussex* pledges, knew it took almost two days to send a cable to America! I believe that we are not only justly in this war but prudently in this war. If we had stayed out and the war had been drawn or won by Germany, we would have been attacked—and that while Europe stood grinning by—not directly at first, but through an attack on some Central or South American State to which it would be at least as difficult for us to send troops as for Germany. And what if this powerful nation, vowed to war, were once firmly established in South or Central America? What of our boasted isolation then?

It is only because I believe that our people should be informed that I have consented to write this book.

There are too many thinkers, writers, and speakers in the United States; from now on we need the doers, the organizers, and the realists, who alone can win this contest for us, for democracy, and for permanent peace!

Writing of events so new, I am, of course, compelled to exercise a great discretion, to keep silent on many things of which I would speak, to suspend many judgments, and to hold for future disclosure many things the relations of which now would perhaps only serve to increase bitterness or to cause internal dissension in our own land.

The American who travels through Germany in summer time or who spends a month having his liver tickled at Hamburg or Carlsbad, who has his digestion restored by Dr. Dapper, at Kissingen, or who learns the lost art of eating meat at Dr. Dengler's, in Baden, learns little of the real Germany and its rulers, and in these articles I tell something of the real Germany, not only that my readers may understand the events of the last three years, but that they may judge of what is likely to happen in our future relations with that country.

I.

FIRST DAYS OF THE GREAT WAR; POLITICAL AND DIPLOMATIC.

At the commencement of the great war I was for some days cut off from communication with the United States, but we soon established a chain of communication—at first through Italy and later by way of Denmark. At all times cables from Washington to Berlin, or vice versa, took on the average two days in transmission.

After the fall of Liege, Von Jagow sent for me and asked me whether I would transmit through the American legation a proposition offering Belgium peace and indemnity if no further opposition were made to the passage of German troops through Belgium. As the proposition was a proposition for peace, I took the responsibility of forwarding it, and sent the note of the German Government to our minister at The Hague for transmission to our minister in Belgium.

Dr. Van Dyke, our minister at The Hague, refused to have anything to do with the transmission of this proposition and turned the German note over to the Holland minister of foreign affairs, and through this channel the proposition reached the Belgian Government.

AN AUDIENCE WITH KAISER WILHELM.

The State Department cabled me a message from the President to the Emperor, which stated that the United States stood ready at any time to mediate between the warring powers, and directed me to present this proposition direct to the Emperor.

I therefore asked for an audience with the Emperor, and received word from the chief court marshal that the Emperor would receive me at the palace in Berlin on the morning of August 10. I drove in a motor into the courtyard of the palace and was there escorted to the door, which opened on a flight of steps leading to a little garden about 50 yards square, directly on the bankment of the River Spree, which flows past the royal palace. As I went down the steps the Empress and her only daughter, the Duchess of Brunswick, came up. Both stopped and shook hands with me, speaking a few words. I found the Emperor seated at a green iron table under a large canvas garden umbrella. Telegraph forms were scattered on the table in front of him, and basking in the gravel were two small dachshunds. I explained to the Emperor the object of my visit, and we had a general conversation about the war and the state of affairs. The Emperor took some of the large telegraph blanks and wrote out in pencil his reply to the President's offer. This reply, of course, I cabled immediately to the State Department. The document is as follows:

"10/VIII 14.

"For the President of the United States personally:

"I. H. R. H. Prince Henry was received by his Majesty King George V in London, who empowered him to transmit to me ver-

bally that England would remain neutral if war broke out on the Continent involving Germany and France, Austria and Russia. This message was telegraphed to me by my brother from London after his conversation with H. M. the King, and repeated verbally on the twenty-ninth of July.

"2. My ambassador in London transmitted a message from Sir E. Grey to Berlin saying that only in case France was likely to be crushed England would interfere.

"3. On the thirtieth my ambassador in London reported that Sir Edward Grey in course of a 'private' conversation told him that if the conflict remained localized between Russia—not Serbia—and Austria, England would not move, but if we 'mixed' in the fray she would take quick decisions and grave measures; i. e., if I left my ally, Austria, in the lurch to fight alone, England would not touch me.

"4. This communication being directly counter to the King's message to me, I telegraphed to H. M. on the twenty-ninth or thirtieth, thanking him for kind messages through my brother, and begging him to use all his power to keep France and Russia—his allies—from making any warlike preparations calculated to disturb my work of mediation, stating that I was in constant communication with H. M. the Czar. In the evening the King kindly answered that he had ordered his Government to use every possible influence with his allies to refrain from taking any provocative military measures. At the same time H. M. asked me if I would transmit to Vienna the British proposal that Austria was to take Belgrade and a few other Serbian towns and a strip of country as a 'main-mise' to make sure that the Serbian promises on paper should be fulfilled in reality. This proposal was in the same moment telegraphed to me from Vienna for London, quite in conjunction with the British proposal; besides, I had telegraphed to H. M. the Czar the same as an idea of mine before I received the two communications from Vienna and London, as both were of the same opinion.

"5. I immediately transmitted the telegrams vice versa to Vienna and London. I felt that I was able to tide the question over and was happy at the peaceful outlook.

"6. While I was preparing a note to H. M. the Czar the next morning, to inform him that Vienna, London, and Berlin were agreed about the treatment of affairs, I received the telephones from H. E. the Chancellor that in the night before the Czar had given the order to mobilize the whole of the Russian Army, which was, of course, also meant against Germany; whereas up till then the southern armies had been mobilized against Austria.

"7. In a telegram from London my ambassador informed me he understood the British Government would guarantee neutrality of France, and wished to know whether Germany would refrain from attack. I telegraphed to H. M. the King personally that mobilization being already carried out and could not be stopped, but if H. M. could guarantee with his armed forces the neutrality of France I would refrain from attacking her, leave her alone, and employ my troops elsewhere. H. M. answered that he thought my offer was based on a misunderstanding; and, as far as I can make out, Sir E. Grey never took my offer into serious consideration. He never answered it. Instead he declared England had to defend Belgian neutrality, which had to be violated by Germany on strategical grounds, news having been received that France was already preparing to enter Belgium, and the King of the Belgians having refused my petition for a free passage under guarantee of his country's freedom. I am most grateful for the President's message.

"WILLIAM, I. R."

[From the New York Tribune, Sunday, Aug. 5, 1917.]

A DOCUMENT IN THE CASE.

In the current Atlantic Monthly there is an article by Mr. Vernon Kellogg, an American who worked, within the German lines for the relief of the inhabitants of the invaded districts, which seems to the Tribune one of the most admirable documents so far published, setting forth the truth of the German idea and method. This article ought to be read by those who are honestly and earnestly seeking light and striving to get an accurate and just understanding of what the German spirit means to all of us.

Mr. Kellogg went abroad as a neutral, determined to remain neutral in act and in attitude. He knew Germany and spoke German. He lived with German officers and at German headquarters, meeting many of the leaders not merely in the army but in German life and thought. He saw the German occupation as it actually was from Lille to Charleville. He heard the German case stated by Germans.

Of his observations he writes:

"The danger from Germany is, I have said, that the Germans believe what they say. And they act on this belief. Prof. von Flussen (a German associate) says that this war is necessary

as a test of the German position and claim. If Germany is beaten, it will prove that she has moved along the wrong evolutionary line, and should be beaten. If she wins, it will prove that she is on the right way, and that the rest of the world, at least that part which we and the allies represent, is on the wrong way and should, for the sake of the right evolution of the human race, be stopped and put on the right way—or else be destroyed as unfit.

"Prof. von Flussen is sure that Germany's way is the right way, and that the biologic evolutionary factors are so all controlling in determining human destiny that this being biologically right is certain to insure German victory. If the wrong and unnatural alternative of an allied victory should obtain, then he would prefer to die in the catastrophe and not have to live in a world perversely resistant to natural law. He means it all. He will act on this belief. He does act on it, indeed. He opposes all mercy, all compromise with human soft-heartedness. Apart from his horrible academic casuistry and his conviction that the individual is nothing, the State all, he is a reasoning and a warm-hearted man. So are some other Germans. But for him and them the test of right in this struggle is success in it. So let every means to victory be used. The only intelligence Germans should follow in these days is the intelligence of the general staff; the only things to believe and to repeat are the statements of the official bureau of publicity.

"There is no reasoning with this sort of thing, no finding of any heart or soul in it. There is only one kind of answer—resistance by brutal force; war to a decision. It is the only argument in rebuttal understandable of these men at headquarters into whose hands the German people have put their destiny."

And later he adds:

"Military advantage, 'military expediency'—how often have these phrases blocked us of the relief commission in our efforts in Belgium and northern France! No mercy, no 'women-and-children' appeals; no hesitation to use the torch and the firing squad, deportation, and enslavement. And it is all a part of Prof. von Flussen's philosophy; the pale, ascetic intellectual and the burly, red-faced butcher meet on common ground here. And then they wonder why the world comes together to resist this philosophy—and this butchery—to the death!"

Mr. Kellogg's conclusion is thus set forth:

"I went into northern France and Belgium to act as a neutral, and I did act as a neutral all the time I was there. If I learned there anything of military value which could be used against the Germans, I shall not reveal it. But I came out no neutral. Also I went in an ardent hater of war, and I came out a more ardent one. I have seen that side of the horror and waste and outrage of war which is worse than the side revealed on the battle field. How I hope for the end of all war!

"But I have come out believing that that can not come until any people which has dedicated itself to the philosophy and practice of war as a means of human advancement is put into a position of impotence to indulge its belief at will. My conviction is that Germany is such a people, and that it can be put into this position only by the result of war itself. It knows no other argument, and it will accept no other decision."

The great difficulty in making the American people realize the issue of this war is the lack of first-hand credible evidence, which would convince them of what Germany believes and what Germans, high and low, are doing and have been doing for three years. If only the mass of American people could see what a few have seen, the mobilization of American sentiment and service would be instant and complete.

Yet the real fact in this war is the German spirit, the dedication of force, the sacrifice of right, honor, humanity to that "higher law" which is German ambition and German desire for world power. It is this that all civilization is fighting; it is this that will destroy all civilization, if it prevails.

With this theory peace is impossible; provinces, indemnities, colonies—these are of small importance. The German is seeking in respect to these, as he has sought in respect to all things, to confuse spiritual and material values. But this war can have but one value: All the misery, agony, sacrifice will be vain if any portion of the German doctrine of force survives.

It is a monstrous thing—this German terror that for three years has overhung all mankind. And now, when the end is in sight, when the defeat of force is at hand—now we must face the fact, see clearly the real issue, go forward to the true victory, which is not conquest of provinces, not the crushing of Germany, but the everlasting defeat of the German doctrine. While the Germans hold it, believe it, practice it, the world must fight, whether it be at the Marne, the Lys, or the Rhine. When the Germans renounce it in fact and not in phrase, then peace will come and must come.

The Reformation gave us religious liberty. Our own and the French revolutions gave up equality in the eyes of the law and in the conduct of government. The German war must give us ultimate security from the doctrine that might makes right and that the strong nation alone can live.

This is the third great struggle of modern history. It, too, is a war of ideas, a struggle between liberty and tyranny, between spiritual and material forces, and it must be fought out.

CONSERVATION OF FOOD—CONFERENCE REPORT.

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses upon the bill (H. R. 4961) to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the disposition of food products and fuel.

The PRESIDENT pro tempore. The question is on agreeing to the conference report.

Mr. CHAMBERLAIN. The Senator from Missouri [Mr. REED] had the floor at the time of the recess. I assumed that he was going on this morning. If not, I ask for a vote on the conference report.

Mr. REED. Mr. President, I really hope that we shall be able to get through with the consideration of this bill without forgetting all of the amenities and courtesies that have heretofore been maintained between Senators. It is really painful to think that one can not turn aside for a moment to ask a brother Senator a question for information without the Senator in charge of the bill immediately endeavoring to get a vote upon the report. The spokesmen of the administration sometimes permit their zeal to outrun their fairness.

I regret that the time asked for the consideration of the report was not granted on Saturday and that I was compelled to proceed without being afforded the opportunity to carefully examine the bill. I regret that we are called in session this morning at 11 o'clock so that the lash of haste might again be laid upon our backs.

Of course those who expect to benefit by the bill and to go into office under the bill may be somewhat impatient, but the country that is to be subjected to this infamous dictatorship is not so impatient. Those of the country who are now clamoring for the passage of the bill and who for the most part have never read it will find their impatience for its passage speedily changed into an impatience because it did pass once they are put in touch with the greedy and arbitrary conduct of those who are to enforce the measure.

This will be especially true, as suggested to me by a Senator, unless Mr. Hoover possesses more discretion and forbearance in employing the powers granted than Congress has exercised wisdom in conferring them. Already I am told that Mr. Hoover has appointed 13 agents to take possession of the 13 terminal wheat markets of the United States. I may speak through mistake, I only speak upon information. What may be done or what may be doing we do not know, because we find a gentleman assuming powers that have not been granted and proceeding to the conduct of a business which up to this time Congress has not given him authority to act upon. What takes place, therefore, in this irregular way may be misunderstood, and I may be misinformed, but if I be not misinformed already the agents are appointed to take possession of the 13 great terminal wheat markets of the United States.

[At this point Mr. REED yielded to Mr. SIMMONS, who reported House bill 4280 from the Committee on Finance.]

Mr. REED. Mr. President, when I yielded to the Senator in charge of the revenue bill [Mr. SIMMONS], I was saying that my understanding was that Mr. Hoover had already appointed 13 agents to take possession of the 13 terminal wheat markets. Of course, no authority has yet been granted, but that appears to make very little difference to Mr. Hoover. I am further informed that several of these gentlemen are native-born Englishmen. I am further informed that one of the gentlemen now associated with Mr. Hoover, who was formerly a very large grain merchant in this country, brought with him to Mr. Hoover some four of his former employees or associates in business, and that of these employees some two or three remain with Mr. Hoover, while another former employee goes to the Wheat Export Co.

What, pray, is the Wheat Export Co.? It is a combination of English companies organized for the purpose of controlling or handling all shipments intended to go to the allies.

I have already called attention to the fact that Mr. Hoover's home and business and house are in London; that his political affiliations, according to the statement of his eulogist, are with the Liberal Party of England. I also at this time call attention to the fact that he has brought here with him, according to my

information—for we have no list of these employees—several gentlemen who, like himself, left America many years ago, and who have resided in London or other parts of England ever since. One of these gentlemen, who recently stoutly came to Mr. Hoover's defense, declaring that I had uttered an untruth upon the floor of the Senate, left America and resided in England long enough to take the benefit of the English bankruptcy courts. So it seems that English influence is already somewhat marked.

In addition to this, I want to call the attention of the Senators from Texas, if they are here, and of the Senators from Louisiana, if they be here—and if not, they can read the RECORD—to what I understand to be the present plan. Again, my information may be inaccurate, because the Hoover organization is not a public body and is not a legalized body; it is a self-constituted, voluntary body, which has seized the reins of power before the powers have been legally created. It has no public record; whether they have a private record or not, deponent saith not; but my information is that already the plan is made to circumscribe the shipments of grain that are to be made to the port of Galveston and to the port of New Orleans, and to divert these grains to the port of New York, the excuse being that it will save the hazarding of these grains upon the longer trip on the ocean. At the same time, every man who thinks about the matter will agree that it will vastly tend to overburden our already overburdened railway traffic. Besides, it will interfere with the markets, trade, and business of these several markets or ports. Of course the purpose of this bill, as I understand, is to interfere with all the avenues of trade and business, and instead of allowing the people of the United States to keep track of their own business, to transfer that business over into the hands of a gentleman who never conducted that kind of business, who has no experience in that kind of business, and who has not lived among the people of the United States for a score of years.

Mr. President, this statement I have made may prove inaccurate. I am stating it upon what I believe to be a sound source of information. It illustrates the evil that comes from permitting the sort of thing that is now going on and to which I have already sufficiently referred.

In that connection, and taking up the thread of my discourse where I left it on Saturday, I desire, even at the risk of the consumption of time, to return to the theme I was then discussing. I had called attention to the fact that Mr. Hoover, from his self-created place of business, run at the expense of the United States without any authority of Congress, is sending out, at the expense of the Federal Government, vast quantities of material to the press, which he asks the press to reproduce. Manifestly it is sent out in order to create a sentiment. What the sentiment is desired to create must be determined by the matter sent out. I called attention to the fact that among the documents sent out was one in which Mr. Hoover told the newspapers of the country that a resolution had been adopted by certain gentlemen "that no amendment to the present bill would meet with their approval unless first indorsed by Mr. Hoover." I called attention to the fact that Mr. Hoover manifestly wanted that doctrine to take root in the United States, or he would not have sent it broadcast to the press of the country, asking the press to reproduce it. Now, I call attention to the fact that in an interview with Mr. Hoover, which was printed in nearly every leading paper of the United States, this statement was made:

Nobody knows what I am up against. Nobody knows the forces I have to fight. I have done everything in my power; still the food bill is held up. If it is not passed soon, I will go to the country and tell the people the truth. They shall know the men who are holding me back, and when the people know, Heaven help those men.

Why, a Dr. Cook on a rampage would not have said a thing of that kind.

Mr. JOHNSON of California. Mr. President—

The PRESIDING OFFICER (Mr. ASHURST in the chair). Does the Senator from Missouri yield to the Senator from California?

Mr. REED. Before I yield I desire to complete my statement. Some Senator from the floor said that Mr. Hoover repudiated the statement. I say in answer to that that he has never repudiated it through the press of this country. I further say that this statement appeared in the most respectable papers in the United States. It was sent out by a respectable news bureau or news bureaus, and Mr. Hoover has never publicly repudiated it. I am now about to show that, whether he ever made the statement or not, he has been acting in strict accordance with the threat he made. Now, I yield to the Senator from California.

Mr. JOHNSON of California. Mr. President, because I think the Senator from Missouri does not wish to attribute to Mr. Hoover a statement which he never made, I have asked per-

mission to interrupt him at this time. The Senator from Missouri will recall that when this particular statement was adverted to some days ago the Senator from Oregon [Mr. CHAMBERLAIN], in immediate communication with Mr. Hoover, upon the floor of the Senate stated an absolute and unequivocal denial from Mr. Hoover of any such statement or of any part of any such statement. The Senator from Missouri, I am sure, with that distinct and positive and unequivocal denial, would not wish now to attribute this particular emanation to Mr. Hoover again.

Mr. REED. I say to the distinguished Senator who rises to correct me that I do not desire to alter a word I have said. I said before the Senator rose that some Senator rising said that Mr. Hoover repudiated the statement, but I do not understand that he repudiated the interview in toto, but only certain parts of it. I shall have to refer to the RECORD to find out.

Mr. GORE. Mr. President—

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

Mr. REED. I do.

Mr. GORE. I think it ought to be stated in this connection that in the afternoon papers of this city, after the Senator from Oregon had entered that disclaimer, there appeared another statement attributed to Mr. Hoover, in which he said that he would not make those disclosures at that time, but would wait until the bill had passed, would then survey the measure, and, if its powers were not sufficient, he would then take the American people into his confidence and unmask the obstructionists in the Senate. That was the apology that I saw in the public prints.

Mr. JOHNSON of California. Mr. President—

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

Mr. REED. I do.

Mr. JOHNSON of California. I saw no such publication. If the Senator from Oklahoma says there was such a one, I do not question that indeed there was such a one published. I have no recollection of it. I referred solely to the particular publication referred to by the Senator from Missouri that on this floor was adverted to by him on another occasion; and on this floor, when the first animadversions were made, the denial was prompt and the denial was full, from the Senator having charge of the bill, that Mr. Hoover had ever indulged in any such statements at all.

Mr. REED. Mr. President, if that were true we would have the statement of reputable newspapers that Miss Helen Todd gave to them the statement that Hoover had said so, and accordingly we would have Miss Todd on the one hand and Mr. Hoover on the other. I know of no reason why we might not as well take the lady's statement as the gentleman's. But while I do not want to interrupt my discourse now to find the exact statement made by the Senator in charge of the bill [Mr. CHAMBERLAIN], I do not think it was as broad as the Senator from California recollects it. Whether that is true or not, however, statements similar to that which the Senator from Oklahoma mentioned did appear in the afternoon papers of the very day this matter was first discussed in the Senate, and there never has been a denial by Mr. Hoover.

Now, Mr. President, I come to the question of a demonstration of Mr. Hoover's interference or attempt to interfere with the legislation of the Congress of the United States.

It will be remembered that when this bill was before the Senate it was amended many times, so many times that it was generally understood that the bill was beaten; and thereupon a number of Senators, whom the papers denominated "Senate leaders," got together and arrived at some sort of an understanding with reference to what was to go in the bill and what was to go out. That is, they agreed in some way to support the taking out of certain provisions and the putting in of certain other provisions. Acting with the other Senators was the distinguished Senator from New Hampshire [Mr. HOLLIS], undoubtedly acting in the best of faith, undoubtedly only endeavoring to do what he thought ought to be done with reference to this legislation. The Senator from New Hampshire and myself have often differed. We have differed on this bill; we have almost differed personally; and yet I have not challenged his good faith in the matters he has presented to Congress. Now, when the Senator from New Hampshire ventured to take a part with certain other Senators toward straightening out the difficulties as he saw them in the way of the passage of the bill, this is what Mr. Herbert C. Hoover sent to the press for publication:

July 18, 1917. Herbert Hoover, Washington, D. C. For morning papers of July 19, 1917.

That is all in the headlines. Now follows the text:

That the passage of the Hollis bill—

He at once denominated this measure as the Hollis bill—would permit gambling, speculation, and exportation—

It was meant to be "exploitation"—

to proceed without restriction, and would leave the farmer and consumer alike substantially without protection, was the statement made to-day by representatives of farmers' unions, cooperative associations, grain growers, granges farmers' societies, and terminal houses. The Lever bill was indorsed and its final enactment into law demanded. The statement subscribed to by all the representatives was as follows—

And then follows the text, a part of which I shall read; and I shall ask leave to print it all, so that the country may have the benefit of the entire statement:

We are strongly opposed to the fixing of the exact amount of a minimum price for wheat by law, because we recognize that it is an expert question, to be settled after such consideration as Congress can not possibly give it and in a manner which will give the producer a full voice. The food administration should be vested with power to deal with this question.

We recognize that the minimum price of \$1.75 for wheat, fixed in the so-called Hollis bill, is unwise and unjust to the producer, and was fixed without consultation with Mr. Hoover—

Behold! It was fixed without consultation with Mr. Hoover—or the food administration and against their protest.

We are opposed to the passage of the so-called Hollis bill because it permits gambling, speculation, and exploitation to proceed without restriction, exempts sugar, corn, and other products from many or all the provisions of the bill, and leaves the farmer and consumer alike substantially without protection.

We are opposed to the exemption of cooperative agricultural organizations from the provisions of the bill, thus preventing the food administration from dealing with them.

We favor the Lever food-administration bill as it passed the House, and demand its final enactment into law in that form. It is a workable bill; the Senate amendments are not workable.

We support the food administration unreservedly, and demand that sufficient power and discretion be given to it to enable it to protect both the producer and the consumer.

This statement was subscribed to by the following—

Then there is a long list of names, which I will print; and the following statement comes after the names:

During the day these representatives of agricultural interests called on Herbert Hoover.

Mr. President, I ask permission to print this statement in full in connection with my remarks.

The PRESIDING OFFICER. Without objection, it will be so ordered.

The matter referred to is as follows:

[For morning papers of July 19, 1917.]

HERBERT HOOVER,
Washington, D. C., July 18, 1917.

That the passage of the Hollis bill would permit gambling, speculation, and exploitation to proceed without restriction and would leave the farmer and consumer alike substantially without protection was the statement made to-day by representatives of farmers' union, cooperative association, grain growers, granges, farmers' societies, and terminal houses. The Lever bill was indorsed and its final enactment into law demanded. The statement, subscribed to by all the representatives, was as follows:

"We are strongly opposed to the fixing of the exact amount of a minimum price for wheat by law because we recognize that it is an expert question to be settled after such consideration as Congress can not possibly give it, and in a manner which will give the producer a full voice. The food administration should be vested with power to deal with this question.

"We recognize that the minimum price of \$1.75 for wheat, fixed in the so-called Hollis bill is unwise and unjust to the producer, and was fixed without consultation with Mr. Hoover or the food administration, and against their protest.

"We are opposed to the passage of the so-called Hollis bill because it permits gambling, speculation, and exploitation to proceed without restriction, exempts sugar, corn, and other products from many or all the provisions of the bill and leaves the farmer and consumer alike substantially without protection.

"We are opposed to the exemption of cooperative agricultural organizations from the provisions of the bill, thus preventing the food administration from dealing with them.

"We favor the Lever food administration bill as it passed the House and demand its final enactment into law in that form. It is a workable bill; the Senate amendments are not workable.

"We support the food administration unreservedly and demand that sufficient power and discretion be given to it to enable it to protect both the producer and the consumer."

This statement was subscribed to by the following:

D. J. Cunningham, representative grain growers, Salina, Kans.; R. F. Bower, State executive committee farmers' union, Campbell, Va.; Walter Burgess, Farmers' Union Cooperative Association, Trumbull, Neb.; A. B. Thornhill, president farmers' union (Virginia division), Bent Creek, Va.; Maurice McAuliffe, Farmers' National Union (Kansas division), Salina, Kans.; Ernie L. Harrison, president Farmers' Educational and Cooperative Union (Kentucky division), Lexington, Ky.; W. R. Callicotte, cooperative elevators of Farmers' Union, Grange, and Society of Equity (also farmers' union), Denver, Colo.; C. S. Barrett, president farmers' union, Union City, Ga.; A. V. Swift, national vice president farmers' union, Baker, Oreg. (on executive board Tri-State Terminal Co., Seattle, Wash.); C. W. Nelson, Tri-State Terminal Warehouse Co., Seattle, Wash.; and E. A. Calvin, ex-president Texas Farmers' Union, Hooper, Tex.

During the day these representatives of agricultural interests called on Herbert Hoover.

Now, Mr. President—

Mr. GRONNA. Mr. President—

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

Mr. REED. Just a moment. I want to finish this theme, and then I shall gladly yield.

One of the first things President Wilson asked Congress to do was to drive from Washington what was called the organized lobby. A committee was appointed, of which I had the honor to be a member. The investigations of that committee disclosed that there were organizations here that at their own expense were sending out to the country false information, false statements, and creating propagandas in regard to legislation pending in Congress. The exposure shook the country. The conduct exposed was regarded as absolutely unjustifiable and iniquitous. The lobbies maintained their headquarters, they had agents scattered over the country, but they employed their own moneys for this purpose. Finally, when it was discovered that certain of their documents had been introduced in Congress and had been franked, the people of the country looked upon the performance with indignation. One great cause for congratulation that the Democratic Party had for itself in the last campaign, one thing that it catalogued among its achievements, was driving from Washington the lobby and its hirelings. That lobby, that invisible government, was trying to control legislation. That was its purpose. Nobody accused it of trying to buy people. It was accused of endeavoring to control legislation by sending out propagandas and statements and false reports.

What are we presented with to-day? The money of the United States Government employed to keep up an institution that has no official sanction, that exists without sanction of law, that has rented headquarters that cost the Government \$35,000 a year, according to the press, that employs an army of men already, now proceeds to do that which the lobby did—to send out to the country its propaganda, to impudently interfere with pending legislation in Congress, and to assail the motives and asperse the conduct of Senators, calling them by name.

Why, this statement that was sent out against the Senator from New Hampshire [Mr. HOLLIS], to the effect that the bill had been transformed into one having his name, and that this bill that bore the Senator's name would permit gambling, speculation, and exploitation without restriction and leave the farmer and consumer alike substantially without protection. The charge, if true, would have destroyed the political influence of the Senator, would probably have driven him from the halls of Congress and from public life. Again, sir, the charge was sent out at the public expense by a man who only a few months or weeks ago was an inhabitant of England and whose house and home and business are in England to-day. And so I say to those Senators who rise and question my right to introduce this interview that the threat contained in that interview was carried out against the person and against the reputation of a Member of this body.

An attack upon myself of some pages in length was sent out by Mr. Hoover to the press. I pass that with the remark that I am making no complaint upon my own account.

Mr. GRONNA. Mr. President—

Mr. REED. I now yield to the Senator from North Dakota.

Mr. GRONNA. I come from the section of the country where at least a portion of the spring wheat is produced, and I am naturally much interested in the letter presented by the Senator from Missouri. I rose to ask the Senator if he would kindly read the names of those who signed the statement that they were opposed to fixing a minimum price? I think I might say that I would know whether they are representative men from the section of the country from which I come.

Mr. REED. Mr. President, rather than to take the time to do that, because there is a long list of names and they are scattered, I will send the paper to the Senator; and then, if he desires later, to call attention to the names, I shall be glad to yield to him.

Mr. GRONNA. Very well. If the Senator will permit me, I will state that so far as I know no one from the State which I in part have the honor to represent has been here since the month of May. There was a delegation of farmers here which appeared before the Agricultural Committee of the House. They were authorized to speak for a great organization which has been formed in the western country, which is organized not only in my State but I think in 11 other western States; and those people asked that a minimum price should be fixed in the bill, which the House did not do.

Mr. REED. Mr. President, these attacks, as I have said, were printed at Government expense, without authority of law; at least, without any intended authority. They may be paid for out of this \$100,000,000 that the Congress said the President might do with as he pleased, but if there be any authority it is that kind of authority.

Certain statements have been made from time to time that I have personally attacked Mr. Hoover. Mr. President, I deny that. I have called in question certain things in regard to Mr. Hoover that have a direct bearing upon the position which he seeks and which he now usurps. What have been my statements?

One is that Mr. Hoover has resided nearly all his life abroad.

Second. That his home and interests are almost entirely in Great Britain.

Third. That he is a promoter by occupation.

Fourth. That his operations in wheat and produce markets were responsible for some of the great fluctuations in prices which he has since charged to the boards of trade gamblers.

Fifth. I cited in support of these propositions certain statements made by Mr. Hoover, and certain other statements made by his eulogist. I now desire to call additional witnesses, to produce additional evidence.

In connection with the question of his residence abroad, and in support of the statement made by his eulogist that he is a promoter—a statement I read some days ago—I call attention to the following:

When Mr. Hoover was testifying before the Agricultural Committee on May 8, he was asked by the Senator from Georgia [Mr. SMITH] to tell the committee something of himself. He made two statements which bear out two of the assertions I have just made. He answered:

I have pursued my profession as an engineer in all parts of the world for some 21 years—25 years, nearly—chiefly in Russia, Australia, India, China, and the United States. During the last 10 or 12 years I have made my headquarters between San Francisco and London. During the last 10 or 15 years my particular occupation has been the installation and management of new organizations. I have had rather a curious occupation, I think—being called in to build up new concerns.

It will be remembered that I read from his eulogist in the Saturday Evening Post that he was known by some French name which I have now forgotten, but which being translated into language that a Missourian can understand means "promoter." So we have it now from Mr. Hoover's own mouth that that is his business; I think he is now engaged in the largest promotion scheme he has ever undertaken in his life, and I venture the prediction, measuring and weighing my words, that that promotion when carried out will control the American markets for the benefit of the British markets.

Speaking now of his residence, he stated:

I have pursued my profession as an engineer in all parts of the world—

In nearly all parts of the world—

for some 21 years—25 years, nearly—chiefly in Russia, Australia, India, China, and the United States.

But his service in the United States as an engineer was at the first part of that period.

During the last 10 or 12 years I have made my headquarters between San Francisco and London.

Now, let me read how he made his headquarters in San Francisco. I read from the Saturday Evening Post of June 23 from his eulogist, the article that the Senator from California stated was handed to him by the attorney of Mr. Hoover as the authentic story of Mr. Hoover's career. This is what it states:

Stanford University, in which he has always maintained a loyal interest, made him a trustee. Hoover, traveling from London to San Francisco via the fastest trans-Atlantic steamer and the Overland Limited, always made the meeting of the board of trustees.

Thus it appears that his visits to this country have been made on the fastest steamers and the fastest trains in order that he might get back to "dear old London," and get back quickly.

Mr. President, in connection with my remarks that Mr. Hoover had charged the speculators with running up prices and had denounced them, and in connection with my charge and the evidence I have heretofore produced that the market was rigged and that the very fluctuations and speculations of the market which Mr. Hoover charged to the gamblers had been in part at least caused by his own operations, I now desire to submit some further statements. I read from the statement of Mr. Hoover, made before the Committee on Agriculture, in which, speaking of the conditions of speculation, he said:

In our commercial distribution we are confronted daily and hourly with evidence of a large amount of rank speculation at every link of the distributing chain by persons not engaged in actual commerce of distribution.

He further added:

We must, in the first instance, put such restrictions upon the export of foodstuffs as will leave us a proper supply for our own people, lest with the great pull of this tremendous vacuum we be left next spring with insufficient supplies.

The second—that is, elimination of speculation and evil practices, is fundamentally the most difficult and must fill all concerned with the most continuous and deepest anxiety.

Later on in his testimony he said:

I do not assume that there was any one criminal, or any criminal in this, but there are 200,000, or perhaps half a million, agencies in this country interested in the distribution of wheat and flour, and all of them have received some benefit out of this rise and this margin between the producer and the consumer.

Elsewhere and at other times Mr. Hoover berated the food gamblers in language still more vigorous and charged that the rise in the price of wheat, the rise in the price of flour, which he said resulted in robbing the American people of \$250,000,000 a month, was directly chargeable to the gambling operations of the grain exchanges.

Mr. President, I heretofore placed in the RECORD the statement of Mr. Hoover's eulogist in the article which the Senator from California said was authentic because it was handed to him by Mr. Hoover's attorney. This statement I desire again to call to the attention of the Senate. He speaks as follows of the operations of the Belgian Relief Commission, which was under the charge of Mr. Hoover:

But as to purchasing supplies, there were big men on the C. R. B.—

That should have been the B. R. C.—the Belgian Relief Commission—

But as to purchasing supplies, there were big men on the C. R. B., who needed no expert advice. They knew all the tricks of the business. When the price of beans began to rise, they bought 1,000 tons of beans and threw them back in one lot on the market.

Being interpreted, that means that they bought 1,000 tons of beans for future delivery, and that when the time came they then sold those beans, or threw them back on the market and broke the market. Continuing:

When the price of beans began to rise, they bought 1,000 tons of beans and threw them back in one lot on the market. Down went prices.

Now, having completed that operation, of course they took in a handsome profit.

They bought in small lots.

It is the trick of the food gambler to buy in small lots, so nobody may know he is buying; to buy futures secretly. That is what that means.

Slowly again the price began rising, but once more the terrific impact of 1,000 tons of beans was felt. Again the price dropped, and again their agents bought beans in small lots.

That is the method of every food gambler who has ever operated. This was not an attempt to get cheap beans for the Belgians, for having bought the beans cheap, in the first place, there was no necessity to throw them back on the market. If they wanted 1,000 tons of beans for the starving Belgians and had acquired them, why should they sell those beans again? There is no man living who is honest and understands anything about the methods of trade on boards of exchange but knows this was a gambling operation pure and simple. It is susceptible of no other construction. I continue to read on:

Again the price dropped, and again their agents bought beans in small lots.

So, again and again did that same 1,000 tons of beans hammer down prices and save the day.

"Hammer down prices and save the day"? Save the day for whom? From the first they had the 1,000 tons of beans, which was all they wanted. They hammered down prices and saved the day as any gambler hammers them down and saves the day. They broke the market. They took down a profit and then repeated the operation. What was the effect of that operation? Was it to benefit the American people, as some newspapers undertook to claim when I first brought the fact forward? If so, then every gambler who performs in a similar way benefits the American people. What is the difference in the effect upon the consumers in America between the Belgian Relief Committee buying a thousand tons of beans in small quantities, which means surreptitiously for future delivery, and then suddenly selling them and breaking the market, and then going into the broken market and buying again for future delivery and thus alternately bulling and bearing the market—what is the difference between that operation and the operation of a Mr. Patten, who in exactly the same way alternately played the bull and bear, and with the result that the American people have made his name anathema maranatha, at least so it was a few years ago?

Mr. CHAMBERLAIN. May I interrupt the Senator there?

Mr. REED. Oh, yes.

Mr. CHAMBERLAIN. Does the Senator claim that Mr. Hoover profited by that?

Mr. REED. Oh, the Senator asked that question before. I do not know anything about who profited. I am saying nothing about it and intimating nothing. If the Belgian Relief Committee got the profit, if the "price of the dog went into the temple of the Lord," it does not change the fact that it was "the price of the dog." It does not remove the fact that the food markets

were overturned, that speculation was rife, that prices were run up, and that the toll was finally collected from the hands of the men and women who had to buy the products thus speculated in to feed their children.

Mr. CHAMBERLAIN. I wish to ask the Senator, Does he claim that there is no distinction between the Belgian Relief Commission operating, as the Senator says, for the purpose of relieving a starving population and Mr. Patten, who was operating the market for his own advancement? Does the Senator compare the one with the other?

Mr. REED. In the proper sense of the term I make no distinction. What is the evil of gambling upon an exchange? Is it that some individual gets money by virtue of it and that he thereby enriches himself? Is that the evil? It does not make any difference to the American people whether Mr. Patten or Mr. Joe Leiter has won a hundred million dollars or ten million dollars or five million dollars. The evil is found in the fact that that hundred million dollars or the ten million dollars or the five million dollars by virtue of the manipulation of the market of the people has been extracted from the pockets of the people where it ought to be left. The evil consists not in the money that is accumulated by some man. The evil consists in rigging the market of the people by gambling in the foodstuffs the people must buy. The evil consists in the hardships that fall upon the producer and consumer whenever the gambler seizes the grain markets, upsets the prices, juggles with values, and produces bankruptcy, ruin, and want. I have heard the Senator from Oregon often demand the punishment of such men.

Mr. CHAMBERLAIN. May I interrupt the Senator?

Mr. REED. Mr. President, there was a society once in the world that said, "Let us do evil that good may come." There was a society once in the world that said, "It is all right to do anything if you do it in the service of the Lord."

But that is a doctrine which was repudiated long ago. I say there is a side to this question that makes it more wicked to gamble with the funds of the Belgian Relief Committee than to have gambled with private cash. Let me tell you why. The Belgian Relief Committee came to the good-hearted men and women of the United States. It held out its hands and said, "Behold a great people is starving. We ask you out of the generosity of your hearts and the kindness of your souls to contribute." The millionaire took down his check book and wrote his checks for large sums. The man of moderate means took down his check book and wrote for smaller sums. At last it came down to the man with little means, the fellow who found it hard to battle against the wolf of want, and even he dug from almost empty pockets his farthings and his pence. In the generosity of his heart he gave that the money might go over to Belgium and it there might do the blessed work of Christian succor and aid. To employ a trust fund of that kind, raised in the United States of America, in gambling operations so as to run up the prices of food of the very people who contributed the money was a betrayal of trust. It was the use of a trust fund in a nefarious and in a wicked manner. I declare that it was worse to take that fund and thus jeopardize it than it would have been to have taken private money and similarly jeopardize it. Gentlemen will get little consolation from that argument.

Mr. LEWIS. May I ask the Senator from Missouri, Has there been any reply from Mr. Hoover as to this matter, which is frequently charged? What is the version of Mr. Hoover? I know the Senator would be glad to give it, because the Senator is a just man, and I should like myself to know what his reply was.

Mr. REED. The only reply I have seen was printed in the newspapers. I was just coming to it; I had it before me, but I was diverted from immediate use; because the Senator in charge of the bill thinks if you take church moneys contributed to the cause of the Lord and go down and gamble with them and make more money and turn it into the church the gambling operation is all right.

Mr. CHAMBERLAIN. I want to say to the Senator from Missouri, if he will permit me to interrupt him, that the Senator from Oregon made no such claim as that.

Mr. REED. No; I mean that is the logic of the Senator's position. To bring it right home, the Senator thinks that if you collect money to feed the hungry and take that money and jeopardize it in gambling operations and win it is all right. That kind of morality has long been the subject of humor. There is an old, old story covered with the dust of ages and sanctified by time to the intent and effect that some ladies were talking about the wickedness of gambling, and one of the ladies said, "I see no wrong in my husband playing cards, as my husband always wins and gives the money to me." That exactly illustrates this proposition. Suppose the trust money

had been lost, who would have made it up? There has been many a young gentleman who has employed upon the stock exchange money he held in trust, hoping to win and expecting to restore every dollar, but when he failed whose money was lost?

Here is the only reply I have ever seen. I am now answering the Senator from Illinois [Mr. LEWIS].

After the close of the Senate session—

I am reading from a newspaper clipping which was in a number of papers—

After the close of the Senate session John Beaver White, member of President Wilson's American committee of the Belgian Relief Commission, issued a statement declaring Senator REED's charge that Herbert Hoover conducted "gambling operations" in buying for the commission was absolutely untrue.

