

2. A letter from the Acting Secretary of the Treasury, transmitting an additional urgent deficiency estimate of appropriation in the sum of \$100,000 required by the Division of Printing and Stationery of this department for stationery for the Treasury Department and its several bureaus and offices for the fiscal year 1918 (H. Doc. No. 1045); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Acting Secretary of War submitting a supplemental estimate of appropriation required by the War Department for military post exchanges, fiscal year 1919 (H. Doc. No. 1046); to the Committee on Military Affairs and ordered to be printed.

4. A letter from the Acting Secretary of the Treasury, transmitting copy of communication from the Acting Secretary of War submitting a proposed change in the wording of the estimate of appropriation heretofore submitted by the Engineer Department of the Army for the purchase or construction of a patrol vessel for the prevention of deposits in the harbor of New York (H. Doc. No. 1047); to the Committee on Appropriations and ordered to be printed.

5. A letter from the Acting Secretary of the Treasury, transmitting copy of communication from the United States Shipping Board submitting a supplemental estimate of appropriation required by the board for the acquisition or establishment of plants for concrete-ship building (H. Doc. No. 1048); to the Committee on Appropriations and ordered to be printed.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII.

Mr. FOSTER, from the Committee on Mines and Mining, to which was referred the bill (H. R. 11259) to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of those ores, metals, and minerals which have formerly been largely imported, or of which there is or may be an inadequate supply, reported the same with amendment, accompanied by a report (No. 493), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

#### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. SIEGEL: A bill (H. R. 5271) authorizing appointment of chaplains at large for the United States Army; to the Committee on Military Affairs.

By Mr. MILLER of Minnesota: A bill (H. R. 11464) to define criminal syndicalism, prohibiting the advocacy thereof and the advocacy of crime, sabotage, violence, or other unlawful methods of terrorism as a means of accomplishing industrial or political ends, and assemblage for the purpose of such advocacy; declaring it unlawful to permit the use of any place, building, or rooms for such assemblage in certain cases; and providing penalties for violations of the provisions thereof; to the Committee on the Judiciary.

By Mr. GOULD: A bill (H. R. 11465) to provide for an aircraft administrator, and for other purposes; to the Committee on Military Affairs.

#### PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND: A bill (H. R. 11466) granting a pension to Zepha I. Eaton; to the Committee on Invalid Pensions.

By Mr. FESS: A bill (H. R. 11467) granting an increase of pension to Lewis W. Crane; to the Committee on Invalid Pensions.

By Mr. FRANCIS: A bill (H. R. 11468) granting a pension to Beatrice Edwardy; to the Committee on Pensions.

By Mr. GOOD: A bill (H. R. 11469) granting an increase of pension to William Ellison; to the Committee on Pensions.

By Mr. LANGLEY: A bill (H. R. 11470) to authorize the President to award a medal of honor to Maj. B. F. D. Fitch, for conspicuous bravery rendered on the man-of-war *Varuna* on April 24, 1862; to the Committee on Military Affairs.

By Mr. MADDEN: A bill (H. R. 11471) granting a pension to Clara A. Rice; to the Committee on Pensions.

Also, a bill (H. R. 11472) to correct the military record of Cuthbert W. Laing; to the Committee on Military Affairs.

By Mr. MILLER of Minnesota: A bill (H. R. 11473) granting an increase of pension to Henrietta Round; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11474) granting a pension to Eli Gusdonowicz; to the Committee on Pensions.

Also, a bill (H. R. 11475) for the relief of William A. Specht; to the Committee on Claims.

By Mr. ROSE: A bill (H. R. 11476) granting an increase of pension to Levi H. Figard; to the Committee on Invalid Pensions.

By Mr. RUSSELL: A bill (H. R. 11477) granting a pension to Jesse A. Smith; to the Committee on Invalid Pensions.

By Mr. SEARS: A bill (H. R. 11478) granting a pension to S. P. Battle; to the Committee on Invalid Pensions.

By Mr. STEPHENS of Mississippi: A bill (H. R. 11479) for the relief of the heirs or legal representative of Nat W. Fant, deceased; to the Committee on Claims.

By Mr. WEAVER: A bill (H. R. 11480) for the relief of Thomas Monteith; to the Committee on Claims.

Also, a bill (H. R. 11481) for the relief of Cary B. Moore; to the Committee on Claims.

Also, a bill (H. R. 11482) granting an increase of pension to Thomas J. Bradshaw; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11483) granting a pension to Mrs. Cornelia Deal; to the Committee on Pensions.

Also, a bill (H. R. 11484) granting a pension to Annie Trexler; to the Committee on Pensions.

#### PETITIONS, ETC.

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

By Mr. ELSTON: Petition of Berkeley (Cal.) Woman's Christian Temperance Union, for the passage of a bill to prohibit the waste of foodstuffs in the production of vineous and malt liquors; to the Committee on the Judiciary.

By Mr. ESCH: Resolution of the executive committee of the National Security League, asking that the Bureau of Public Information be composed of three or five men selected because of high standing and not because of political affiliations; to the Committee on Military Affairs.

Also, petition of Milwaukee Downer College, Milwaukee, Wis., favoring the Pon bill to exempt religious and educational bequests from taxation; to the Committee on Ways and Means.

By Mr. FULLER of Illinois: Petition of the Daughters of the American Revolution of Illinois, favoring universal military training; to the Committee on Military Affairs.

By Mr. KINKAID: Petition of citizens of Scottsbluff, Nebr., in behalf of conservation of foodstuffs by the prevention of the use of grain for the manufacture of intoxicating liquor; to the Committee on Agriculture.

By Mr. LONERGAN: Memorial of Hartford Grade Teachers' Club, of Hartford, Conn., protesting in re postal increase; to the Committee on Ways and Means.

By Mr. RAMSEYER: Petition signed by 116 citizens of Pulaski and vicinity, Davis County, Iowa, asking and urging legislation for immediate war prohibition to prevent the waste of grain in the manufacture of alcoholic liquors; to the Committee on Agriculture.

By Mr. ROSE: Petition of the Presbyterian Churches of Vintondale and Gallitzin, Pa., opposing the increase of postal rates on periodicals; to the Committee on the Post Office and Post Roads.

By Mr. TEMPLE: Petition of civil-service employees of Lock No. 4, Monongahela River, Pa., for the support of House bill 7356; to the Committee on Appropriations.

#### SENATE.

TUESDAY, April 16, 1918.

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

Almighty God, Thou hast placed reverence to Thy name the first of the great commandments. Thou hast taught us, both by revelation and by experience, reverence for Thy holy name as the first obligation of human life. We pray that we may be enabled to measure our responsibilities and duties in the light of Thy revealed truth. While we abhor that which is low and mean and sensual in life, grant that sacred things may be placed first in our thoughts and that God's name may be above every name. We reverence Thy name and worship Thee, and pray Thee to guide us this day to Thine own honor and glory. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. CHAMBERLAIN and by unanimous consent, the further reading was dispensed with and the Journal was approved.

## SENATOR FROM WISCONSIN.

The VICE PRESIDENT. The Chair lays before the Senate a communication from the secretary of state of Wisconsin, transmitting the certificate of election of Hon. IRVINE L. LENROOT as a Senator from Wisconsin. The credentials will be read and placed on file.

The credentials were read, as follows:

UNITED STATES OF AMERICA,  
STATE OF WISCONSIN,  
Department of State.

To all to whom these presents shall come, greeting:

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 2d day of April, 1918, IRVINE L. LENROOT was duly chosen by the qualified electors of the State of Wisconsin as Senator, to represent said State in the Senate of the United States for the term ending on the 3d day of March, 1921.

Witness: His excellency our governor, Emanuel L. Philipp, and our seal hereto affixed, at Madison, Wis., this 11th day of April, in the year of our Lord 1918.