"The purchase of foodstuffs in the United States for the Belgian relief have been made from the beginning absolutely by the American committee," said Mr. White. "Neither Mr. Hoover nor the American committee ever speculated in any—

Neither Mr. Hoover nor the American committee, said this gentleman—

ever speculated in any commodity purchased for the Belgian relief. I recall that in setting up the American organization Mr. Hoover stated: "I do not want myself to handle any of these hundreds of millions of dollars, for some day some swine will turn up in this country and say I have stolen it."

Mr. President, the article I read from the Saturday Evening Post with reference to the operation in beans was written by Mr. Irwin. It was one of a series of articles printed by the Saturday Evening Post in eulogy of Mr. Hoover. According to the statement of the Senator from California [Mr. PHELAN], who rose here to defend Mr. Hoover, it was—I quote his language—"an inspired article." He later said that the reason he said it was an inspired article was because it was handed to him by the attorney of Mr. Hoover as an authentic account of Mr. Hoover's career. So I put against Mr. John Beaver White's statement the statement of the Senator from California and the statement of the Saturday Evening Post, together with the fact that the article was printed, and that it has remained undenied during all of these months. If anybody sees fit to challenge further the truth of this statement thus written and thus vouched for and put forward by these friends of Mr. Hoover as a true account of the operations of Mr. Hoover, I invite a senatorial investigation. You will find none of the gentlemen demanding it, but if they do, I shall be glad to have it.

Mr. President, who is Mr. John Beaver White? This article states:

Mr. John Beaver White, a member of President Wilson's American committee.

Always I find these gentlemen concealing themselves behind President Wilson, because President Wilson is a great President; because he is a great man; because he is a great Democrat; because we Democrats put him forward and the people of the United States accepted him. Because of that you find every fellow who wants to hide himself or give to himself a certificate of good character seeks in some way to stand within the shadow of President Wilson.

I have no reason to say a word against Mr. Hoover; I have never met him but once, and then upon a committee, where I asked him some questions. I have nothing to say against Mr. White, who thrusts himself into this controversy; but my information regarding Mr. White is that he is a gentleman who, like Mr. Hoover, resided for many, many years in London; that the Belgian Relief Committee was organized in London; that he became a member of it there; that he has accompanied Mr. Hoover to this country; and that probably the only work or business he has done in this country for many years is what he is doing now as an assistant to Mr. Hoover. I do not know what his business operations were in England, but my information is he was there long enough to go through the bankruptcy courts.

Now, Mr. President, I am coming to additional evidence that Mr. Hoover's operations or the operations of the Belgian Relief Committee did affect our markets; did affect high prices in this country, in part—I do not charge it all to them—and that the very conditions against which Mr. Hoover has inveighed and which he has charged to food gamblers were, in part, due to operations of his own committee.

Mr. President, here I go back to the market reports, to the accounts current, of events as they transpired in the year 1915. I shall perhaps astound some of you when I say that these reports show that the first demand in recent years for the closing of exchanges came because of the operations I am about to refer to.

The records of the produce exchanges of the United States in the early part of the year 1915 disclose that Hoover, through

his buying for the relief of Belgium, so dealt in our markets as to force the price of wheat to so high a figure that President Wilson was compelled to call on the Attorney General for an investigation of the corner. I quote from the New York American, January 16, 1915, page 11:

The wheat market was again the scene of pronounced excitement, and prices soared to new high records. The strength was based on continued buying by Europe, and sales in the day were estimated at 1,500,000 bushels, of which about 1,250,000 were sold to the American Relief Association out of Buffalo stock. The Liverpool market was very strong. Clearances from the seaboard were larger than the receipts and the total week's shipments were more than 9,000,000 bushels. The cash situation was the dominating factor in the market. Prices have attained such an unusual high level that traders have become somewhat afraid of the market, and operators seem more disposed to turn their attention to corn. In the local cash market No. 2 red winter wheat was quoted at \$1.54½, and No. 2 hard \$1.54½.

It will not be disputed that the American Relief Association above referred to was in fact what we commonly call the Belgian Relief Association. The correct name is the American Belgian Relief Association.

I read from the New York American, January 19, 1915, page 4:

WILSON ORDERS WHEAT POOLS INVESTIGATED.

President Wilson, it became known to-day, has included pooling agreements in the possible causes for the recent rise in the price of wheat and flour, which he has directed Attorney General Gregory to investigate.

The President sent Mr. Gregory a letter to-day formally asking him to investigate with a view to prosecution if evidence was disclosed of illegal combinations. The investigation already was in progress on oral word from the White House, but up to the present time no facts warranting criminal action have been discovered.

The President's letter reached the Department of Justice to-day too late for formal action by Attorney General Gregory. It was said to-night that further steps here might be found unnecessary in view of the investigation already begun at Chicago.

R. B. Ward, head of the Ward Bread Co., said yesterday—

Notice that this was the very time that the Belgian Relief Committee was buying 1,250,000 bushels of wheat on one day in one market—

that if flour stayed at the present price it would eventually lead to an increase in the price of bread. "The European countries are buying wheat regardless of cost," he said, "and are willing to go still higher."

James Ward Warner, president of the New York Produce Exchange, yesterday denounced the action of Washington politicians in trying to have an embargo placed on the exportation of wheat.

Mr. Warner does not believe the investigation ordered by President Wilson will result in evidence of efforts of large interests to corner the wheat market.

"The reason why the Belgian Relief Committee is the greatest bull factor in the wheat market," said Mr. Warner, "is that the committee buys at almost any price. The committee does not care how much it pays for the staple, because it is giving it away."

That is a mistake; they did not give it all away.

Other buyers for export would be more careful, owing to the possibility of reselling at a loss.

Again I quote from the Journal of Commerce and Commercial Bulletin of January 16, 1915, page 7:

HEAVY EXPORTS FORCING WHEAT STEADILY UPWARD.

Wheat was excited again yesterday and reached new high levels, with the May delivery at Chicago touching \$1.45½. Export buying continued unabated and at the close of business was placed at 2,000,000 bushels, but which might run up to 2,500,000 bushels, or possibly 3,000,000 bushels when all reports are in.

Now notice:

This included the sale by Armour of 1,250,000 bushels to the Belgian Relief Committee.

Notice that Mr. Armour was at that time in close connection with this committee. I do not say in any wrongful connection.

Again it is said:

CHICAGO WHEAT HIGHER.

All available supplies largely disposed of and producers not replenishing was the way trained observers explained the amazingly rapid lightening of the wheat market. Export clearances of 1,449,000 bushels for the last 24 hours, a rate that threatened to sweep the big terminals bare, formed hint enough for the bulls. In addition, Liverpool quotations had jumped, and virtually the entire floating supply at Buffalo was reported as having been laid hold of to meet the wants of the starving people in Belgium.

I am not saying that this was wrong. It may have been unwise, but it is not like the gambling that I was talking about. I am saying, however, that having caused that very condition of high prices, or having been one of the chief causes, Mr. Hoover ought not to have gone to our country charging the high prices to the grain gamblers, demanding that the grain exchanges be closed and that the business of the United States be turned over to him, when as a matter of fact he was himself the most responsible party in all the United States for the condition that existed, if these accounts are to be credited, and they were current accounts of the time.

Again the Journal of Commerce and Commercial Bulletin of January 18, at page 15, states:

Export buying, however, has been on a tremendously heavy scale all week, with a goodly portion taken by the Belgian Relief Commission. There can be no doubt that if the exports keep up as they have been

doing since the first of the year the surplus will be exhausted in 60 days. What the immediate future holds forth in the way of price sensations can only be guessed. Chicago May seems likely to attain its goal of \$1.50 that was set for it soon after the war broke out.

Also in the Journal of Commerce of January 19 a discussion occurs in which the question of embargo was solemnly put forward. It is in part:

One report stated that President Wilson had ordered a vigorous investigation, but this was subsequently denied. It all has the effect of scaring the public out of the market, and it was profit taking and general liquidation by outside traders that was the chief cause of the decline.

Then comes a discussion of embargoes that have existed in the past.

I ask that the entire article be printed in the RECORD as part of my remarks.

The PRESIDING OFFICER. Without objection, permission is granted.

The matter referred to is as follows:

Wheat presented a very nervous market yesterday, with Chicago May selling down to \$1.40 and as high as \$1.42½ in comparison with the close on Saturday of \$1.41-58 asked. Not much export business was accounted for up to the close, although it was thought that the total would reach 1,000,000 bushels. The action of the market was governed by reports from Washington and elsewhere concerning the likelihood of an investigation by the Government on the recent advance in wheat prices. One report stated that President Wilson had ordered a vigorous investigation, but this was subsequently denied. It all has the effect of scaring the public out of the market, and it was profit taking and general liquidation by outside traders that was the chief cause of the decline. It is gradually becoming understood, however, that the Government has little or no power in the matter. It would be unconstitutional to lay an export tax, while on only two occasions in the history of the United States has there been an attempt to lay embargo on exports. In one instance President Jefferson in 1808 tried it and in another President Madison in 1813 tried it. In the latter case the uprising of the farmers was so strong that the law was repealed before it had a chance to go into operation or be tested in the courts, while in the other it was of such short duration that it had little effect. In the present instance it is believed that the agricultural interests of the country would raise such a storm of protest that Congress would not dare to try the experiment.

Mr. REED. Then I read from the New York American of January 16, 1915, page 5:

RISE IN WHEAT MEANS 7-CENT BREAD HERE.

The housewife's loaf is shrinking, shrinking, and the price is rising, rising—

And they might have added, Hoover is buying and buying.

A representative of one of the largest baking establishments in New York said yesterday that unless there is a decided drop in the price of wheat within a week the small bakers, at least, will be forced to increase the price of a pound loaf of bread to 7 cents, and that the larger baking companies will be forced to follow within a month.

"The small bakeries are having a hard time now," he said, "and in many parts of the city they are mixing rye flour with wheat in order to make up the weight."

"Flour now is selling at \$7.25 a barrel. The price at which wheat sold to-day—\$1.54 for May delivery—will make the cost of milling and racking more than \$8.25 a barrel, and shipment and delivery charges will, I am convinced, increase the price within a week or so to \$10 a barrel.

The alternative is to decrease the size of the loaf. Nothing will be accomplished by that, however, as the purchaser will be getting a loaf only two-thirds the weight of the present loaf.

There is no remedy except to hold the wheat here instead of sending it abroad, and it is doubtful if anything, except an embargo by Congress, would curtail the selling to foreign countries. It is doubtful even if this would be effective, as the farmers are holding wheat.

An appeal yesterday was telegraphed to President Wilson by the National Housewives' League to curtail the selling of wheat abroad. The telegram said:

"The National Housewives' League, representing 900,000 American families, appeals to you. In view of the situation regarding wheat and flour, to take drastic measures at once to protect your people, even if necessary to place an embargo upon those products."

That was the appeal that was sent to President Wilson.

George A. Zabriskie, eastern representative of the Pillsbury Co., declared that flour is likely to reach famine prices.

Again in the Journal of Commerce of January 18, 1915, is a statement bearing out that which I have already read. I ask to insert it in the RECORD as part of my remarks.

The PRESIDING OFFICER. That order will be made in the absence of objection.

The matter referred to is as follows:

FLOUR AT HIGHER PRICES THROUGHOUT THE COUNTRY.

The effect of the advance in wheat has been to advance flour prices throughout the country. In some instances this price had the effect of stimulating buying and in others causing it to hold off. In most instances, however, it has stimulated shipping directions. Additional reports to the Northwestern Miller state that at Chicago the week closed with the most exciting wheat market for many months and resulted in millers being obliged to mark up their quotations on flour and mill feed daily.

FLOUR REMAINS HIGH.

Flour remained at the high levels established during the latter part of last week, the mills being disinclined to take chances on the present uncertain conditions of the wheat market. Sales were small, amounting to only a car or two at a time, and not amounting to very much in the aggregate. With such a decidedly unsettled market as there is at the present, buyers showed a decided inclination to restrict their purchases to nearby requirements. Although the general belief is that

wheat will sell still higher, there is hope that it will be possible to obtain flour at lower prices on such rates as have occurred recently. The fear of investigation by the Washington authorities was not regarded as of particular moment other than to upset the market for the time being. The trade realizes that wheat is governed by war conditions, and the fact that it is going out of the country at a rate that will place the American markets on a domestic basis within a few weeks is something that will not be controlled by anything that Washington can do.

Mr. REED. Again I ask leave to insert an article from the Economist, of Chicago, Ill., under date of January 16, which bears out the statements I have already made.

The PRESIDING OFFICER. That order will be made in the absence of objection.

The article referred to is as follows:

[From the Economist, Chicago, Ill., Jan. 16, 1915.]

Exports to Europe are slowly but steadily draining the United States of its surplus in all cereals. This week the enormity of this outflow of grains, and particularly of wheat, has seized the minds and imaginations of the trade and wild speculative markets resulted with the greatest interest centered in May wheat. This has reached and maintained itself at levels the highest since the Leiter year. Fluctuations have covered an 8-cent range, and a high price for the May option of \$1.43½ was touched Thursday. The market is extremely hazardous and violent changes are probable with increasing number and more severe reactions and rallies as the price advances. The net change from the close yesterday week through Thursday was a gain of 5¼ to 5½ for May and a loss of ¾ for July. One of the leading bulls states that May wheat, in his opinion, will reach \$2 and that May corn will sell at \$1. The importance of the situation scarcely can be overestimated, for the Board of Trade now has the practical problem to face of feeding all Europe and at the same time attending to the needs of this country for reserves and flour. Durum wheat, such as is used for the manufacture of Italian spaghetti, is worth \$2.07 c. i. f. Genoa. The possibilities are obvious when American bakers are seriously considering 6 cents as a price for a loaf of bread when our wheat is about \$1.40. Italy has been particularly active in its bidding for American wheat, and its harbors are reported choked with grain boats at present. Last week our exports were approximately 8,000,000 bushels as compared with 2,000,000 bushels for the corresponding week of January, 1914. In other words, the foreign demand has about quadrupled. This is reason enough for the advance in speculative and cash prices. In fact, the wonder is that advances have not been much greater than already have been scored.

Mr. REED. Mr. President, the statements I have put in the RECORD simply demonstrate that when we were sitting here in the Senate, as we were five or six weeks ago, excited because of the high prices, excited because Mr. Hoover told us that the grain gamblers had "rigged" our markets and were robbing our people, excited to a point where we could not even pause to investigate, excited to a point where we regarded it to be a sort of a crime for a man to ask for a few hours to discuss the terms of the bill—I say that this evidence demonstrates that one of the chief factors in running up the prices of food products was Mr. Hoover himself.

If Mr. Hoover or his committee had come to the American people and said "I have done these things, but the result of it all is that prices are very high, and there should be a regulation of these prices," I would have made no complaint. But Mr. Hoover came to the American people and alarmed and excited them; he came to the American Congress and alarmed and excited it with the claim that gamblers and wicked men were "rigging" the markets of this country. I do not say there is not some gambling, but I do say that Mr. Hoover's own operations were the chief causes for the increase of prices, and that a false impression was given to the American people.

Mr. President, we may shut our eyes to the facts if we please, and we may turn over to Mr. Hoover the grain business of the United States; we may turn over to him and those gentlemen he has brought with him from merry England the domination of our markets and our farms; we may give them the right to say to the farmer "You shall have no place to sell," and to say to the miller, "You shall have no place to buy." We may put them in command of the finances and of the success and of the fortunes of 45,000,000 people engaged in agriculture in this country. We can do these things, because perhaps we have the power, but I appeal to the sober sense of the country and to the sober sense of this body that this thing ought not to be done; that it is an abomination; that it is an iniquity; that it is an inexcusable wrong.

What we ought to have done was what we attempted to do. We passed here in the Senate a bill known as the food-survey bill. It had come from the House with a number of wholesome provisions in it. We amended it. We put into that bill a provision that would have stopped every particle of gambling in every exchange in the United States; we put into that bill a provision that would stop hoarding; we gave to the President the power to close every exchange where gambling was permitted. We sent that bill back to the House, where it ought to have received attention within 24 hours. It was held up; conferees were not allowed to act or even to be appointed. I repeat what I have often stated before, that it was held up at the

demand of a Cabinet officer, who insisted that, if it were passed a part of the argument in favor of the food control or food dictatorship bill would be gone. That bill thus held up for weeks and weeks and weeks was approved by the conferees and returned here within a few minutes after the House had coerced the Senate conferees into a surrender, which I regard as one of the most fateful that has ever taken place in the Congress of the United States.

And when the news is sent to the country that this legislation is held up—as some papers have said, "REED holds up the food bill"—I ask those papers to be generous enough and fair enough to say to the country that a bill that was passed in the Senate eight weeks before this bill was passed, a bill that would have stopped gambling in the exchanges, a bill that would have stopped hoarding of foodstuffs, a bill that would have armed the President with abundant authority to close every exchange in this country if he saw fit, was held up at the demand of a Cabinet officer during all of those long weeks, and is being held up now in this body in order that this bill, passed eight weeks after it was passed, shall be given the right of way and forced down the throat of a Senate the majority of whose Members regard it as an abomination.

This may not go to the country now, but this will go to the country.

Mr. GORE. Mr. President—

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

Mr. REED. I do.

Mr. GORE. I suggest the absence of a quorum.

The PRESIDING OFFICER. Does the Senator from Missouri yield for that purpose?

Mr. REED. "The Senator from Missouri" yielded to the Senator from Oklahoma, and the Senator from Oklahoma made that suggestion.

The PRESIDING OFFICER. The Senator from Oklahoma can not do that without the consent of the Senator having the floor. Does the Senator yield for that purpose?

Mr. REED. Well, Mr. President, I think the Chair is in error. "The Senator from Missouri" yielded for no particular purpose. He yielded to the Senator from Oklahoma.

The PRESIDING OFFICER. The Senator from Missouri does not yield the floor, does he?

Mr. REED. I do not.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

Mr. REED. Oh, well, Mr. President, if we are to have that kind of tactics employed, I myself suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from Missouri suggests the absence of a quorum. The Secretary will call the roll.

Mr. REED. And I enter an appeal from the decision of the Chair.

The PRESIDING OFFICER. Which one does the Senator wish put first?

Mr. REED. The rules of the Senate pretty clearly declare what is to be put first.

The PRESIDING OFFICER. The Secretary will call the roll to determine the presence of a quorum.

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

Ashurst	Husting	McNary	Sterling
Bankhead	James	New	Sutherland
Borah	Johnson, Cal.	Norris	Thompson
Brady	Jones, N. Mex.	Page	Underwood
Brandeggee	Kellogg	Pittman	Vardaman
Chamberlain	Kendrick	Polindexter	Wadsworth
Culbertson	King	Pomerene	Warren
Curtis	Kirby	Reed	Weeks
France	Knox	Saulsbury	Williams
Gore	La Follette	Sheppard	
Hitchcock	McCumber	Smith, Md.	
Hollis	McKellar	Smoot	

The PRESIDING OFFICER. But 45 Senators having answered to their names, a quorum of the Senate is not present. The Secretary will call the names of the absentees.

The Secretary called the names of absent Senators, and Mr. HARDING, Mr. OVERMAN, Mr. PENROSE, and Mr. SIMMONS answered to their names when called.

Mr. LEWIS entered the Chamber and answered to his name.

Mr. LEWIS. I wish to announce the absence of the Senator from Rhode Island [Mr. GERRY] on official business.

Mr. NEWLANDS, Mr. CUMMINS, and Mr. NELSON entered the Chamber and answered to their names.

The PRESIDING OFFICER. Fifty-three Senators having answered to their names, a quorum of the Senate is present. The Senator from Missouri.

Mr. REED. Mr. President, I now desire to ask the Senate to consider the remarkable result brought to us by the conferees.

After a discussion which lasted for weeks, the Senate Committee on Agriculture and Forestry brought to the Senate certain amendments which it asked the Senate to adopt, and after full discussion those amendments were adopted. Among these amendments was one which proposed, instead of turning over to Mr. Hoover all power and authority touching the matter of foods, to create a commission of three men, to be appointed by the President and confirmed by the Senate. That important provision has been stricken from the bill.

The Senate placed limitations upon the licensing of concerns engaged in business. The provision as now brought back to us is many times more radical than it was when it came to us from the House. Not only is the Senate amendment gone, but the Senate conferees, in their haste to recede, retreated beyond the line of the old House bill. In absolute disregard of the mandate of the Senate, the Senate conferees not only yielded all the Senate had asked, but, in addition to that, yielded more than the House had originally asked. The Senate added, and by repeated votes demanded, the creation of an auditing committee to see that the people's money shall not be wasted; that provision is gone. The Senate added an amendment making it clear that labor organizations should not lose the benefits of the Clayton bill. That provision also is gone.

There are other provisions to which later on I shall call attention upon which the Senate conferees beat a hasty, and if they were not Senators I would say an ignominious, retreat; but of course I can not say that of Senators.

I now challenge the attention of the Senate to new language that appears in this bill; and if other men view it as I view it, it is enough to shake the Senate from its lethargy, and to reach the deaf ears of men, if such there be, who no longer care for country or for Constitution. It will take me a moment to lay the groundwork for this statement.

On page 2 you will find that the bill is now made to cover foods, feeds, fuel, fuel oil, natural gas, fertilizer and ingredients, tools and utensils and equipment used in the production of said things, and also to prevent local or general scarcity, monopolization, hoarding and speculation and private control, and to establish and maintain what? Governmental control over these things.

Observe that the bill has been so enlarged that it not only covers foods, feeds, and fuels, but it covers in addition to that the tools, utensils, implements, machinery, and equipment required for the actual production of foods, feeds, and fuels.

Mr. President, what does that embrace? It embraces every coal mine in the United States; it embraces every flouring mill in the United States; it embraces every packing house in the United States, every cold-storage plant in the United States, everything that manufactures any food product or any fuel product, and every machine that makes the machinery with which these things are produced. It is so broad as to include many things that will startle some of the gentlemen who, when the bill was in the Senate, having found the enterprises and business in which their States were specially concerned in the bill hastened to amend it in order to get from under the bill. For instance, the cottonseed mill in which oil is expressed will come within the terms of the bill. It will embrace the linseed-oil mill, because that comes within the terms of the bill. It will cover every sawmill of the United States. In its wide sweep it reaches out and takes possession first and last, in my judgment, of the major portion of the manufacturing business of the United States. But singularly enough it leaves the old Steel Trust out. It leaves the copper combination out. It leaves the Standard Oil Co. out. It leaves the Aluminum Trust out. It leaves out of the bill the most wicked, the most powerful, the most potential, and the most oppressive of all the great combinations and trusts in this country. It brings within the scope of the bill the farmer, the man who runs the little grist mill, the producer and handler of wheat and all kinds of food. It is a bill drawn for the purpose of controlling the less hurtful and the less monopolistic of our enterprises and businesses and to acquit of any control those things that have been most wicked and most potential and most injurious.

There is brought within the control of this bill one set of concerns that I do think is an improvement over the House bill, for the conferees allow to remain in the bill the Senate provisions regarding the control of coal. It is my opinion that a case has been made out which shows practically a control or agreement of prices among the coal dealers of the country, and I regard that as one business which ought to be disciplined and

disciplined at once, not disciplined in the nature of punishment, but in the nature of a proper control.

Mr. President, having gained some idea of the scope of this bill, its magnitude, how far it reaches, let us observe what powers are granted. A Government control is established and maintained over all these things, and this language is used to accomplish that control. I wish Senators would take the pages of the bill and follow me. I call attention to page 8. To accomplish that control we find—

SEC. 5. That, from time to time, whenever the President shall find it essential to license the importation, manufacture, storage, mining, or distribution of any necessities, in order to carry into effect any of the purposes of this act, and shall publicly so announce, no person shall, after a date fixed in the announcement, engage in or carry on any such business specified in the announcement of importation, manufacture, storage, mining, or distribution of any necessities as set forth in such announcement, unless he shall secure and hold a license issued pursuant to this section.

Now, mark you the language of the House bill as it came to us was that the President should first find that a rate, a charge, or a practice was unjust before he could interfere. The man who did not indulge in an unjust rate, practice, or charge was acquit of any control by the Government. The bill, as it came to us from the House, was aimed against only those who were guilty of unjust practices and charges, and the President was required, upon his honor in response to his official oath, first to find the unjust charge, first to find that a wicked thing had been done, before the President could lay his hands upon the business of the country. But what says the present bill: From time to time whenever the President shall find it essential to business to license. In other words, whenever the President sees fit by the simple promulgation of his decree, by the simple issuance of his proclamation, every man in the United States engaged in these various businesses that are so numerous and so important that I can not wait to catalogue them all, businesses that you will find established in every hamlet, in every city, in every part of this land—the President may by simple public announcement take the management of those business enterprises from the proprietors thereof. Listen. I read:

From time to time, whenever the President shall find it essential to license the importation, manufacture, storage, mining, or distribution of any necessities . . . and shall publicly so announce—

Then the business can not go on except as I shall state. All the President has to do in the world is to put an article in the morning paper and say, "I, Woodrow Wilson, being of the opinion that it is essential to license the importation, manufacture, storage, mining, or distribution of necessities, do hereby proclaim that after the 1st of next month," or any other day he sees fit to fix, "no person shall engage in or carry on such business unless he shall hold a license issued pursuant to this law."

Mr. HITCHCOCK. For what?

Mr. REED. For these things that I have named; and if the Senator from Nebraska will take the things I have named, the things that are in the bill, and allow his keen and acute mind to travel for a little bit along the lines of the bill, he will find that these things embrace every article of food and everything used in their production, every article of fuel and everything used in its production, some exceptions being made for retailers. It affects all that the farmer raises. The President of the United States can close the doors of every market in the United States for every farmer's product, and he can close every flouring mill, every wholesale house engaged in the business of selling flour or feeds or fuel or anything of that kind—everything except retailers—and he can do it, not upon the ground that evil practice has grown up, not upon the ground that any wickedness or wrong has been done by a single one of our people, but simply upon the ground that he "deems it essential." Then what happens? Then these men must take out a license.

The President is authorized to issue such licenses and to prescribe regulations for the issuance of licenses and requirements for systems of accounts and auditing of accounts to be kept by licensees, submission of reports by them, with or without oath or affirmation, and the entry and inspection by the President's duly authorized agents of the places of business of licensees.

Under that, sir, a Federal agent can enter in one of these places of business. Under that the books of every one of these private citizens can be examined. Under that a man can walk in and simply showing his authority proceed to ransack and investigate from the contents of the safe and the books to the extremity of the business. It is a general warrant of search and it is the most remarkable power ever asked or conferred in a free country. But I read on:

The President is authorized to enter into any agreement—

Notice this—

to create any agency and to employ any person and to coordinate any departments or agencies of the Government to enforce this bill.

He is authorized to command, to use and employ any department or agency of the Government. This means the Army and Navy of the United States.

It means to give the power to employ the Army and Navy of the United States.

Now, Mr. President, after this proclamation has been issued, this public announcement has been made, if a man shall venture to conduct his business one day, one hour, one moment beyond the time named in the public announcement without having a license, he can be fined \$5,000 and sent to the penitentiary for two years and his business closed. His right to transact business as an American citizen is gone.

This arbitrary and confiscatory decree is to be executed through any agent the President may name. We know that one of the chief agents is to be Mr. Hoover, who has already been sufficiently discussed. Why have I discussed him? Because if a man is to be put in charge of the business of the people of the United States it is important to know whether he is a loyal-hearted American citizen whose every interest is American. It is important to know whether there is any influence drawing him in any other direction. It is important to know whether he is subject to any environment that might lead him to act against the interests of the people of the United States. It is important to know whether his experience be of such nature as to qualify him for the Herculean task.

There are two phases that I want to present. First, should this sort of power ever be conferred upon a human being, and, second, can it be conferred by the Congress of the United States? Let us deal with it first in its broader aspect, for I well know how unpopular it now is to refer to the Constitution of the United States. But I can not resist the temptation of saying that the day will come when the old ark of the covenant will be rescued and when those who have dared lay unholy hands upon it will no longer set in the seats of the mighty.

I am opposed to one-man power. I am opposed to any kind of one-man power anywhere, at any time, under any circumstances. The man who advocates a dictator for America is a traitor to America. The man who advocates a dictator in America is the friend of despotism and the enemy of democracy. The man who would create a dictator in America would do to us by peaceful revolution that which could only be done by a foreign conqueror, and if done by a foreign conqueror there was never one so despotic he would not in the end give some measure of self-government to even a subject people.

Yet I have heard men high in office say that what a Republic needs in time of war is a dictator.

I have heard a number say that the Constitution is suspended, or that the civil rights of the people cease when war is declared, and that is equivalent to a justification of a dictatorship.

I am opposed to a dictator also because no man knows enough to think for all the people. No man is wise enough to embrace within the horizon of his intellect all conditions of life, all forms of business, all hopes and aspirations and ambitions of a mighty people. And so, lest I should be accused of announcing a new and strange doctrine in these days when the Constitution is in disrepute, I venture to read. I apply this not only to a dictator but to certain boards that are being organized and authorized by this bill and that are being organized outside of it.

I don't want a smug lot of experts to sit down behind closed doors in Washington and play Providence to me.

And neither do I want one, whether it be Mr. Hoover or some hands of a group of men. I continue to read.

There is a Providence to which I am perfectly willing to submit. But as for other men setting up as Providence over myself I seriously object. I have never met a political savior in the flesh, and I never expect to meet one.

A little further on the distinguished author of these words said:

I would rather see a savior of the United States than set up to be one, because I have found out, I have actually found out, that men I consult with know more than I do, especially if I consult with enough of them. I never came out of a committee meeting or a conference without seeing more of the question that was under discussion than I had seen when I went in. And that, to my mind, is an image of government. I am not willing to be under the patronage of the trusts, no matter how providential a government presides over the process of their control of my life.

I am one of those who absolutely reject the trustee theory, the guardianship theory. I have never found a man who knew how to take care of me, and, reasoning from that point out, I conjecture that there is not any man who knows how to take care of all the people of the United States. I suspect that the people of the United States understand their own interests better than any group of men in the confines of the country understand them.

Thus said Woodrow Wilson, and so well did he say it that he saw fit to print it in a book entitled *The New Freedom*, and at the top of the page he indited the legend "Free men need no

guardian." Were these words wise and prudent when they were uttered? I think they were, and on them I now stand. I do not change the principles of my political philosophy each time convenience asks that I shall change. I can not shift from these old principles because I suddenly become ambitious for power; I hold to them.

This, sir, was not a fugitive statement. At page 64 of the same book the distinguished President of the United States says to the country:

I believe, as I believe in nothing else, in the average integrity and the average intelligence of the American people, and I do not believe that the intelligence of America can be put into commission anywhere. I do not believe that there is any group of men of any kind to whom we can afford to give that kind of trusteeship.

I will not live under trustees if I can help it. No group of men less than the majority has a right to tell me how I have got to live in America. I will submit to the majority, because I have been trained to do it, though I may sometimes have my private opinion even of the majority. I do not care how wise, how patriotic, the trustees may be, I have never heard of any group of men in whose hands I am willing to lodge the liberties of America in trust.

Send that out to the country, ye heralds of a yet uncensored press and at the same time tell the people of the land that the liberties of the American people are by this bill lodged in the hands of a group of men. I continue to read.

I read this especially to those Members of Congress who publicly subscribe to this bill, although privately they denounce it as unwise and unjust—I read it not to those who expect to go back home declaring in good faith I exercised the best judgment I possessed and voted as my conscience dictated.

But I do read it to all who count upon gaining favor by chirping like so many insects, "I stood by the President, and therefore in his shadow am I holy and by his name am I protected." "I was a faithful follower." "My nose was long and keen and kept the scent, and so I followed where his feet had gone." "I did not think." "Oh, no; to think it were a crime in modern times." "My virtue was to follow, follow, and still to follow on in faithful servitude—to crawl beneath my master's legs and lick the dust from boots that held me in contempt even while I bowed and fawned." I read:

If any part of our people want to be wards, if they want to have guardians put over them, if they want to be taken care of, if they want to be children, patronized by the Government, why, I am sorry, because it will sap the manhood of America.

Thus said Woodrow Wilson, and so say I, and so will say in time an outraged country, a proud people, a patient and a patriotic host, who none the less will hold responsible the men who lay the people's liberties aside by base surrender of the Constitution that the people wrote.

He added—and here it appeared there was some mistake made according to the idea of some but not according to mine—

But I don't believe they do. I believe they want to stand on the firm foundation of law and right and take care of themselves. I, for my part, don't want to belong to a nation, I believe that I do not belong to a nation, that needs to be taken care of by guardians. I want to belong to a nation, and I am proud that I do belong to a nation, that knows how to take care of itself.

Now it is proposed to turn a large part of that Nation over to a gentleman whose name was not known in this country until a few months ago, when a press agency was set to work by this man who so loves publicity that when he started in the Belgian relief work he employed the English representative of the Associated Press as his press agent and has him here now in Washington.

Mr. President, let me read a little further from page 77; and let me read this to you as a prophecy which was true when made and which is true now:

America is never going to submit to guardianship. America is never going to choose thralldom instead of freedom.

Mr. President, one further quotation upon this line—and I apply it to this attempt to turn over all the vast business of this land to a few people; this attempt to turn over to Mr. Hoover the destiny of the farmers, our great markets, our consumers; for, mark you now—and I wish that I could say this so that the American people might hear—the consumer will be affected as will be the producer. You can not interrupt the flow of the lifeblood in the body without you paralyze the extremities of the body. You can not interrupt the flow of commerce without the cost and penalty are visited upon all dependent upon commerce, and none are more dependent than are the people of the towns. Every embargo you place upon commerce is an added expense that must be paid for at the breakfast table and at the dinner hour. It is proposed to take the business of this country out of the hands of the men who have created it, out of the hands of the men who have lived with it. When I say "business" I include the farmer, the stock raiser, the planter; I include the carrier; I include the manufacturer. We are all in business. I include the laborer, whose business is

that of selling his daily labor. I protest that they can manage their business better than can any one man. Again I read from President Wilson's book:

No one man understands the United States—

Not even Hoover.

No one man understands the United States. I have met some gentlemen who professed they did. I have even met some business men who professed they held in their own single comprehension the business of the United States, but I am educated enough to know that they do not.

"Where, where was Hoover then?" His form had not loomed on the intellectual horizon of the President. The President had not heard the magic name of the "miracle man."

I read this again. Though I read it to ears that will not be convinced, yet I shall make you all feel a little uncomfortable. Perhaps you will be convinced, for—

While the lamp holds out to burn,
An erring Senator even may return.

I repeat the quotation:

No one man understands the United States. I have met some gentlemen who professed they did. I have even met some business men who professed they held in their own single comprehension the business of the United States, but I am educated enough to know that they do not. Education has this useful effect, that it narrows of necessity the circles of one's egotism. No student knows his subject. The most he knows is where and how to find out the things he does not know with regard to it. That is also the position of a statesman. No statesman understands the whole country. He should make it his business to find out where he will get the information necessary to understand at least a part of it at a time when dealing with complex affairs. What we need is a universal revival of common counsel.

Now, we propose to have everything but "common counsel"; anything but common counsel; one dictator or a half dozen dictators; business to be divided up among them; and to what end? I make you the prediction now, claiming no authority as a prophet, that if you undertake this plan that you are upon you will find food as high 12 months from now as it is to-day; that you will find prices are higher 12 months from now than they are to-day, unless, indeed, the war shall have ceased, and men shall have gone back to their usual avocations.

I make you the prediction also that if you will stop interfering with production; if you will permit to become a law, without anything more, the food-survey bill which will have encouraged production and stop speculation and hoarding, and yet allow the mighty sinews of the American people to play unrestrained and the mighty energies of the American people to go uncontrolled, you will have a solution in part of high prices; not entirely, for while the war lasts there will be some high prices. I declare it to be my opinion that just in proportion as you have men like Hoover interfering with the trade of this country you will have high prices.

Mr. President, I come now to consider the question of the constitutionality of this remarkable provision. Again I call attention to the work of a distinguished author, for I am now presenting the idea that this bill undertakes to go into the several States of the Union and to have the Federal Government assume authority and jurisdiction over business institutions located within those States, and that the bill does not even propose to limit its control to interstate commerce. If this bill can be passed, there is no invasion of the States of the Union that can not be made; there is no limit to Federal authority. Even if we have the power to do this, is it wise to employ that power? Here I call attention to this language:

It would be fatal to our political vitality really to strip the States of their powers and transfer them to the Federal Government. It can not be too often repeated that it has been the privilege of separate development secured to the several regions of the country by the Constitution, and not the privilege of separate development only, but also that other more fundamental privilege that lies back of it—the privilege of independent local opinion and individual conviction which has given speed, facility, vigor, and certainty to the processes of our economic and political growth. To buy temporary ease and convenience for the performance of a few great tasks of the hour at the expense of that would be to pay too great a price and to cheat all generations for the sake of one.

So said Woodrow Wilson on pages 191 and 192 of his book entitled "Constitutional Government of the United States," and throughout the book there is more to the same effect.

Mr. President, what does this bill propose to do? It does not propose to limit the action of the President even to war measures; it does not propose to bottom the action the President may take upon the flimsy doctrine that was first inserted in the bill and has been since stricken out, that Congress by an act can declare a thing subject to a public use, and that it thereby becomes subject to a public use.

It bodily and with an effrontery that is almost admirable undertakes to place in the hands of the President the power, "whenever he deems it essential," to say to every business man engaged in the various callings, as specified in the bill—and as I have already said they are so broad as to embrace nearly everything—"I forbid you any longer to conduct your business,

unless you come and get a license from me." That is not limited to interstate commerce, and even if it were it would be illegal. It is not limited by anything except the Executive will and pleasure. It gives to the President of the United States authority to issue a decree, a ukase, a mandate, and upon the issuing of it hundreds of thousands of men must on the day stated close the doors of their business, and if they again enter them for the purpose of doing business they can be sent to the penitentiary and fined \$5,000.

It is true the bill states that they may apply for a license, and that when they have obtained the license they shall then do business—in the manner that they want to do business? No. In the manner that their interest requires? No. In the manner that the interest of the country requires? No. But in the way they are commanded to conduct it. If that be not the taking of property without due process of law, or any kind of law, then, indeed, was the Constitution written in vain.

Again I call the attention of Senators to the fact that we all agreed that when we had adopted a provision here that the President of the United States could take all the whisky and pay for it its cost plus a profit, I believe, of 10 per cent, that the provision was unconstitutional, because it was taking property without due process of law.

If it was taking property without due process of law when whisky was taken over and the cost paid and a profit in addition, what shall we say about due process of law when a man who has built a flouring mill, who is engaged in the legitimate business of grinding of flour, is by a mere proclamation of the President deprived of the right to enter his mill and is sent to the penitentiary if he dares enter his own mill and to set in motion a single wheel? If that be not taking property without any process of law, then, indeed, there is no protection under the Constitution.

I appeal to the Senators who conceded that they had to take out of the conference report the provision with regard to the taking of whisky and paying for it at cost plus a profit because it was unconstitutional, why is it not equally true if Congress says that whenever the President sees fit to issue a proclamation the owner of a factory shall not be permitted to turn his wheel or to employ his property that is not taking property without due process of law? I appeal to Senators why it is not equally taking property without due process of law if the proprietor is told, "You can not run your business as you see fit, but you shall run it in the manner and form we dictate; you shall not run it as your interest demands, but you shall run it in the manner and form that we say you shall run it." I appeal to men who have some respect for the Constitution, or had a few days ago when we were discussing the liquor amendment, and even to the conferees who sat in conference and changed the liquor amendment, why this provision is not within the inhibition of the Constitution?

There will be no answer made to this; there can be no answer made to it. It does not have the shadow of pretext to sustain it.

Is it necessary? Is there anything in the condition of our land to-day that makes this necessary? Is there a man in this body who believes it can be done within the Constitution? But, of course, sir, when you give authority to employ all power and all force anything may be done. When you write this kind of power in a bill after having written in an express authority to take possession of the property of the people, the power to enter into any agreement, to create any agency, to employ any person, to coordinate any department or agency of the Government, "to command, use, and employ any department or agency of the Government," I say you have given authority that will be construed to include the Army of the United States. We had better go a little carefully.

We adopted a military bill. I am willing, Mr. President, to compel obedience to the draft; but I did not think when we passed the military bill that we were passing a bill to empower a drumhead court-martial to try and condemn to death men who simply ran away or who failed to appear when called.

And yet in the papers of yesterday morning we find this—I read the opening lines from the Washington Herald, where I happen to find the account, but I have seen it in all the papers. These are the headlines:

Draft rebels may be shot—Court-martial and firing squad, says Gen. Crowder, is penalty.

Reading from the text, just a line:

The short shrift of court-martial and the firing squad will be the lot of those who persist in resistance to the draft. The iron hand of the full military power of the Nation is ready.

Mr. President, when I voted for that bill I wanted, if we had the draft, to make it effective. I do yet; but I thought we were voting for a bill that would send to the penitentiary a man who would not obey the draft. I had an idea of a trial in a civil

court. I had no thought at that time that it would ever be asserted that a drumhead court-martial could take out poor wretches who were too cowardly to come forward in response to the draft and who ran away because they feared death, and stand them up and shoot them to death. I am getting a little chary about giving authority when I find that kind of construction placed upon it.

Mr. President, before I quit the floor I desire to clear up a matter that came into dispute this morning—I am sorry the Senator from California [Mr. JOHNSON] is not here. The first thing that I call attention to is the statement that was made by the Senator from Oregon [Mr. CHAMBERLAIN]. I find, on reading it, that as my recollection served me I was correct, and that Mr. Hoover did not enter an absolute denial to the interview which I read this morning. The Senator from Oregon [Mr. CHAMBERLAIN] stated:

While I am not an apologist for Mr. Hoover and do not hold any brief for his defense, I was rather amazed at the statement—

That is, the statement contained in the paper, the interview—

and called him up over the telephone to ascertain whether that statement was made by him, because it disgusted me, as it must have disgusted everybody if it were authentic. Mr. Hoover assured me that he said nothing of the kind and nothing that could be construed into such a statement as was there given.

If the statement had stopped there, it would have amounted to what the Senator from California thought. But the Senator in charge of the bill continued:

The most of his offending, he said, was to say that he had no control of Congress; he hoped that the food-control bill would be speedily passed, but what it would contain he could not say; but he only had the power of declining to act if it was a bill that in his opinion, when passed, he felt he could not conscientiously carry out. He said that was the most that he said.

If that does not pretty plainly disclose that he was discussing the bill to this lady to whom he gave the interview, and that he was discussing what Congress might do, and if he was not discussing whether he would or would not accept the bill, then, I do not understand the import of language. Nevertheless, I do not assert that he made the statement exactly as it was put in the papers. I simply offer them for what they are worth; and now I offer, in that connection, the statement that appeared in the evening papers of that same day. I read from the Washington Times of that same night. This same statement, in substance, appeared in a number of papers:

Herbert C. Hoover will make no reply to the bitter attack Senator REED, of Missouri, made upon him in the Senate, charging the food administrator with rigging the food market when he was directing the Belgian relief work. Hoover said to-day that a reply to REED would only lead to another attack by REED and precipitate an unnecessary controversy. It is Hoover's intention, however, it was learned to-day, to take a definite step toward the forces that are holding up the food-control bill in the Senate. He will wait until action is taken Saturday, and if it does not meet his ideas he will go before the country with an exposure of Senators who block the bill and the influences he charges are behind them.

Now, it is singular if all the morning papers got this wrong, and then if the evening papers also got it wrong. The statement in the morning papers was sent all over the country. I hold in my hand a paper published at Moberly, Mo., that had the same report that I read from this morning. I am only speaking of these things now out of respect for the challenge of the Senator from California [Mr. JOHNSON], whose opinion and good will I value very highly, and I want him to understand just what I have acted upon.

Mr. JOHNSON of California. Mr. President—

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

Mr. REED. I do.

Mr. JOHNSON of California. May I express my appreciation of the fairness of the Senator from Missouri in reading the excerpt from what was said by the Senator from Oregon when this particular question recently arose, and may I add, too, something in which I think I will strike a sympathetic chord with the Senator from Missouri—that we ought not to hold any man on earth responsible for what may appear in newspapers regarding the particular individual? I am perfectly assured that if it were desired volumes could be printed here from newspapers concerning myself, volumes could be printed concerning nearly every individual upon this floor, and there would be none of us desirous of holding accountable any particular individual for what might be said of him by some particular newspaper. I am sure that the Senator from Missouri, on the statement that has been made here—the statement made by the Senator from Oregon, upon the assurance of Mr. Hoover—may acquit him wholly of the particular matters to which he adverted this morning in the published statement in one of the Washington papers.

Mr. REED. The Senator from California takes a different view of the matter than I do. When I find that this threat was made, according to the press, and when I find that within two days thereafter Mr. Hoover carries out the threat by attacking the Senator from New Hampshire [Mr. HOLLIS], and when I find that he also sent out an article attacking myself, I am inclined to the opinion that he has not been greatly wronged; and when I find a man sending out a statement referring to himself as a "miracle man," I am prepared to think he will send out almost any kind of statement.

Mr. President, I have discussed certain phases of the conference. There is a question upon which I want to be briefly heard hereafter; but I desire at this time to yield the floor to the Senator from New Hampshire [Mr. HOLLIS] and to apologize to him in advance for temporarily leaving the Chamber. I shall be back as soon as I can.

WAR REVENUE (S. DOC. NO. 74).

During Mr. REED's speech,

Mr. SIMMONS. Will the Senator from Missouri yield to me for the purpose of submitting a report?

Mr. REED. Certainly. May I ask the Senator if it will take some time?

Mr. SIMMONS. Just a few minutes.

On behalf of the Finance Committee, I present a favorable report upon the bill (H. R. 4280) to provide revenue to defray war expenses, and for other purposes, with sundry amendments, and I submit a report (No. 103) thereon, with the recommendation that the bill as amended do pass.

The PRESIDENT pro tempore. The bill will be placed on the calendar.

Mr. SIMMONS. I desire to offer a resolution in reference to the printing of the bill which I have just reported. I offer the following resolution, which I send to the desk and ask unanimous consent for its present consideration.

The resolution (S. Res. 110) was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the bill (H. R. 4280) to provide revenue to defray war expenses, and for other purposes, as reported to the Senate on August 6, 1917, be printed as a Senate document in 10-point type, and that 15,000 additional copies be printed for the use of the Senate.

Mr. SMOOT. I desire to ask the Senator from North Carolina whether the printing of the bill in the type provided for in the resolution will exceed the amount allowed under the law?

Mr. SIMMONS. To print the bill in that type I do not think will cost that much. I have not the estimate of cost, but I have been told by Mr. Wold that it will not exceed that amount.

Mr. SMOOT. That it will not exceed the amount allowed for printing under a Senate resolution?

Mr. SIMMONS. No.

Mr. SMOOT. It will be pretty close to it, and that is the reason why I asked the Senator the question.

Mr. SIMMONS. I think the printing clerk has made the estimate, and he tells me that the cost of the printing will not exceed the amount authorized by law.

Mr. SMOOT. I merely asked the question. I have no objection to the printing of the bill as desired, if the cost does not exceed the amount allowed in such cases.

Mr. SIMMONS. I offer the following resolution, which I send to the desk, and ask unanimous consent for its present consideration.

The resolution (S. Res. 111) was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That there be printed 65,000 additional copies of Senate Report No. 103, Sixty-fifth Congress, first session, entitled "Report on the war-revenue bill," of which 25,000 copies shall be for the use of the Senate, 35,000 for the use of the Committee on Finance, and 5,000 for the use of the Senate document room.

Mr. GORE. I should like to ask the Senator from North Carolina if he will object to a resolution providing for the printing of an equal number of the minority report when it is filed?

Mr. SIMMONS. Not in the slightest.

Mr. LA FOLLETTE. Mr. President, I ask unanimous consent that the minority of the Committee on Finance, dissenting from the favorable report upon the bill may be permitted to file their views within the next two or three days.

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

Mr. LA FOLLETTE. With that understanding, Mr. President, I submit the following resolution and ask unanimous consent for its present consideration.

The resolution (S. Res. 112) was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That there be printed 65,000 additional copies of part 2 of Senate Report No. 103, Sixty-fifth Congress, first session, entitled "Views of minority members of the Committee on Finance on the war-

revenue bill (H. R. 4280)," of which 25,000 copies shall be for the use of the Senate, 35,000 copies for the use of the Committee on Finance, and 5,000 copies for the use of the Senate document room.

Mr. SIMMONS. Mr. President, if the Senator from Missouri will pardon me for just one statement in this connection, I desire to say, for the information of Senators, that as soon as the conference report now pending before the Senate on the food-control bill is disposed of I shall ask the Senate to make the revenue bill the unfinished business with the view of proceeding to its consideration as soon as possible after the pending bill is disposed of. I do not think, however, that in any event I shall desire to call up the revenue bill for action by the Senate before Wednesday next.

INCOME AND EXCESS PROFITS TAX.

Mr. MCKELLAR. Mr. President, I desire to submit a communication from William S. Shields, president of the City National Bank, of Knoxville, Tenn., bearing upon the subject of the income and excess profits tax, which I ask may be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

KNOXVILLE, TENN., August 1, 1917.

HON. KENNETH D. MCKELLAR,
United States Senate, Washington, D. C.

DEAR SENATOR: After having considered very carefully the Senate Finance Committee bill regarding income and excess profits tax, I have come to the conclusion that as drawn this bill is most unfair and discriminating and one that will work a very great hardship on the majority of the manufacturing, jobbing, and other business interests in the South.

There are some concerns, manufacturers of advertised goods, which made enormous profits during the years 1911, 1912, and 1913, owing to cheap labor and low cost of materials, who will not make as much money during 1917 as in any of the three years before the war, as they did not advance their prices in proportion to the advances in material and labor, hence these firms will be eliminated entirely from excess tax, although their net profits for 1917 will still be very large.

Knowing the business men of the South as I do, I know that they do not wish to get out of any of the taxes which are going to be needed to pay the expenses of carrying on this war, but they do not wish to be taxed at from 33 1/3 per cent to 60 per cent of their profits during this year on account of having very poor years in 1911, 1912, and 1913, and some other business interests with the same amount of money invested entirely eliminated from this tax simply because they were more fortunate and enjoyed prosperous years during 1911, 1912, and 1913.

From press reports the Government estimates that the excess profits for 1917 will amount to \$5,000,000,000, and they wish to raise about \$800,000,000 with excess profits tax, which would be about 16 per cent.

Now, if some firms have to pay from 30 per cent to 60 per cent, certain other firms will get out with practically nothing. Therefore it would be much more just and equitable if a straight tax of, say, from 15 per cent to 20 per cent would be taxed on all of the net profits for this year, regardless of what profits were in any previous years. On a 20 per cent basis the Government would realize \$1,000,000,000, provided profits were only \$5,000,000,000, which is \$200,000,000 more than they figure on getting on the present proposed basis.

Not only would this be much more just, but the assessment and collection of these taxes would be nothing like as intricate and would cost the Government a great deal less for its collection than under the present proposed tax, under which I believe there are very few firms who could figure out correctly the amount of taxes due without the assistance of Government experts.

Hoping you can see your way clear to advocate the proposed changes in this bill, I am,

Yours, very truly,

W. S. SHIELDS.

BILLS INTRODUCED.

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

By Mr. WADSWORTH:

A bill (S. 2745) to provide for the free transportation through the United States mails of reading matter for the Army, Navy, and Marine Corps; to the Committee on Post Offices and Post Roads.

A bill (S. 2746) to authorize the recommissioning of former officers of the Regular Army; to the Committee on Military Affairs.

By Mr. WEEKS:

A bill (S. 2747) to guard the military and naval forces from the physical and moral injuries of commercialized prostitution; to the Committee on Military Affairs.

By Mr. CHAMBERLAIN:

A bill (S. 2748) for the relief of Elijah L. Gum; and

A bill (S. 2749) for the relief of George W. Samson; to the Committee on Military Affairs.

A bill (S. 2750) granting a pension to Algernie Stevens; to the Committee on Pensions.

CONSERVATION OF FOOD—CONFERENCE REPORT.

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses upon the bill (H. R. 4961) to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel.

Mr. HOLLIS. Mr. President, I stood last spring in the heat of a blazing Arizona sun on the edge of an abyss with a sheer drop of 2,000 feet, gazing at the Grand Canyon of the Colo-

rado, sprawled like a giant asleep in the sun, impressive, dignified, solemn, and inert. It seemed the personification of unintelligent and unconscious repose, and an empty-headed tourist came to toss a boulder over the brink into the bowels of this sleeping monster.

One week later, under a wintry sky, nipped by an Arctic wind, I stood at the foot of the Yosemite Falls, and watched the water tumbling in great masses 1,700 feet upon an enormous ice cone, while the spray drifted about me and froze to my clothing. The uproar was deafening, ebbing and flowing in an audible flood. An occasional chunk of ice would come hurtling down the cliff face with a rattle like that of a musket. It was electric, pulsing, vigorous, stimulating; it was force personified.

The next day I stood in a grove of gigantic redwoods, upon a 10-foot carpet of snow, in a calm that brooded heavily, 20 miles distant from any other living soul. There was nothing to hear, and nothing to see but the dazzling white of the drifted snow and the dark green of the foliage and the reddish bronze of the giant trunks that reared themselves like sentinels where they had lived since the days of Moses. It was a good place to reflect, and my mind went back to a time 30 years before, when I worked as a laborer in those very mountains, at the princely sum of \$50 a month. I reflected that the 30 years that had elapsed since then had brought me some knowledge of the privations of the poor, some knowledge of the pleasures of the rich, some knowledge of the pangs and miseries of poverty, and some knowledge of the softness and ease of luxury; and it seemed to me that it was a wise provision of nature that the years of man should be numbered, lest some shrewd and rapacious individual should acquire control of the whole world and the contents thereof and place all other persons at his service; and I wondered if it were much better that a few shrewd and rapacious individuals should own the greater part of the world and its contents, and hold the majority of their fellow beings at their service.

The conflict between capital and labor in the United States has proceeded for many years. It has been hard fought on both sides, but the rules of warfare have gradually crystallized. We have laws and procedures that prevent one side or the other from committing acts of cruelty or violence toward their opponents, and we have within three years passed the Clayton Act, which guarantees to labor the right to the usual and peaceable methods of the strike. It is to the Clayton Act that I desire at this time to call the attention of the Senate.

Humanity at large seems to me to be like the Grand Canyon of the Colorado, sprawled in slumber, not yet awake to its rights and its opportunities, unintelligent, sleepy, and inert; and I wonder to-day how long it will be before some empty-headed tourist, roaming the face of the earth, will toss a boulder into the bowels of that part of humanity that labors and awakes it to its real strength, to vitalize and mass the force of human labor and pour it like the falls of the Yosemite into the world's whirlpool, a mobile, intelligent, and dynamic thing. I scarcely expected that the movement would start in Russia, where the Czar was evidently all powerful, where the people were trained to obedience, where the armies were gathered in the field ready to quell insubordination, and where autocracy was firmly entrenched; but one morning we woke and saw by the papers that without a premonitory rumble the empty-headed autocrats of Russia had thrown one boulder too many into the bowels of the Russian proletariat, and in the twinkling of an eye the autocrats were dethroned, the Czar was banished, and a group of soldiers' and workingmen's delegates were governing imperial Russia.

It would not be strange if the next movement were found in the United States, and I wish to warn those Members of the Senate who take this matter lightly that if it is found in the United States it will be on their heads, and that this bill will be the strike boulder that the Senate is tossing into the bowels of organized labor in this country. I fancy there are very few Senators who appreciate what is contained in this bill on this point.

Mr. BORAH. Mr. President—

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

Mr. HOLLIS. I do.

Mr. BORAH. May I ask the Senator if there has been any statement made by anyone as to why this was taken out of the bill?

Mr. HOLLIS. I do not know whether the statement made to me was confidential or not. I think I can fairly treat it as not confidential. I was told that only two members of the Senate conferees voted to sustain this amendment. I then said, "Do they believe that it does not prevent peaceful strikes?" The reply was, "Oh, yes; they believe that it prevents peaceful strikes, but they think that peaceful strikes should be prevented during the war." That was the report as it came to me.

The Constitution of the United States has been a very powerful bulwark to protect the privileges of wealth in the United States; but if the friends of property were wise they would not agitate the matter at this time. They would realize that the time of war is a time when the passions of men are easily stirred. They would realize that the safe conduct of this war depends upon the frame of mind of the laboring men in this country. England has found it so; Russia has found it so; and the one thing that we are hoping for to end the war is that the workmen of Germany will no longer obey the constituted authorities. Yet in this country, where organized labor has been patriotic, where it has been helpful, where there is no need of having any friction whatever, the Congress of the United States deliberately writes into a food-control bill more stringent provisions than are found in the Sherman Antitrust Act, under which the Danbury hatters have recently been obliged to pay a quarter of a million dollars to their employers.

The Senate of the United States is not empty headed. It is composed of men of patriotism and honor and intelligence. The Senate is sometimes heedless; the Senate sometimes tosses a boulder or two; but when the Senate faces a proposition, and if it will face this proposition and see how serious it is, the Senate believes in doing the right thing.

Sane-minded leaders are finding it all too difficult at this time to direct labor in sane channels. The draft riots are ominous symptoms. The lynching of an I. W. W. leader in a Northern State within a few days has set a boulder to running that is not likely to come to rest at an early date.

To toss this boulder into the vitals of labor at this time is the most serious thing that capital could possibly do, and I beg the Senate not to do it. If the flood of labor is once loosed, those who are bound to the trees at the foot of the falls will find themselves drenched with freezing spray, and their doom will be certain. We can not live a few weeks in this country, any of us, if labor refuses to allow us to be fed.

Now I want to show the Senate just what is in this bill, and I want to appeal to them to set it right, and to set it right before it is too late.

I think at this point I ought to disclaim any intention of filibustering on the acceptance of this report. I feel, in justice to myself, that I ought to make my attitude very plain, but I have no sympathy with filibustering at any time, and particularly I should not filibuster against this bill, because I believe it is a good bill with the exception of this one amendment which has been cut from it.

I have nothing against Mr. Hoover. I have never met Mr. Hoover personally. If his publicity bureau attacked me for the part I took in helping to frame a bill that could pass the Senate by a substantial vote, I am sorry that it did it, but I am not opposing the adoption of this report because of anything that Mr. Hoover or his bureau said about me. I believe that Mr. Hoover is a very able, a very honest, and a very notable man. I am anxious that the United States should capitalize his reputation and get the greatest amount of good from it. I am not as sanguine about some provisions of the bill as others are. I believe that Mr. Hoover will make economy fashionable in the household, and anything that makes household economy fashionable in this country is a tremendous blessing.

If I had my way, I should adhere to the commission of three, and I should do that for Mr. Hoover's benefit. Mr. Hoover is evidently unused to politics, and he has allowed his enthusiasm to carry him further than I should wish in some cases. I think if his identity were somewhat submerged in a commission of three it would be a protection to Mr. Hoover. I believe that the work of the commission would be more valuable to this country than the work of any one man who can be pointed to as a food dictator, and if Mr. Hoover is the one man in control of this presidential bureau he will be the man who will be attacked and criticized whenever anything goes wrong. Therefore, I should have been pleased if the commission of three had been retained, but I am attacking the report of this conference committee as a whole, because the rules of the Senate will not permit anything else. The rules of the Senate are such that when the House and Senate conferees meet and make a report we must accept that report in toto or reject it in toto. We can not instruct the Senate conferees as to amendments that the Senate has passed. We might instruct them to accept amendments coming from the other House. Therefore, as friendly as I am to the bill, as hard as I have worked to make a bill that would be acceptable to a majority of the Senate and do the work, I am, under the parliamentary situation, compelled to oppose the report and vote for its rejection. That attitude I regret very much.

Now, I will draw attention directly to the part of the bill that is so dangerous. It is found in section 4, which is known as the provision against hoarding.

Section 4 makes it a criminal offense, punishable by imprisonment not exceeding two years, for any person to conspire, combine, agree, or arrange with any other person to limit the facilities for transporting, producing, harvesting, manufacturing, supplying, storing, or dealing in any necessary. That is, if the president and secretary of a labor union send out a notice for a peaceable strike on any railroad engaged in transporting necessities, or in any factory engaged in producing necessities, or in any warehouse engaged in storing necessities, a warrant may be sworn out against them, and they may be imprisoned for two years or fined \$10,000.

I do not believe that was the intention of the men who drew this act; I believe they overlooked it; but I found exactly the same situation in the priority of shipments bill. It was there provided that any person who did anything to obstruct or retard interstate commerce should be criminally liable and should be put in prison. I got the amendment that I offered to this bill adopted on the priority of shipments bill. It was adopted by the Senate and concurred in by the House and it is in the conference report.

There is no possible excuse for adopting that amendment on the railroad-shipment bill and not adopting it on a food-control bill. There is not as much excuse, because this bill was framed primarily to give to laboring men cheaper food. Whether it will give them cheaper food is debatable. But there is one thing certain, that it takes away from them the right to employ the peaceful and recognized methods of the industrial strike.

I wish to read an item which appeared in yesterday's Washington Post. It shows the temper of the country, and it shows how we have disregarded it. I read from the Washington Post of August 5:

BITES MAY CAUSE RIOT—BUTTE WAITS TENSELY FOR SLAIN I. W. W.'S FUNERAL TO-DAY—HAYWOOD ORDER PORTENTOUS—NATIONAL LEADER ORDERS LYNCHED MAN BURIED ON "FIGHTING GROUND"—4,000 EXPECTED TO FOLLOW VIGILANTES' VICTIM TO GRAVE SIDE—CARMEN'S STRIKE ADDS TO GRAVITY.

BUTTE, MONT., August 4.

Perched high among her copper hills, the picturesque mining town of Butte was to-night waiting, tense, for the developments that to-morrow may bring.

Torn with dissatisfaction, strike, labor troubles, lawlessness, near-rioting, the city wondered to-night if the funeral of Frank W. Little, Industrial Workers of the World executive, will be the spark that will set aflame the smoldering tinderbox of hatred.

Four thousand Industrial Workers of the World are expected to follow the body of the vigilantes' victim to the grave.

The plan to bury Little near his home in Oklahoma was altered because of a telegram from W. D. Haywood, national secretary of the Industrial Workers of the World, reading: "Bury the body on the fighting ground." Arrangements were made at once for the burial of Little in a Butte cemetery.

NO MINISTER TO TAKE PART.

Death masks and photographs were made to-day of Little, who was lynched here Wednesday morning. The funeral services will be in charge of the Industrial Workers of the World. No minister will take part, it was said.

Troops here to guard the mines since America entered the war probably prevented actual violence following the finding of Little's body dangling at the end of a rope from a railway bridge Thursday morning.

CARMEN NOW ON STRIKE.

Excitement was allayed by the reaction which followed, and miners flocked back to work. Conditions were apparently approaching normal when, on advice from Haywood, the industrialists changed their plans and announced that a public funeral and demonstration would attend burial of Little's body. This development, coupled with a walkout to-day of all street-car men, again created chaos.

Another angle which promised possibilities of developing a riot was the invitation issued to-night by those in charge of the funeral arrangements for the entire membership of the Pearse-Connolly Club to attend in a body. The membership of the organization is made up of sympathizers of Irish independence, most of them openly anti-English.

RAILROAD MEN CAUSE EXCITEMENT.

Four railroad men carrying a rope near the scene of the trestle from which Little was lynched threw the city into excitement early to-day.

Two automobile loads of policemen, armed with rifles, went to the scene and scoured the neighborhood in the belief that another lynching was in progress. The railroad men, however, soon convinced the officers that they were at the trestle on legitimate business.

In the adjoining column there is a news dispatch from Oklahoma:

Two men are killed in Oklahoma draft riots; North Carolinians arming; Georgia slackers active; posse gather at Sasakwa for final blow at mobs in hills—

And so on.

In the same edition of the Washington Post, in the Post of yesterday, I find the following:

SLASH IN COAL PRICES—WILSON AND CABINET TAKE STEPS TO CUT HIGH COST OF LIVING—AT BOTTOM OF LABOR TROUBLES—STRIKE CONCILIATORS SAY DISPUTES BEGIN WITH EXPENSES OF LIVELIHOOD—ADMINISTRATION EAGER TO HAVE FOOD-CONTROL BILL PASSED—REDUCTIONS PROMISED THOSE DISGRUNTLED.

Slashing reductions in the price of coal may be expected within a week. They will come none too soon to ease the mind of President Wilson and his Cabinet advisers, who are more gravely concerned at the moment with the relation between the high cost of living and labor unrest than with any other war problem.

I pause to remark that that is distinctly so. The big problems that are engaging the attention of the administration at this time are labor problems. If any member of the Senate thinks that strikes should be prohibited, let him introduce a bill in the Senate and refer it not to the Committee on Agriculture, but to the Committee on Education and Labor. Let us consider the matter and find out just what the facts are and report a bill that will meet the difficulty as it exists. That is a very different thing from accepting a bill for food control from the Committee on Agriculture and letting it slip through with this very drastic provision, and you have not even the excuse of ignorance, because I called it to the attention of the Senate and made a short speech on the subject the day the amendment was offered. The Senate adopted the amendment without a division, and they had the right to believe that the conferees would adhere to it in the conference. I continue to read:

In its cost investigations the Federal Trade Commission has found that high coal costs are the basis of almost every other high cost.

HIGH COST CAUSES LABOR UNREST.

The Labor Department has found high living costs at the bottom of every one of the labor troubles which it has succeeded in temporizing during the last month.

I comment again. Those gentlemen in easy circumstances who say that strikes should be prohibited during the war do not understand the situation. They may have in mind the strike of the switchmen at Chicago last month. I want to tell you how that strike arose. There has been for some years past a provision that railroad employees who are addicted to intoxicating liquor shall be discharged. The railroad brotherhood have accepted that rule, known as Rule G, and various railroad men have been discharged for intoxication. The principal reason for this switchmen's strike the other day was that the railroad took back two men who had been discharged for intoxication and put them in as foremen over temperate men who had been in the service of the railroad all the time. Is there anyone in the Senate who thinks so poorly of labor that he would not want the men to have the right to strike when the railroad undertook to put that sort of a thing over on them?

It is because the country faces the most serious industrial disturbances unless living costs are reduced that the administration is so vigorous in its insistence on the passage of the food-control bill and the prosecution of the Trade Commission's cost investigations—

That is, the administration is anxious to put this food-control bill through so as to lower the cost of living for laboring men, and at the same time there has crept into the bill a provision which will prevent laboring men from striking to force their wages up in proportion to the higher cost of living. Continuing:

The importance of this matter can hardly be minimized. Secretary Wilson has said the whole industrial unrest is due to the high cost of living.

The workman whose pay envelope formerly provided his month's rent, his living bills, and a dollar or two over now finds himself hard put to it to pay for the bare necessities. In each instance of labor trouble which the Labor Department has investigated within the last month it has found this condition at the bottom of the trouble.

The conciliators of the department have so far been able to persuade the workmen to keep on at their tasks, but in every instance they have held out the promise of a reduction of living costs. Should this fail to be effected, the situation would be nationally serious.

MUST PREVENT HIGH RENTS.

The Labor Department is already in possession of information warranting the most serious concern on this score. Last winter, when coal prices soared, landlords throughout the country sought to raise rents. They are already planning to meet this situation ahead of time this year when leases are renewed in October.

The Labor Department is extremely anxious that the coal determination be made before this time, for universal increases of rents then would stir up trouble.

I now wish to read from an editorial in the Washington Post of August 1, putting the matter very fairly. It is entitled "Labor concessions."

Large concessions must be made by organized labor if American industries are to be brought to maximum strength after the National Army has been organized.

I agree to that. The administration is already calling on organized labor to make large concessions, and in the same breath with which it asks for those concessions it removes from the laboring men the guaranteed right to peacefully strike that we gave them less than three years ago. No business man would make large concessions when his rights to bare existence are denied him in the same breath. I continue:

There are to be no general exemptions at the coal mines, the shipyards, or in the war industries. The case of each individual will be considered on its merits. If a man can be replaced in an industry, he will go into the Army.

In making replacements the industries will be seriously hampered unless organized labor gives its complete cooperation. If the unions take a stand against the employment of unskilled men or men who are not members of the unions, there will be no opportunity for replacements without incurring the danger of strikes.

Unskilled men will have to be trained to fill the places of skilled men yielded by industry to the Army. The foremen and trained workmen will be called upon to train the newcomers. Without their cooperation the gaps can not be filled.

It is essential to success in war that all the basic industries and the munitions factories should increase their productive capacity. It will not be sufficient to maintain them at their present capacity. Nevertheless, even though these industries are working below capacity now, many of their men will be taken by the Government for the Army, and the problem of replacement looms large.

Only by the whole-souled cooperation of the American Federation of Labor and the patriotic zeal of every workman in the country can the needs of the Nation be met.

In the administration act organized labor is to be met in the spirit of wholesome and hearty cooperation, and at the same time this bill is passed that takes away from the workingman the only chance he has to force a living wage.

Mr. WADSWORTH. Will the Senator yield for a question? The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from New York?

Mr. HOLLIS. I yield.

Mr. WADSWORTH. The Senator is making in my judgment an exceedingly strong point on this particular phase of the proposed legislation. I desire to ask him if he can inform the Senate as to what statutes or regulations, if any, with respect to the right of strike have been enacted by Great Britain during this war? I will say, in following up my question, I have understood that organized labor in Great Britain has made great concessions, as the Senator has indicated organized labor should make here, and that also employers in Great Britain have made concessions, and the Government stood between with its authority and succeeded in getting some sort of an agreement to meet the conditions of labor and the different difficulties that ordinarily would arise in time of peace. I was wondering if the Senator has any information with respect to the right of strike in Great Britain during the war.

Mr. HOLLIS. I have complete information carefully compiled, edited at an expense of several thousand dollars by some public-spirited citizens of my State. I presented it to the Senate about a month ago. It has been pending before the Committee on Printing ever since. I have attended at four or five different times set for a hearing. I have been unable to get a majority of the committee present to consider the matter, and those who have been present have been unwilling to allow me to poll the committee, although I know that a large majority are in favor of printing it. I wanted it printed so that I might use it for this speech. I have been unable to get action from the Committee on Printing. There is a great mass of material giving the labor laws as to industry and transportation, giving the experience of England as to how the law has worked; it is upon the table of the Committee on Printing and I can not get action. I wish that I might answer the Senator more directly. It is there, it is available, but I do not know what it is, because I have not been able to look at the manuscript.

Mr. WEEKS. Mr. President—

Mr. HOLLIS. I yield to the Senator from Massachusetts.

Mr. WEEKS. A few minutes ago the Senator from New Hampshire made a statement which I intended to ask a question about, but I was called from the Chamber. As long as he is interrupted now I wish to ask him under what circumstances two men were employed by a railroad or railroads in Chicago, who had been discharged or were accused of the excessive use of intoxicants and made foremen and placed over men who were temperate? Ordinarily railroads will not employ men who use intoxicants to excess or in many cases use them at all. It is a remarkable statement which I think might well be explained.

Mr. FLETCHER. If the Senator from New Hampshire will allow me, before he answers the question of the Senator from Massachusetts, inasmuch as reference has been made to the Committee on Printing, and I was for some time the chairman of that committee and am still a member of it, I think it is fair to state that I have been present at the meetings at which this document has been submitted for consideration, and I have been in favor of printing it, but some of the members of the committee have been necessarily absent, and it has been very difficult to get a quorum of the committee present. There was a meeting called for this morning for the consideration of this very subject, but on account of the absence from the city of some of the members and the absence on business of others, we were unable to get a quorum. I think the committee will act on the matter as soon as we can get a quorum. That is the situation, and I wish to say that, as far as I am concerned, there has not been any neglect or default on my part.

Mr. HOLLIS. What the Senator from Florida says is absolutely true. He has been present at every meeting, and he has done everything possible to get a favorable report. I know that. I said what I did say very much as the minister in church always scolds those who are present because of the

absentees. But it is an important matter, and I wish that the committee would take enough interest to get that English experience series printed.

Now, returning to what the Senator from Massachusetts [Mr. WEEKS] said, the railroads did inaugurate Rule G providing that a man who was addicted to the use of intoxicating liquor should be discharged. The railroad brotherhood have accepted that rule. They do not object to it. These men were discharged because they used intoxicating liquors to excess; but I can not explain the fact any more than to say that the two men were reemployed by the railroad in violation of that rule, and were not only reemployed, but were put in as foremen over the heads of men who had remained on the pay roll in good standing all the time. I do not know why the railroad company did it except—

Mr. WEEKS. Mr. President—

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

Mr. HOLLIS. I yield further.

Mr. WEEKS. Can the Senator inform the Senate what road it was?

Mr. HOLLIS. No; I can not inform the Senate. It was stated in the newspapers which railroad it was. I have forgotten. All the names sound alike to me.

Mr. WEEKS. The statement is so remarkable in its character and so contrary to the general policy of railroads that it seems there must be some circumstances relating to it of which the Senator from New Hampshire has not been informed.

Mr. HOLLIS. There is the difficulty. Whenever there is a strike it is always assumed that the employers are all right, especially if they are a railroad, and the men are all wrong. That is exactly the point I was trying to emphasize. To say that I do not believe in strikes in war time is to say nothing. You believe in strikes that are justified, but you do not believe in strikes that are not justified. The only way to determine whether a strike is justified or not is to inaugurate a strike and have an investigation and then public opinion will back that part of the strike which is right.

Mr. CUMMINS. Mr. President—

Mr. HOLLIS. I yield to the Senator from Iowa.

Mr. CUMMINS. My attention was diverted for a moment. The question propounded by the Senator from New York [Mr. WADSWORTH] did the Senator from New Hampshire answer fully? I think he asked what the legislation of Great Britain is upon this subject and whether there had been any modification of it during the present war.

Mr. HOLLIS. I did not answer it because I do not know what the answer is. It is contained in the manuscript I presented to the Committee on Printing, and I hope it will be printed, so that we may all see it.

Mr. CUMMINS. I have some information upon that subject, although it may not be entirely accurate.

Mr. HOLLIS. I would be glad if the Senator would give it.

Mr. CUMMINS. I know what the legislation of Great Britain was prior to the beginning of the war. It is much more advanced and much more favorable to organized labor than any legislation of the United States. The statute of Great Britain provides practically that the law of conspiracy, so far as labor disputes are concerned, is repealed and that it shall be lawful for two or more to do anything with regard to labor disputes that it is lawful for a single individual to do. That is about as broad and general an emancipation from the law of conspiracy as it is possible to conceive.

That statute remains unimpaired, as I am informed, except as it is affected by the Government ownership and operation of certain industries. The impairment is simply the implied impairment which grows out of the disinclination of men to strike while they are in the service of the Government.

I do not believe, so far as private employment is concerned, the statute to which I have referred has been in any wise modified or changed. I have given some little attention to the matter, and therefore I venture to make this suggestion. The last observation is, of course, not the result of a complete examination of all the statutes of Great Britain since the war began, but I have examined the general war regulations of Great Britain sufficiently to be reasonably sure that the statute has not been amended in any way.

Mr. HOLLIS. I thank the Senator for his contribution to this discussion.

I will now read the last paragraph of the editorial I was reading some time ago:

No better opportunity has ever been presented to the labor forces of America to give the world an example of patriotism. In England and France labor has responded loyally. There is every reason to believe that American labor will meet the test with characteristic patriotism.

I think no one will accuse the Washington Post of being unduly favorable to the claims of organized labor. I think its statements are fair; I think they are moderate; and when American labor is meeting the test with all the decency and patriotism of which it is capable, when it is doing it with such a high cost of living that the actual wages received by labor are 25 or 30 per cent less than they were two years ago, it is a slap in the face for the Congress of the United States to withdraw from labor under this bill the right to strike by peaceable methods.

Organized labor has been very much ignored by the administration so far in this war. No member of organized labor has been put upon the committee on railroads of the Council of National Defense. No member of organized labor has been put upon the committee on coal or any of the other of those special committees. It is true that after the first organization a special committee on labor was organized, with Mr. Gompers at the head, but they have no way of engaging with the other committees that really do business.

Mr. Gompers has behaved in the most high-minded and patriotic way throughout this war. He is having his troubles and he will have his troubles, particularly if this bill goes through without the labor amendment that I offered and which the Senate adopted.

Last fall both political parties were very anxious to get the labor vote. Speeches were made by the candidates showing that they were in favor of allowing labor to strike by peaceful means. President Wilson in his Shadow Lawn speech said:

The time has not yet come in this country when a man will be compelled by force to continue to work in any capacity.

The President is not asking now for any legislation to prevent peaceful strikes. He has had a chance to do so several times during this session of Congress. The bill to prohibit strikes on railroads was up for consideration by the Committee on Interstate Commerce. No message came to me that the President desired to have it passed. The President made a speech at Philadelphia not very long ago in which he reiterated his belief in the right of labor to strike to improve the condition of labor and to increase its wages. When the priority of shipments bill was before the Senate and this matter was up for discussion no message came from the President saying that he wanted it. The reply made then, when I called attention to that bill, was that it really did not prohibit strikes. It was agreed to here because Senators did not believe in prohibiting peaceful strikes, but they did not believe that bill did it.

Mr. JOHNSON of California. Mr. President—

Mr. HOLLIS. I yield to the Senator from California.

Mr. JOHNSON of California. Because of my very intense interest in what the Senator is saying, and because of my sympathy with the position that he takes, I wish to ask him if he has examined at all a bill that has recently been introduced—Senate bill 2734—and if he is familiar with the purpose of that particular bill?

Mr. HOLLIS. I do not know what the bill is. Will the Senator read the title?

Mr. JOHNSON of California. It is a bill to amend an act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," approved June 15, 1917.

The portion of it that is determinative is section 6a:

The President in time of war, or in the event of any other emergency which in his opinion justifies such action, may, by proclamation, prohibit all persons, not authorized by proper agents of the Government to do so, from entering upon places which the President may in said proclamation designate, classify, or describe as of importance in connection with the national defense, or from loitering within such distance thereof as he may prescribe.

Then follows the penal clause.

Mr. HOLLIS. I am not familiar with the bill; it has not been brought to my attention; but I wish to say that the bill did not contain a tenth part of the danger that this bill does. The bill that the Senator has read is an administrative bill, to be administered by the President. He will be the one to say where loitering would not be permitted, where interference would not be permitted. He could exercise his humane judgment on the question. But the bill we are passing to-day is a bill that makes it a criminal offense for laboring men to engage in the usual peaceful method of a strike. Anyone can go to a justice of the peace and swear out a warrant and have such a man prosecuted and put in prison. It does not need the President or the administration to set the wheels turning. Any employer of labor may have a strike stopped instantly by merely threaten-

ing the labor union that he will invoke the penal clause if the strike is ordered.

Mr. HARDWICK. Does the Senator say that the bill could be enforced locally?

Mr. HOLLIS. I think it would be enforced locally. I do not know why not.

Mr. HARDWICK. I doubt that.

Mr. HOLLIS. I was not speaking of the procedure. I have not had the benefit of criminal practice myself, and I do not know a different method by which they would get at it without waiting for the President to inaugurate proceedings.

Mr. SHEPPARD. Is it the opinion of the Senator that the conferees thought the language to which he is directing his remarks would have the effect he speaks of?

Mr. HOLLIS. Yes; the reason given to me was that the conferees believed that peaceful strikes should be prohibited during the war. That is all the satisfaction I got.

Mr. REED. Mr. President—

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

Mr. HOLLIS. I yield.

Mr. REED. Is not that entirely new matter in this bill?

Mr. HOLLIS. No; it was in the bill that came from the House. It is in section 4. It is the provision against hoarding.

Mr. REED. The Senator from New Hampshire introduced that amendment, and it was agreed to by the Senate and was stricken out in conference.

Mr. HOLLIS. Yes.

Mr. REED. I was obliged to be out, and I did not hear that part of the Senator's remarks.

Mr. CHAMBERLAIN. Mr. President, I do not know who made that statement to the Senator as to what transpired in the conference. I do not remember having heard that statement at all.

Mr. HOLLIS. Was the Senator present when this was acted on?

Mr. CHAMBERLAIN. I was not present at the time. The statement may have been made, but in discussing it with some members of the conference committee with whom I talked, they expressed the opinion that it was not necessary to retain it in the bill; but there was no statement made at any time, in my hearing, that peaceful striking ought to be prohibited during time of war. I never heard that intimated until the suggestion was made here.

Mr. HOLLIS. I do not know how far we have a right to go into the deliberations of committees of conference, but I can not find anyone yet who voted to strike out my amendment. I have not been able to find a member of the committee who was willing to father that action.

Mr. CHAMBERLAIN. I stated that if I had been there I might have voted to recede in order to reach an agreement. I just happened to be out for a moment. I will state my views about the matter when the Senator is through.

Mr. HOLLIS. Mr. President, I hope that some member of the conference committee will rise in the Senate and give some excuse, feeble though it may be, for rejecting this amendment. I have not heard such action defended. I have not heard of anyone who voted against the amendment, and I can not find anyone. I should be ashamed to admit, if I had been on the conference committee, that I voted to strike the amendment out.