[SEAL.]

EMANUEL L. PHILIPP,  
Governor.

By the governor:

MERLIN HULL,  
Secretary of State.

## HOUSE BILL REFERRED.

H. R. 11364. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war was read twice by its title and referred to the Committee on Pensions.

COMMISSIONED OFFICERS ON DUTY IN THE DISTRICT OF COLUMBIA (S. DOC. NO. 214).

The VICE PRESIDENT laid before the Senate a communication from the Acting Secretary of War, transmitting, in response to a resolution of the 1st instant, a report relative to the number of commissioned officers within the draft age who have received their commissions since the outbreak of the war and are now assigned to duty in the District of Columbia, which, with the accompanying paper, was referred to the Committee on Military Affairs and ordered to be printed.

## COST OF LIVING IN THE DISTRICT OF COLUMBIA.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Labor, transmitting, pursuant to law, a report showing the results of the investigation into the cost of living of wage earners in the District of Columbia, which, with the accompanying papers, was referred to the Committee on Printing.

## MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by G. F. Turner, one of its clerks, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 383) to punish the destruction or injuring of war materials and war transportation facilities by fire, explosives, or other violent means, and to forbid hostile use of property during time of war, and for other purposes.

The message also transmitted to the Senate resolutions on the death of Hon. WILLIAM J. STONE, late a Senator from the State of Missouri.

## PETITIONS AND MEMORIALS.

Mr. LODGE. I ask that the following telegram be printed in the RECORD from the Massachusetts branch of the National Woman's Party.

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

FRAMINGHAM, MASS., April 14, 1918.

Senator HENRY CABOT LODGE,  
Washington, D. C.:

I am authorized to send you the following resolutions:

"Resolved, That this convention of the Massachusetts branch of the National Woman's Party, held in Kingsley Hall, Boston, on April 13, call upon Senators LODGE and WEEKS each to cast his vote for the national suffrage amendment, and to use his best endeavor to bring about immediate action in the Senate, to the end that democracy may be established in our beloved land. Be it further

"Resolved, That this resolution be read into the CONGRESSIONAL RECORD by Senator JOHN W. WEEKS:

"Whereas citizens of Massachusetts have endured a great wrong at the hands of the Government of the District of Columbia; and

"Whereas the decision of the Court of Appeals declared the action of the suffrage pickets to be lawful, orderly, and in accordance with the constitutional rights of American citizens:

"Resolved, That this convention of the Massachusetts branch of the National Woman's Party call upon the Senate of the United States to pass a bill immediately to investigate the treatment of the suffrage pickets from June to November, 1917, and the unlawful arrests by the Washington police and the unlawful sentences of the police court and the unlawful imprisonments in the District jail and workhouse."

We request that this be read into the CONGRESSIONAL RECORD by Senator LODGE.

OLIVE MILLS BELCHER,  
State Chairman.

Mr. LODGE presented a petition of the National Hardwood Lumber Association, of East Cambridge, Mass., praying for the payment of excess-profits taxes in installments, which was referred to the Committee on Finance.

Mr. JONES of Washington. I present a petition from King County Pomona Grange, No. 13, of the State of Washington, representing 1,500 farmers, containing some very pertinent facts bearing upon the regulation of prices. I ask that it may be printed in the RECORD.

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

STATE OF WASHINGTON,  
KING COUNTY POMONA GRANGE, No. 13,  
OFFICE CONGRESSIONAL COMMITTEE,  
Kent, Wash., April 5, 1918.

To the honorable ladies and gentlemen of the Sixty-fifth Congress, United States Senate and House of Representatives, Washington, D. C., greetings:

The farmers of my State in general and of my county (King) in particular have been watching the daily proceedings of your honorable body for the past few months with intense interest, hoping, day by day, that some representative of the farmer would bring forth for discussion some method of relief from the intolerable, unjust condition governing his business to-day, but we have looked in vain.