Labor has been pretty hard hit under this war. I have already once related to the Senate an experience I had during the last campaign in Manchester, N. H., the only city of any size in the State. I was there to make a political speech and I was waited upon by 15 or 20 men and women, who asked me to use my influence to get the troops sent back from the Mexican border as soon as possible. I went down and talked to each one individually. There was not a professional man or a business man among them. They were laboring people—respectable people, neat-appearing people, but laboring people. Every one of them had a husband or a son or brother upon whom he or she was dependent. That was before we became involved in the war. These poor people were actually starving for the necessities of life away back last October when this Nation, richer than it had ever been before, was going right along about its regular business—"business as usual." It was borne in upon me then with greater force than ever before that the pains and sufferings of war fall with crushing effect on poor people; those who are right on the fringe of existence.

However, we passed the selective-draft bill. I was in favor of it. I was in favor of it because it would compel the rich to fight their part of the war the same as the poor people; but it is hard to make the poor people, when they see that they constitute nine-tenths of those drafted, believe that the burden is fairly imposed.

Mr. FLETCHER. Mr. President—

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

Mr. HOLLIS. I yield.

Mr. FLETCHER. Mr. President, bearing on that subject, I desire to say that I have before me a bulletin of the United States Bureau of Labor Statistics, whole number 222, on the subject of "Hours, Fatigue, and Health in British Munition Factories." The bulletin states "that treasury agreement as to trade-union rules affecting restriction of output—conference at the British treasury, March 17, 18, 19, 1915." It also sets out the proposals agreed upon as the result of the conference. It is not very long, and I believe, if the Senator from New Hampshire would allow, it would be quite appropriate to have it inserted here. It only comprises a page and a half of the bulletin I hold in my hand.

Mr. HOLLIS. I should be glad to have the Senator ask that that should be done.

Mr. FLETCHER. In the conference were David Lloyd-George, Walter Runciman, and Arthur Henderson, chairman of workmen's representatives; also William Moses, secretary of workmen's representatives. The first article provides:

During the war period there shall in no case be any stoppage of work upon munitions and equipments of war or other work required for a satisfactory completion of the war.

Then, there are other provisions which bear directly on the subject under consideration. If the Senator will allow me, I should like to ask to have inserted in the Record these proposals agreed upon as the result of the conference with the English Government, together with the names appended to the agreement.

Mr. HOLLIS. I shall be very glad to have that done by the Senator.

The PRESIDING OFFICER. There being no objection, the matter referred to will be inserted in the Record. The Chair hears none.

The matter referred to is as follows:

PROPOSALS AGREED UPON AS RESULT OF THE CONFERENCE.

I. During the war period there shall in no case be any stoppage of work upon munitions and equipments of war or other work required for a satisfactory completion of the war.

All differences on wages or conditions of employment arising out of the war shall be dealt with without stoppage in accordance with paragraph II.

Questions not arising out of the war should not be made the cause of stoppage during the war period.

II. Subject to any existing agreements or methods now prevailing for the settlement of disputes, differences of a purely individual or local character shall, unless mutually arranged, be the subject of a deputation to the firm representing the workmen concerned; and differences of a general character affecting wages and conditions of employment arising out of the war shall be the subject of conferences between the parties.

In all cases of failure to reach a settlement of disputes by the parties directly concerned or their representatives or under existing agreements, the matter in dispute shall be dealt with under any one of the three following alternatives as may be mutually agreed or, in default of agreement, settled by the board of trade:

(a) The committee on production.

(b) A single arbitrator agreed upon by the parties or appointed by the board of trade.

(c) A court of arbitration upon which labor is represented equally with the employers.

III. An advisory committee representative of the organized workers engaged in production for Government requirements shall be appointed by the Government for the purpose of facilitating the carrying out of these recommendations and for consultation by the Government or by the workmen concerned.

IV. Provided that the conditions set out in paragraph V are accepted by the Government as applicable to all contracts for the execution of war munitions and equipments, the workmen's representatives at the conference are of opinion that during the war period the relaxation of the present trade practices is imperative, and that each union be recommended to take into favorable consideration such changes in working conditions or trade customs as may be necessary with a view to accelerating the output of war munitions or equipments.

V. The recommendations contained in paragraph IV are conditional on the Government requiring all contractors and subcontractors engaged on munitions and equipments of war or other work required for the satisfactory completion of the war to give an undertaking to the following effect:

Any departure during the war from the practice ruling in our workshops, shipyards, and other industries prior to the war shall only be for the period of the war.

No change in practice made during the war shall be allowed to prejudice the position of the work people in our employment or of their trade-unions in regard to the resumption and maintenance after the war of any rules or customs existing prior to the war.

In any readjustment of staff which may have to be effected after the war, priority of employment will be given to workmen in our employment at the beginning of the war who are serving with the colors or who are now in our employment.

Where the custom of a shop is changed during the war by the introduction of semiskilled men to perform work hitherto performed by a class of workmen of higher skill, the rates paid shall be the usual rates of the district for that class of work.

The relaxation of existing demarcation restrictions or admission of semiskilled or female labor shall not affect adversely the rates customarily paid for the job. In cases where men who ordinarily do the work are adversely affected thereby the necessary readjustments shall be made so that they can maintain their previous earnings.

A record of the nature of the departure from the conditions prevailing before the date of this undertaking shall be kept, and shall be open for inspection by the authorized representative of the Government.

Due notice shall be given to the workmen concerned, wherever practicable, of any changes of working conditions which it is desired to introduce as the result of this arrangement, and opportunity of local consultation with men or their representatives shall be given if desired.

All differences with our workmen engaged on Government work arising out of changes so introduced, or with regard to wages or conditions of employment arising out of the war, shall be settled without stoppage of work, in accordance with the procedure laid down in Paragraph II. It is clearly understood that, except as expressly provided in the fourth paragraph of Clause V, nothing in this undertaking is to prejudice the position of employers and employees after the war.

D. LLOYD-GEORGE.

WALTER RUNCIMAN.

ARTHUR HENDERSON,

Chairman of Workmen's Representatives.

WM. MOSES,

Secretary of Workmen's Representatives.

TRADE-UNIONS REPRESENTED AT THE CONFERENCE.

Friendly Society of Iron Founders.
British Steel Smelters' Association.
Amalgamated Society of Engineers.
Federation of Engineering and Shipbuilding Trades.
National Transport Workers' Federation.
General Union of Textile Workers.
Amalgamated Society of Carpenters and Joiners.
Boilermakers and Iron and Steel Shipbuilders' Society.
Ship Constructors and Shipwrights' Association.
National Amalgamated Sheet Metal Workers.
United Operative Plumbers' Association.
Gasworkers and General Laborers' Union.
General Union of Carpenters and Joiners.
United Patternmakers' Association.
National Amalgamated Furnishing Trades Association.
National Amalgamated House and Ship Painters and Decorators.
National Union of Railwaymen.
Parliamentary Committee Trades-Union Congress.
Boot and Shoe Operatives' Society.
United Machine Workers' Association.
Associated Iron and Steel Workers of Great Britain.
National Amalgamated Union of Labor.
The Workers' Union.
Amalgamated Toolmakers.
Shipbuilding Trades Agreement Committee.
General Federation of Trade-Unions.
Electrical Trades-Union.
Associated Blacksmiths and Iron Workers.
Associated Ironmolders of Scotland.
National Amalgamated Cabinetmakers.
Steam Engine Makers' Society.
General Union of Braziers and Sheet Metal Workers.
Scottish Painters' Society.
Sheet Iron Workers and Light Platers' Society.
National Brass Workers.

Mr. KING. Mr. President—

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

Mr. HOLLIS. I yield.

Mr. KING. Mr. President, I was called out of the Chamber during the first part of the remarks of the Senator from New Hampshire, and doubtless he has covered the ground that will be embraced in my question; but, with his indulgence, I should like to submit this interrogation to him: Do I understand the Senator from New Hampshire to contend that under the language found in section 4 of the bill as reported by the conference committee—and I will read it after I conclude the sentence—employees, whether members of labor unions or not, would be prevented from striking? The language to which I refer is as follows:

To conspire, combine, agree, or arrange with any other person, (a) to limit the facilities for transporting, producing, harvesting, manufacturing, supplying, storing, or dealing in any necessities.

Is that the language which the Senator from New Hampshire contends would prevent a strike; and if a strike were had, would subject the striking employees to the pains and penalties provided in the bill?

Mr. HOLLIS. Mr. President, that is the language. That language does not in terms prohibit a strike, but it does render liable to State prison any two officials of a labor union who arrange with each other to call a strike in any of these specified industries; and if the officials of the labor union can not arrange for a strike, that prevents the efficient use of a strike.

Mr. KING. Mr. President, if the Senator will pardon me, it would seem to me that, taking into consideration the subject matter of the legislation and the object of the same, and also keeping in view the preceding language of section 4 and also the concluding part of the same section, it is reasonably certain that it does not cover employees; it seems clear to me that the object of this section is not to reach those who may be employees or those who might participate in a strike. The preceding part of the same section indicates that the section is aimed to prevent hoarding and monopolies in respect to the things therein referred to; to prevent discriminatory and unfair deceptive or wasteful practices; to prevent unjust or any unreasonable rates or charges in handling or dealing in or with any of the commodities denominated "necessaries" that are covered by the bill. The punctuation and construction of the

sentence must be considered. It will be observed that there is no period following the declared purposes of the section, but immediately following the language to which I have just referred, the words "to conspire, combine, agree, or arrange with any other person, to limit the facilities for transporting, producing, harvesting, manufacturing," and so forth, would seem to be limited entirely by the context and would apply only to those acts referred to which are denominated offenses. I have very hastily read the section, but do not believe that any court would construe it as preventing employees from striking, or would subject them to pains and penalties if they should combine to strike.

Mr. HOLLIS. Mr. President, exactly the same argument as the distinguished Senator from Utah has just made was made on the floor of the Senate and on the floor of the other House when the Sherman Antitrust Act was passed. Let me remind the Senator that the Sherman Antitrust Act was passed not to prevent strikes but to prevent monopolies. It was supposed it would prevent manufacturers and railroads from conspiring to raise the price of the necessities of life. No one dreamed that any lawyer would be ingenious enough to torture the language of the Sherman Antitrust Act into such form as would prevent labor organizations carrying out their legitimate functions, but I believe the very first time it was sought to impose the terms of that law it was done against labor unions and not against the monopolists it was intended to curb.

If the distinguished Senator from Utah were to be the judge before whom I should have to come for violating the terms of this proposed statute, I should have great hope that I would get a square deal and might stay out of jail, but unfortunately the Senator is in the Senate, and I might come before a judge who had very different ideas. Being an humble laboring man, I would very much rather have a provision in the bill to place the matter beyond doubt.

Let me suggest to the Senator, if the bill means what he says it does, that I do not see any harm at all in allowing my amendment to stay in.

Mr. KING. In reply to the Senator from New Hampshire, I will say that if I had been on the conference committee I should have insisted that the provision remain in the bill. If I thought the bill were susceptible of the construction which the distinguished Senator from New Hampshire places upon it, I should vote against the report, and I may vote against it anyway, for that reason and other reasons.

Mr. HOLLIS. Mr. President, I am very much encouraged by what the Senator from Utah says. I am sure that if he had been on the committee of conference he would have voted to retain this amendment. I am sure if the members of that conference were to meet to-day they would retain it. They did not know what they were doing; they did not think; they did not realize.

Mr. GORE. Mr. President—

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

Mr. HOLLIS. I yield.

Mr. GORE. I do not know that I share the sanguine faith expressed by the Senator from New Hampshire in the conferees. I rose really to express my regret that the Senator from Utah [Mr. KING] was not a member of the conference committee. I rather think that the Senate conferees might have tattooed on their foreheads the word "recede" that all who run may read it—I will not say a sort of mark of Cain. However, I wish to say further, while I am on my feet, that a House member of the conference committee did say that they wanted nothing in the bill to permit strikes, and that they wanted to prevent strikes in time of war. So I think perhaps there was a good deal of premeditation on the part of certain conferees in connection with the very point which the Senator is now urging upon the consideration of the Senate.

Mr. CHAMBERLAIN. Mr. President—

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

Mr. HOLLIS. I yield.

Mr. CHAMBERLAIN. Mr. President, there is not very much in this conference report that the Senator from Oklahoma thinks is right. As a matter of fact, while he is tattooing into the foreheads of Senators who receded the word "recede," there might be tattooed in the Senator's forehead and in the foreheads of some others the word "obstruct."

Mr. GORE. Mr. President—

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

Mr. HOLLIS. I yield.

Mr. GORE. I should like to say, Mr. President, that the food-survey bill reached the Senate on May 29. It was immediately

referred to the Committee on Agriculture and Forestry, of which I am chairman. That committee was immediately assembled upon my call. The bill was immediately reported to the Senate, and the bill passed the Senate on June 1, the third day after it came to this body from the House of Representatives. I say that not only to vindicate myself—that is of but little consequence—but in order to vindicate the Senate against the imputation of delay.

On the morning of June 15 the President requested me to call upon him at the White House. I did so. He stated that it was his desire that the food-control bill should proceed to consideration in both bodies simultaneously, in the interest of economizing time. I suggested that the bill was not an eligible bill to originate in the Senate. It contained a taxing clause, and, in order to be a valid law, it must originate in the House of Representatives. I assured him, however, that I had no disposition to delay the consideration of the measure. I told him that I could not vote for the bill, but that I had no purpose whatever to obstruct its immediate consideration.

That morning I came to the Capitol and telephoned the Senator from Oregon, suggesting that he introduce the bill that day. He did introduce the bill on June 15. I called the Senate Committee on Agriculture to meet the next morning, and, without changing a word in the bill, it was reported to the Senate on June 16. Sir, was that obstruction?

I did not use the stiletto; I did not fight from ambush; I fought in the open field. The day I reported the bill to the Senate I asked the Senator from Oregon to assume the management of the measure on the floor. I stated to the Senate that I thought the management of the bill ought to be intrusted to friendly hands. Much as I was opposed to the measure, I was not willing to be myself liable to the suspicion of mismanagement or of an attempt to murder the measure under the false show of friendship.

On June 23 the House of Representatives passed the food-control bill. On June 25 the bill came to the Senate and was referred to the Committee on Agriculture. I appointed a subcommittee that afternoon to consider the measure. The subcommittee deliberated all day on June 26, and on the morning of June 27 I assembled the entire committee, and the committee reported the bill to the Senate the selfsame day. I ask the Senator from Oregon was that obstruction?

Much more consideration could have been given that measure; and with infinite profit. On July 10 the Senator from Oregon asked unanimous consent to take a vote on the measure on July 21. Any one Senator could have objected. It was a request for unanimous consent. I could have objected; any obstructionist could have objected. I interposed no objection. Whatever delay occurred between that date and the vote was incident to the unanimous-consent agreement.

Mr. President, I was opposed to this measure. I was in favor of the Senate amendments. I thought the measure was immeasurably improved by the deliberations of the Senate and by the amendments which were adopted in the Senate; that it was rendered infinitely better and infinitely less liable to objection than it was when it came to this body from the House of Representatives. I immediately assembled the conference committee, and on no occasion did I interpose the slightest delay, the slightest obstruction to their meeting, and to the continuous consideration of that measure in conference.

The imputation of obstruction can not be laid at my door. I think it would have been wise to have retained many of the Senate amendments. They were stricken from the measure over my protest. In the conference I regarded myself not merely as a Senator but as the agent, as the delegate, as the representative of the Senate. I felt that I ought to retain in the measure the deliberate will of the Senate as expressed here by repeated votes and by overwhelming majorities. I did not recede; I did not betray the trust committed to me by this body. I did take charge of the conference committee. I felt then and I feel now that I was quite as well qualified to represent the Senate, its wishes, and its amendments as the Senator from Oregon, who had favored the measure without the Senate amendments. The history and results of the conference justifies this confidence and this conclusion.

Mr. CHAMBERLAIN. Mr. President—

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

Mr. HOLLIS. I yield.

Mr. CHAMBERLAIN. Mr. President, there are two ways to obstruct. One is by the use of a bludgeon, and the other is by the use of a stiletto. It is true, as the Senator says, that when this bill was introduced in the Senate it was introduced by me at his request, but there has not been a time since I did so that

the distinguished chairman of the committee has not used a stiletto on the bill whenever he had an opportunity to do so. I say that without unkindness, but I say it is true just the same.

The Senator speaks of having referred this bill to the subcommittee on a certain date and that the subcommittee was called together at his request. After he had done me the honor to place me in charge of the bill, and after a majority of the members of the committee had signed a call for a full meeting of the full committee to consider it, he refused positively, and appointed and called the subcommittee of which he speaks together—one, too, of his own choosing.

Mr. President, not only is that the case, but while the bill was committed by him to my charge on the floor of the Senate, because he was opposed to it, the Senator absolutely maintained control of the committee; and when the conference committee was appointed, if you please, the Senator undertook to name the members of the conference to suit himself and his views, out of the usual order and contrary to the manner of appointment under the practice of the Senate. Then when the conferees met the chairman of the committee, although he was known to be hostile to the bill, although it was known by me and other members of the committee that he opposed it from the time it was introduced until this very moment, took charge of the conference as chairman of the committee and obstructed in every way possible the prompt consideration of the bill.

I say these things, Mr. President, in view of the statement made by the Senator that because some of the Senate conferees, after having sat for a week in an effort to agree upon a bill and to sustain the amendments put on by the Senate, following the rules of this conference and all other conferences between the two bodies, finally receded in order to reach an agreement, after having been in conference from Thursday until Wednesday—that because some of the Senate conferees who were anxious to get this bill before Congress for action in compliance with the demands of the people of the country and of the President, who is responsible for the conduct of this war, they must forsooth have branded on their foreheads the word "recede."

Mr. President, I had rather be charged with following in the footsteps of the distinguished President of the United States in the conduct of this war, crawling, if you please, on hands and knees in order to win the same, than to stand in opposition to him and to be continually consorting, conspiring, and treating with the enemies of the Commander in Chief of the Army and Navy of the United States.

To those Senators who have been opposing the President not only in reference to raising an Army but in properly supplying it I will say that their illustrious example is being followed by men in humbler walks of life, opposing the selective draft, and all measures for properly raising and equipping an army, resulting in some States in riot and bloodshed.

Mr. President, I appeal to the Senate now to end this discussion at the earliest possible moment and put this bill through, so that, for good or evil, it may find a place on the statute books and that the President may have an opportunity to undertake to put it into execution.

Mr. HOLLIS. Mr. President, I think there is no way in which I could emphasize the very strong feeling I have as to the provision of this bill now under discussion than by objecting to the adoption of this conference report. I believe it is the first time I have ever opposed anything that the administration has wanted. I lay myself open to the imputation in the press of the country of obstructing the passage of the food bill, although I dare say that there is no man on the floor of the Senate who has helped to advance it any more than I have. Therefore, Mr. President, it does emphasize the spirit that moves me to object to the elimination of this special provision from this bill. I do it not because of any preconceived notions of my own but because I am absolutely certain it will lead to serious trouble, serious trouble that we might well avoid, serious trouble that ought not to be fomented by a provision of this kind, particularly after the attention of the Senate and of the country has been called to it.

Mr. SHEPPARD. Mr. President—

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

Mr. HOLLIS. I yield.

Mr. SHEPPARD. Will the Senator read the language of the amendment which he proposed when the bill was under consideration in the Senate and which was afterwards stricken out in conference?

Mr. HOLLIS. The amendment was as follows:

Sec. 26. That nothing in this act shall be construed to repeal, modify, or affect either section 6 or section 20 of an act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 16, 1914.

Section 6 of the Clayton Act provides merely that nothing in the Sherman Antitrust Act shall be construed to prohibit the ordinary functions of farmers' unions and labor unions. Section 20 provides that no injunction shall be issued by a Federal court to prevent a strike carried on in the usual way unless it is affirmatively shown that irreparable injury is likely to occur. It then provides that no injunction shall be issued to prevent peaceful picketing or persuasion or other ordinary legitimate methods of striking.

Mr. SHEPPARD. Mr. President—

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

Mr. HOLLIS. I do.

Mr. SHEPPARD. Does not the Senator think that, if necessary, such an amendment can be enacted subsequently as substantive and independent legislation?

Mr. HOLLIS. I think it might, but I should dislike to undertake the contract of getting it through both Houses at this time. I think the situation may be so serious that the administration will have to take hold and insist on having it passed. If so, it will go through; otherwise I doubt if it could be put through.

Mr. GORE. Mr. President—

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

Mr. HOLLIS. I do.

Mr. GORE. Mr. President, I hesitate to interrupt the Senator further, but I feel that I ought to make one or two observations in view of the remarks of the Senator from Oregon. He has suggested that I appointed a subcommittee without deferring to his will. I acknowledge that I did appoint a subcommittee upon my own responsibility, because I had made a canvass of the Senate and had ascertained the objections entertained by the Senate to the bill. I desired to see if those objections could not be met and the bill placed upon the path to final passage in a much-improved form as compared with its character when it came from the House. I did appoint a subcommittee. I think every amendment but one recommended by the subcommittee to the whole committee was adopted by the whole committee, and afterwards the whole committee was forced to adopt that single exception. The Senate, as I remember, agreed to every amendment recommended by the whole committee which had previously been recommended to the whole committee by the subcommittee of my own appointment.

The Senator complains that I undertook to appoint the conference committee on behalf of the Senate. I did; and if I had been successful the word "recede" would not have been so conspicuous a legend upon the foreheads of certain Senators.

He complains that I undertook to appoint the conferees otherwise than in the order of their seniority upon the committee. That is true, Mr. President, but in that I violated no precedent. The conference committee on the food-survey bill was not selected in the order of seniority; and when that much-vaunted reform came over the Democratic side of the Senate some four or five years ago, the rule of seniority was abolished. There was no longer any rule or obligation requiring the appointment of conferees in the order of their precedence on a committee.

I was not so anxious to respect the ancient, iron-clad rule of seniority in selecting conferees as I was to have conferees who would in good faith stand by the action of the Senate, and who would not, as some of them did, back and fill and ultimately recede, as I had hazarded the prediction they would recede. I will not say that some of them were appointed to recede.

Mr. President, this is the extent of my offending in that regard. So far as it is the desire of the Senator from Oregon to "crawl like vermin in and out the crevices of the throne," that, sir, is a matter of taste. The Senator can consult his own feelings, and I shall not challenge his liberty to pursue that course. As a Senator of the United States and as a member of the conference committee I shall discharge my full duty as I see my duty. I shall accept the full responsibility; I shall accept the responsibility for my votes in the Senate, for my conduct in the conference. I shall not be driven from the path of duty either by the threats of power nor decoyed from that path by the smiles and the blandishments of power.

Mr. CHAMBERLAIN. Mr. President, may I interrupt the Senator from New Hampshire further?

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

Mr. HOLLIS. I yield.

Mr. CHAMBERLAIN. Mr. President, I have no doubt that the Senator from Oklahoma will discharge his duty as a Senator as he understands his duty and as his conscience permits and directs, but, while he is touching upon that subject, let me say that this is not the first administration bill he has opposed.

He has the right to do it; nobody questions that right; it is his duty to do it when he feels that his conscience calls him to do it; but the Senator seems to forget that the United States is at war with one of the most powerful nations on the face of the earth. Not only has he obstructed this measure, but he has obstructed other measures. If the Senator claims any glory because of that course, Mr. President, I call attention to the fact that because of his opposition to some of the measures that have been enacted here and the doctrines he has preached I suspect that a number of young men out in his State have been killed in riots in opposition to the selective draft. Whether or not he was instrumental in bringing about that condition I do not know, but well do I know that the very men who are resisting the enforcement of the law that was enacted by Congress for raising an army derive encouragement from the preachments of the Senator in the Senate and in other parts of the United States.

Mr. GORE. Mr. President—

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

Mr. HOLLIS. Yes.

Mr. GORE. The Senator takes occasion to say that this is not the first measure that I have obstructed in the Senate. The Senator is rather liberal in his definition of the word "obstruction." I have demonstrated, I think to the satisfaction of every Senator who has any sense of justice, that I have not obstructed either the food-survey bill or the food-dictatorship bill. I have speeded both to their passage, and have passed that responsibility to those who have sought dominion over the industries of this country. I have undertaken to make the present bill constitutional, to make it effective, to make it practicable, and to render it, in my judgment, less calculated to work inevitable mischief than to work some sort of benefit to this country. I challenge the Senator to state what other measure I have obstructed on its passage through the Senate. I say he will try in vain to name it.

Mr. CHAMBERLAIN. I suggest the selective-draft bill, that was recommended—

Mr. GORE. I say that the Senator is again in error, and it shows his liberality not only in definition but, I had almost said, in the discussion of the fact.

Mr. President, for reasons which I need not mention I was not able to discuss the selective-draft measure upon its passage through this body. Under the five-minute rule I had the Secretary read at the desk a telegram to a newspaper in my State outlining my objections to that measure. The reading of that telegram required less than five minutes. Is that the offense for which the Senator arraigns me before the Senate and the country? Am I to be characterized as an obstructionist for opposing a measure revolutionizing the traditions of this country? I occupied less than five minutes. That five minutes was employed by the Secretary at the desk.

Mr. President, when the draft bill passed in 1863 during the Civil War there were 115 votes in the House for that measure. There were 49 votes against that measure in the House. There was much less division upon the passage of the recent measure, and as much as I opposed that measure—opposing it until the volunteer system had been given a trial—I disclaim as unfounded upon fact any imputation to the effect that I obstructed its passage.

Mr. President, there has been some resistance to the enforcement of the draft in the great young State which I have the honor in part to represent in this body. I issued an interview on yesterday, appearing in the morning papers, accounting, as I believe, for this resistance. It originated, as I am informed, among the Seminole Indians and the Seminole freedmen, being the negroes who were owned by the Seminoles when slavery prevailed in this country.

In the Indian appropriation bill passed last winter a provision was inserted providing for a payment of \$200 per capita to these Indians and to their freedmen. The Comptroller of the Treasury ruled, however, that the payment could not be made on account of some ancient statute in relation to a school fund. The Indians felt that they had a grievance on account of the nonpayment of this money. They protested against fighting for a country—to use their own language—which would not vouchsafe to them their own rights. They had, as they believed, an accumulation of grievances; and I said in the interview, and I say now, that, at least so far as these people are concerned, they ought to be judged generously in this hapless protest against the law of the land.

Sir, I repeat, the Senate and the country must acquit me not only of obstruction but of any attempt to obstruct against the pending measure or against the selective-draft measure. But, sir, it is not necessary for me to disown that unfounded im-

peachment. The injustice of that charge, if not "known of all men," is at least known of all Senators.

Mr. NORRIS. Mr. President—

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

Mr. HOLLIS. I yield.

Mr. NORRIS. It seems to me, as a member of the Committee on Agriculture and Forestry who was neither on the subcommittee referred to that had this bill under consideration nor on the conference committee, that I ought to say just a word in relation to this controversy between the chairman of the committee and the Senator from Oregon.

Mr. President, it was known, I presume generally, that the chairman of the committee was opposed to the bill. I think no one would want to take away from the chairman his right to oppose it. No one denies but that he was conscientious in his opposition; but when it is said that he undertook to obstruct it, it seems to me that some one who was not on either one of those committees and who knows what happened ought not to permit this occasion to go by without telling what he knows in regard to it.

When this bill was referred to the Committee on Agriculture and Forestry and the chairman of the committee appointed a subcommittee to consider it, there might have been a discussion as to whether there ought to have been a subcommittee appointed or whether it ought to have been considered by the full committee. There is an opportunity for honest men to disagree as to which course ought to be taken. That a man can be patriotic and honest and anxious for expedition and take either course no man can deny.

When the chairman appointed that committee he put the Senator from Oregon [Mr. CHAMBERLAIN] on the committee, and I was left off the committee. He put other Members on the committee that were of shorter service on the committee than myself. I never for a moment thought of charging the chairman of the committee with being unfair. He was exercising a discretion that was right. There was nothing wrong about it, as far as I know. When he selected the conferees, again, he selected the Senator from Oregon as one of the conferees. Again he went over my head and put some one on the conference committee who was junior in service to me; and again it seemed to me that there could be no charge made of anything wrong in regard to it. He exercised an honest and a fair discretion.

The chairman of the committee did this first act, the selecting of the committee, without any hesitancy. As I remember, it was done the same day that the bill was brought here. There never was a bill that came from the House to the Senate that was brought up for consideration by the committee quicker than this one. It would have been an impossibility to do it quicker. That subcommittee were in session all day, as I happen to know. The next day the full committee was called. There was more expedition than some members of the committee thought was proper for a full consideration of the important subject that was brought before it; and I think I am in a position to make this statement, because if, in the parliamentary practice that has gone on in the past, there is anything in the rule of seniority, I have a right to complain. I want here and now to testify that it seems to me the chairman of the committee has expedited this matter as much as any man could expedite it who was in favor of it. I think if anything, when he knew he was opposed to it and the President was for it, that, as the saying goes, he leaned backward in order not to have any delay.

I have never yet heard any member of the committee even indirectly intimate that the chairman in any way delayed anything. We were in session the next day all day, as I remember, and, as the chairman has said, the amendments suggested by this subcommittee, with one exception, I think—I think there was not more than that—were all agreed to. I did not favor all of them. I did not agree and I suppose I will not agree with the chairman of the committee when it comes to roll call on this conference report, but I do not want to see any injustice done to the chairman; and unwittingly, I think, my friend from Oregon has done the chairman an injustice.

We were in session all that day. That one amendment—by the way, an amendment that the chairman himself favored—was defeated in the committee. Afterwards, through the influence of the White House, another meeting of the committee was called, and the action of the committee was changed, and that amendment agreed to.

I believe, Mr. President, that this much ought to be said by one who knows what the facts are, and who has not taken any part in the matter, in defense of the chairman's position. I have not agreed with the chairman on this bill in a great many respects from the beginning; but I have never, in all the discussions that we have had, seen an intimation of any unpatriotic

act or any intention, even indirectly, to delay action and consideration. On the other hand, he has always favored and always urged immediate action, I thought sometimes without sufficient time for full consideration.

Mr. HOLLIS. Mr. President, there is only one test with which I am familiar by which to determine whether strikes should be restrained and curbed, and that is to determine whether labor is getting more or less in return for its efforts than it has been getting in the past.

The majority of laboring men are pretty close to the fringe of existence all the time. A death in the family, or a serious illness, is enough to set back most families of laboring people for several months, if not for a year. Now, if it should appear that wages have increased as much in the last two years as the cost of living, and strikes were everywhere prevalent, then it might be said with some justice that strikes should be restricted and curbed. I have accordingly taken pains to inform myself as to the relative advance of wages and the cost of living. I intended to read several paragraphs from the testimony before the Committee on Agriculture and Forestry of the Senate on this particular bill, but I will read only a very short portion, because the point seems to be pretty generally recognized.

I read from the testimony of Dr. Clyde L. King, an assistant professor of political science in the University of Pennsylvania. There was a food riot in Philadelphia, and because of the food riot Dr. King made an investigation of the wage question and the high-cost-of-living question and the labor-union question in Philadelphia. I invite the attention of the Senate to Dr. King's testimony. I will read merely his conclusions. He said, on page 105:

The conclusion is clearly this: That money wages have not increased certainly over 20 per cent; that foods have increased around 27 to 33 per cent. In other words, the actual wage has gone down; and it is very clear—I am giving these figures here in order to drive home the necessity for national action—it is certainly very clear that the actual wage can not continue to go down without very great suffering and without real direful consequences.

Mr. WEEKS. Mr. President—

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

Mr. HOLLIS. I do.

Mr. WEEKS. I think it would be of interest, in connection with what the Senator from New Hampshire has just been saying, to call to his attention the fact that the deposits in the Massachusetts savings banks last year were twice as great as they have ever been in the history of the State—that is, the increase in deposits over the previous year.

The deposits in the Massachusetts savings banks as nearly as possible represent the savings of labor. There are more than 2,500,000 depositors in a population of less than 4,000,000, and no man can have a deposit of more than \$1,600 in the Massachusetts savings banks. It is not a place where men of wealth, or even of considerable means, leave their money, but it is the place where the average workingman does leave his savings.

For example, in the city of Lawrence, about which we heard a good deal two or three years ago—a city of probably less than 100,000 population, even under present conditions—there are three savings banks, and there are 30,000 deposits in one of them and practically as many in the other two; in other words, two-thirds as many deposits in savings banks in that city as there are people in the city.

I cite these facts simply to indicate that notwithstanding the high prices last year the workingman of Massachusetts was able to save twice as much as he has done in any previous year in the history of the State.

Mr. HOLLIS. Mr. President, I have heard everything in the world proved by the savings-bank statistics of Massachusetts. There is no doubt that Massachusetts usually gets her share of what is going along, and I think Massachusetts has had her full share of the profits that have been made out of this war in the past two or three years. I am talking about the country generally. The Senator may quote savings-bank statistics from now to doomsday, but he can not wipe out testimony such as I have just read. My own investigation leads me to believe that the cost of what is called the table in the family of the average workingman has nearly doubled in the past three years, and I know that wages have not increased more than 20 or 30 per cent.

Mr. President, I have explained that I regret that I must vote against this conference report. It does not mean that the bill must be killed if the conference report is rejected. It is evident from what has taken place on the floor of the Senate to-day that the Senate believes that this amendment should be replaced in the bill. I hope those who really believe it, and who see the necessity for it, will vote with me to reject the report. There is no doubt that if the report goes back to the conference

committee they will quickly restore this provision, and they may just as quickly report the bill back; and I am sure if it is reported back with that amendment restored the bill will promptly pass.

I say that because I want the Senator in charge of the bill to understand my great friendliness for him, my belief that he has acted throughout with the greatest consideration for me personally, and my hope that he will not consider it at all a personal criticism of him because I feel obliged, for good and sufficient reasons, to vote against the adoption of the report.

Mr. CHAMBERLAIN. Mr. President, I want to say to the Senator from New Hampshire—for whom I entertain the very highest regard, both as to his ability and as to his sincerity—that I do not believe it will do any good to refer this bill back to the conferees. I am frank to say that I never heard anyone say that this amendment was stricken from the bill in conference in order that strikes might be prohibited, if need be, during the time of this war.

In order to get the matter before the Senate, let me call attention to the amendment which the Senator from New Hampshire [Mr. HOLLIS] proposed on the floor of the Senate; and I think it was put into the bill by way of amendment, without much discussion, as I now recall. It is section 26 of the bill as it finally passed the Senate, and is as follows:

That nothing in this act shall be construed to repeal, modify, or affect either section 6 or section 20 of an act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914.

Mr. President, the sections of the act approved October 15, 1914, to which that exception was intended to apply, are as follows. I read this in order that the context may be in the RECORD.

Section 6 of the so-called Clayton Act provides:

That the labor of a human being is not a commodity or article of commerce. Nothing contained in the antitrust laws shall be construed to forbid the existence and operation of labor, agricultural, or horticultural organizations, instituted for the purposes of mutual help, and not having capital stock or conducted for profit, or to forbid or restrain individual members of such organizations from lawfully carrying out the legitimate objects thereof; nor shall such organizations, or the members thereof, be held or construed to be illegal combinations or conspiracies in restraint of trade, under the antitrust laws.

The bill under consideration does not in any way affect or repeal that provision of the law. Why refer to it, then?

The other section is section 20 of that act:

That no restraining order or injunction shall be granted by any court of the United States, or a judge or the judges thereof, in any case between an employer and employees, or between employers and employees, or between employees, or between persons employed and persons seeking employment, involving, or growing out of, a dispute concerning terms or conditions of employment, unless necessary to prevent irreparable injury to property, or to a property right, of the party making the application, for which injury there is no adequate remedy at law, and such property or property right must be described with particularity in the application, which must be in writing and sworn to by the applicant or by his agent or attorney.

And no such restraining order or injunction shall prohibit any person or persons, whether singly or in concert, from terminating any relation of employment, or from ceasing to perform any work or labor, or from recommending, advising, or persuading others by peaceful means so to do; or from attending at any place where any such person or persons may lawfully be, for the purpose of peacefully obtaining or communicating information, or from peacefully persuading any person to work or to abstain from working; or from ceasing to patronize or to employ any party to such dispute, or from recommending, advising, or persuading others by peaceful and lawful means so to do; or from paying or giving to, or withholding from, any person engaged in such dispute, any strike benefits or other moneys or things of value; or from peaceably assembling in a lawful manner, and for lawful purposes; or from doing any act or thing which might lawfully be done in the absence of such dispute by any party thereto; nor shall any of the acts specified in this paragraph be considered or held to be violations of any law of the United States.

Those are the provisions of the Clayton bill, supplemental to the Sherman Antitrust Act, which the Senator by his amendment proposed to have excepted from the operation of the pending food bill. As I understand the Senator, the particular part of the bill which he says would prevent peaceful picketing by labor organizations or peaceful strikes is covered in section 4 of the food bill, which provides that it shall be unlawful—

To conspire, combine, agree, or arrange with any other person (a) to limit the facilities for transporting, producing, harvesting, manufacturing, supplying, storing, or dealing in any necessities.

Mr. President, there is not anything in this act, it seems to me, that would prevent labor organizations from peaceful picketing or the peaceful strike if they see fit to indulge in it; and while, as I said, I did not vote against the Senator's amendment, and I do not recall having been with the conferees when it was receded from, I would not have hesitated to do so in conference, because I think it unnecessary. It was insisted upon by the Senate conferees for quite a while and finally went out. I really do not know how many days it had been in conference before the Senate conferees finally receded. But, Mr. Presi-

dent, I have not any fear that in the administration of the food law anything would be attempted by the President or by the agencies which he has power to create under the act to prevent any labor or other organization from doing in a peaceful way all that they can now do under the Clayton law to protect themselves and their rights, without any saving clause in the bill under consideration. It is not necessary in this bill in order to protect those rights.

Mr. HARDWICK obtained the floor.

Mr. HOLLIS. Mr. President—

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

Mr. HARDWICK. I yield.

Mr. HOLLIS. If the Senator will permit me very briefly, the argument of the able Senator from Oregon does not meet the case at all. The provision of the food bill to which I have adverted makes it a distinct criminal offense for two of the officials of a labor union to arrange with each other to call a strike. If the officials of a labor union can not call a strike, a strike can not be effectively put into force. The provisions of the Clayton Act allow the ordinary procedures of labor unions to be carried out without the participants being held to violate the law. Therefore if the amendment stays out of this bill strikes will be effectively prohibited in the classes of industries that come under the purview of the bill.

Mr. HARDWICK. Mr. President, I shall vote against the conference report, and I propose to give the Senate briefly three reasons why I shall do so.

Before I give those three reasons, however, I wish to say in just a word, having due regard to the rules of this body and the proprieties of this occasion, because during my temporary absence from the city a Member of the House of Representatives, in gross violation of the rules of that body and in gross violation of the proprieties and decencies of parliamentary intercourse, undertook to criticize and assail not only myself but other Members of this body whose conduct and whose views on different questions failed to meet his august approval.

I shall not dignify this gentleman—and I use the word in a strict parliamentary sense, as the rules of the Senate require it—by any particular attention at my hands. The statement that he made about me was positively untrue, namely, that I had held up the aviation bill 10 days. I offered an amendment and spoke nine minutes on it, and this distinguished gentleman at the other end of the Capitol said I had held up the aviation bill for 10 days! Well, of course, a man who speaks so loosely as that, and with so little regard both for the proprieties and for the truth, is not worthy of reply. I think it is better for things of that sort to be passed over. He violated the rules of the body to which he belongs, anyway.

Of course it is a matter of very deep regret to me, of very real regret, that my conduct as a Member of this body does not meet with the approval of that distinguished personage, but somehow or other I will try to get along without it. It will grieve me terribly to have to do it, but I will attempt to continue to discharge my duty in this body without very much concern for his opinion, or for him. I care nothing for either.

There are three reasons why I am opposed to this conference report. There are three besides the first one I am going to mention, so there are really four. I want to be perfectly candid with the Senate. I am against this bill, and therefore I am against the conference report. The same reasons that impelled me to vote against this bill when it was put on its passage impel me to oppose the adoption of the conference report, because I think the bill is fundamentally and structurally wrong and can not be made right. I am very much more against the conference report, however, than I was against the bill that we passed in the Senate, because I believe this bill is an infinitely worse bill than the one that the Senate voted up a week or so ago, and I am going to give three reasons why I think so.

In the first place, I do not know how other Senators feel, but I am willing to bestow all the dictatorial power, all the one-man power, that can be enacted or that any Senator can desire when it comes to the prosecution of a military and naval campaign, when it comes to military operations against the foe, but I am utterly unwilling now, as I have always been, to assent to the one-man-power proposition in our ordinary civil and civic affairs. In Prussia, in Russia as it was under the Romanoffs, in some of the foreign countries where autocracies exist, it may be all right to have food dictators or food controllers or whatever else you want to call them, but as far as I am concerned I confess I am old-fashioned enough, democratic enough, American enough, not to like this one-man-power business. I infinitely prefer a board of three. There is more

balance to it; there is more chance to avoid mistakes; there is more chance that the board so constituted will not be guilty of arbitrary, despotic, and unfair conduct. You at least are addressing yourself to the intelligence and integrity of three men rather than one.

The Senate thought so by an overwhelming vote—almost two to one. My recollection is—I have not the figures before me—that the vote was about 50 to 33.

Mr. GRONNA. There were very few votes against the board; I think not to exceed 12 votes.

Mr. HARDWICK. I think the Senator is wrong. My recollection is that the amendment was sustained by two or three to one.

Mr. JOHNSON of California. The first vote to which the Senator refers was 66 to 10. I recall it because I was one of the 10.

Mr. HARDWICK. Then the verdict was more overwhelming than I thought. I thought the final vote that was the real test on the question was about 54 to 32, or something like that. Anyhow, the RECORD will show. But the fact remains the Senate voted for the amendment by an overwhelming majority. I think about two to one. The Senator from California thinks on an equally significant vote it was almost six to one in favor of this proposition of a board of three instead of one to constitute this board or this dictatorship or this controllership, whatever you may wish to call it.

Now, what reason have we to change our minds in so short a time? What has happened to cause us to change it? What change has come over the spirit of our dream? Can any Senator avow it? Can any Senator give us the reasons now why the Senate ought to so completely reverse itself in so short a time on so well considered a proposition? If there is a reason, it does not appeal to me. It is not founded in logic. It is not founded, in my judgment, on any change of conviction on the part of any Senator. I think the Senate ought to maintain its position. I do not think it ought to agree to this conference report, because the conferees deliberately surrendered the position of the Senate on this matter, taken after a long struggle over this question and after a full understanding of it. When conferees do that, and do it in my judgment unnecessarily, then I do not think we ought to accept their work when they submit it to be approved by the body of which they are the agents.

Second, I am opposed to the adoption of this conference report because the conferees have stricken from the bill the provision for a committee to supervise war expenditures. That was another proposal adopted by the Senate by an almost two-to-one vote.

Mr. President, if that committee had been proposed in the same language that a similar committee was constituted during the Civil War and if its jurisdiction had extended beyond guarding and examining and looking into the expenditure of the money that we appropriate, and might have trenching upon the conduct of the war generally, as far as military and naval operations go, the selections of generals and admirals and other things that ought to belong exclusively to the executive department, then I could understand how Senators or people outside of this body, and even outside of Congress, might have opposed it. Frankly I could not have supported such a proposal myself. I do think, opposed as I am to conferring despotic power on the Executive, that when it comes to military matters the Executive ought to have full power, and I am ready to vote to give it at any time; but how on earth anybody could object to Congress appointing a joint committee to go over the expenditures, to see as far as we can how the money that we appropriate is spent, and to see that it shall be spent in no other way except as the law provides, and economically spent—I say, how anyone anywhere could oppose any such proposition is beyond my comprehension.

It seems to me that any President of the United States would be more than glad to share responsibility of this kind with a joint committee of Congress. It seems to me that any executive of any country on this earth, carrying the awful load of responsibility in respect to matters of this kind that the executive must carry and carrying it as he must with the aid of hundreds and thousands of men whom he must appoint to help exercise the executive authority, would be glad to have Congress look into these expenditures and do all it can to keep everything right and straight.

So I can not understand the opposition to the appointment of a joint congressional committee, whose functions shall be limited entirely and solely to the expenditures of the money that Congress has appropriated. I can not see why the conferees should have found it necessary to again abandon the position that the Senate had taken by an overwhelming vote.

Now, there is a third reason why I think the conference report ought to be rejected. It grows out of the licensing section—section 5, I believe. It is found on page 8 of the conference print.

Mr. President, I do not want to take up any considerable part of the Senate's time, so I am not going to read all this language to the Senate. Senators who are interested in the subject have the provisions of the section as reported by the conferees before them or they can readily obtain access to the printed copy that contains it.

When the bill was before the Senate originally a great many of us thought that the licensing section was the most dangerous as well as the most unnecessary of all the powers conferred. So in response to that sentiment developed on this floor the Senate committee first, and the Senate itself finally, very much limited the licensing section, specifying a few, and only a few, articles and commodities to which it should be applied. It went to conference in that shape. But it comes out of the conference in a form and shape that is, if anything, more objectionable than the original language of the House bill. It confers broader powers, more despotic powers, more autocratic powers over American business than the original proposal did, if such a thing as that is possible. After all, I think I shall read it:

SEC. 5. That from time to time, whenever the President shall find it essential to license the importation, manufacture, storage, mining, or distribution of any necessities, in order to carry into effect any of the purposes of this act, and shall publicly so announce, no person shall, after a date fixed in the announcement, engage in or carry on any such business specified in the announcement of importation, manufacture, storage, mining, or distribution of any necessities as set forth in such announcement, unless he shall secure and hold a license issued pursuant to this section. The President is authorized to issue such licenses and to prescribe regulations for the issuance of licenses and requirements for systems of accounts and auditing of accounts to be kept by licensees, submission of reports by them, with or without oath or affirmation, and the entry and inspection by the President's duly authorized agents of the places of business of licensees.

Mr. GRONNA. Mr. President—

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from North Dakota?

Mr. HARDWICK. I yield.

Mr. GRONNA. In the interest of accuracy, if the Senator will permit me, I have here the official vote of the Senate upon the question whether there should be one administrator or a board of three.

Mr. HARDWICK. I would be glad if the Senator would give the figures.

Mr. GRONNA. On the amendment offered by the Senator from Colorado [Mr. SHAFROTH]—

Mr. HARDWICK. For one.

Mr. GRONNA. For one—in the Committee of the Whole, the vote was as the Senator from California [Mr. JOHNSON] has stated, yeas 10, nays 63. When the bill was reported to the Senate another amendment for one was offered by the Senator from Wisconsin [Mr. HUSTING], and that amendment was rejected by a vote of 60 to 23.

Mr. HARDWICK. The final vote was 60 to 23—over 2 to 1. I thank the Senator for putting the figures into the RECORD in the interest of accuracy.

Now, Mr. President, going on just one moment with the licensing section, a more despotic, autocratic, and unnecessary power over the great businesses and industries of the people of a free country was never conferred in the history of all time, in my judgment, on anybody—king, emperor, kaiser, president, or what not—than is suggested in this bill. It is unnecessary; utterly so. What Senator has stood before the Senate or the country giving any reason for this broad licensing power? Are we to be told that in a free country we are to surrender all the business of the country to the control of the Executive authority, to be carried on according to the will of one man, and that we ought to do it without the slightest showing being made on earth that there is any necessity for it or that it has any real or direct connection with the prosecution of the war?

Ah, Senators, I can see how if an invading army was sweeping this country, I can see how if it was necessary from the standpoint of the preservation of the Nation's life, I can see how if the Senate thought it was necessary in order to perpetuate the Government itself, almost any power might be granted. The Constitution itself is broad enough to permit it, and the war powers are vast enough and deep enough and strong enough to permit it.

In order to accomplish it we do not have to do like some Senator has suggested—suspend the Constitution—because the Constitution itself contains all the elements of any needed and necessary power for the prosecution of this or any other war. But it does seem to me that before we undertake to delegate this vast authority over American business of every kind and character everywhere, from a blacksmith shop to a department store, it would be just as well for us at least to believe ourselves that it has some real and direct connection

with the war, and there is some real necessity in the interest of the country, its Government, and its people to do it.

For one, before I can vote for any such proposition as that, which is a complete reversal of all the principles of the American people—which is Prussianism, in my judgment, instead of Americanism—it will have to be shown to me pretty plainly, pretty clearly, pretty distinctly, and pretty convincingly, that the interests of the Nation are really involved, that the life of the country itself is at stake, and that this is really a part of the necessary defense of the country itself. No such showing as that has been made, or even attempted, and in its absence it is incomprehensible to me how any Senator of the United States can think of voting such vast, arbitrary, and unnecessary powers.

For all those reasons, Mr. President, I believe the conference report ought to be rejected, and I shall so vote.

Mr. WOLCOTT. Mr. President—

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Delaware?

Mr. HARDWICK. I yield, although I had concluded what I rose to say.

Mr. WOLCOTT. I wish to ask the Senator from Georgia a question. The Senator is opposed to the adoption of this report for three reasons, one of which he states to be the elimination of the proposed joint committee to supervise war expenditures. I understood the Senator to say that he would be opposed to a joint committee which undertook in any wise to participate in the problems directly connected with the conduct of the war.

Mr. HARDWICK. Or the war itself.

Mr. WOLCOTT. I should like to ask the Senator what he thinks such a committee as is proposed by the Senate amendment would do?

Mr. HARDWICK. Would the Senator like to have an answer now?

Mr. WOLCOTT. Yes.

Mr. HARDWICK. My idea is that such a committee would go over all the expenditures we have made to see how they are spent. The committee would investigate whether the purposes designated in the bill were within the compass of the law and whether the money had been honestly spent for the purpose authorized by law or not. In other words, the committee would do all in its power to secure an honest, economical use of the money for the purpose for which it had been appropriated.

Mr. WOLCOTT. Do I understand the Senator to concede that the committee would act as a sort of legislative auditing committee?

Mr. HARDWICK. Somewhat so.

Mr. WOLCOTT. Does the Senator think it necessary for Congress to appoint Senators and Representatives to act as auditors?

Mr. HARDWICK. I think it is very necessary sometimes. I have seen a great many instances in my 20 years' service where it did a great deal of good.

Mr. WOLCOTT. Let me put a hypothetical case to the Senator. Suppose the committee that is proposed should begin to investigate as to how the \$640,000,000 appropriated for the Aviation Corps was being expended, and should discover that a certain type of flying machine was being bought by the department, and suppose this committee of Senators and Representatives thought it ought to be another type of machine bought, does not the Senator think that that committee could address itself to the consideration of that subject strictly under the authority conveyed by the amendment?

Mr. HARDWICK. I think not. I do not think they would have any such power. The amendment was not framed for any such purpose as that. It is not designed for any such purpose as that, and it could not be done, under its language.

Mr. WOLCOTT. The language is:

It shall be the duty of said committee to keep itself advised with regard to the expenditure of all appropriations bearing on the conduct of the war made by Congress and the contracts relating thereto made by officers of the executive department, and it shall be the duty of the executive departments, on request, to keep said committee fully advised as to such expenditures and contracts.

I call the Senator's attention to this fact, that the Joint Committee on the Conduct of the Civil War had no power on earth except to investigate.

Mr. HARDWICK. The Senator is greatly mistaken.

Mr. WOLCOTT. What power had it?

Mr. HARDWICK. I have not the language now. If the Senator from Massachusetts [Mr. WEEKS] were here he would give it. They had a great deal of power to consult and investigate.

Mr. NELSON. Will the Senator let me answer that?

The PRESIDING OFFICER. Will the Senator from Georgia yield to the Senator from Minnesota?

Mr. HARDWICK. Certainly.

Mr. NELSON. The chief power of that committee during the Civil War was to assist and make post-mortem findings upon defunct generals.

Mr. HARDWICK. Upon defunct generals and lost campaigns. That was their principal purpose.

Mr. WOLCOTT. It was an investigating power.

Mr. HARDWICK. No; it was a committee appointed on the conduct of the war. That is its specific language. It was a committee "on the conduct of the war."

Mr. NORRIS. Mr. President—

Mr. HARDWICK. I yield to the Senator.

Mr. NORRIS. In conversation with members of the conference I think there will be no secret in saying that those who favored the amendment were perfectly willing, if the language gave any power as to the conduct of the war, to recede as far as that was concerned and confine it exclusively to the duty of looking into the financial expenditures.

Mr. HARDWICK. Undoubtedly, and that was exactly what this proposition meant. It was purposely changed before we voted on it from the language employed in the creation of the Civil War Committee. Some of us who supported this proposal realized the difficulties and dangers and disadvantages of adopting a proposal of that sort, but in this proposal, the one offered finally by the junior Senator from Oklahoma [Mr. OWEN], it was expressly, by its language, limited to an examination into expenditures, and possibly the word "contracts" was put in also—expenditures and contracts. It did not have the very general language relating to the conduct of the war which authorized the Civil War Committee, as pointed out by the distinguished Senator from Minnesota [Mr. NELSON], to sit as a sort of post-mortem board on defunct generals and lost campaigns.

Mr. WOLCOTT. Mr. President, if the Senator will yield to me further—

The PRESIDING OFFICER. Does the Senator from Georgia yield further to the Senator from Delaware?

Mr. HARDWICK. I yield.

Mr. WOLCOTT. The Committee on the Conduct of the War in the Civil War did not confine itself to matters in the nature of post mortems. It undertook to interfere with the organization of the Army. One thing I distinctly remember was not in the nature of a post-mortem investigation, but the committee of Senators and Representatives set themselves up as military authorities as to how to organize an army.

Mr. HARDWICK. If the Senator will allow me, the Senator need not worry himself about the language creating that committee. We are not so much concerned with that as we are with the pending proposal. The words "the conduct of the war" were not included in the language of the pending proposal. It was not proposed to give this committee any power on earth, except the power to look into expenditures and contracts.

Mr. WOLCOTT. Yes, Mr. President; but, if I may submit a further observation, it seems to me to be plain common sense that if a committee is to investigate expenditures which have been made by the departments of the Government the pursuit of that power will lead its nose into every activity of the Government, and it can pursue its investigations just as far as the money is spent. That seems to me to be plain.

Mr. WILLIAMS. It is a committee to smell the Executive.

Mr. WOLCOTT. That is what it is—a committee to snoop around. It is what we might call a collection of Paul Prys to run around and see if the United States Government, through its executive branch, is spending the money in a way which meets with the approval and judgment of that committee.

Mr. HARDWICK. Mr. President, I beg the Senator's pardon.

Mr. WOLCOTT. I am taking the Senator's time.

Mr. HARDWICK. Go on.

Mr. WOLCOTT. I care not what the language of the resolution is. The fact of the matter is that if the committee can investigate expenditures it can investigate the purposes for which the expenditures are made and can report to Congress its views upon the wisdom of those expenditures for those particular purposes and can air before the country all of the activities of the Executive in the conduct of the war. That is what it seems to me the particular committee provided for in this amendment, which the conferees have left out, in substance was authorized to do. I care not for the form of it, but it seems to me that the language written into the bill by the Senate, being the substitute offered by the Senator from Oklahoma [Mr. OWEN], was nothing more nor less in substance than the creation of a committee similar to the committee on the conduct of the war during the Civil War.

Mr. HARDWICK. Mr. President, I had not intended to say another word about the matter, but, of course, the views stated by the Senator make it necessary that I should submit one or two additional observations. It seems to me as though it were a matter of plain common sense that the Congress of the United States has a right to inquire how \$17,000,000,000 which it shall have appropriated is being spent. It seems to me that it has come to a pretty pass if the Congress of the United States can not propose to do that without being arraigned as trying to snoop around at the Executive or, to use the coarser term, to smell around him.

Mr. GORE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Oklahoma?

Mr. HARDWICK. Yes; I yield to the Senator from Oklahoma.

Mr. GORE. Let me ask the Senator from Georgia if he does not think if the Government is paying \$35 a thousand for lumber with which to construct cantonments, while private individuals can buy it at \$22.50 a thousand, that is a legitimate subject of inquiry? If the Government is paying \$40 apiece for rifles, while it used to pay only \$17.90, is that not a legitimate subject of inquiry? If the Government is buying lumber in Texas for a military post in Atlanta, Ga., instead of buying it in Georgia, is not that a legitimate subject of inquiry?

Mr. HARDWICK. Mr. President, the Senator from Oklahoma might specify, I presume, to even a greater extent than he has done. His specification is but an illustration, and a very brilliant one, too, of the necessity for this committee. What amazes me beyond comprehension is how any executive can object to it. Praying around! They had better want somebody to pry around before the lid blows off. Snoop about! Every friend of the President of the United States in this Chamber, and in this land, had better pray that he may have all the assistance that it is possible for him to have from every honorable source to keep these expenditures down to an honest and legitimate basis, to keep down grafting and stealing. I say that we have fallen upon evil days, and the Congress of the United States has sunk to a low estate if we can not claim the right to see how the money which we appropriate is being spent, and whether or not it is being honestly spent, without being charged with being Paul Pry and snoopers.

The Senator from Delaware insists, in spite of the fact that his attention has been specifically directed to the difference in language, that this is the same proposal that gave so much trouble in the Civil War. With all due respect to the distinguished Senator from Delaware, he has nothing on earth to do but to read the language of the two proposals and to put them in parallel columns, and there is not a schoolboy 16 years of age in his State or in mine who will not see the difference. In one case specific authority to inquire and to advise about the conduct of military operations was conferred upon the committee.

Mr. WOLCOTT. May I interrupt the Senator?

Mr. HARDWICK. Yes; I yield to the Senator with pleasure.

Mr. WOLCOTT. I think I have somewhere here the resolution creating the joint committee on the conduct of the war in 1861.

Mr. HARDWICK. If the Secretary will send me the original Weeks's proposition I can show the Senator the scope of the resolution which created the committee on the conduct of the war.

Mr. WOLCOTT. I should like the Senator to point out—I find I have it not here—where in that resolution is there specific authority to look into the conduct of military and naval operations of the United States?

Mr. HARDWICK. If I can get the proposal originally submitted by the Senator from Massachusetts I will show it to the Senator from Delaware.

Mr. WOLCOTT. I have the resolution of the Senator from Massachusetts right here.

Mr. HARDWICK. The original proposition of the Senator from Massachusetts [Mr. WEEKS] is in the very language in which the resolution was enacted during the Civil War. It reads:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That a joint committee shall be appointed composed of six Members of the Senate—

And so on—

to be known as the "Joint Committee on the Conduct of the War."

That was the same language which was used in 1861 or 1863, whenever it was that resolution was passed.

The membership of such committee shall be designated by the respective committees which select the members of the regular standing committees. Such committee shall sit during the sessions or the recesses of Congress, shall make a special study of the problems arising

out of the war, shall confer and advise with the President of the United States and the heads of the various executive departments, and shall make report to Congress from time to time in its own discretion or when requested to do so by either branch of Congress.

Mr. WOLCOTT. Now, will the Senator yield to me?

Mr. HARDWICK. Yes.

Mr. WOLCOTT. The Senator from Georgia made the statement that the committee constituted during the Civil War was specifically authorized to inquire into military and naval operations. Where is that specific authority found in the resolution which the Senator from Georgia has just read?

Mr. HARDWICK. The language is:

To be known as the "Joint Committee on the Conduct of the War."

Mr. WOLCOTT. Yes.

Mr. HARDWICK. Well, the resolution also provides that the committee—

shall make a special study of the problems arising out of the war.

That is as broad as language can make it—not only the problems of expenditure or of contracts, but problems of all sorts, military, naval, and everything else. If the Senator from Delaware will read the history of that period—of course, I suppose he has done so; I do not mean that suggestion in an unfriendly way or in an uncomplimentary way—he will find that they did assume such authority under that resolution, and that their authority to assume it was not questioned by the Chief Executive, who repeatedly and continually conferred with them about first appointing one general or deposing another and about how this, that, or the other should be done in the way of military or naval operations. Undoubtedly, if the Senator pleases, that is the history of the Civil War committee. It not only had, in my opinion, from the language of the resolution, the authority to be consulted fully about all the problems of the war of all sorts, military as well as financial, that grew out of the Civil War, but it actually assumed and exercised such authority. Of course, the Senator from Delaware must see and must concede that the proposal which was recently submitted to the Senate by the distinguished Senator from Oklahoma [Mr. OWEN] expressly and purposely cut out all that and specifically and particularly confined the operations of this committee to expenditures and to contracts made under congressional appropriations.

I can not see, with all deference to my friend, that there is anything at all similar in the two proposals; I can not see, with all deference to any Senator who is inclined to take the other view, how any Senator of the United States, how any member of the Cabinet, how anybody who belongs to any branch of the Government can object to Congress undertaking to find out how and why the money of the people is being expended.

To tell you the honest truth about it, if we were inclined to take a selfish view, if we were inclined to shirk the duties and responsibilities that belong to us, it would probably be wiser for us to have nothing to do with it and to let the responsibility rest entirely and solely upon the Executive of this country; but, in spite of what the Executive himself may think, in spite of what other people may believe, my own belief is that the Senate and House of Representatives ought to shoulder and share the responsibilities of this character whenever they think proper to do so, whether they are requested to do it or not, or even if it is desired that they should not do so. In other words, I think we owe a duty and a responsibility to the people of the United States, whose money we alone can appropriate, that we can neither shirk nor evade, in this matter.

I can really see no legitimate reason, according to my way of looking at the matter, why anyone should oppose it. It seems to me that any President of the United States would be glad enough to have all the checks and balances and restraints thrown about this business that it is possible to have, when we are spending these tremendously vast and unprecedentedly enormous sums of money, because, at best, no matter what anybody may do and no matter what everybody can do, something of course is going to go wrong when so much money as that is being spent. We ought to minimize that possibility as much as we can; we ought to put as many restraints on the people who are spending this money as possible; we ought to have as many people to whom they are responsible and by whom they can be held accountable and to whom they must account as is possible. The deterrent effect alone is worth a great deal.

Mr. CHAMBERLAIN. Mr. President, will the Senator object to having read in the RECORD at this point the views of Mr. Lincoln with reference to the Joint Committee on the Conduct of the War during the Civil War?

Mr. HARDWICK. I would rather the Senator would do it in his own time, because, as I have just pointed out to the Senate, that has no more relation to this problem than the North Pole to the South Pole—none in the world—and the Senator can not find anything in Lincoln's works or in any expression from Lincoln anywhere that will amount to anything when it is remembered that the committee sought to be created at this time is not a committee on the conduct of the war and has nothing to do with the appointment or demotion of generals and admirals or the military or naval operations, but is solely confined to expenditures and to contracts made under appropriations granted by Congress.

Mr. CHAMBERLAIN, Mr. WILLIAMS, and Mr. WOLCOTT addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Georgia yield, and, if so, to whom; or, has he released the floor?

Mr. HARDWICK. Unless the Senator from Delaware desires to interrupt me, I will yield the floor.

Mr. WOLCOTT. I desire to get the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from Oregon.

Mr. CHAMBERLAIN. Mr. President, as throwing some light on the subject that is now under discussion, I ask that the Secretary be permitted to read an editorial from the New York World entitled "In the Light of History," which discusses the activities of the Committee on the Conduct of the War during the Civil War.

The PRESIDING OFFICER. The Senator from Oregon asks unanimous consent to have the editorial named by him read. Is there objection?

Mr. WILLIAMS. Mr. President, would the Senator object to having that read as soon as I get through, instead of having it read now?

Mr. CHAMBERLAIN. I have no objection.

The PRESIDING OFFICER. The Chair understands the Senator from Oregon yields to the Senator from Mississippi.

Mr. WILLIAMS. Mr. President, what the people of the United States and what the country now would rather see than the appointment of this joint smelling committee would be, if such a thing could be organized, a committee on the conduct of Congress. I do not know how other Senators feel, but I am rapidly reaching the stage where I am, during this war at any rate, neither a Democrat nor a Republican, and I believe the country is rapidly reaching the stage where they think Congress ought to confess that it is divided into two parties, one in favor of supporting the hands of the United States, holding them up while this war is going on, and the other in favor of resorting to every technicality and parliamentary rule possible for the purpose of criticizing, injecting suspicion, arousing distrust, and giving, not confidence and hand-upholding, but the very opposite of it to the administration, the Government of the United States.

Mr. President, I want to emphasize a fact which every 16-year-old schoolboy, to use the language of the Senator this evening, knows. This Congress already has power to investigate the expenditure of every item of appropriation made by it. I do not remember how many standing committees on expenditures there are in this august body, but we have a Committee on Expenditures in the State Department, a Committee on Expenditures in the Treasury Department, a Committee on Expenditures in the Department of Agriculture, and several other standing committees on expenditures in every department of the Government.

Mr. OVERMAN. Including a Committee on Expenditures in the War Department.

Mr. WILLIAMS. Yes; Committee on Expenditures in the War Department and in the Navy Department, the two together taking in the whole war, of course, and if there is anything else remotely related to it the other expenditures committees take that in.

Senators argue as though, if we did not establish this smelling committee, we would have no authority to find out what had become of the money which we had appropriated, when, if they know anything about the rules of the Senate at all, they know better. They furthermore know that any morning on any day any Senator can come in here and move the appointment of a special committee to investigate a special matter, and that any Member of the House may do the same thing.

Either this proposed committee is intended for something broader and more remote and more ulterior and less confessed than appears upon its face, or else it is unnecessary. If it is merely a committee for the investigation of expenditures under appropriations of Congress, it is absolutely unnecessary, and if it have any ulterior purpose, what is that purpose? I said if it have. I put it in the subjunctive because I do not want to be unfair. If it have any ulterior purpose, what is that ulterior purpose? Ah, it is to display as existent, in this body, suspicion and lack of trust in the Executive, whose duty it is to carry on the war, as it was the duty of Congress to declare it.

There may be beyond that, for all I know, the purpose of creating distrust or suspicion if they do not already exist.

I do not know how the President of the United States feels about this matter. I know how Lincoln felt about a similar committee in his time. Under apparently innocent language providing for investigating the problems of the war that committee, made up of old Ben Wade and a number of others, undertook to direct the military and naval operations of the United States. Mr. Lincoln, a long-suffering, patient man; a man with the utmost intellectual humility, felt hurt to the core, although he did not veto the legislation constituting that committee. I repeat that I do not know how the present President feels, but I know how I would feel if I were President and you passed such a measure. I would veto it quicker than I can snap three fingers, and I would tell you that the American people had elected me Chief Magistrate and Executive of this country, and I was responsible to them in my executive functions, except in so far as you have the right to investigate, and, if necessary, to impeach; that I regarded it as a vote of lack of confidence, which you had no right to pass and which I would disregard by the power of veto; that, in so far as it was necessary to keep this country honest in its expenditures while the war was going on, by God's grace I would attempt to do it to the best of my ability, and whenever I found that I was helpless I would call upon you and upon the American people for help; but I did not think it was right beforehand, under the guise of doing that which you have a right to do any morning in the day, through your standing committees or through your special committees, to send out word to the American people that I had to be watched, smelled; that Congressmen and Senators had to sit around and judge of this contract or the other.

What would occur if you had such a committee? I will tell you one thing that would occur—what occurred during the Civil War, when many a so-called Christian statesman's name went down to eternal infamy. Why? Because every fellow that wanted to sell lumber or tents or uniforms or shoes to the Federal Government was constantly engaged in interviewing some member of the joint committee. "Here is a man that they have bought shoes from, or bought lumber from, and I bid something less," or "If I had furnished them there would have been a less freight rate," and that gave the Christian statesman a chance to operate, and the Christian statesman operated.

Thank God, that day has passed. That sort of thing would not happen now to the same extent, but this would happen: That committee would be dogged to death, as Congressmen and Senators are now dogged to death, by men who want to be introduced to one department or another in order that they may get a chance to make Army contracts. I had occasion not long ago to tell a young Member of the Senate, as the result of my experience of nearly a quarter of a century in public life, if he wanted to be sure of one thing in this world, never even to listen to a man that told him he wanted him to introduce him to somebody to get a contract.

Now I go back to the first point. Either this committee is not intended to do simply and solely and only what the language says, or else this committee is an unnecessary committee.

Mr. WOLCOTT. Mr. President—

The PRESIDING OFFICER. The Senator from Oregon has the floor. Does the Senator from Oregon yield to the Senator from Delaware?

Mr. CHAMBERLAIN. I yield.

Mr. WOLCOTT. Does the Senator think that this committee, under the language, has any power to conduct its investigations in such broad range as I indicated a moment ago?

Mr. WILLIAMS. Why, absolutely. If a committee is a committee upon investigation of the expenditure of appropriations, it may not only find whether an appropriation for Army uniforms was spent for uniforms or for shoes or for socks, but it may also go further and investigate whether or not the man who made the lowest bid or who had the lowest freight rate got the contract. It may go from that into every phase of the situation. It may also investigate whether the contract was given to the man who, even though he did not make the lowest bid, made the best bid, because he had the best article. The minute it goes into the subject at all, it sets itself up as a supreme court upon quantity and quality and price of articles bought. There can be no escape from it.

If any man have any doubt about what I have said, let him analyze the vote when it is finally cast. I say that if this be a committee for the purposes which the language says it is for, then it is unnecessary; and if it be something else than that, then its purpose is an attack, more or less concealed, upon the Executive. If any man have a doubt about that, let him analyze the final vote.

Mr. President, I now ask, in connection with this question, that the Secretary read at the desk an editorial from the New York World of two or three days ago, which has just been handed me.

The PRESIDING OFFICER. The Senator from Mississippi asks unanimous consent for the reading of an editorial. Is there objection? There being none, the Secretary will read as requested.

The Secretary read as follows:

IN THE LIGHT OF HISTORY.

Lincoln opposed the creation of the committee on the conduct of the war as "an unfriendly measure." He not only "expressed doubts as to the wisdom of the movement but also fears that the committee might, by unfriendly action, greatly embarrass the Executive."

He was compelled to accept it, however, because of the assurances given by Wade and Chandler that the committee purposed to cooperate with the Executive. Lincoln could not carry on the war without the support of the radical Republicans in Congress, and therefore had to get along with them as best he could.

Chandler's biographer boasted that "the committee soon became a second Cabinet council." "Its sessions were nearly perpetual." "Many of its transactions were never committed to paper, and, as its members were sworn to strict secrecy, will never be revealed."

Gideon Welles, Lincoln's Secretary of the Navy, described this committee as "a convenient machine to cover up what the War Department wishes to cover up, and it can be directed against those that the War Department would assail." Its attitude toward Lincoln may be judged from its report on Frémont's administration of the Western Department. Lincoln had properly revoked Frémont's premature and unauthorized emancipation order, but the committee unhesitatingly took sides with Frémont against the President. It praised Frémont's notorious bungling and incompetence as "eminently characterized by earnestness, ability, and most unquestionable loyalty."

The committee joyously whitewashed Butler for the Fort Fisher fiasco, in spite of Grant's deliberate judgment that it was "a gross and culpable failure." It is related by Sherman in his memoirs that while Butler was explaining to the satisfaction of the committee that Fort Fisher could not be taken by assault, a newsboy was heard shouting, "Extras." Calling him in, the committee found that Fort Fisher had already been taken.

The kind of military judgment that it brought to the conduct of the war may be inferred from a remark of Wade, its chairman, in 1862, when he said of the Army of the Potomac:

"These 160,000 men could whip the whole Confederacy if they were given a chance. If I was their commander, I would lead them across the Potomac, and they would not come back until they had won a victory and the war was ended or they came back in their coffins."

Nine months after Gettysburg the committee was still nagging Lincoln to remove Meade and reinstate Hooker.

Apologists for the committee have had much to say about the invaluable military advice that it rendered to the Government. It is significant in this connection that none of the Union generals in his memoirs referred to any military suggestion that ever came from the committee. Grant did not recognize its existence and never mentioned it as an agency of Government. Sherman had nothing to say about it except the ridiculous episode of Butler's testimony.

Abraham Lincoln was more competent to conduct the Civil War than all the committees of a dozen Congresses. If Congress had supported him honestly and refrained from playing politics with the war the conflict might have been shortened by at least two years. Many of the military blunders of the Civil War, and practically all of the gross corruption and venality, can be traced directly to congressional meddling with the business of the Executive.

Every lawful and necessary function which Congress has to perform in connection with the conduct of war can be done through the regular committees which have power to supervise and audit expenditures, summon witnesses, take testimony, investigate all matters that require investigation, and make whatever recommendations to the House and Senate that the situation demands. The proposal for a special committee on the conduct of the war is a proposal to enable a small group of politicians to embarrass and harass the President, nag generals and admirals, meddle with the work of administrative officers, and otherwise cripple the efficiency of the Government in war.

Instead of originating in the United States Senate the scheme should more properly have originated with the Kaiser or the German general staff.

Mr. WADSWORTH. Mr. President, just an observation in three or four sentences about the article that has just been read.

I am surprised that an article of this sort should be sent to the desk by so distinguished a Senator as either the Senator from Oregon or the Senator from Mississippi. It will be noted, in listening to that article as it was read, that the reflections it casts upon the so-called joint committee on the conduct of the war which was established by Congress during the Civil War are directed entirely to its meddling in military affairs. That committee is condemned and indicted by the New York World in the article just read upon those grounds, and those grounds alone. The article contributes nothing whatsoever to the present discussion, for there is no proposal pending before the Senate which will authorize any committee of the Congress, joint or otherwise, to meddle in the military operations of the Government.

Mr. President, let me say, whether this is to be made a part of the remarks of the Senator from Mississippi or not, that it is not worth the paper it is printed upon as a contribution to this discussion.

Mr. WOLCOTT. Mr. President, the Senator from Georgia [Mr. HARDWICK] takes the position that the committee provided for in the so-called food-control bill is an entirely different thing from the committee provided for during the Civil War. It is

very true that there is a distinction in the language employed. It will be observed that the resolution creating the Civil War committee contained no specific grant of power. The authorization to the committee to undertake to do the things which it subsequently did is entirely inferred from very general language.

The Civil War resolution created a joint committee on the conduct of the war. The employment of that phrase, "conduct of the war," I have no doubt was laid hold of as a justification for the thought that this committee could investigate the conduct of the war in all its details so far as the committee saw fit to go. The authority to that committee proceeded in other general language in this fashion:

Such committee shall make a special study of the problems arising out of the war.

It is to be again noted that there is no specific grant of authority to that special committee. It is very general language; and yet the fact of the matter is that this committee, under the very broad and very innocent-appearing language used, undertook to conduct examinations that filled something like four or five volumes of testimony. It sat from 1861 to the end of the war in 1865. It examined 200 witnesses; and, under this very indefinite grant of power which I have cited here, of those 200 witnesses it called before it out of the field 100 generals. So it states in its report to Congress.

That committee was not appointed for the purpose of gathering anything in the way of constructive information for the use of Congress. It was solely and entirely a committee that nosed around in the conduct of the war, gathering information, without attempting to make a single, solitary recommendation to the Congress that appointed it. The language of the committee itself is explicit upon this point. The committee says as follows in its report to the Thirty-seventh Congress, third session:

Your committee could perceive no necessity for recommending any particular legislation to Congress.

It was solely and entirely an investigating body, and every particle of its power came from the fact that it got hold of information and could frighten the Executive arm of the Government into listening to its suggestions, and I think the facts justify me in saying, in listening to its commands. That committee had the power of publicity, and it was through that power of publicity that it was enabled to exercise the extreme authority it did, to do the damage it did, to work the gross outrage and injustice that at times it did.

It is said that the committee provided for in section 23 of the food bill is not intended to exercise any such power. I say, Mr. President, I do not care what is intended by the mover of the resolution or by the Senate adopting it. I say that any man, any schoolboy—with all due deference to the Senator from Georgia—if he has the slightest remnant of common sense about him, knows that any committee that has power to investigate expenditures made in the conduct of the war—for that is the language of it—has power to pursue those expenditures to their remotest connection, to summon witnesses before that committee to enable it to investigate those expenditures, to find out what has been done with the money, even so far as planning campaigns is concerned and sending a navy abroad.

Mr. WILLIAMS. And, if the Senator will pardon me, to determine whether the amount paid to a certain admiral or general is wisely expended.

Mr. WOLCOTT. Exactly so. I was about to follow it in that way. If it can pass upon the expenditure of the money given to conduct this war it can undertake to pass upon the question of whether or not a general in charge of the forces in France is fit to command the army which this money is being spent to maintain there. I say that is the logical deduction to which we are led when we consider the broad power conferred by this amendment upon this committee.

As I pointed out, the Civil War committee exercised its powers by deducing them from such general language as that. Therefore I say, Mr. President, that in the very essence of the thing there is no escape from the proposition that though the language of the amendment creating this committee is different from the language of the resolution creating the Civil War committee, yet in substance and in fact they amount to one and the same proposition.

If you take the legislative history of this amendment, I think we are justified in saying that there is considerable force in the thought that from that legislative history itself the amendment is intended to do the very thing which a joint committee on the conduct of the war could undertake to do.

Some time ago, April 9, the junior Senator from Massachusetts [Mr. WEEKS] introduced Senate joint resolution No. 25 in the Senate providing for the creation of a joint committee on the conduct of the war, modeling his resolution on the exact language of the Civil War committee. It went to the Com-

mittee on Rules and there stayed for a long time. When the food bill got before the Senate and approached its final passage the junior Senator from Massachusetts introduced in substance with some variations of phraseology his amendment doing what? Creating a joint committee on the conduct of the war. The junior Senator from Oklahoma [Mr. OWEN] offered a substitute to the amendment of the Senator from Massachusetts [Mr. WEEKS] which was agreeable to the junior Senator from Massachusetts. With his astuteness he saw that he was securing by the substitute offered by the junior Senator from Oklahoma the idea which was originally embodied in Senate joint resolution No. 25. Whether the junior Senator from Massachusetts so reasoned it out I do not know, but I am convinced in my own mind that the power conferred upon the proposed committee by the substitute offered by the Senator from Oklahoma is as ample and as broad and as potential as was the power conferred upon the joint committee on the conduct of the war in the sixties.

When this matter of the appointment of a joint committee on the conduct of the war was first mentioned to me, which was, I think, some two or three months ago, I confess that it appealed to me as a very reasonable and as a very sensible proposition, because I saw Congress releasing vast grants of power, and, it seemed to me, if Congress was releasing vast grants of power, it was wise to follow that power up, so to speak, with an agency on the part of Congress to see how that power was exercised. The idea somewhat appealed to me, and I think if I had been called upon to vote immediately on this proposition at that time I would have voted for a joint committee.

But, Mr. President, I would have done it in ignorance, and I would have regretted it when I learned the deplorable experience of the administration in the Civil War. I would have regretted to the end of my days that I, in this great emergency, had helped to shackle the administration with such a pestiferous body and—I speak in all deference—undertaken to interfere with things that belong primarily to the Commander in Chief of the Army and Navy. It is not the business of Congress to run this war. It is not the business of Congress to shape the campaign. It is not the business of Congress to direct a fleet. It is the business of the Commander in Chief to do so, and Congress has no right to expect to do it. If fraud is committed, of course it should be uncovered. If there is any reason to show that fraud was committed at any time during the progress of the war, Congress will undoubtedly set to work and investigate it, uncover it, and hold up to public ignominy the scoundrel who practiced it. But Congress ought not in the very beginning to assume that the executive department is infested with thieves and crooks and incompetents and set to work a joint committee to watch them and seek to guard against and guide them.

Mr. HARDWICK. If the Senator is right about that, we ought not to have committees on the expenditures of the various executive departments, to which the Senator from Mississippi referred.

Mr. WOLCOTT. I am speaking of this great task, that needs centralized authority; that must act quickly, and ought not to be restricted by a committee that is threatening all the time, or which may threaten all the time, to hold up some innocent and proper act to prejudice before the country and expose it to unjust and harsh criticism and thus palsy, perhaps, the strong arm of the Government.

Mr. HARDWICK. The Senator then would favor the abolition of the standing committees on the expenditures of the several executive departments in both Houses of Congress, I reckon.

Mr. WOLCOTT. The Senator reckons wrong on that. I would not.

Mr. HARDWICK. What is the difference between a standing committee and this committee?

Mr. WOLCOTT. I am making a distinction between them in an emergency. I do not think myself that the general committees on expenditures in the various departments can go as far as this committee can go. This committee is set up for the specific purpose of investigating expenditures in connection with the conduct of the war, and that goes the whole limit. That is my conception.

Mr. HARDWICK. Just one more question. The Senator said something about military campaigns being directed by it. Where did the Senator get that idea?

Mr. WOLCOTT. I say I think the committee could do it.

Mr. HARDWICK. Under the language proposed?

Mr. WOLCOTT. Yes.

Mr. HARDWICK. I will not ask the Senator any more than that.

Mr. WOLCOTT. The Senator was not in here when I touched on that point.

Mr. HARDWICK. I am sorry I missed it.

Mr. WOLCOTT. I do not care to duplicate my remarks.

Mr. HARDWICK. Will the Senator just tell me why?