Since March 15 you have faithfully and earnestly discussed one branch of farming, and a very important one we admit; but after having passed Mr. GORE's amendment to the Agricultural appropriation bill, guaranteeing \$2.50 wheat, we fail to see wherein you have assisted the wheat farmer to any appreciable extent, inasmuch as you have failed to provide any protection from exploitation by the producer of raw material, manufacturer, and distributor of the supplies necessary to the production of wheat. Of what use to the wheat farmer is the extra 30 cents per bushel when you permit the implement and supplies to consume it? And does this consumption help us in any way to win the war? If so, we have nothing more to say; but we question the validity of such thought.

In your deliberations and discussions you seem to have overlooked the fact that there are probably 25 citizens engaged in other branches of agriculture to one engaged in wheat raising. We admit that wheat comes first from an efficiency standpoint at this time; but what about milk, butter, cheese, poultry, eggs? From the standpoint of food value, do they not merit your second consideration? Dairy and poultry farmers have much more money permanently invested per acre than has the wheat farmer, and their land is not suited to the production of wheat, but is far more valuable commercially, and is therefore taxed two and three times as much as the wheat lands.

You have taught the dairyman and poultryman to breed pure-bred stock, and they have responded until millions of dollars are tied up permanently. You can not sidetrack such a business, nor can these farmers kill off this stock and try to produce wheat. This is a permanent business, and you, ladies and gentlemen of Congress, have got to give it some protection, and that quickly, or this Government will have upon its hands thousands of bankrupt farmers and millions of unfertilized acres lying idle before we have whipped "Old 'Klizer' Bill." These farmers only ask the same right of existence you extend the shipbuilder and miller. They are of the most loyal of our citizenry and do not seek profit at this time, but they insist that you stop this excessive profiteering of their product to the extent that they be permitted to make both ends meet.

You have guaranteed the miller a certain profit per barrel for the flour he manufactures, and you have overlooked the by-products thereof, viz, bran, shorts, middlings, screenings, etc., and which forms the leading dairy and poultry feeds, and which said miller is using to exploit the farmer. The dairyman nor the poultryman care what price is paid for their product, if the cost of production is regulated to meet it.

Many of you have admitted on the floor of your respective assemblies that "price fixing has proven a failure" and that the "law of supply and demand should control." Permit me to disagree. President Wilson stated correctly, "The law of supply and demand has been supplanted by unrestrained selfishness." There has been no honest law of supply and demand for the past 25 years, and especially so for the past 10 years. The commission man and the broker have created a fictitious supply and a fictitious demand at will and have absolutely controlled prices for their profit alone.

You have a right to exclaim that the partial price fixing done has been a failure and detrimental to the last degree. In the name of justice and fairness to your constituents in all lines of business you must now go further and place a price upon all commodities produced by capital or labor.

I am authorized to write you this letter by the grange of King County, State of Washington, representing 20 local organizations with a membership of 1,500 and approximately 1,000 farms of an average acreage of 40 acres; hence 40,000 acres of as rich and productive soil as will be found anywhere in this United States is now appealing to you for a square deal.

Permit me to cite you a few facts. At our regular meeting held Thursday, March 28, figures were presented by different investigating committees and individuals concerning the cost of production of milk. The lowest actual cost of production was \$3.125 per 100 pounds; the average cost of production \$3.431. The price received by producer on February 28 was \$3 per 100 pounds; March 1 to 15, \$2.90; March 15 to April 1, \$2.75; and another drop due in April. You can appreciate the result.

Will you delve into this matter immediately and produce some remedial legislation before it is too late? If you seek personal evidence, it will be forthcoming.

Yours, very truly,

C. R. COTTRELL,  
Chairman Congressional Committee.

Mr. SHIELDS. I present a resolution from citizens of Knoxville, in meeting at Knoxville, Tenn., on the subject of equal suffrage, which I ask may be printed in the RECORD.