Mr. WOLCOTT. I will tell the Senator. It is because I think the power to supervise expenditures justifies a committee of Congress to go just as far as those expenditures reach, and I say this is conceivable—that that committee, in supervising—

Mr. HARDWICK. I do not want the Senator to get away from the point in my mind. Let us test that matter. Because this committee has authority to determine whether Army blankets were bought at a proper figure or not, does the Senator contend that it has authority to say whether a campaign was wisely fought or not?

Mr. WOLCOTT. Oh, no. The Senator does not credit me with the sense of a schoolboy, to which he referred a while ago.

Mr. HARDWICK. No; I have a very high opinion of the Senator.

Mr. WOLCOTT. In all kindness I say the Senator does not have a very high opinion of my intelligence when he asks me if I think that because the committee may supervise the purchase of blankets they can therefore supervise the conduct of a campaign.

Mr. HARDWICK. That is exactly what the Senator is contending.

Mr. WOLCOTT. No; I do not contend for any such thing. I was endeavoring to elaborate my idea when the Senator interrupted me.

Mr. HARDWICK. All right. I shall be glad to hear the Senator.

Mr. WOLCOTT. Here is my point. It is conceivable that if the committee has full authority to investigate expenditures made in the conduct of the war that committee may investigate the expenditures of funds spent upon the maintenance of the Army in Europe, and it may in its august wisdom conclude that it is a foolish expenditure of money to keep an army in Europe under the command of Gen. So-and-so, and air the whole thing to the public. That, I submit, Mr. President, is sensible talk, and that in substance is what the committee on the conduct of the Civil War did do under a resolution which granted it the general authority to which I referred a moment ago.

Mr. POMERENE. It would have authority to investigate the wisdom or unwisdom of building a battle fleet.

Mr. WOLCOTT. Exactly so. As suggested to me by the senior Senator from Ohio, it would have authority to investigate the wisdom or unwisdom of building a battle fleet. It might undertake to investigate the wisdom or unwisdom of building so many submarines or keeping them on this side or on the other side.

Mr. HARDWICK. Allow me to point out to the Senator that he is absolutely mistaken about that, because battleships and submarines are built by money appropriated by Congress and under the direction of the department which sees that the money is honestly expended.

Mr. WOLCOTT. I think the Senator is correct in that; I may have made a mistake there; but I call the attention of the Senate to the fact that we have appropriated something like \$640,000,000 for the aviation service. As I recall the bill, it does not specify what kind of a machine shall be built.

Mr. HARDWICK. The committee would not have anything to do with the plan of the machine.

Mr. WOLCOTT. But the committee would, Mr. President.

Mr. WILLIAMS. And, if the Senator from Delaware will pardon me, one of the arguments made by the Senator from Oklahoma when he offered this amendment was that very thing as to the appropriation of \$640,000,000 for aviation; that he was informed they were going to build so many machines, and if so they would cost twice as much.

Mr. HARDWICK. Will the Senator yield for another question?

Mr. WOLCOTT. In a moment. I thank the Senator from Mississippi for his suggestion. The author of the amendment knows better what it means than its supporters now on this floor. I yield to the Senator from Georgia.

Mr. HARDWICK. As far as the suggestion of the Senator from Oklahoma about aeroplanes is concerned, that was in connection with an amendment he offered to the aviation bill, as was stated by the Senator from Mississippi.

Mr. WOLCOTT. Mr. President, it is unquestionably true, in my judgment, that if this committee has authority to supervise expenditures made in the conduct of war it can supervise the expenditure of the \$640,000,000. If it can supervise that, it can investigate how it is being spent, and that committee can sit and conclude that in its judgment the money is being unwisely

spent, because, for instance, a certain type of airship is being built when really another type is better. There is no question about that. It can also inquire into the wisdom of the expenditure in the matter of organizing the Aviation Corps, whether there are enough fliers, whether there are enough mechanics, or what not. The committee of Senators and Representatives can undertake to deal with all the expert and technical questions involved in the expenditure of these vast sums of money.

Mr. President, I have consumed more time than I intended to consume. On the 23d of July the President wrote to Mr. Representative LEVER a letter which I desire to read. In this letter he criticized this section 23 that I am discussing. The President's language is as follows:

Section 23 is not only entirely foreign to the subject matter of the food-administration bill in which it is incorporated, but would, if enacted into law, render my task of conducting the war practically impossible. I can not believe that those who proposed this section scrutinized it with care or analyzed the effects which its operation would necessarily have. The constant supervision of executive action which it contemplates would amount to nothing less than an assumption on the part of the legislative body of the executive work of the administration.

There is a very ominous precedent in our history which shows how such a supervision would operate. I refer to the committee on the conduct of the war constituted by the Congress during the administration of Mr. Lincoln. It was the cause of constant and distressing harassment and rendered Mr. Lincoln's task all but impossible.

Mr. President, I think the statement made by the President in this letter is justified by the facts. As I said a moment ago, when this matter was first broached it appealed to me in rather a favorable light, but when I heard of a committee on the conduct of the war in the Civil War times it further occurred to me that it might be profitable to investigate the operations of that committee and to endeavor to see if I could find some historical estimate of the work of that committee and the appraisal of it made by the historians who have undertaken to comment upon it. As I pursued that investigation I became convinced of the thorough unwisdom of the creation of such a committee in this war.

The other day in the Senate I believe the senior Senator from Massachusetts [Mr. LODGE] referred to the fact that the Civil War committee received some sort of an approving word from Nicolay and Hay in their very admirable Life of Lincoln. That is true, Mr. President. I desire to read the comment of Nicolay and Hay upon the Joint Committee upon the Conduct of the War created in 1861. This quotation I get from Volume V, page 150, Nicolay and Hay's Life of Lincoln:

This committee, known as the Committee on the Conduct of the War, was for four years one of the most important agencies in the country. It assumed, and was sustained by Congress in assuming, a great range of prerogative. It became a stern and zealous censor of both the Army and the Government; it called soldiers and statesmen before it and questioned them like refractory schoolboys. It claimed to speak for the loyal people of the United States, and this claim generally met with the sympathy and support of a majority of the people's Representatives in Congress assembled. It was often hasty and unjust in its judgments, but always earnest, patriotic, and honest. It was assailed with furious denunciation and defended with most long and indiscriminating eulogy; and, on the whole, it must be said to have merited more praise than blame.

That is one of the flattering comments, if such it can be called, I find touching the work of that committee.

Mr. REED. Mr. President—

Mr. WOLCOTT. I yield to the Senator from Missouri.

Mr. REED. I ought to say that when Nicolay and Hay made that statement we ought to bear in mind the intimate relationship they sustained to the President. Certainly the committee must have done some very good service in that time.

Mr. WOLCOTT. The Senator desires to be fair. I have no personal interest in this matter. I should like to ask the Senator if he approved the work of the Committee on the Conduct of the War in 1861?

Mr. REED. No, Mr. President, I was still "standing around the anteroom of the world waiting to be born" when that committee was created, to quote somebody else's expression. I only know of it historically. I do not know whether it did good work or did bad work, but it has just as much to do with the question in hand as the history of the fall of Sodom and Gomorrah has to do with the formation of the Constitution of the United States. Because there was a committee created in the sixties to supervise the method of conducting the war, to directly interfere with and report upon the military operations, certainly can not have anything to do with a proposition on behalf of Congress now to appoint a committee to ascertain whether the money of the people which Congress appropriates is being spent in accordance with law.

I do not agree with the Senator's claim that any committee created under the terms of this bill could ever assume to go any length the Senator has stated. If it did, it would abuse its power. I am not ready to assert that both Houses of Congress are composed of men so unpatriotic, so unjust, so unfair that they would seek to interfere improperly. The fact that Mr.

Wade and some other gentlemen did something on some other committee 50 or 60 years ago does not have much to do with this case.

Mr. WOLCOTT. Mr. President, I think it has a great deal to do with it. I think we are entitled to refer to the work of that committee in order to gain information as to what human nature, in whosever's breast it is reposed, is apt to do under like circumstances. I do not mean to assail the Civil War committee as being composed of men who were conspiring to do things against the success of the Union arms. If this committee were appointed by this Congress with like power I would not for a single moment question the uprightness of purpose and patriotism of every man on it, but I do know as a matter of fact, that in great emergencies where great issues are at stake men get positive opinions and they get very set in their opinions, and if other people do not agree with them they raise a great howl about it and lay it before the public and argue the case before the public.

The best illustration of what I am saying has been furnished by the Senate in the last month or so. It will not do to say that this committee, because the language creating it is innocent looking, may not do the extreme things which I have supposed. In my opinion it is on a like basis with the Joint Committee on the Conduct of the War created in 1861.

I resume the thread of my thought in quoting some criticism of the Civil War committee. I shall not read again the quotation that was put in the Record by the junior Senator from Massachusetts July 24, which appears on page 5965 of the Record.

I ask leave that that quotation from W. O. Stoddard, who was one of the secretaries at the White House in Lincoln's administration, be inserted at this point in my remarks.

The PRESIDING OFFICER. In the absence of objection that order will be made.

The matter referred to is as follows:

It was not long before the "legislative branch" of the Government began to interfere with the "executive branch" in military matters. It was little more patriotic than constitutional, but Mr. Lincoln had no manner of objection. When, in December, 1861, Congress appointed a strong and capable "Committee on the Conduct of the War," its members were at once taken into hearty and intimate consultation. What would surely have been a peril or a hindrance to a weak or selfish ruler was transformed at once into an additional and powerful guaranty of congressional cooperation. It was not so much therefore that Congress had assumed a part of the executive province, but that the Executive had deftly provided himself with personal and official representatives upon the floor of Senate and House.

This committee, constantly advised with, cordially invited to investigate, to consider, to come and to go, and to know everything before it happened, became a priceless safety valve for the growing discontent over inexplicable delays. Without it there can now be little question that Mr. Lincoln would have been seriously misunderstood and even antagonized by the body of men nominally represented by the committee.

The President of the United States is constitutionally the Commander in Chief, and Abraham Lincoln was also actually dictator; but he was entirely at ease as to all his rights and dignities when a joint committee of Senators and Representatives freely summoned before them his military officers by the dozen, and called for their views of things in general and their professional opinions of battles and campaigns. He knew beforehand that the sure result would be the strong and unanimous sympathy of that "jury" of clear-headed men with him personally and their approval of the general outlines of his policy, however much they might disagree among themselves or with him as to details of specific operations.

Mr. WOLCOTT. Mr. President, when we were discussing the draft bill in the Senate I was particularly impressed with the fact that Maj. Gen. Emory Upton was more frequently quoted than any other author or any other commentator upon military matters. His work, The Military Policy of the United States, was frequently relied upon in the debates as ultimate authority. I wish to lay before the Senate the estimate of this sort of committee which was made by Maj. Gen. Upton on page 316 of his work. Gen. Upton says:

Had the investigation [of the Committee on the Conduct of the War] been confined to transactions which had already occurred, no harm would have ensued beyond the injury done to discipline by encouraging officers to criticize their superiors with a view to securing promotion or to gratification of personal ill will. But a knowledge of past events by no means satisfied the committee. It tried into the present and sought to look into the future. With but little or no regard for secrecy, it did not hesitate to summon commanders of armies in the field, who were asked and encouraged to disclose the numbers of their troops and their plans of campaign.

At a later place in his work, on page 319, he recites the fact that on—

January 26, 1863, the Joint Committee on the Conduct of the War was instructed to inquire whether Gen. Burnside had, since the Battle of Fredericksburg, formed any plans for moving the Army of the Potomac.

Gen. Upton proceeded with his criticism, as follows:

The committee, which had so often furnished valuable information to the enemy by laying bare official secrets, was not long in getting at the facts.

Mr. President, I do not take it that Maj. Gen. Upton indicted that committee with deliberately ascertaining the facts to lay them before the enemy, but that committee, I think, as a reading of the report will show, was working through the agency of publicity to accomplish its purpose. It had no power given to it except to investigate, and it could not accomplish anything, except in so far as it laid the facts before the public and brought public opinion to bear upon officials. That being the modus operandi, necessarily secrets leaked out and great harm was done to the Union in the conduct of the war.

A few more quotations, Mr. President, and I shall yield the floor. I think the editorial read from the New York Times referred to Gideon Welles, the then Secretary of the Navy under President Lincoln. From his diary I wish to quote a few excerpts. He says in volume 1, page 262, of his diary:

*** The report of the Committee on the Conduct of the War is to-day published. This method of supervising military operations by legislative committee is of more than questionable utility. Little good can be expected of these partisan supervisors of the Government at any time. They are partisan and made up of persons not very competent to form correct and intelligent opinions of Army or Navy operations, or administrative purposes. In this instance, I think, from a slight look into a few pages, there is more truth from them than usual in these cases.

On page 198 of Volume II, he says:

*** Senator Wade called on me yesterday and was, as he always has been with me, very pleasant and affable. I think, however, the old man is a little acrimonious toward the President. He is chairman of the Committee on the Conduct of the War, with Chandler, Gooch, etc. It is a convenient machine to cover up what the War Department wishes to have covered up, and it can be directed against those that the War Department would assail. It is a child of Stanton's.

On page 224 of Volume II he further says:

*** The Committee on the Conduct of the War have summoned him [Gen. Butler] to Washington. There was mischief in this. He had been ordered by the President to Lowell. The President yielded. It was well, perhaps, for Butler was off duty. But in Washington he will help the mischief-makers make trouble and stimulate intrigue and faction. Allied with Wade and Chandler and H. Winter Davis, he will not only aid but breed mischief. This is intended.

Further, on page 226 of the same volume, he says:

*** Gen. Butler called on me this p. m. He has come to testify before the Committee on the Conduct of the War—called probably on his own suggestion—greatly preferring Washington, for the present at least, to Lowell. I am sorry he has come here. It is for no good or patriotic purpose, I apprehend. As for the "Committee on the Conduct of the War," who have brought him here, they are most of them narrow and prejudiced partisans, mischievous busybodies, and a discredit to Congress. Mean and contemptible partisanship colors all their acts. Secretly opposed to the President, they hope to make something of Butler, who has ability and is a good deal indignant. I am not disposed to do injustice to Butler, nor do I wish to forget the good service he has rendered, but I can not be his partisan, nor do I think the part he acted in the Wilmington expedition justifiable. He does not state clearly what his expectations and intentions were but is clear and unequivocal in his opinion that Fort Fisher could not be taken except by siege, for which he had no preparation. Gen. Grant could not have been of that opinion, or a siege train would have been sent. In a half hour's conversation he made no satisfactory explanation, although ingenious and always ready with an answer.

G. F. R. Henderson, in his work entitled "The Science of War," a collection of essays and lectures written from 1892 to 1893, makes this comment upon this Civil War committee:

*** It is hardly necessary to comment on the extraordinary means adopted by the Federal Government to ascertain the fitness of the military chiefs, the congressional committee on the war, before which subordinate generals were examined as to the conduct of their command and encouraged to express their opinions on his ability, his strategy, and his tactics, with all the freedom that envy could suggest. The "Century" papers teem with instances of disobedience, of argument, and of hostile criticism on plans of battle, and the reader of such campaigns as that of Fredericksburg, Gettysburg, and Murfreesboro can realize for himself the disastrous results of such breaches of discipline in the higher ranks.

This committee in the Civil War times, Mr. President, was appointed primarily to investigate the disaster at Balls Bluff. That was the particular incitement to the appointment of the committee. Col. Baker, who was a Senator from Oregon—and a very eloquent and able Senator—was given command of that particular expedition under Gen. Stone. Col. Baker was killed on the field. As Senators will recollect, of course, it was a very disastrous undertaking. The Union troops were up on the bluff, on high land, surrounded by woods on three sides, and when the Confederates opened fire they drove them back over the precipice.

There were very few transports, the number being inadequate to carry them back, and they were killed, slaughtered, and drowned.

There was an investigation of that disaster by the Committee on the Conduct of the War. They made no recommendation; but one day while Gen. Stone was in the field, at the head of his troops, he was summarily arrested upon the order of Gen. McClellan. He demanded to know the charge against him, but he was not told. He was carried to prison in New York and there

languished, bombarding his superior officers and the War Department and the President with telegrams demanding why he was under arrest. Eventually he was released, because, Mr. President, forsooth, there was not time to try him! Such a release as that convicts that arrest as a gross outrage.

Why was he so arrested? The records show that he was arrested by Gen. McClellan, who acted upon instructions from Secretary Stanton; and Stanton said he acted upon the solicitation of the Joint Committee on the Conduct of the War. The first thing this committee undertook to do resulted in the perpetration of an outrage on an honorable officer. So its career started.

Morse, in his Life of Lincoln, Volume I, says:

Stone, a military man by education, deserved censure, but he was treated in a manner so cruel, so unjust, and so disproportionate to his deserts that his error has been condoned in sympathy for his wrongs. The injustice was chargeable chiefly to Stanton, in part to the Committee on the Conduct of the War. Apparently Lincoln desired to know as little as possible about a wrong which he could not set right without injury to the public interests.

Gen. Francis Winthrop Palfrey, who was a Massachusetts volunteer and was brevetted brigadier general of volunteers for gallant conduct at Antietam, in *The Antietam and Fredericksburg (Campaigns of Civil War Series)*, at page 182, says of the Committee on the Conduct of the War that "the worst spirit of the inquisition characterized their doings."

James Kendall Hosmer, author of the work entitled "The Appeal to Arms," which is one of the thirty-odd volumes of the *American Nation* edited by Albert Bushnell Hart, says, as follows:

It—

The Committee on the Conduct of the War—

played a great part thenceforth throughout the war. Its zeal outran its discretion, sometimes with unfortunate, even appalling, results; but it was laborious and well-purposed, and sometimes accomplished good.

John T. Morse, jr., at another point in his work on Abraham Lincoln, in the *American Statesmen Series*, at page 321, appraises this committee as follows:

It was in December, 1861, that Congress created the famous Committee on the Conduct of the War, to some of whose doings it has already been necessary to allude. The gentlemen who were placed upon it were selected partly, of course, for political reasons, and were men who had made themselves conspicuous for their enthusiasm and vehemence; not one of them had any military knowledge. The committee magnified its office almost beyond limit—

Mr. President, if I may inject a remark, the committee proposed to be appointed under this amendment may by the broad grant of power likewise magnify its office beyond limit, as did the Civil War Committee on the Conduct of the War. Resuming the quotation, it—

investigated everything; haled whom it chose to testify before it; made reports, expressed opinions, insisted upon policies and measures in matters military; and all with a dictatorial assumption and self-confidence which could not be devoid of effect, although everyone knew that each individual member was absolutely without fitness for the business. So the committee made itself a great power, and therefore also a great complication, in the war machinery; and though it was sometimes useful, yet upon a final balancing of its long account it failed to justify its existence, as, indeed, was to have been expected from the outset.

Mr. President, I do not desire to detain the Senate longer. I will call the attention of the Senate, however, to the fact that there was such a proposal as this introduced in the British Parliament during the pending war, and was there rejected because a committee on expenditures made in the course of the conduct of the war necessarily means a committee that can at least by investigation and publicity interfere with the conduct of that war in some manner or other.

I thought, Mr. President, that I owed it to the Senate to submit these views upon this proposition. When it was introduced in the Senate it was near the time when the debate on the food bill was about to close, and the amendment of the Senator from Massachusetts, as amended by the substitute of the Senator from Oklahoma, was adopted without a single word of discussion or comment. Therefore I thought it advisable to lay before the Senate the information which I have given.

Mr. HITCHCOCK. Mr. President, before the Senator sits down—

The PRESIDING OFFICER. Does the Senator from Delaware yield to the Senator from Nebraska?

Mr. WOLCOTT. I do.

Mr. HITCHCOCK. The Senator has made a very interesting review, and concluded with the statement that a motion was defeated to establish such a committee in the House of Commons. I ask the Senator to state what committee it was that investigated the conditions of the war in Mesopotamia and Gallipoli and reported so conclusively and so strikingly of the miscarriage of those two great enterprises?

Mr. WOLCOTT. I do not know. There was no committee acting under authority to investigate expenditures, however, because that sort of a proposition was defeated. I think, Mr. President, there might arise occasions during the course of the present war when some disaster might occur when it would be proper for Congress to investigate; but what I am opposed to is that there shall be created a committee with full power to go ahead and investigate for itself to make itself, so to speak, a clearing house for all the gossip mongers and quidnuncs that might be running around trying to make trouble. The Congress ought to commit itself to specific investigations and not commit itself to the general proposition.

Mr. KING. Mr. President—

The PRESIDING OFFICER. Does the Senator from Delaware yield to the Senator from Utah?

Mr. WOLCOTT. I do.

Mr. KING. In reply to the Senator from Nebraska [Mr. HUTCHCOCK], if the Senator from Delaware will pardon me, the commission which was appointed to investigate the Mesopotamia campaign was a mixed one. There were, as I remember, one or two judges of the higher courts of Great Britain and several officers, and I think one or more civilians. Charges were made that Sir Richard Hardinge and others had mismanaged that campaign, and in answer to the demand for an investigation a mixed commission of the character to which I have just referred was appointed. They made a thorough investigation with respect to the Mesopotamia campaign and submitted a full report thereon. My recollection is that a similar commission was appointed to investigate the Gallipoli campaign.

THE INTERSTATE COMMERCE COMMISSION—CONFERENCE REPORT.

Mr. NEWLANDS. Mr. President, the Senator from Oregon has consented that the unfinished business be temporarily laid aside in order that the Senate may consider two conference reports, amending the interstate commerce act. I imagine there will be no discussion regarding them. They are unanimous reports, and I have heard of no indication of any opposition.

Mr. SMOOT. Mr. President, it is rather late to take those reports up to-night, but I have not heard of any opposition to them. I do not desire to call for a quorum to-night, and I am not going to do so if the Senator will assure me that the Committee on Interstate Commerce was united upon the report. Was any member of the committee opposed to the conference report?

Mr. NEWLANDS. I have not heard of any member of the committee who was opposed to it. The conferees on both sides were unanimous.

Mr. SMOOT. I know the conferees were; but I asked the Senator whether there was a member of the committee who was opposed to it?

Mr. NEWLANDS. I have not heard of any.

Mr. SMOOT. Mr. President, I desire to ask the Senator one more question. In what respect is the conference report different from the bill as it passed the Senate?

Mr. NEWLANDS. With reference to the bill enlarging the Interstate Commerce Commission, the principal change was with reference to the so-called Smith amendment, providing that no rate should be increased without the approval of the Interstate Commerce Commission. The House conferees were opposed to that provision in the Senate bill, and a compromise was reached upon consultation with the Interstate Commerce Commission, which is contained in the following proviso in section 4:

SEC. 4. That paragraph 2, section 15, of the act to regulate commerce, approved February 4, 1887, as amended, be further amended by adding the following: "Provided further, Until January 1, 1920, no increased rate, fare, charge, or classification shall be filed except after approval thereof has been secured from the commission. Such approval may, in the discretion of the commission, be given without formal hearing, and in such case shall not affect any subsequent proceeding relative to such rate, fare, charge, or classification."

It was insisted by the House conferees that the joint congressional committee would take up this subject and perfect legislation regarding it, and that, therefore, this legislation is made effective only until January 1, 1920.

Mr. SMOOT. That is in relation to the increase of the membership of the Interstate Commerce Commission. Now, as to the regulatory part of the bill?

Mr. NEWLANDS. As to that, I think that some changes were made, although they were not very important. The word "consideration" was substituted for the word "hearing," used in the Senate bill, and the word "hearings" was stricken out and "proceedings" substituted.

Mr. SMOOT. Do I understand the Senator to mean that the real substance of the Senate amendment was agreed to in con-

ference, and that the only changes made were in words that did not affect the substance of the Senate amendment?

Mr. NEWLANDS. The language of the Senate bill was changed somewhat with a view to securing a review by the full commission of the decisions of the subdivisions of the commission, but that was simply in the way of perfecting the provisions of the bill.

Mr. SMOOT. With that explanation, I have no objection, Mr. President.

The PRESIDING OFFICER. The Senator from Nevada submits a conference report, which will be read.

The Secretary read the conference report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill S. 1816, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House, and agree to the same with an amendment as follows:

"That section 24 of an act entitled 'An act to regulate commerce,' approved February 4, 1887, as amended, be further amended to read as follows:

"SEC. 24. That the Interstate Commerce Commission is hereby enlarged so as to consist of nine members, with terms of seven years, and each shall receive \$10,000 compensation annually. The qualifications of the members and the manner of the payment of their salaries shall be as already provided by law. Such enlargement of the commission shall be accomplished through appointment by the President, by and with the advice and consent of the Senate, of two additional Interstate Commerce Commissioners, one for a term expiring December 31, 1921, and one for a term expiring December 31, 1922. The terms of the present commissioners, or of any successor appointed to fill a vacancy caused by the death or resignation of any of the present commissioners, shall expire as heretofore provided by law. Their successors and the successors of the additional commissioners herein provided for shall be appointed for the full term of seven years, except that any person appointed to fill a vacancy shall be appointed only for the unexpired term of the commissioner whom he shall succeed. Not more than five commissioners shall be appointed from the same political party."

"SEC. 2. That section 17 of said act, as amended, be further amended to read as follows:

"SEC. 17. That the commission may conduct its proceedings in such manner as will best conduce to the proper dispatch of business and to the ends of justice. The commission shall have an official seal, which shall be judicially noticed. Any member of the commission may administer oaths and affirmations and sign subpoenas. A majority of the commission shall constitute a quorum for the transaction of business, except as may be otherwise herein provided, but no commissioner shall participate in any hearing or proceeding in which he has any pecuniary interest. The commission may, from time to time, make or amend such general rules or orders as may be requisite for the order and regulation of proceedings before it, or before any division of the commission, including forms of notices and the service thereof, which shall conform, as nearly as may be, to those in use in the courts of the United States. Any party may appear before the commission or any division thereof and be heard in person or by attorney. Every vote and official act of the commission, or of any division thereof, shall be entered of record, and its proceedings shall be public upon the request of any party interested.

"The commission is hereby authorized by its order to divide the members thereof into as many divisions as it may deem necessary, which may be changed from time to time. Such divisions shall be denominated, respectively, division 1, division 2, etc. Any commissioner may be assigned to and may serve upon such division or divisions as the commission may direct, and the senior in service of the commissioners constituting any of said division shall act as chairman thereof. In case of vacancy in any division, or of absence or inability to serve thereon of any commissioner thereto assigned, the chairman of the commission, or any commissioner designated by him for that purpose, may temporarily serve on said division until the commission shall otherwise order.

"The commission may by order direct that any of its work, business, or functions arising under this act, or under any act amendatory thereof or supplemental thereto, or under any amendment which may be made to any of said acts, or under any other act or joint resolution which has been or may hereafter be approved, or in respect of any matter which has been or may be referred to the commission by Congress or by either

branch thereof, be assigned or referred to any of said divisions for action thereon, and may by order at any time amend, modify, supplement, or rescind any such direction. All such orders shall take effect forthwith and remain in effect until otherwise ordered by the commission.

"In conformity with and subject to the order or orders of the commission in the premises, each division so constituted shall have power and authority by a majority thereof to hear and determine, order, certify, report, or otherwise act as to any of said work, business, or functions so assigned or referred to it for action by the commission, and in respect thereof the division shall have all the jurisdiction and powers now or then conferred by law upon the commission, and be subject to the same duties and obligations. Any order, decision, or report made or other action taken by any of said divisions in respect of any matters so assigned or referred to it shall have the same force and effect, and may be made, evidenced, and enforced in the same manner as if made or taken by the commission, subject to rehearing by the commission, as provided in section 16a hereof for rehearing cases decided by the commission. The secretary and seal of the commission shall be the secretary and seal of each division thereof.

"In all proceedings before any such divisions relating to the reasonableness of rates or to alleged discriminations not less than three members shall participate in the consideration and decision; and in all proceedings relating to the valuation of railway property under the act entitled 'An act to amend an act entitled 'An act to regulate commerce,' approved February 4, 1887, and all acts amendatory thereof, by providing for a valuation of the several classes of property of carriers subject thereto and securing information concerning their stocks, bonds, and other securities,' approved March 1, 1913, not less than five members shall participate in the consideration and decision.

"The salary of the secretary of the commission shall be \$5,000 per annum.

"Nothing in this section contained or done pursuant thereto shall be deemed to divest the commission of any of its powers."

"Sec. 3. So much of section 18 of the act to regulate commerce as fixes the salary of the secretary of the commission is hereby repealed.

"Sec. 4. That paragraph 2, section 15, of the act to regulate commerce, approved February 4, 1887, as amended, be further amended by adding the following: 'Provided further, Until January 1, 1920, no increased rate, fare, charge, or classification shall be filed except after approval thereof has been secured from the commission. Such approval may, in the discretion of the commission, be given without formal hearing, and in such case shall not affect any subsequent proceeding relative to such rate, fare, charge, or classification.'

And the House agree to the same.

FRANCIS G. NEWLANDS,
JOE T. ROBINSON,
ALBERT B. CUMMINS,
Managers on the part of the Senate.

W. C. ADAMSON,
T. W. SIMS,
JOHN J. ESCH,
Managers on the part of the House.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

AMENDMENT OF INTERSTATE-COMMERCE LAW—CONFERENCE REPORT.

Mr. NEWLANDS. I call up the conference report on the priority-of-shipments bill.

The PRESIDING OFFICER. The Senator from Nevada submits a conference report, which will be read.

The Secretary read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill S. 2356, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows: That the Senate recede from its disagreement to the amendment of the House, and agree to the same with an amendment as follows:

"That section 1 of the act entitled 'An act to regulate commerce,' approved February 4, 1887, as heretofore amended, be further amended by adding thereto the following:

"That on and after the approval of this act any person or persons who shall, during the war in which the United States is now engaged, knowingly and willfully, by physical force or intimidation by threats of physical force obstruct or retard, or aid in obstructing or retarding, the orderly conduct or movement

in the United States of interstate or foreign commerce, or the orderly make-up or movement or disposition of any train, or the movement or disposition of any locomotive, car, or other vehicle on any railroad or elsewhere in the United States engaged in interstate or foreign commerce shall be deemed guilty of a misdemeanor, and for every such offense shall be punishable by a fine of not exceeding \$100 or by imprisonment for not exceeding six months, or by both such fine and imprisonment; and the President of the United States is hereby authorized, whenever in his judgment the public interest requires, to employ the armed forces of the United States to prevent any such obstruction or retardation of the passage of the mail, or of the orderly conduct or movement of interstate or foreign commerce in any part of the United States, or of any train, locomotive, car, or other vehicle upon any railroad or elsewhere in the United States engaged in interstate or foreign commerce: *Provided*, That nothing in this section shall be construed to repeal, modify, or affect either section 6 or section 20 of an act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914.

"That during the continuance of the war in which the United States is now engaged the President is authorized, if he finds it necessary for the national defense and security, to direct that such traffic or such shipments of commodities as, in his judgment, may be essential to the national defense and security shall have preference or priority in transportation by any common carrier by railroad, water, or otherwise. He may give these directions at and for such times as he may determine, and may modify, change, suspend, or annul them, and for any such purpose he is hereby authorized to issue orders direct, or through such person or persons as he may designate for the purpose or through the Interstate Commerce Commission. Officials of the United States, when so designated, shall receive no compensation for their services rendered hereunder. Persons not in the employ of the United States so designated shall receive such compensation as the President may fix. Suitable offices may be rented, and all necessary expenses, including compensation of persons so designated, shall be paid as directed by the President out of funds which may have been or may be provided to meet expenditures for the national security and defense. The common carriers subject to the act to regulate commerce, or as many of them as desire so to do, are hereby authorized without responsibility or liability on the part of the United States, financial or otherwise, to establish and maintain in the city of Washington during the period of the war an agency empowered by such carriers as join in the arrangement to receive on behalf of them all notice and service of such orders and directions as may be issued in accordance with this act, and the service upon such agent shall be good service as to all the carriers joining in the establishment thereof. And it shall be the duty of any and all the officers, agents, or employees of such carriers by railroad or water or otherwise to obey strictly and conform promptly to such orders, and failure knowingly and willfully to comply therewith, or to do or perform whatever is necessary to the prompt execution of such order, shall render such officers, agents, or employees guilty of a misdemeanor, and any such officer, agent, or employee shall, upon conviction, be fined not more than \$5,000, or imprisoned not more than one year, or both, in the discretion of the court. For the transportation of persons or property in carrying out the orders and directions of the President, just and reasonable rates shall be fixed by the Interstate Commerce Commission; and if the transportation be for the Government of the United States, it shall be paid for currently or monthly by the Secretary of the Treasury out of any funds not otherwise appropriated. Any carrier complying with any such order or direction for preference or priority herein authorized shall be exempt from any and all provisions in existing law imposing civil or criminal pains, penalties, obligations, or liabilities upon carriers by reason of giving preference or priority in compliance with such order or direction."

And the House agree to the same.

FRANCIS G. NEWLANDS,
E. D. SMITH,
ALBERT B. CUMMINS,
Managers on the part of the Senate.

W. C. ADAMSON,
T. W. SIMS,
JOHN J. ESCH,
Managers on the part of the House.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

EXECUTIVE SESSION.

Mr. CHAMBERLAIN. 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 nine minutes spent in executive session the doors were reopened.

RECESS.

Mr. CHAMBERLAIN. I move that the Senate take a recess until 12 o'clock to-morrow.

The motion was agreed to; and (at 5 o'clock and 55 minutes p. m., Monday, August 6, 1917) the Senate took a recess until to-morrow, Tuesday, August 7, 1917, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate August 6 (legislative day of August 4), 1917.

ENVOYS EXTRAORDINARY AND MINISTERS PLENIPOTENTIARY.

Hoffman Philip, of New York, now a secretary of embassy or legation of class 1, to be envoy extraordinary and minister plenipotentiary of the United States of America to Colombia, vice Thaddeus Austin Thomson, resigned.

George Pratt Ingersoll, of Ridgefield, Conn., to be envoy extraordinary and minister plenipotentiary of the United States of America to Siam.

RECEIVER OF PUBLIC MONEYS.

Daniel F. Burkholder, of South Dakota, to be receiver of public moneys at Gregory, S. Dak. (Reappointment.)

APPOINTMENTS IN THE UNITED STATES COAST AND GEODETIC SURVEY.

JUNIOR HYDROGRAPHIC AND GEODETIC ENGINEERS TO BE HYDROGRAPHIC AND GEODETIC ENGINEERS.

Harry A. Seran, of Ohio.
Clem Leinster Garner, of North Carolina.
John Henry Peters, of Ohio.
Jean Hodgkins Hawley, of New York.
Eoline Richmond Hand, of Ohio.
Paul McGeorge Trueblood, of Indiana.
Frederick Bernhard Theodore Stems, of Maryland.
Alfred Modesto Sobieralski, of New York.
Richard Russell Lukens, of Indiana.

AIDS TO BE JUNIOR HYDROGRAPHIC AND GEODETIC ENGINEERS.

Arthur Sidney Hallberg, of California.
Maurice Eli Levy, of Massachusetts.
Robert James Auld, of New York.
William Harold Clark, of New York.
Jack Senior, of New York.
Sylvanus Davis Winship, of Maine.
Raymond Pugh Eyman, of Ohio.
Leo Cuthbert Dyke, of New York.
Chester Howard Ober, of Rhode Island.
Conrad Turner Bussell, of Virginia.
William Henry Kearns, of Massachusetts.
Leonard Harold Zeman, of Illinois.
George Clay Jones, of Oregon.
Charles Shaw, of Massachusetts.
Carl Alexander Egner, of Indiana.
Gardiner Luce, of Massachusetts.
Oliver Scott Reading, of Illinois.
Bert Clinton Freeman, of Michigan.
Lyman Davis Graham, of Pennsylvania.
Douglas Karr, of New Jersey.

DECK OFFICER TO BE JUNIOR HYDROGRAPHIC AND GEODETIC ENGINEER.

Leroy Preston Raynor, of New York.

DECK OFFICERS TO BE AIDS.

Charles Keith Green, of California.
George Henry Durgin, of New Hampshire.
Paul Vaux Lane, of California.
Roland Drew Horne, of Massachusetts.
Robert J. Hole, of Ohio.
Frederick Estell Joekel, of Texas.
Harold Warren Pease, of Massachusetts.
Benjamin Galos, of New York.
John William Cox, of New York.
George Lawrence Bean, of New Hampshire.
George Russell Hartley, of New Jersey.
Fritz Charles Nyland, of New Jersey.
Aaron Louis Shalowitz, of Maryland.
Wilmer Otis Hinkley, of Nevada.

PROVISIONAL APPOINTMENT AS SECOND LIEUTENANT IN THE ARMY.

PORTO RICO REGIMENT OF INFANTRY.

Enrique Cirilo Roque, of Illinois.

PROMOTIONS IN THE ARMY.

FIELD ARTILLERY.

To be major with rank from May 15, 1917, to fill an original vacancy.

Capt. Lewis S. Ryan, Field Artillery.

To be major with rank from May 15, 1917, to fill a casual vacancy.

Capt. William F. Morrison, Field Artillery, detached officers' list, vice Maj. Frank E. Hopkins, promoted.

To be captains with rank from May 15, 1917, to fill original vacancies.

First Lieut. Ronald D. Johnson, Field Artillery.

First Lieut. Robert S. Donaldson, Field Artillery.

First Lieut. Horace H. Fuller, Field Artillery.

First Lieut. Belton O'N. Kennedy, Field Artillery.

First Lieut. Francis H. Miles, jr., Field Artillery.

First Lieut. Herbert A. Dargue, Field Artillery.

First Lieut. Avery J. French, Field Artillery.

First Lieut. William C. Harrison, Field Artillery.

First Lieut. Byron Q. Jones, Field Artillery (Aviation Section, Signal Corps).

First Lieut. Robert N. Bodine, Field Artillery (Ordnance Department).

First Lieut. Stephen M. Walmsley, Field Artillery (Signal Corps).

First Lieut. John K. Boles, Field Artillery.

First Lieut. Richard B. Barnitz, Field Artillery (Aviation Section, Signal Corps).

First Lieut. Paul D. Carlisle, Field Artillery.

To be captains with rank from May 15, 1917, to fill casual vacancies.

First Lieut. Casey H. Hayes, Field Artillery, vice Capt. Claude B. Thummel, retained in Ordnance Department.

First Lieut. Harvey B. S. Burwell, Field Artillery (Aviation Section, Signal Corps), vice Capt. Franz A. Doniat, retained in Ordnance Department.

First Lieut. Alfred E. Larabee, Field Artillery (Signal Corps), vice Capt. Hubert G. Stanton, retained in Ordnance Department.

First Lieut. Cuyler L. Clark, Field Artillery, vice Capt. Joseph Andrews, retained in Signal Corps.

First Lieut. John H. Woodberry, Field Artillery (Ordnance Department), vice Capt. Lewis H. Brereton, retained in Aviation Section.

First Lieut. William A. Robertson, Field Artillery (Aviation Section, Signal Corps), vice Capt. Follett Bradley, retained in Ordnance Department.

First Lieut. Joseph B. Treat, Field Artillery, vice Capt. Robert S. Oberly, retained in Ordnance Department.

First Lieut. Sylvester D. Downs, jr., Field Artillery, vice Capt. Paul L. Ferron, retained in Aviation Section.

First Lieut. Orlando Ward, Field Artillery, vice Capt. Russell C. Maxwell, retained in Ordnance Department.

First Lieut. John S. MacTaggart, Field Artillery, vice Capt. Clarence N. Jones, promoted.

First Lieut. William S. T. Halcomb, Field Artillery, vice Capt. Laurin L. Lawson, promoted.

First Lieut. Walter W. Hess, jr., Field Artillery, vice Capt. Morris E. Locke, promoted.

First Lieut. Thomas J. Brady, Field Artillery, vice Capt. John W. Kilbreth, jr., promoted.

First Lieut. Herbert R. Corbin, Field Artillery, vice Capt. James H. Bryson, promoted.

First Lieut. Joseph D. Coughlan, Field Artillery, vice Capt. Roger O. Mason, promoted.

First Lieut. Harry A. Harvey, Field Artillery, vice Capt. William S. Browning, promoted.

First Lieut. Norman J. Boots, Field Artillery (Aviation Section, Signal Corps), vice Capt. Joseph F. Barnes, promoted.

First Lieut. Hugh P. Avent, Field Artillery, vice Capt. Dennis H. Currie, promoted.

First Lieut. Leo A. Walton, Field Artillery (Aviation Section, Signal Corps), vice Capt. Raymond S. Pratt, promoted.

First Lieut. Arthur A. White, Field Artillery, vice Capt. Aiden F. Brewster, promoted.

First Lieut. Frederick J. Williams, Field Artillery, vice Capt. Samuel Frankenberger, promoted.

First Lieut. James A. Pickering, Field Artillery, vice Capt. William F. Morrison, promoted.

COAST ARTILLERY CORPS.

Capt. Clifford C. Carson, Coast Artillery Corps, detached officers' list, to be major from July 3, 1917, vice Maj. Frank C. Jewell, detailed in The Adjutant General's Department.

Capt. George T. Perkins, Coast Artillery Corps, to be major from July 17, 1917, vice Maj. James B. Mitchell, detailed in the Inspector General's Department.

Capt. John B. Murphy, Coast Artillery Corps, to be major from July 17, 1917, vice Maj. Charles O. Zollars, detailed in the Quartermaster Corps.

Capt. Jairus A. Moore, Coast Artillery Corps, to be major from July 18, 1917, vice Maj. Edward Carpenter, detailed in The Adjutant General's Department.

Capt. Frank B. Edwards, Coast Artillery Corps, to be major from July 24, 1917, vice Maj. Alfred S. Morgan, detailed in The Adjutant General's Department.

Capt. Henry C. Merriam, Coast Artillery Corps (General Staff Corps), to be major from July 24, 1917, vice Maj. Frederick W. Stopford, detailed in The Adjutant General's Department.

Capt. Harry W. McCauley, Coast Artillery Corps, to be major from July 24, 1917, vice Maj. Henry C. Merriam, retained in the General Staff Corps.

Capt. Robert W. Collins, Coast Artillery Corps, to be major from July 24, 1917, vice Maj. John S. Johnston, detailed in The Adjutant General's Department.

First Lieut. Cecil G. Young, Coast Artillery Corps (Ordnance Department), to be captain from May 15, 1917, vice Capt. Robert B. McBride, promoted.

First Lieut. Carl A. Waldmann, Coast Artillery Corps (Ordnance Department), to be captain from May 15, 1917, vice Capt. Cecil G. Young, retained in the Ordnance Department.

First Lieut. Paul W. Evans, Coast Artillery Corps (Signal Corps), to be captain from May 15, 1917, vice Capt. Carl A. Waldmann, retained in the Ordnance Department.

First Lieut. Henry A. Wingate, Coast Artillery Corps, detached officers' list, to be captain from May 15, 1917, vice Capt. Paul W. Evans, retained in the Signal Corps.

First Lieut. William C. Washington, Coast Artillery Corps, detached officers' list, to be captain from May 19, 1917, vice Capt. Gordon Robinson, detailed in the Quartermaster Corps.

First Lieut. Alfred B. Quinton, jr., Coast Artillery Corps, to be captain from May 24, 1917, vice John R. Musgrave, detailed in the Quartermaster Corps.

First Lieut. Harold A. Strauss, Coast Artillery Corps, to be captain from June 4, 1917, vice Capt. John L. Roberts, jr., promoted.

First Lieut. Cyril A. W. Dawson, Coast Artillery Corps, to be captain from June 4, 1917, vice Capt. Alfred A. Maybach, detailed in the General Staff Corps.

First Lieut. Walter O. Rawls, Coast Artillery Corps, detached officers' list, to be captain from June 4, 1917, vice Capt. Charles E. T. Lull, detailed in the General Staff Corps.

First Lieut. Francis A. Englehart, Coast Artillery Corps, detached officers' list, to be captain from June 4, 1917, vice Capt. Chauncey L. Fenton, detailed in the General Staff Corps.

First Lieut. William A. Cophorne, Coast Artillery Corps, detached officers' list, to be captain from June 4, 1917, vice Capt. George A. Wildrick, detailed in the General Staff Corps.

First Lieut. Selby H. Frank, Coast Artillery Corps (Ordnance Department), to be captain from June 15, 1917, vice Capt. James L. Dunsforth, detailed in the Aviation Section.

First Lieut. Robert H. Van Volkenburgh, Coast Artillery Corps, to be captain from June 15, 1917, vice Capt. Selby H. Frank, retained in the Ordnance Department.

First Lieut. Frederick G. Dillman, Coast Artillery Corps, to be captain from June 27, 1917, vice Capt. Archibald H. Sunderland, promoted.

First Lieut. Junius W. Jones, Coast Artillery Corps, detached officers' list, to be captain from June 27, 1917, vice Capt. Hugh J. B. McElgin, detailed in the Aviation Section.

First Lieut. Manning M. Kimmel, jr., Coast Artillery Corps, to be captain from June 27, 1917, vice Capt. James Prentice, detailed in the Aviation Section.

First Lieut. Vern S. Purnell, Coast Artillery Corps, detached officers' list, to be captain from June 27, 1917, vice Capt. Harold Geiger, detailed in the Aviation Section.

First Lieut. Robert M. Perkins, Coast Artillery Corps, to be captain from June 27, 1917, vice Capt. Harry R. Vaughan, detailed in the Aviation Section.

First Lieut. Lawrence B. Weeks, Coast Artillery Corps, to be captain from June 27, 1917, vice Capt. Hollis LeR. Muller, detailed in the Aviation Section.

First Lieut. William C. Foote, Coast Artillery Corps, detached officers' list, to be captain from July 17, 1917, vice Capt. George T. Perkins, promoted.

First Lieut. Stewart S. Giffin, Coast Artillery Corps, to be captain from July 17, 1917, vice Capt. John B. Murphy, promoted.

First Lieut. Ward E. Duvall, Coast Artillery Corps, to be captain from July 17, 1917, vice Capt. Jairus A. Moore, promoted.

First Lieut. James B. Gillespie, Coast Artillery Corps, to be captain from July 24, 1917, vice Capt. Harry W. McCauley, promoted.

First Lieut. Francis J. Toohey, Coast Artillery Corps, detached officers' list, to be captain from July 24, 1917, vice Capt. Robert W. Collins, promoted.

TRANSFER TO THE ACTIVE LIST OF THE ARMY.

INFANTRY ARM.

Capt. Ira L. Reeves, United States Army, retired, to the grade of major of Infantry, with rank from July 1, 1916.

RETIRED LIST OF THE ARMY.

Chaplain Halsey C. Gavitt, First Cavalry, with the rank of lieutenant colonel from August 1, 1917.

PROMOTIONS IN THE NAVY.

Sergt. Maj. Edward H. W. Holt,
Sergt. Maj. Charlie Hansen,
Sergt. Maj. Walter J. Eddington, jr.,
Q. M. Sergt. James P. Smith,
Q. M. Sergt. Norman M. Shaw,
Q. M. Sergt. John P. Harvis,
First Sergt. William J. Holloway,
First Sergt. Pink H. Stone,
First Sergt. Ray W. Jeter,
First Sergt. Robert Yowell,
First Sergt. James H. McGan,
First Sergt. Robert J. Woodrich,
First Sergt. William Workman,
Gunnery Sergt. Augustus Aiken,
Gunnery Sergt. Clate C. Snyder,
Gunnery Sergt. Frank F. Zissa,
Gunnery Sergt. Joseph M. Swinnerton,
Gunnery Sergt. Edward P. Oliver,
Gunnery Sergt. Max Cox,
Gunnery Sergt. Walter J. White,
Sergt. Charles McL. Lott,
Sergt. Ernest L. Russell,
Sergt. James F. Robertson,
Sergt. Charles H. Martin,
Corpl. Charles F. Kienast,
Sergt. Maj. Kirt Green,
Sergt. Maj. Charles S. Beale,
Sergt. Maj. Frank Whitehead,
Quartermaster Sergeant Frank E. Verner,
Quartermaster Sergeant Oliver A. Dow,
First Sergeant William R. Perry,
First Sergeant Bert Pearson,
First Sergeant John F. Evans,
First Sergeant Clarence H. Medary,
First Sergeant Stephen F. Drew,
First Sergeant Hans O. Martin,
First Sergeant Harry Paul,
First Sergeant Alvin J. Daigler,
Gunnery Sergeant William Merrill,
Gunnery Sergeant William J. Borden,
Gunnery Sergeant Martin J. Kelleher,
Gunnery Sergeant Robert W. Winter,
Gunnery Sergeant Sidney O. Thompson,
Gunnery Sergeant William H. Haggerty,
Gunnery Sergeant Edgar S. Tuttle,
Sergeant Russell A. Presley,
Sergeant William J. Flanagan,
Sergeant William F. Becker,
Sergeant Rolin A. York,
Corporal Harvey B. Mims, and
Corporal Earl B. Hammond.

CONFIRMATIONS.

Executive nominations confirmed by the Senate August 6 (legislative day of August 4), 1917.

SURVEYOR OF CUSTOMS.

John S. Irby to be surveyor of customs for customs collection district No. 28, with headquarters at San Francisco, Cal.

PROMOTIONS IN THE ARMY.

ORDNANCE DEPARTMENT.

Lieut. Col. Jay E. Hoffer to be colonel.

CAVALRY ARM.

Lieut. Col. Francis C. Marshall to be colonel.

Maj. Cornelius C. Smith to be lieutenant colonel.

To be first lieutenants.

Second Lieut. Ray Harrison.
 Second Lieut. William F. Daugherty.
 Second Lieut. John T. Cole.
 Second Lieut. Stephen H. Sherrill.
 Second Lieut. Charles H. Gerhardt.
 Second Lieut. Walter H. Schulze.
 Second Lieut. Herbert C. Holdridge.
 Second Lieut. Albert C. Smith.
 Second Lieut. Nicholas W. Lisle.
 Second Lieut. Percy G. Black.
 Second Lieut. Albert C. Stanford.
 Second Lieut. Laurence B. Meacham.
 Second Lieut. Louis Le R. Martin.
 Second Lieut. William K. Harrison, jr.
 Second Lieut. Josiah F. Morford.
 Second Lieut. Ernest N. Harmon.
 Second Lieut. Joseph S. Tate.
 Second Lieut. Arthur M. Harper.
 Second Lieut. John W. Confer, jr.
 Second Lieut. Herbert N. Schwarzkopf.
 Second Lieut. Robert N. Kunz.
 Second Lieut. Charles S. Kilburn.
 Second Lieut. Charles R. Johnson, jr.
 Second Lieut. Bertrand Morrow.
 Second Lieut. Coalter B. Compton.

FIELD ARTILLERY ARM.

To be first lieutenants.

Second Lieut. Robert M. Bathurst.
 Second Lieut. William H. Saunders.
 Second Lieut. Charles E. Hurdis.
 Second Lieut. Henry J. Schroeder.
 Second Lieut. James K. Tully.
 Second Lieut. John M. Devine.
 Second Lieut. Harold A. Nisley.
 Second Lieut. Fenton H. McGlachlin.
 Second Lieut. James L. Gulon.
 Second Lieut. George D. Wahl.
 Second Lieut. Basil H. Perry.
 Second Lieut. Ray H. Lewis.
 Second Lieut. Solomon F. Clark.
 Second Lieut. Augustus M. Gurney.
 Second Lieut. Oliver B. Cardwell.
 Second Lieut. William O. Butler.
 Second Lieut. Rex W. Beasley.

COST ARTILLERY CORPS.

To be first lieutenants.

Second Lieut. Harold R. Jackson.
 Second Lieut. Morris K. Barroll, jr.
 Second Lieut. Walter W. Warner.
 Second Lieut. Walter F. Vander Hyden.
 Second Lieut. Ira A. Crump.
 Second Lieut. Elbert L. Ford, jr.
 Second Lieut. Samuel H. Bradbury, jr.
 Second Lieut. James L. Hayden.
 Second Lieut. Scott B. Ritchey.
 Second Lieut. George S. Beurket.
 Second Lieut. Burnett R. Olmsted.
 Second Lieut. Joel G. Holmes.
 Second Lieut. James A. Code, jr.
 Second Lieut. William Sackville.
 Second Lieut. Leroy H. Lohmann.
 Second Lieut. Christian G. Foltz.
 Second Lieut. Aaron Bradshaw, jr.
 Second Lieut. William W. Cowgill.
 Second Lieut. Harry R. Pierce.
 Second Lieut. Lawrence C. Mitchell.
 Second Lieut. Alexander H. Campbell.
 Second Lieut. Marvil G. Armstrong.
 Second Lieut. John R. Nygaard.

INFANTRY ARM.

To be first lieutenants.

Second Lieut. Madison Pearson.
 Second Lieut. John M. Boon.
 Second Lieut. Roger Hilsman.
 Second Lieut. Holmes E. Dager.
 Second Lieut. James E. Allison.
 Second Lieut. Harry E. Fischer.
 Second Lieut. Thomas L. Alexander.
 Second Lieut. Charles E. Ravens.
 Second Lieut. Charles H. Jones.
 Second Lieut. Roger Williams, jr.
 Second Lieut. Harry D. Hildebrand.

Second Lieut. William Hones, jr.
 Second Lieut. John J. Bethurum.
 Second Lieut. John L. Cootey.
 Second Lieut. Albert C. Anderson.
 Second Lieut. William H. Joiner.
 Second Lieut. Hugh P. Schiveley.
 Second Lieut. John D. Joannidy.
 Second Lieut. Gilmer M. Bell.
 Second Lieut. Manley Lawton.
 Second Lieut. Roy Sloan.
 Second Lieut. Bryce F. Martin.
 Second Lieut. Harold C. Hoopes.
 Second Lieut. Henley Schuck.
 Second Lieut. Glenn D. Hufford.
 Second Lieut. Paul R. Hudson.
 Second Lieut. William R. Dwyer.
 Second Lieut. Hanon F. Combs.
 Second Lieut. William E. Fentress.
 Second Lieut. Ralph Hall.
 Second Lieut. Mahlon G. Frost.
 Second Lieut. Benjamin H. Hensley.
 Second Lieut. Hawthorne C. Gray.
 Second Lieut. Donald J. Neumüller.
 Second Lieut. Orland S. O'Neal.
 Second Lieut. Otto Kramer.
 Second Lieut. George D. Ramsey.
 Second Lieut. Jerome Pickett.
 Second Lieut. Lebbeus M. Cornish.
 Second Lieut. Leon F. Stevens.
 Second Lieut. William S. Rumbough.
 Second Lieut. George A. Murray.
 Second Lieut. Joseph E. Young.
 Second Lieut. Henry T. J. Weishaar.
 Second Lieut. Charles S. Lawrence.
 Second Lieut. Cyrus A. Hay.
 Second Lieut. Benjamin J. Holt, jr.
 Second Lieut. Newton D. Hathaway.
 Second Lieut. Byron W. Fuller.
 Second Lieut. John E. Stullken.
 Second Lieut. Herman H. Meyer.
 Second Lieut. Carleton More.
 Second Lieut. Edward P. Sheppard.
 Second Lieut. Henry J. Matchett.
 Second Lieut. John H. Strickland.
 Second Lieut. Vincent S. Burton.
 Second Lieut. Griffith Wight.
 Second Lieut. Curtis P. Miller.
 Second Lieut. William Ernst.
 Second Lieut. John W. Bulger.
 Second Lieut. Roy W. Voegel.
 Second Lieut. Taylor M. Uhler.
 Second Lieut. Roy G. Gordon.
 Second Lieut. Vernon L. Burge.
 Second Lieut. Simon Fostiak.
 Second Lieut. Edwin L. Dittmar.
 Second Lieut. Crosby N. Elliott.
 Second Lieut. Ernest R. Marvel.
 Second Lieut. Frank M. Child.
 Second Lieut. Raymond L. Price.
 Second Lieut. Frederic M. Lee.
 Second Lieut. Hurley E. Fuller.
 Second Lieut. Larry McHale.
 Second Lieut. Arthur M. O'Connor.
 Second Lieut. John P. Horan.
 Second Lieut. James H. S. Wells.
 Second Lieut. Augustus B. O'Connell.
 Second Lieut. Charles C. Fitzhugh.
 Second Lieut. Thomas L. McMurray.
 Second Lieut. Hiram G. Fry.
 Second Lieut. Paul E. Jackson.
 Second Lieut. Richard W. Cooksey.
 Second Lieut. Homer S. Youngs.
 Second Lieut. Edwin W. Grimmer.
 Second Lieut. William H. Clark.
 Second Lieut. Frank E. Haskell.
 Second Lieut. Lloyd D. Brown.
 Second Lieut. Roy C. Hilton.
 Second Lieut. Raymond E. O'Neill.
 Second Lieut. Justin S. Hemenway.
 Second Lieut. William A. Shely.
 Second Lieut. Corwin C. Smith.
 Second Lieut. John E. McKenney.
 Second Lieut. John U. Ayotte.
 Second Lieut. Charles H. Barnwell, jr.
 Second Lieut. Henry A. Schwarz.

Second Lieut. Edward G. Herlihy.
 Second Lieut. Arnold J. Funk.
 Second Lieut. George M. Ferris.
 Second Lieut. Edwin L. MacLean.
 Second Lieut. Norman Minus.
 Second Lieut. Ernest N. Stanton.
 Second Lieut. Thomas G. O'Malley.
 Second Lieut. Newell R. Fiske.
 Second Lieut. Phillip B. Harrigan.
 Second Lieut. John D. Hill.
 Second Lieut. Frank W. Gano.
 Second Lieut. John L. Pierce.
 Second Lieut. Donald K. Mason.
 Second Lieut. Lowell W. Rooks.
 Second Lieut. Claude J. Hayden.
 Second Lieut. Samuel D. Bedinger.
 Second Lieut. Alpheus E. W. Harrison.
 Second Lieut. Malcolm V. Fortier.
 Second Lieut. Outram W. Sherman.
 Second Lieut. Ivan N. Waldron.
 Second Lieut. John J. Atkinson.
 Second Lieut. Edward C. Alworth.
 Second Lieut. Roland W. Wittman.
 Second Lieut. Julian R. Orton.
 Second Lieut. Reginald N. Hamilton.
 Second Lieut. John W. Nicholson.
 Second Lieut. Thomas A. Young.
 Second Lieut. Charles H. Lee.
 Second Lieut. Ray B. Conner.
 Second Lieut. James S. Moore, jr.
 Second Lieut. Franklin H. Woody.
 Second Lieut. Herbert L. Landolt.
 Second Lieut. Samuel W. Sowerbutts.
 Second Lieut. Will Van S. Parks.
 Second Lieut. Charles B. Kelly.
 Second Lieut. Malcolm M. Maner.
 Second Lieut. John L. McKee.
 Second Lieut. Glenn L. Allen.
 Second Lieut. Charles R. Jones.
 Second Lieut. Willard S. Paul.
 Second Lieut. Moritz A. R. Loth.
 Second Lieut. Robert H. Chance.
 Second Lieut. Claude W. Shelton.
 Second Lieut. Harry G. Hodgkins, jr.
 Second Lieut. Samuel R. Ward.
 Second Lieut. Vincent P. Rousseau.
 Second Lieut. March H. Houser.
 Second Lieut. Lamont Davis.
 Second Lieut. James B. Golden.
 Second Lieut. Edwin B. Banister.
 Second Lieut. Wilfrid Higgins.
 Second Lieut. Eldon P. King.
 Second Lieut. Frederick S. Matthews.
 Second Lieut. Arthur P. Sibold.
 Second Lieut. Francis M. Lasseigne.
 Second Lieut. Walter Hellmers.
 Second Lieut. Jesse P. Green.
 Second Lieut. Howard W. Turner.
 Second Lieut. William A. Taber.
 Second Lieut. P. Barbour Peyton.
 Second Lieut. Henry G. Sebastian.
 Second Lieut. Wesley C. Brigham.
 Second Lieut. William M. Goldston.
 Second Lieut. Cyrus H. Searcy.
 Second Lieut. Theodore Kelly.
 Second Lieut. Leon E. Norris.
 Second Lieut. David M. Hunter.
 Second Lieut. J. Harold Fleischhauer.
 Second Lieut. Tasso W. Swartz.
 Second Lieut. Edward W. McCaskey, jr.
 Second Lieut. Ward C. Goessling.
 Second Lieut. Curley P. Duson.
 Second Lieut. Joseph J. Johnston.
 Second Lieut. Richard D. Daugherty.
 Second Lieut. Walter R. Graham.
 Second Lieut. Albert H. Peyton.
 Second Lieut. Patrick Houstoun.
 Second Lieut. Miron J. Rockwell.
 Second Lieut. Peter Wirtz.
 Second Lieut. Allen W. Stradling.
 Second Lieut. Robert V. Tackabury.
 Second Lieut. James P. Murphy.
 Second Lieut. Gustav A. M. Anderson.
 Second Lieut. William C. Peters.
 Second Lieut. Francis L. Hill.
 Second Lieut. Charles M. Parkin.
 Second Lieut. Jacob E. Bechtold.
 Second Lieut. Harry Adamson.
 Second Lieut. Neal C. Johnson.
 Second Lieut. John E. McCarthy.
 Second Lieut. Steele Wotkyns.
 Second Lieut. John C. Lane.
 Second Lieut. Norman P. Groff.
 Second Lieut. Glenn A. Ross.
 Second Lieut. Donald J. Myers.
 Second Lieut. Vic K. Burriss.
 Second Lieut. Francis A. Woolfley.
 Second Lieut. Carl B. Schmidt.
 Second Lieut. Leslie L. Connett.
 Second Lieut. Owen R. Rhoads.
 Second Lieut. Joe L. Ostrander.
 Second Lieut. Elmer F. Wallender.
 Second Lieut. Carl E. Driggers.
 Second Lieut. Allan F. House.
 Second Lieut. Carl G. Lewis.
 Second Lieut. John D. Burris.
 Second Lieut. Harry V. Hand.
 Second Lieut. Frederick V. Edgerton.
 Second Lieut. Anthony O. Adams.
 Second Lieut. George A. Stockton.
 Second Lieut. Charles W. Neues.
 Second Lieut. George R. Brown, jr.
 Second Lieut. Oscar A. Burton.
 Second Lieut. Harold W. Kelty.
 Second Lieut. William H. Valentine.
 Second Lieut. George N. Munro.
 Second Lieut. Herbert Boyer.
 Second Lieut. Myron W. Sherman.
 Second Lieut. Woodworth B. Allen.
 Second Lieut. Robert Ferris.
 Second Lieut. Charles E. DeLeuw.
 Second Lieut. William E. Shaw.
 Second Lieut. Lee B. Woolford.
 Second Lieut. Ned Blair.
 Second Lieut. Ernest A. Kindervater.
 Second Lieut. Oscar M. McDole.
 Second Lieut. Jared I. Wood.
 Second Lieut. Henry H. Ranson.
 Second Lieut. Gordon C. Irwin.
 Second Lieut. Elbridge G. Chapman, jr.
 Second Lieut. Jacob H. Lawrence.
 Second Lieut. Everett M. Yon.
 Second Lieut. Grady H. Pendergast.
 Second Lieut. Robert E. Frye.
 Second Lieut. Cornelius F. Dineen.
 Second Lieut. John C. Haynes.
 Second Lieut. George L. Hopkins.
 Second Lieut. George M. MacMullin.
 Second Lieut. Harold K. Coulter.
 Second Lieut. Hugh C. H. Jones.
 Second Lieut. Otto E. Pentz.
 Second Lieut. Williston L. Warren.
 Second Lieut. Frederick W. Hyde.
 Second Lieut. Gilbert Good.
 Second Lieut. Theodore Rayburn.
 Second Lieut. Leland S. Hatfield.
 Second Lieut. Rosser L. Hunter.
 Second Lieut. John S. Hopper.
 Second Lieut. John P. Utinski.
 Second Lieut. James L. Allbright.
 Second Lieut. Feodor O. Schmidt.
 Second Lieut. John G. Goodlett.
 Second Lieut. George S. McCullough.
 Second Lieut. Roderick A. Stamey.
 Second Lieut. Leo W. Glaze.
 Second Lieut. Walter E. Duvendeck.
 Second Lieut. Abraham Cohen.
 Second Lieut. William F. Gent.
 Second Lieut. Clarence H. Maranville.
 Second Lieut. Roy Sparks.
 Second Lieut. William B. Smith.
 Second Lieut. Carl F. Cooper.
 Second Lieut. John F. Gleaves.
 Second Lieut. Sterling C. Robertson.
 Second Lieut. Allen F. Kirk.
 Second Lieut. Thomas G. Jenkins.
 Second Lieut. Francis S. B. Cauthern.
 Second Lieut. Lowery L. Cocks.
 Second Lieut. Madison E. Walker.
 Second Lieut. Richard S. Duncan.

Second Lieut. Alexander P. Knapp, jr.
 Second Lieut. Winthrop A. Hulyer,
 Second Lieut. Leslie O. Wheat,
 Second Lieut. Lawrence H. Bixby.
 Second Lieut. Frank D. Grantham,
 Second Lieut. Robert W. Norton.
 Second Lieut. Frederic G. Dorwart.
 Second Lieut. William D. Kerns.
 Second Lieut. Oliver L. Garrett.
 Second Lieut. Thomas E. Bourke.
 Second Lieut. Hastings C. Scholl.
 Second Lieut. Claire A. Whitesell.
 Second Lieut. Reinhold A. F. Endling.
 Second Lieut. William V. McCreight,
 Second Lieut. John H. Ringe.
 Second Lieut. Virgil Bell.
 Second Lieut. William G. Purdy.
 Second Lieut. Chesley R. Miller.
 Second Lieut. Charles E. Robinson.
 Second Lieut. William C. Robinson.
 Second Lieut. Walter L. Mitchell.
 Second Lieut. Robert F. Dark.
 Second Lieut. Mimucan D. Cannon.
 Second Lieut. Samuel Marshall.
 Second Lieut. Ralph Slate.
 Second Lieut. Lee S. Eads.
 Second Lieut. Ernest John.
 Second Lieut. Floyd H. Banta.
 Second Lieut. Ralph M. Caulkins.
 Second Lieut. Charles L. Moon.
 Second Lieut. Claudius L. Lloyd.
 Second Lieut. Francis G. Bishop.
 Second Lieut. Henry D. Patterson.
 Second Lieut. Bartlett M. Egeland.
 Second Lieut. Stuart B. Taylor.
 Second Lieut. Joseph P. Kiley.
 Second Lieut. Joseph L. Brooks.
 Second Lieut. Madefrey A. Odhner.
 Second Lieut. Jacob M. Pearce, jr.
 Second Lieut. Ora C. Coffey.
 Second Lieut. George D. Lehmann.
 Second Lieut. Jesse J. Hudson.
 Second Lieut. Robert Hill.
 Second Lieut. Robert C. Gregory.
 Second Lieut. Laird A. Richards.
 Second Lieut. John J. Finnessy.
 Second Lieut. Carl C. Helm.
 Second Lieut. Wayne Horton.
 Second Lieut. Leo E. Bennett, jr.
 Second Lieut. Ross Snyder.
 Second Lieut. Arthur C. Boren.
 Second Lieut. Frederick W. Schonhard.
 Second Lieut. Arthur R. Jernberg.
 Second Lieut. Edward S. Pegram, jr.
 Second Lieut. Roger Sturgis.
 Second Lieut. Stanley G. Saulnier.
 Second Lieut. Mark R. M. Gwilliam.
 Second Lieut. Will H. Gordon.
 Second Lieut. Walter Tracey.
 Second Lieut. William F. Stromeyer.
 Second Lieut. Dudley B. Howard.
 Second Lieut. Henry W. Farnam, jr.
 Second Lieut. Arthur C. Kinsley.
 Second Lieut. Henry E. Kyburg.
 Second Lieut. William B. Tuttle.
 Second Lieut. Charles H. Parker, jr.
 Second Lieut. Ashley S. Le Gette.
 Second Lieut. John L. Riddell.
 Second Lieut. Joseph B. Wiener.
 Second Lieut. Wallace H. Gillett.
 Second Lieut. Benjamin W. Wood.
 Second Lieut. Courtney P. Young.
 Second Lieut. Allyn F. Stetson.
 Second Lieut. Chester V. Newton.
 Second Lieut. Frank L. Philbrook.
 Second Lieut. John A. Whitson.
 Second Lieut. George R. Owens.
 Second Lieut. Andrew D. Bruce.
 Second Lieut. Richard M. Winfield.
 Second Lieut. Charles E. Hathaway, jr.
 Second Lieut. Dallas L. Knoll.
 Second Lieut. Kenneth S. Olivier.
 Second Lieut. Phillip A. Helmbold.
 Second Lieut. Frederick C. Wheeler.
 Second Lieut. Floyd E. Galloway.

Second Lieut. William C. Trumbower,
 Second Lieut. Gerald A. Shannon.
 Second Lieut. Henry Y. Lyon.
 Second Lieut. Joseph A. Cistero.
 Second Lieut. Thomas W. Freeman.
 Second Lieut. Lawrence F. Braine, jr.
 Second Lieut. Paxton S. Campbell.
 Second Lieut. Maxwell Miller.
 Second Lieut. Roy L. Schuyler.
 Second Lieut. Louis DeL. Hutson.
 Second Lieut. Gustav L. Karow.
 Second Lieut. Harold D. Sites.
 Second Lieut. Loren P. Stewart.
 Second Lieut. Nathaniel L. Simmonds,
 Second Lieut. John C. Colwell, jr.
 Second Lieut. Harlan D. Kimball.
 Second Lieut. John W. B. Thompson.
 Second Lieut. William F. O'Donoghue,
 Second Lieut. Thomas J. Moroney.
 Second Lieut. William Luth.
 Second Lieut. William C. Williams.
 Second Lieut. Alan W. Jones.
 Second Lieut. Francis L. Johnson.
 Second Lieut. William W. Sanders.
 Second Lieut. Charles S. Brodbent, jr.
 Second Lieut. Arthur R. Rockwood.
 Second Lieut. Wyne B. Cave.
 Second Lieut. Stanley A. Thomson,
 Second Lieut. Emery Williamson.
 Second Lieut. Charles R. Russell.
 Second Lieut. Ira N. Downer.
 Second Lieut. William B. Wilson.
 Second Lieut. Lloyd W. Mason.
 Second Lieut. Carroll L. Ellis.
 Second Lieut. Stanley Y. Kennedy.
 Second Lieut. David P. McCalib.
 Second Lieut. Henry A. Montgomery.
 Second Lieut. Thomas H. Shea, jr.
 Second Lieut. Franklyn T. Lord.
 Second Lieut. William W. Dean.
 Second Lieut. John W. Stewart.
 Second Lieut. Augustus G. Schroeder,
 Second Lieut. Royden K. Fisher.
 Second Lieut. Marlin C. Martin.
 Second Lieut. David L. Hooper.
 Second Lieut. William L. Morrison.
 Second Lieut. Oliver E. G. Trechter.
 Second Lieut. Elmer F. Farnham.
 Second Lieut. Charles S. Reily.
 Second Lieut. David W. Barton.
 Second Lieut. James T. Brazelton.
 Second Lieut. John L. Autrey.
 Second Lieut. Edwin H. Haskins.

PROVISIONAL APPOINTMENTS, BY PROMOTION, IN THE ARMY.

CAVALRY ARM.

To be first lieutenants.

Second Lieut. Ion C. Holm.
 Second Lieut. Carl C. Krueger.
 Second Lieut. George M. Herringshaw.
 Second Lieut. Thomas F. Limbocker.
 Second Lieut. Cornelius M. Daly.
 Second Lieut. Richard B. Trimble.
 Second Lieut. Arthur S. Harrington.
 Second Lieut. Frank L. Whittaker.
 Second Lieut. Phillip H. Sherwood.
 Second Lieut. Robert S. La Motte.
 Second Lieut. George M. Gillet, jr.
 Second Lieut. Arthur E. Pickard.
 Second Lieut. James F. Dewhurst.
 Second Lieut. Donald S. Perry.
 Second Lieut. Thomas S. Poole.
 Second Lieut. Frederick G. Rosenberg,
 Second Lieut. Frederick R. Lafferty.
 Second Lieut. Carl H. Strong.
 Second Lieut. Robert L. Beall.
 Second Lieut. Meade Frierson, jr.
 Second Lieut. Arthur T. Lacey.
 Second Lieut. David W. Craig.
 Second Lieut. Edmund M. Barnum.
 Second Lieut. Thomas A. Dobyms, jr.
 Second Lieut. John T. Minton.
 Second Lieut. William T. Haldeman.
 Second Lieut. Edward S. Bassett.
 Second Lieut. Edward F. Shaifer.

Second Lieut. George M. Peabody, jr.
 Second Lieut. Athael B. Ellis.
 Second Lieut. Harrie K. Dalbey.
 Second Lieut. John W. McDonald.
 Second Lieut. Victor Kerney.
 Second Lieut. David H. Blakelock.
 Second Lieut. Rinaldo L. Coe.
 Second Lieut. Harold J. Duffey.
 Second Lieut. Jay K. Colwell.
 Second Lieut. Amory C. Cotchett.
 Second Lieut. Otis Porter.
 Second Lieut. Arthur C. D. Anderson.
 Second Lieut. Alan B. Edson.
 Second Lieut. Emory M. Mace.
 Second Lieut. Harry H. Dunn.
 Second Lieut. Renn Lawrence.
 Second Lieut. Fred H. Clark.
 Second Lieut. Joseph A. Covington.
 Second Lieut. John L. Rice.
 Second Lieut. Nelson M. Imboden.
 Second Lieut. Randolph Dickins.
 Second Lieut. John N. Steele.
 Second Lieut. Eugene M. Dwyer.
 Second Lieut. Wharton G. Ingram.
 Second Lieut. Edward S. Moale.
 Second Lieut. Adrian St. John.
 Second Lieut. Frederick J. Holzbaur.
 Second Lieut. George H. Carruth.
 Second Lieut. Robert M. Carswell.
 Second Lieut. Walter C. Merkel.
 Second Lieut. Joseph M. Hurt, jr.
 Second Lieut. George I. Speer.
 Second Lieut. Charles B. Duncan.
 Second Lieut. Ferris M. Angevine.
 Second Lieut. Julian W. Cunningham.
 Second Lieut. Sam G. Fuller.
 Second Lieut. Clinton A. Pierce.
 Second Lieut. Thomas M. Cockrill.
 Second Lieut. Delmore S. Wood.
 Second Lieut. Arthur Vollmer.
 Second Lieut. Otto B. Trigg.
 Second Lieut. George W. L. Prettyman.
 Second Lieut. Thomas M. Turner.
 Second Lieut. Horace L. Hudson.
 Second Lieut. Lawrence C. Frizzell.
 Second Lieut. Jean F. Sabin.
 Second Lieut. Robert F. White.
 Second Lieut. Henry D. Jay.
 Second Lieut. Ray L. Burnell.
 Second Lieut. Arthur W. Hartman.
 Second Lieut. John W. Berry.
 Second Lieut. Joseph N. Marx.
 Second Lieut. George Sawtelle.
 Second Lieut. Folsome R. Parker.
 Second Lieut. Guy H. Doshier.
 Second Lieut. Cecil R. Neal.
 Second Lieut. Myer S. Silven.
 Second Lieut. William H. Symington.
 Second Lieut. Philip B. Fryer.
 Second Lieut. Donald C. Hawley.
 Second Lieut. Vernon L. Padgett.
 Second Lieut. Jay W. MacKelvie.
 Second Lieut. Francis T. Bonsteel.
 Second Lieut. William E. Barott.
 Second Lieut. Wallace F. Hamilton.
 Second Lieut. Frank Nelson.
 Second Lieut. William E. McMinn.
 Second Lieut. Edmund M. Crump.
 Second Lieut. Herman F. Rathjen.
 Second Lieut. Daniel J. Keane.
 Second Lieut. Milo J. Warner.
 Second Lieut. LeRoy Davis.
 Second Lieut. Anthony J. Tittinger.
 Second Lieut. Max D. Holmes.
 Second Lieut. Charles A. Ellis.
 Second Lieut. Demas L. Sears.
 Second Lieut. Bankston E. Mattox, jr.
 Second Lieut. Frank H. Barnhart.
 Second Lieut. John A. Moschner.
 Second Lieut. George E. Harrison.
 Second Lieut. Wesley J. White.
 Second Lieut. Alton W. Howard.
 Second Lieut. Nolan Ferguson.
 Second Lieut. Richard W. Carter.

Second Lieut. Kenneth Rowntree.
 Second Lieut. George A. King.
 Second Lieut. James B. Lockwood.
 Second Lieut. Lionel L. Meyer.
 Second Lieut. Frederick H. L. Pyder.
 Second Lieut. Wallace W. Crawford.
 Second Lieut. Theodore B. Apgar.
 Second Lieut. Jefferson B. Osborn.
 Second Lieut. Mortimer H. Christian.
 Second Lieut. Marcus R. Monsarratt.
 Second Lieut. Fabius B. Shipp.
 Second Lieut. James J. Cecil.
 Second Lieut. James M. Shelton.
 Second Lieut. Albert R. Kuschke.
 Second Lieut. George A. Moore.
 Second Lieut. George W. Gay.
 Second Lieut. Forsyth Bacon.
 Second Lieut. Ralph L. Joyner.
 Second Lieut. Roscoe S. Parker.
 Second Lieut. Heywood S. Dodd.
 Second Lieut. Kent C. Lambert.
 Second Lieut. George E. Huthsteiner.
 Second Lieut. Richard B. Lloyd.
 Second Lieut. Maurice Morgan.
 Second Lieut. Gilbert E. Bixby.
 Second Lieut. Eugene Burnet.
 Second Lieut. Charles F. Houghton.
 Second Lieut. James E. Slack.
 Second Lieut. Culver S. Mitcham.
 Second Lieut. William O. Johnson.
 Second Lieut. Harold B. Gibson.
 Second Lieut. John D. Hood.
 Second Lieut. William E. Kepner.
 Second Lieut. Melvin S. Williamson.
 Second Lieut. Evarts W. Opie.
 Second Lieut. Frank P. Stretton.
 Second Lieut. Paul Hurlburt.
 Second Lieut. Aaron Y. Hardy.
 Second Lieut. Earl B. Wilson.
 Second Lieut. Edmund J. Engel.
 Second Lieut. John E. Grant.
 Second Lieut. Jack M. Reardon.
 Second Lieut. George D. Coleman.
 Second Lieut. Lewis Mesherry.
 Second Lieut. Lewis A. Weiss.
 Second Lieut. Francis E. Cheney.
 Second Lieut. Robert P. Mortimer.
 Second Lieut. Lee T. Victor.
 Second Lieut. Henry C. Caron.
 Second Lieut. William W. Powell.
 Second Lieut. Thomas P. Cheatham.
 Second Lieut. Robert F. Merkel.
 Second Lieut. George F. Bloomquist.
 Second Lieut. Carroll A. Powell.
 Second Lieut. Frank C. De Langton.
 Second Lieut. Oscar B. Abbott.
 Second Lieut. Carter R. McLennan.
 Second Lieut. Frederick Gearing.
 Second Lieut. Geoffrey Galwey.
 Second Lieut. Louis G. Gibney.
 Second Lieut. William D. Adkins.
 Second Lieut. John B. Hartman.
 Second Lieut. Harry C. Jones.
 Second Lieut. James E. Simpson.
 Second Lieut. Aaron T. Bates, jr.
 Second Lieut. Charles J. Booth.
 Second Lieut. William T. Hamilton.
 Second Lieut. Richard C. Boyan.
 Second Lieut. Edward K. Jones.
 Second Lieut. Harry P. Shaw.
 Second Lieut. Frederick F. Duggan.
 Second Lieut. Merl J. Flatt.
 Second Lieut. Harry H. Baird.
 Second Lieut. Francis H. Waters.
 Second Lieut. William T. Bauskett, jr.
 Second Lieut. Carlisle B. Cox.
 Second Lieut. Walter L. Bishop.
 Second Lieut. Donald R. McComas.
 Second Lieut. Lilburn B. Chambers.
 Second Lieut. John W. Burke.
 Second Lieut. Charles W. Jacobson.
 Second Lieut. Edgar R. Garlick.
 Second Lieut. Henry P. Ames.
 Second Lieut. Richard F. Leahy.

Second Lieut. Howard C. Okie.
 Second Lieut. William L. Gibson.
 Second Lieut. James L. Franciscus.
 Second Lieut. Eddie J. Lee.
 Second Lieut. Elmer P. Gosnell.
 Second Lieut. Raymond D. Adolph.
 Second Lieut. Donald A. Stroh.

FIELD ARTILLERY ARM.

To be first lieutenants.