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

Be it resolved, That we, citizens of Knoxville, in meeting assembled at Knoxville, Tenn., this 13th day of April, 1918, congratulate Senator McKELLAR on his progressive stand on the Federal suffrage amendment and urge Senator SHIELDS to work and vote for this measure granting



political liberty to 20,000,000 American women at a time when they are called on to serve and suffer in a war for democracy abroad; and be it further

*Resolved*, That we call upon the United States Senate for the immediate passage of the Federal suffrage amendment, that political justice may be done to the women of this Nation; and be it further

*Resolved*, That copies of this resolution be sent to Senator McKELLAR and to Senator SHIELDS, with the request that he read it into the RECORD of the Senate.

L. CROZIER FRENCH, Chairman.

Mr. CUMMINS. I present a petition numerously signed by citizens of Des Moines, Polk County, Iowa, respectfully petitioning the passage of legislation giving letter carriers and clerks an increase in salaries to help meet the abnormal rise in living expenses. I move that the petition be referred to the Committee on Post Offices and Post Roads.

The motion was agreed to.

Mr. NELSON presented resolutions adopted by the Spanish-American War Veterans of the Fifteenth Minnesota Volunteer Infantry at their annual reunion, March 27, pledging anew their allegiance to the country and offering their services to the flag in any capacity in which they can be of use, which were referred to the Committee on Military Affairs.

He also presented resolutions adopted by the St. Paul Growers' Association, of St. Paul, Minn., favoring the fixing of a fair price on all wheat substitutes, to be based upon the established price of wheat, which were ordered to lie on the table.

He also presented a petition of the faculty of the Suak Rapids Schools, of Suak Rapids, Minn., and a petition of sundry citizens of Suak Rapids, Minn., praying for the repeal of the zone system of postage rates on second-class mail matter, which were ordered to lie on the table.

Mr. CURTIS presented a petition of sundry citizens of Sylvan Grove, Kans., praying for advanced rank for officers of the Medical Corps of the Army, which was referred to the Committee on Military Affairs.

He also presented a memorial of the Kansas Employers' Association, of Topeka, Kans., remonstrating against the adoption of the proposed antiefficiency clause in the naval appropriation bill, which was referred to the Committee on Naval Affairs.

He also presented a petition of the united congregations of the Baptist and Methodist Churches of Goddard, Kans., and a petition of the congregation of the Baptist Church of Derby, Kans., praying for national prohibition as a war measure, which were ordered to lie on the table.

He also presented a petition of Robert Anderson Post, No. 45, Grand Army of the Republic, Department of Kansas, of Center, Kans., and a petition of General Hazen Post, No. 258, Grand Army of the Republic, Department of Kansas, of Lincoln, Kans., praying for an increase in pensions of veterans of the Civil War, which were referred to the Committee on Pensions.

He also presented a petition of the Woman's Club, of Kinsley, Kans., praying for the repeal of the present zone system of postage rates on second-class mail matter, which was ordered to lie on the table.

Mr. WARREN presented a petition of sundry citizens of Upton, Wyo., praying for national prohibition as a war measure, which was ordered to lie on the table.

Mr. TOWNSEND presented a petition of Federal Employees' Union, No. 17, of Port Huron, Mich., and a petition of sundry citizens of Detroit, Mich., praying for an increase in the salaries of postal employees, which were ordered to lie on the table.

He also presented a petition of the Houghton County Medical Society of Michigan, praying for advanced rank for officers of the Medical Corps of the Army, which was referred to the Committee on Military Affairs.

Mr. PHELAN presented petitions of the Granite Cutters' International Association of America, of San Francisco; of the Riggers' and Stevedores' Union, of San Francisco; of Local Branch No. 21, National Association of Letter Carriers, of San Francisco; and of sundry citizens of Ontario, all in the State of California, praying for an increase in the salaries of postal employees, which were ordered to lie on the table.

#### ACCEPTANCE OF DECORATIONS.

Mr. CHAMBERLAIN, from the Committee on Military Affairs, to which was referred the joint resolution (S. J. Res. 143) to permit any and all members of the military or naval forces of the United States serving in the present war to accept decorations from the Government of any of the countries concurrently engaged with the United States in the prosecution of said war, reported it with amendments and submitted a report (No. 395) thereon.

#### PUBLIC HOUSING FOR WAR NEEDS.

Mr. SWANSON. From the Committee on Public Buildings and Grounds I report back favorably with amendments the bill (H. R. 10263) to authorize the Secretary of Labor to provide

housing, local transportation, and other community facilities for war needs, and I submit a report (No. 394) thereon. I will ask that the bill and report be printed, and after the bill is printed with the amendments I may try this evening to see if I can not get consideration of it. I want to give Senators who are interested in the bill an opportunity to have a copy of the bill and the report of the proposed amendments. It can be printed with the amendments in a few hours, I understand.

The VICE PRESIDENT. The bill will be placed on the calendar.

#### ENLISTED MEN TRAVELING ON DUTY.

Mr. CHAMBERLAIN. From the Committee on Military Affairs I report back favorably without amendment the bill (H. R. 9163) to provide for reimbursement of actual expenses or flat per diem for enlisted men traveling on duty under competent orders, and I ask unanimous consent for its immediate consideration.

Mr. SMOOT. Will the Senator from Oregon please explain the bill and whether it differs from the Senate bill?

Mr. CHAMBERLAIN. It is exactly the same as Senate bill 3691, which passed the Senate on March 23. It is to reimburse enlisted men when they go off on other duties than the regular service in the line. It has already passed the Senate and the committee reports the bill as it came from the House.

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

There being no objection, the bill was considered as in Committee of the Whole, and it was read, as follows:

*Be it enacted, etc.*, That hereafter under such regulations and within such maximum rates as may be prescribed by the Secretary of War enlisted men may be reimbursed for actual expenses of travel, including subsistence and lodging, incurred while traveling under competent orders and not embraced in the movement of troops, or they may be paid a flat per diem therefor in lieu of such reimbursement.

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

#### TEMPORARY PROMOTIONS IN THE REGULAR ARMY.

Mr. CHAMBERLAIN. From the Committee on Military Affairs I report back favorably without amendment the bill (H. R. 9902) to amend section 8 of an act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917.

I will state with reference to this bill that it is in the exact language of Senate bill 3801 which passed the Senate on the 23d of March, 1918. The House bill in the meantime had passed the House, and it has come over here and the committee ask that the House bill be passed.

There being no objection, the bill was considered as in Committee of the Whole, and it was read, as follows:

*Be it enacted, etc.*, That the last sentence of section 8 of an act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, be, and the same hereby is, amended to read as follows:

"Vacancies in the grades of the Regular Army resulting from the appointment of officers thereof to higher grades in the forces other than the Regular Army herein provided for shall be filled by temporary promotions and appointments in the manner prescribed by section 114 of the national defense act, approved June 3, 1916, except that such promotions and appointments may be made by the President alone when such vacancies are in grades not above that of colonel; and officers appointed under the provisions of this act to higher grades in the forces other than the Regular Army herein provided for shall not vacate their permanent commissions or be prejudiced in their relative or lineal standing in the Regular Army."

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

#### BILLS AND JOINT RESOLUTION INTRODUCED.

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

By Mr. STERLING:

A bill (S. 4360) granting an increase of pension to Charles F. Lytle (with accompanying papers); to the Committee on Pensions.

By Mr. NELSON:

A bill (S. 4361) to amend an act entitled "An act to amend an act entitled 'An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department,' approved September 2, 1914, and for other purposes," approved October 6, 1917; to the Committee on Finance.

By Mr. McNARY:

A bill (S. 4362) to provide preferential homestead entries for soldiers and sailors of war with Germany and Austria; to the