Second Lieut. Oliver L. Haines.
 Second Lieut. Oscar I. Gates.
 Second Lieut. Gerald E. Brower.
 Second Lieut. William J. Jones.
 Second Lieut. Yarrow D. Vesely.
 Second Lieut. William B. Dunwoody.
 Second Lieut. Charles B. Thomas.
 Second Lieut. Oliver J. Bond.
 Second Lieut. Robert H. Ennis.
 Second Lieut. Benjamin E. Carter.
 Second Lieut. Henry B. Parker.
 Second Lieut. Francis Fielding-Reid.
 Second Lieut. Harold H. Ristine.
 Second Lieut. Edmund B. Edwards.
 Second Lieut. Oscar L. Gruhn.
 Second Lieut. Theodore W. Wrenn.
 Second Lieut. Harold W. Rehm.
 Second Lieut. John B. Pitney.
 Second Lieut. Clifford H. Tate.
 Second Lieut. Ottomar O'Donnell.
 Second Lieut. Oliver P. Echols.
 Second Lieut. Clement Ripley.
 Second Lieut. Edward M. Smith.
 Second Lieut. John O. Hoskins.
 Second Lieut. William Clarke.
 Second Lieut. Albert R. Ives.
 Second Lieut. Arthur Brigham, jr.
 Second Lieut. William M. Jackson.
 Second Lieut. Joseph A. Sheridan.
 Second Lieut. Hugh C. Minton.
 Second Lieut. Charles W. Gallaheer.
 Second Lieut. Laurence V. Houston.
 Second Lieut. Stacy Knopf.
 Second Lieut. James M. Garrett.
 Second Lieut. David M. Pope.
 Second Lieut. Harry B. Weston.
 Second Lieut. Eugene H. Willenbacher.
 Second Lieut. Louis C. Arthur, jr.
 Second Lieut. John F. Hubbard.
 Second Lieut. Franklin M. Davison.
 Second Lieut. William E. Shepherd, jr.
 Second Lieut. Frank Langham.
 Second Lieut. William F. Maher.
 Second Lieut. Walter F. Wright.
 Second Lieut. Sidney F. Dunn.
 Second Lieut. Louis W. Hasslock.
 Second Lieut. Breckinridge A. Day.
 Second Lieut. Paul C. Harper.
 Second Lieut. Joseph Kennedy.
 Second Lieut. George D. Shea.
 Second Lieut. John V. D. Hume.
 Second Lieut. Woodrow W. Woodbridge.
 Second Lieut. Gervas S. Taylor.
 Second Lieut. John G. Pennypacker.
 Second Lieut. Richard H. Schubert.
 Second Lieut. Edward J. F. Marx.
 Second Lieut. John W. Weeks.
 Second Lieut. Wilbur C. Carlan.
 Second Lieut. George R. Rede.
 Second Lieut. Gilbert P. Kearns.
 Second Lieut. Van Rensselaer Vestal.
 Second Lieut. John H. Carriker.
 Second Lieut. Peter P. Michalek.
 Second Lieut. William G. Gough.
 Second Lieut. Joseph A. Mulherrin.
 Second Lieut. Azel W. McNeal.
 Second Lieut. William B. Wright, jr.
 Second Lieut. Victor H. Bridgman, jr.
 Second Lieut. Wendell L. Bevan.
 Second Lieut. Henry J. Macpeake.
 Second Lieut. Frank W. Lykes.
 Second Lieut. Richard T. Guthrie.
 Second Lieut. Ittai A. Luke.
 Second Lieut. Roger Griswold.
 Second Lieut. Henry Lockwood, jr.

Second Lieut. Alan L. Campbell.
 Second Lieut. Oscar B. Ralls, jr.
 Second Lieut. John H. Larkin.
 Second Lieut. Douglas R. Coleman.
 Second Lieut. George P. Winton.
 Second Lieut. Robert N. Getty, jr.
 Second Lieut. George J. Downing.
 Second Lieut. Christiancy Pickett.
 Second Lieut. Rush H. Rogers.
 Second Lieut. John C. Adams.
 Second Lieut. Arthur C. Waters.
 Second Lieut. Ernest T. Barco.
 Second Lieut. Lester A. Daugherty.
 Second Lieut. Walter G. Witt.
 Second Lieut. Joseph E. Takken.
 Second Lieut. Raymond J. Watrous.
 Second Lieut. Jerome J. Waters, jr.
 Second Lieut. Thomas G. Hanson, jr.
 Second Lieut. Bertram N. Rock.
 Second Lieut. Alexander S. Quintard.
 Second Lieut. Marcus A. S. Ming.
 Second Lieut. Lewis E. Goodrich.
 Second Lieut. Victor R. Woodruff.
 Second Lieut. Robert W. Yates.
 Second Lieut. Dana C. Schmah.
 Second Lieut. Wilbur G. Dockum.
 Second Lieut. Clinton M. Lucas.
 Second Lieut. Harry B. Berry.
 Second Lieut. Samuel G. Fairchild.
 Second Lieut. Ray S. Perrin.
 Second Lieut. Ben M. Sawbridge.
 Second Lieut. Warren D. Davis.
 Second Lieut. Dominic J. Sabini.
 Second Lieut. Herman Feldman.
 Second Lieut. Charles M. Stephens.
 Second Lieut. Oscar T. Yates.
 Second Lieut. Aubrey C. Stanhope.
 Second Lieut. John H. Fye.
 Second Lieut. Julius T. A. Doolittle.
 Second Lieut. Charles R. Lehner.
 Second Lieut. James V. Palmer.
 Second Lieut. James F. Brittingham.
 Second Lieut. Gordon Grant.
 Second Lieut. Ernest A. McGovern.
 Second Lieut. David S. Doggett.
 Second Lieut. Arthur D. Ruppel.
 Second Lieut. Ralph M. Balliette.
 Second Lieut. David H. Trevor.
 Second Lieut. William E. Pfeiffer.
 Second Lieut. Walter C. Lattimore.
 Second Lieut. Albert A. Fleming.
 Second Lieut. Russell H. Dixon.
 Second Lieut. Everett M. Graves.
 Second Lieut. William W. Thomas.
 Second Lieut. Leo M. Daly.
 Second Lieut. Francis R. Mann.
 Second Lieut. Stephen H. Cordill.
 Second Lieut. Nathan E. McCluer.
 Second Lieut. Tom W. Stewart.
 Second Lieut. Fred E. Sternberger.
 Second Lieut. Harry E. Webber.
 Second Lieut. Moe Neufeld.
 Second Lieut. Carlos W. Bonham.
 Second Lieut. Sidney J. Cutler.
 Second Lieut. William R. Holcomb.
 Second Lieut. Harry Hollander.
 Second Lieut. Arthur O. Walsh.
 Second Lieut. Edmond C. Fleming.
 Second Lieut. Virgil L. Minear.
 Second Lieut. Charles E. Boyle.
 Second Lieut. Karl J. Howe.
 Second Lieut. Edwin A. Henn.
 Second Lieut. Homer H. Dodd.
 Second Lieut. Lawrence H. Wadsworth.
 Second Lieut. John W. L. Sutherland.
 Second Lieut. Alfred M. Goldman.
 Second Lieut. Arthur A. Dearing.
 Second Lieut. James W. Stewart.
 Second Lieut. Francis C. Le Gette.
 Second Lieut. Benjamin S. Dowd.
 Second Lieut. John M. Peirce.
 Second Lieut. Miles M. Elder.
 Second Lieut. Frederick C. Austin.
 Second Lieut. George F. Kite.
 Second Lieut. Herbert S. Herbine.

Second Lieut. Charles T. McAleer.
 Second Lieut. Walter A. Noyes.
 Second Lieut. Paul R. Wing.
 Second Lieut. Edward J. Roe.
 Second Lieut. Myron W. Tupper.
 Second Lieut. Harry L. Calvin.
 Second Lieut. Charles R. Doran.
 Second Lieut. William W. Belcher.
 Second Lieut. John R. Williams.
 Second Lieut. George R. Middleton.
 Second Lieut. Wilbur H. Hayes.
 Second Lieut. Robert F. Blodgett.
 Second Lieut. John F. Lynch.
 Second Lieut. Carl C. Carney.
 Second Lieut. Richard A. Gordon.
 Second Lieut. William B. B. Wilson.

COAST ARTILLERY CORPS.

To be first lieutenants.

Second Lieut. Otis A. Wallace.
 Second Lieut. James M. Evans.
 Second Lieut. Cedric F. Maguire.
 Second Lieut. Edward E. Murphy.
 Second Lieut. Marshall M. Williams, jr.
 Second Lieut. Henry R. Behrens.
 Second Lieut. Edward C. Seeds.
 Second Lieut. Edison A. Lynn.
 Second Lieut. Milton P. Morrill.
 Second Lieut. Guy H. Drewry.
 Second Lieut. Raphael S. Chavin.
 Second Lieut. John L. Scott.
 Second Lieut. Alva F. Englehart.
 Second Lieut. James L. Keane.
 Second Lieut. John A. Messerschmidt.
 Second Lieut. Benjamin Bowering.
 Second Lieut. Henry F. Grimm, jr.
 Second Lieut. Henry Linsert.
 Second Lieut. Donald L. Dutton.
 Second Lieut. Leland A. Miller.
 Second Lieut. Arthur N. Harrigan.
 Second Lieut. Percy C. Hamilton.
 Second Lieut. Robert A. Laird.
 Second Lieut. Porter P. Lowry.
 Second Lieut. Stuart W. Griffin.
 Second Lieut. Joseph W. Hazell.
 Second Lieut. John B. Day.
 Second Lieut. Nelson Dingley, 3d.
 Second Lieut. Carl R. Adams.
 Second Lieut. Edward C. Lohr.
 Second Lieut. Byron T. Ipoek.
 Second Lieut. George W. Hovey.
 Second Lieut. Ernest L. Bigham.
 Second Lieut. Raymond H. Schutte.
 Second Lieut. Carl R. Crosby.
 Second Lieut. Charles T. Halbert.
 Second Lieut. Claude G. Benham.
 Second Lieut. Henry B. Frost.
 Second Lieut. Roy D. Burdick.
 Second Lieut. Franklin A. Green.
 Second Lieut. Harrie J. Rechtsteiner.
 Second Lieut. Willard W. Irvine.
 Second Lieut. William D. Evans.
 Second Lieut. William C. Byrd.
 Second Lieut. Clarence N. Winston.
 Second Lieut. Albert M. Jackson.
 Second Lieut. Lyle B. Chapman.
 Second Lieut. Joseph P. Kohn.
 Second Lieut. Robert J. Van Buskirk.
 Second Lieut. Frederick L. Topping.
 Second Lieut. Thomas R. Phillips.
 Second Lieut. Charles S. Erswell, jr.
 Second Lieut. Lewis Merriam, jr.

PROVISIONAL APPOINTMENTS AS SECOND LIEUTENANTS IN THE ARMY.

CAVALRY ARM.

Garibaldi LaGuardia.
 Thomas Mitchell Hagar.
 Will Shafroth.
 William Draper Savage.
 Richard Ridgely Lytle, jr.
 Harry Chapman Gilbert.
 Henry Elkins Atwood.
 John Christopher Taliaferro, jr.
 Max Winfield Tucker.
 Vernon McTyeire Shell.

Emmons L. Abeles.
 James Charles Longino.
 Woodbury Freeman Pride.
 Eugene Peter Henry Gempel.
 Charles Baxter Sweatt.
 John Melville Sanderson.
 Charles William Walton.
 James Vincent McConville.
 Marion Cox.
 Hugh John FitzGerald.
 Lyle Calhoun De Veaux.
 David Proud Minard.
 Paul Joseph Matte.
 Hugo Paul Wise.
 Norman Ray Hamilton.
 Robert Rush Hawes, jr.
 Joseph Shelburn Robinson.
 Murray Henry Ellis.
 Wolcott Paige Hayes.
 Joseph Idus Lambert.
 Ralph W. Rogers.
 William Paul Medlar.
 Lawrence Augustus Shafer.
 Thurlby Morgan Rundel.
 Charles Bernard Beeler Bubb,
 Paul Elmer McDermott.
 Gustav Bismark Guenther.
 William Howser Skinner.
 Leslie Frederick Lawrence,
 Franklin Courtney Ketter.
 Charles Pope II.
 Waldemar Adolph Falck.
 Carl John Rohsenberger.
 Crawford McMann Kellogg.
 Russell McKee Herrington.
 James Veto McDowell.
 Harry Lee Hart.
 James Henry Beals Bogman.
 Robert Harold Gallier.
 Percy Stuart Haydon.
 David Jamison Chaille.
 Albert Edward McIntosh.
 Jefferson Kinney, jr.
 Halbert Hale Neilson.
 Leland Charles McAuley.
 Carl Rudy Johnston.
 Dean Reade DeMerritt.
 Vance Whiting Batchelor.
 Truman Everett Boudinot.
 James Rushmore Wood.
 William James Gallagher.
 Charles Rudd.
 James Gordon Strobbridge.
 Stephen Boon, jr.
 Harold Glaucus Holt.
 Walter Gunther.
 Roy Vernon Morledge.
 John Wesley Noble.
 Herman Revere Crile.
 Joseph Edmund Torrence.
 Charles Gordon Hutchinson.
 Chester Paul Dorland.
 Ernest Davis McQueen.
 Archie E. Groff.
 George Davis Wiltshire.
 Alfonso Frederick Zerbee.
 Jackson Broadus Wood.
 Arthur John Wehr.
 Robert C. Scott.
 Arnold W. Shutter.
 Gerald Fitz-Herbert Delamer,
 Leland Whitney Crafts.
 A. Franklin Kibler.
 Leonce Joseph Blanchard.
 John Donald Robb.
 Winfield Mills Putnam.
 James Caruthers Lysle.
 Francis Sylvester Conaty.
 William Edward Beitz.
 William Caldwell Duncel,
 William Hugh Burns.
 Bernard Reilly Kennedy.
 Rex Byerly Shaw.
 John Waller Faulconer, jr.
 Richard Erastus Taylor.

Charles Deere Wiman.
 Herbert Llewellyn Montgomery.
 Gennard Alban Greaves.
 Willis Alexander Garvey.
 Edwin Howard Blanchard.
 Francis Murry Crist.
 Haines Beede Quimby.
 Robert Carlyle Gillies.
 Oliver Grant Brush.
 Gordon Hunt Michler.
 Robert Graff Merrick.
 Louis J. Fortier.
 William Mitchell Wiener.
 William Jay Schieffelin, jr.
 William Fergus Kernan.
 George Lamb Buist Rivers.
 Dell Hamilton McCoy.
 Wallace Gordon Drummond.
 Morrill Ross.
 Roland Legard Davis.
 John Averill Steere.
 Leslie Edwards Babcock.
 Joseph Cumming Elliff.
 William Torrey Barker.
 Erik Achorn.
 Dorsey Richardson.
 Byron Henry Mehl.
 Leon Adolph Des Pland, jr.
 Charles Warner McCleary.
 John Lindley Gammell.
 James Wade Emison, jr.
 Ward Hale Maris.
 Roderick Stanley Patch.
 Robert Edmund Tappan.
 Charles Boot Malone, jr.
 James Bentley Taylor.
 Rollin Asher Burditt.
 Richard Henry Ballard.
 Joseph Dent Hungerford.
 James Clay Short.
 Arthur Day Edmunds.
 Francis Johnstone Simons.
 Lawrence Byron Wyant.
 Theodore Ludwig Sogard.
 John Cary Howard.
 Carlyle Judson Hancock.
 James C. Miller.
 Abraham Wright Williams.
 James Thomas Duke.
 Hiram F. Plummer.
 Thomas Watkins Ligon.
 Edward Hale Brooks.
 Wayland Bixby Augur.
 William Brooke Bradford.
 Philip Coleman Clayton.
 Hans E. Kloefer.
 Edward Allen Everitt, jr.
 Herbert Allyn Myers.
 Norman Norton Rogers.
 Temple Elliott Ridgely.
 Harry William Maas.
 Peter Townsend Coxe.
 Francis Henry Bouche.
 William Henry Sweet.
 Louis Causler.
 William Van Dyke Ochs.
 Horace Waldo Forster.
 Richard Nevins Mather.
 Lee Louis Elzas.
 Owen George "owler.
 Harry Foster.
 Alexander Carl Strecker.
 Stanley Ayrault Ward.
 Dwight Hughes, jr.
 William Robert Stickman.
 Lloyd W. Biggs.
 Wilkie Collins Burt.
 Harry Louis Sommerhauser.
 Harold Edward Dickinson.
 Adrian Beaumont Charles Smith.
 Rufus Stanley Ramey.
 Carl Thompson Colt.

FIELD ARTILLERY.

James Holcombe Genung, jr.
 Warner Merritt Pomerene.

Ross Seguire Mason.
 Edwin Shelby, jr.
 Robert Benjamin Hood.
 Victor A. Dash, jr.
 Charles William Chalker.
 John Lawrence Hamilton, jr.
 Roy Crawford Moore.
 Theodore Edward Thomas Haley.
 John Franklin Hepner.
 Edward W. Austin.
 Clyde Charles Alexander.
 Erwin Adolph Manthey.
 Henry Barton Dawson.
 John William Kelley.
 Harvey Rexford Hitchcock, jr.
 Thomas Hart Davis.
 John P. Ratajczak.
 Claude Tillinghast Porter.
 Thomas Hooper Eckfeldt, jr.
 Sumter Davis Marks, jr.
 Gordon Hunt Dickson.
 Reed Emil Beck.
 Waldo Emerson Ard.
 Clarence E. Cartwright.
 Raymond Joseph Walsh.
 Harold Kernan.
 Innes Harwood Bodley.

COAST ARTILLERY CORPS.

Fenton Gay Epling.
 Ross Gordon Hoyt.
 William Mayer.
 Hubert A. McMorrow.
 Douglas Graeme Clark.
 Vernon Garnett Cox.
 Ralph Garver Lockett.
 John Hancock LaFitte.
 Leon Chapman Dennis.
 Clarence Lee Stevens.
 Caruthers Askew Coleman.
 William Fred Lafrenz.
 Carson Gary Jennings.
 Charles Joseph Collins.
 Richard Gascoigne Lyne.
 James Black Muir, jr.
 Edmund Hathaway Stillman.
 Robert Chapman Snidow.
 John Frederick Loomis.
 Charles H. Keck.
 Thurwood Van Ornum.
 Cecil Ray Moore.
 Anthony Lispernard Bleecker.
 Edward Allen Williford.
 James Erastus Wallis, jr.
 Granville Byam Smith.
 Grafton Sherwood Kennedy.
 Chester King Allen.
 Harold Clarkson Mabbott.
 James Arthur Blair.
 Harold Arthur Maxfield.
 James Patrick Ferrall, jr.
 Robert Elliott Lamb.
 Winthrop Chester Swain.
 George Augustus Nelson, jr.
 Edward Yates Keesler.
 Roland Hubert Dufault.
 Gardner Endicott Johnson.
 Frank Charles Howard.
 Paul Harrington Duff.
 Lucas Elmendorf Schoonmaker.
 Gordon Marshall Wells.
 Robert Ellsworth Johnston.
 Hermon French Safford.
 Clifford Dean Hindle.
 John Raymond Ramsbottom.
 Merton Luther Haselton.
 John Randolph Wheeler.
 Raymond James Farrell.
 John Russell Haviland.
 Erving Goodwin Betts.
 Arthur F. Benson.
 Joseph Frederick Williamson.
 Richard Whiting Logan.
 Thomas Ewing Hannah.
 Frank Stanley Krug, jr.

Henry Millet Blank.
 William Henry Egle Holmes.
 Arthur Donohue Dickson.
 Roswell Frederick Curtis.
 Douglas Meriwether Griggs.
 Horace Frederick Banan.
 Harry Walter Capper.
 Douglas Fuller Miner.
 Edward Francis Weiskopf.
 Sidney Smith Small.
 James Paul Jacobs.
 Cornelius Henry Menger.
 William Henry Seymour.
 Sherwood Holmes Taber.
 Walton Barr Killough.
 Ernest Cleveland Bomar.
 Jarvis Carter Marble.
 James William Anderson.
 Alfred Hall Crossman.
 John Raymond Markham.
 Charles Edward Atkinson.
 George Davis Kittredge.
 Thomas Freeman Tisinger.
 Coburn Lee Berry.
 John Hancock Babbitt.
 Carroll Cushing Taylor.
 Joseph Paul Gardner.
 Edward Benedict McCarthy.
 Herbert Arthur Dyer.
 Edward Hayward Raymond.
 Eugene Burton Butler.
 Simpson Ridley Stribling.
 Neal Everett Tourtellotte.
 Hubert Eugene Wellcome.
 Lyle D. Wise.
 Edwin Mortimer Woodward.
 John Wesley Orcutt.
 James Anthony Taylor.
 James Greenwood McDougall.
 Richard Derby.
 Frederic Roland Cox.
 James Thomas Campbell.
 Howard Spencer MacKirdy.
 Robert Hawley Wells.
 Kenyon Roper.
 Thomas William Hansberry.
 Albert Jerome Hahn.
 Maurice E. Barker.
 Philip Edwin Hulburd.

INFANTRY ARM.

Earl Elliott Major.
 Lloyd Chandler Parsons.
 Claudius Miller Easley.
 Henry Vaughn Dexter.
 Ted H. Cawthorne.
 Edward Harrah.
 Nelson Hill.
 Robert William Corrigan.
 Richard Hammond Elliott.
 Peter Fries Connor.
 Robert Hughes Lord.
 Mose Kent Pigman.
 Otto John Endres.
 John Joseph Hannigan.
 Ruthford L. Herr.
 Herbert Gray Esden.
 Norman Spencer.
 Hunter Louis Girault.
 Rex Walter Minckler.
 George Albert Jackson.
 Roy F. Lynd.
 Hugo John Endres.
 Wade Hampton Johnson.
 Robert Charles Patterson.
 Hoke Smith, jr.
 Francis Ward Kernan.
 John Nicol McNaughton.
 Samuel Isaac Speevack.
 Maximilian Clay.
 Frederick Sandrus Schmitt.
 Calvert Hinton Arnold.
 Clarence Littleton Morton.
 George Shipley Prugh.
 Homer Franklin Tate.
 Harold Montague.

Kenyon Harrington Clark.
 Cyril M. Stillson.
 Richard Hutchings Johnston.
 John Blakeway Cockburn.
 George Thurman Fleet.
 Clifton Martin Brown.
 Arthur Bloch.
 Edward John Rasch.
 Walter Valentine Flynn.
 Otto Walter Neidert.
 Edwin Showalter Beall.
 Ralph Emerson Bower.
 Charles Weiley Ogden.
 Peter William Ebbert.
 George Leland Eberle.
 Henry Pascale.
 Frank Rutherford Marston.
 George Warner Swift.
 Lorraine Douglas Fields.
 Remington Orsinger.
 William Stewart Morris.
 Joseph W. Bollenbeck.
 Kenneth Corwin Bell.
 Arnold Michelson.
 Thomas Frank Keasler.
 Monroe Mark Friedman.
 Lee Clare Lewis.
 Cyrus Joseph Rounds.
 John Dean Forsythe.
 Marcus Brenneman Bell.
 Samuel Louis Alexander.
 Albert Denarvous Johnson.
 Roger William Morse.
 Leslie T. Lathrop.
 Andrew Annan Cook.
 Lewis Augustine Maury.
 Dan W. Flickinger.
 Robert Duncan Porter.
 Ralph Edwin Richards.
 Chester Gilbert Hadden.
 Ralph Hudson Wooten.
 Kenneth Burman Bush.
 Donald Clark Williams.
 Russell Daniel Barnes.
 Victor Patterson.
 Thorgny Cedric Carlson.
 Lyman Case Ward.
 James David Brown.
 Harold Clark McClelland.
 Robert Cummings Brunson.
 Walter Ebsworth Wynne.
 Norman Lee Baldwin.
 Roger Howell.
 Kenneth McIntosh.
 Fred Reginald Wolff.
 Arthur Clifford Carlton.
 Robert Vansant Finney.
 Philip Daniels Wessen.
 Clement Dixon Johnston.
 Edward John Hardin.
 Harman Paul Agnew.
 Floyd Lyle.
 Francis Wayland Stone, jr.
 Don Carlos Faith.
 Charles Barrett Herrick.
 Raymond Orr.
 Thomas A. Austin, jr.
 James William Anderson.
 Edgar Tremlett Fell.
 Archibald Ross MacKechnie.
 Joseph Benedict Kilbride.
 Francis Howard Wilson.
 Walter Adams Mack.
 Arthur Franklin Williams.
 William Hamilton Ponder.
 John Cleary Kernan.
 Maxton Hale Flint.
 Edward Monroe Bates.
 Howard Jennings Gorman.
 Charles Swett Pettee.
 Elmer E. Hagler, jr.
 Sidney Hamlet Negrotto.
 Gustav Joseph Braun.
 Frederick Vaughan Burgess.
 Everett Langdon Upson.

Walter Russell Curfman.
 Don Forrester Pratt.
 Ralph Edgerton Mooney.
 Willard Allen Reddish.
 Ernest Ransome Percy.
 Marcellus L. Countryman, jr.
 John Corwin Shaw.
 Harry L. Stoner.
 James Merritt Arthur.
 Donovan Paul Yeuell.
 Asa Fitch Coleman.
 Charles Joseph McIntyre.
 Phillip M. Oviatt.
 Edwin Hubert Randle.
 Francis Marion Rich.
 Edwin Gowdy Watson.
 George Lutz Hornbrook.
 Leon Franklin Sullivan.
 Walter Clark Armstrong.
 William B. Townsend.
 Hunter McGuire.
 Andrew Lewis Tucker.
 Steven Bavard Wilson.
 Edwin Ralph Rinker.
 John Henry Gibson.
 George Washington Gering.
 Cecil Maurice Neal.
 Jay Williams Sechler.
 Walter Earl Ditmars.
 Paul Newman Darrington.
 John William Spaulding.
 Sydney Buford Scott.
 Ralph Harrison Countryman.
 Edwin Ernest Aldridge.
 Edwin Blake Crabill.
 Reade Mulkey Ireland.
 Edmund Walton Hill.
 Alfred Marston Shearer.
 James Reid Campbell, jr.
 Edward Albert Mullon.
 James Obadiah Tarbox.
 Harry Frederick Rusch.
 Raymond Frank Edwards.
 Oren Anelen Mulkey.
 Charles Chester Bond.
 Francis Robbins McCook.
 Byron Clark Brown.
 Forrest Marshall Harmon.
 Ralph Carlin Flewelling.
 Frank Hixon Terrell.
 Harold Ragan Priest.
 Jabez Gideon Gholston.
 Robert A. McClure.
 Frederick Meyer Vinson.
 Francis Brown McCollom.
 Reginald David Pappé.
 Joseph Benton Wirt.
 Graham Roscoe Schweickert.
 Norman Paul Williams.
 Claude G. Hammond.
 Charles Holland Rigglin.
 Winfield Wegg Smith.
 Milton Russell Barclay.
 Harold Clinton Wasgatt.
 Wannie Lee Bartley.
 Norman John McMahon.
 Donald Morris Bartow.
 Hilbert Alexander Canfield Jensen.
 Frank Allen Pattillo.
 Paul Louis Singer.
 Joseph Louis Ready.
 James Bernard Scarr.
 Lloyd Russell Rogers.
 Charles Carter Ritcor.
 Earl Coulson Flegel.
 Abner Wisdom Goree.
 Herbert Blish Wheeler.
 Charles Carroll Nathan.
 Crittenden Anderson Coe Tolman.
 William Edward Tidwell.
 James Kerr Cubbison.
 Howard Foster Ross.
 Arthur Joseph Lacouture.
 Clifford Michael Olivetti.
 Josiah Bowler Mudge, jr.
 Hugh Shaw Lee.

Wilbur Storm Elliott.
 Kirke Brooks Lawton.
 Neil Smith Edmond.
 Harold Haney.
 Tully Charles Garner.
 Wilmer Brinton, jr.
 Forrest Meade Record.
 Luther Wesley Dear.
 Frederick Charles Shantz.
 Martin DeWitt McAllister.
 George Washington Booth.
 William R. Colbern.
 Marcel Alfred Gillis.
 John William Carroll.
 Joshua Shelton Bowen.

PROMOTIONS AND APPOINTMENTS IN THE NAVY.

Lieut. Commander Frederick J. Horne to be a commander.
 Lieut. Walter E. Reno to be a lieutenant commander.
 The following-named lieutenants (junior grade) to be lieutenants:

Frank D. Manock, and
 Penn L. Carroll.

The following-named ensigns to be lieutenants (junior grade):

Theodore W. Sterling,
 Thomas L. Nash, and
 Thomas C. Slingluff.

George S. Rentz to be an acting chaplain.

Pay Clerk Frank R. Tuck to be a chief pay clerk.

Pay Clerk Theodore S. Coulbourn to be a chief pay clerk.

Pay Clerk Fred A. Abbott to be a chief pay clerk.

Machinist James M. Berlin to be a chief machinist.

Chief Gunner Michael W. Gilmartin to be an ensign.

Chief Machinist James M. Berlin to be an ensign.

The following-named chief pay clerks to be assistant paymasters:

John E. Bibb,
 Frank R. Tuck,
 Theodore S. Coulbourn,
 Fred A. Abbott,
 Frank D. Hathaway, and
 Frank Lewis.

To be assistant surgeons.

William H. H. Turville,
 Francis E. Locy,
 Clarence J. Brown,
 Ely L. Whitehead,
 Daniel B. Kirby,
 William J. Corcoran,
 Thomas J. Kennedy,
 Howard P. Griffin,
 Abraham S. Isaacson,
 Charles W. Barrier, jr.,
 Robert W. Belknap,
 Maurice A. Berge,
 Benjamin H. Hager,
 Frank A. Williams,
 Gilbert H. Mankin,
 William T. McClure,
 William W. Behlow,
 Spencer A. Folsom,
 Ben F. Norwood,
 Leland L. Bull,
 Frank L. Kelly,
 Arthur H. Dearing,
 Reuben A. Barker,
 Robert N. Hedges,
 Marshall G. Williamson,
 John W. S. Brady,
 Gerald Selby,
 Frank J. Anderson,
 Harry L. Brockmann,
 Charles G. Terrell,
 Robert P. Henderson,
 George A. Gray,
 Charles K. Reinke,
 Robert B. Miller,
 William E. Morse,
 Robert H. McMeans,
 Joseph A. Mangiaracina,
 Herbert van Thatcher,
 Hayes E. Martin,
 Guy D. Callaway,
 Frank R. Bealer,
 Eben E. Smith,
 William T. Gill, jr.,

George B. Dowling,
 Paul M. Albright,
 Edwin D. McMorries,
 James W. Ellis,
 Burton E. Belcher,
 John J. Freymann,
 Frank W. Hartman,
 Einar C. Andreassen,
 James E. Houghton,
 John M. McCants,
 Preston A. McLendon,
 Charles H. Savage,
 Roger M. Choisser,
 Myron G. Wright,
 Silas B. Hull,
 George P. Carr,
 Walter A. Fort,
 Erastus M. Hudson,
 Robert Mueller,
 William R. Jepson,
 Lewis W. Johnson,
 Charles A. Ainslie,
 Robert E. Watkins,
 Harry C. Gebhart,
 Felix P. Keaney,
 David R. Higbee,
 Norman King,
 Harold S. Sumerlin,
 Glen M. Kennedy,
 James R. Thomas,
 Edward R. Guinan,
 John L. Shipley,
 Walter J. Pennell,
 Archibald C. Pfeiffer,
 Allen T. Agnew,
 Benjamin H. Carroll,
 Frank W. Ryan,
 Louis Iverson,
 Roy J. Heffernan,
 Robert L. Schaefer,
 John M. Huff,
 Nathan C. Rubinsky,
 Elmer R. Hancock,
 Victor S. Armstrong,
 Robert B. Tean,
 Charles J. Hutchinson,
 Cecil M. Burchfiel,
 William T. McAlonan,
 Loren W. Shaffer,
 Morris S. Bender,
 Thomas P. Brennan,
 Eugene D. Hardin,
 Boles A. Rosenthal,
 Romeo W. Auerbach,
 Paul V. Greedy,
 Wallace B. Dukeshire,
 Edwin P. Bugbee,
 Robert M. Furlong,
 Herbert S. Chapman,
 Francis C. Evers,
 Walter M. Anderson,
 Leslie B. Marshall,
 Robert T. Canon,
 William A. Neill,
 Frank J. Carroll,
 John W. Vann,
 Toson O. Summers,
 William W. Russell,
 William E. Bryan,
 Joseph I. Callanan,
 Edward R. Ryan,
 Robert P. Parsons,
 John A. McCormick,
 John C. Adams,
 Chester B. Van Gaasbeek,
 Raymond J. Bower,
 Guy B. McArthur,
 Jesse J. Hendren,
 Benjamin S. Davis,
 William C. Becker,
 John C. Taylor,
 DeForest T. Layton,
 Francis J. McCauley,
 Raymond M. Krepps,
 Thomas F. J. Hanlon,
 George O. Hartman,

Francis D. Gibbs,
 Henry N. Winn,
 Charles E. Morse, jr.,
 Joseph W. White,
 Paul M. Drake,
 Edward C. Meggers,
 Sterling S. Cook,
 John G. Powell,
 Bertram Groesbeck, jr.,
 Earl Richison,
 Francis C. Hertzog,
 Deane H. Vance,
 James F. Bell, jr.,
 William H. Frampton,
 Waddie P. Jackson,
 James R. Allison,
 Galen E. Moyer,
 John F. Pruett,
 Tracy T. Gately,
 Harry B. LaFavre,
 John J. Sale,
 Ernest A. Daus,
 Travis S. Moring,
 Henry L. Bockus,
 James H. Royster,
 William P. Williams,
 Lloyd B. Greene,
 Raymond B. Storch,
 Francis G. Speidel,
 Gustav J. Hildebrand,
 Boyd Gilbert,
 Hubert W. Harris,
 William W. Holley,
 Louis E. Mueller,
 Lynn N. Hart,
 Robert S. G. Welch,
 George W. Lewis,
 Edward A. Mullen,
 Frederick G. Speidel,
 Jesse B. Ngive,
 Thomas V. Murto,
 Wilber E. Thomson,
 Robert Lorentz, jr.,
 Richard C. Satterlee,
 Frank B. Wallace,
 Herman C. Petterson,
 Frank M. Heacock,
 Francis J. McCarthy,
 Francis P. Dolan,
 Henry L. Franklin,
 Edwin H. Lorentzen,
 Lloyd E. Smith,
 Otto W. Grisier,
 Wilbourt E. Greenwood,
 Mathison J. Montgomery,
 Lyman E. Dockry,
 Harry B. Lehmberg,
 George L. White,
 Carl B. Campbell,
 Samuel W. Tretheway,
 Lawrence G. Beisler,
 Ernest W. Larkin,
 Winfield B. Anderson,
 Robert H. Collins,
 Otis Wildman,
 Leonard H. Denny,
 William R. Taylor,
 Marion E. Brown,
 Robert W. Winberly,
 Cyrus E. Bush,
 Page O. Northington,
 Russel D. Bussdicker,
 James R. Jeffrey,
 Harold L. Kennedy,
 Martin L. Marquette,
 Edward P. Whistler,
 James O. Fields,
 Carl A. Broaddus,
 Joseph E. Malcomson,
 Fairley P. James,
 Donald R. Davidson,
 Charles L. Oliphant,
 James F. Hooker,
 Lester D. Huffman,
 Samuel C. Ketchin,
 Benjamin G. Holtom,

Hutchens C. Bishop, jr.
 Stanley I. Scott,
 John E. Porter,
 William A. Byrnes,
 Joseph A. Owen, jr.,
 George D. Thompson,
 Claude R. Riney,
 Guy B. Taylor,
 Robert L. Christie,
 Ramon A. Gilbert,
 William E. Beatty,
 Leslie R. Lingeman,
 William T. Oppenheimer, jr.,
 Andrew Sinamark,
 Rushmer C. Christiansen,
 Claude W. Colonna,
 Bruce F. Holding,
 Gilbert B. Meyers,
 Waldo E. Golden,
 Wilfred M. Peberdy,
 Jay Jacobs,
 Francis E. O'Brien,
 Wylie C. Mason,
 Raymond H. Leu,
 Watie M. Alberty,
 Dozier H. Gibbs,
 John F. Hart,
 Dwight H. Murray,
 Kirk C. Brown,
 Marvin C. Johns,
 Pliny B. Fiske,
 Jack W. Jones,
 Herbert L. Shinn,
 Mathew L. Carr,
 Charles S. Norburn,
 Everett B. Taylor,
 Paul Keller,
 Wilburn E. Saye,
 Burchard A. Wimpe,
 Samuel Segal, jr.,
 Herbert R. Coleman,
 Claude E. Brown,
 Horace R. Boone,
 Samuel A. Fuqua,
 Robert E. S. Kelly,
 Fenimore S. Johnson,
 Clarence N. Meador,
 Albert D. Huffman,
 Hugo F. A. Baske,
 Lionel L. Lapointe,
 William E. Crooks,
 Victor H. Shields,
 Max M. Braff,
 Clayton W. Eley, and
 Wilbur O. Manning.

POSTMASTERS.⁴

ALABAMA.

Richard D. Williams, Opelika.
 Welborn V. Jones, Auburn.

ARKANSAS.

A. W. Cammack, Portland.
 John D. Wilbourne, Pine Bluff.
 A. J. Stephens, Morrilton.
 T. G. Robinson, Marvell.
 Noah J. Hazel, Marked Tree.
 H. R. Cantrell, Mansfield.
 Laura B. Denton, Luxora.
 W. E. Lamb, Lepanto.
 Miles J. Webb, Lamar.
 C. A. Berry, Huttig.
 D. B. Thompson, Hope.
 Edward R. Screeton, Hazen.
 T. L. Pound, Danville.
 Alice L. Rolley, Crawfordville.
 J. F. Gillespie, Carlisle.
 Ernest J. Patton, Cabot.
 Pearl Berkheimer, Augusta.
 W. F. Turner, Atkins.
 Anne Patton, Altheimer.

IDAHO.

Manford W. Harland, Troy.
 Franklin A. Miller, St. Anthony.
 Frances H. Langford, Rogerson.
 Charles L. Hollar, Kellogg.

Samuel J. Linder, Ho.
 L. A. Wisener, Grangeville.
 Elmer G. Lightfoot, Fairfield.
 Mike A. Rogan, Avery.

ILLINOIS.*

E. E. Burton, Newton.

NEBRASKA.

Elsie B. Thompson, Wynot.
 Margaret A. Waggoner, Wood Lake.
 Frank R. Parker, Wilsonville.
 Herbert C. Robbins, Wallace.
 Harry C. Rogers, Upland.
 Frank A. Cox, Sutherland.
 Charles J. Huber, Rulo.
 A. J. Ferris, Palmer.
 Frank D. Strobe, Orchard.
 Vernon L. Green, Merriman.
 Edward J. Brady, McCook.
 Fred H. Ossenkop, Louisville.
 Mary J. Flynn, Jackson.
 W. C. Bartlett, Elmwood.
 Frederick C. Easley, Dunbar.
 Mell A. Schmied, Dakota City.
 R. V. McPherson, Craig.
 Harry N. Wallace, Coleridge.
 J. B. Lane, Blue Hill.
 Hannab Price, Bennet.

NEW JERSEY.

John F. Ryan, Woodbridge.
 E. R. Barrett, West Fort Lee.
 Joseph B. Cornish, jr., Washington.
 Albert L. Williams, Vineland.
 Joseph Mark, South River.
 Katherine E. Fraleigh, Seagirt.
 Frank Hampton, Sea Bright.
 William H. Cottrell, Princeton.
 Samuel H. Chatten, Pennington.
 James P. McNair, Paterson.
 Edwin T. Van Horn, Newfoundland.
 Peter H. S. Hendricks, New Brunswick.
 Walter M. Miller, Netcong.
 Edward Iredell, Mullica Hill.
 John V. L. Booraem, Milltown.
 Charles McCue, Lakewood.
 John J. Schilcox, Keasbey.
 Chester A. Burt, Helmetta.
 Joseph Atkinson, Freehold.
 Charles Rittenhouse, Hackettstown.
 Patrick J. Ryan, Elizabeth.
 Adam Worth, Elberon.
 E. Tracy Lanterman, East Orange.
 Frank Hill, Dumont.
 Jeanette H. Claypoole, Cedarville.
 Clarence O. McCullough, Carneys Point.
 Harry M. Knight, Camden.
 John J. Foley, Bernardsville.
 Adrian P. King, Beachhaven.
 R. M. Chorpenning, Atco.
 Harrison C. Hurley, Asbury Park.

RHODE ISLAND.

James Brennan, River Point.
 Charles F. Holroyd, Thornton.
 Samuel Seabury, 2d, Tiverton.

VERMONT.

Patrick H. Thompson, Arlington.
 Victor L. Smith, East Arlington.
 Charles F. Thurber, Fairlee.
 Murray K. Paris, Lyndon.

SENATE.

TUESDAY, August 7, 1917.

(Legislative day of Saturday, August 4, 1917.)

The Senate reassembled at 12 o'clock m., on the expiration of the recess.

CONSERVATION OF FOOD—CONFERENCE REPORT.

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses upon the bill (H. R. 4961) to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel.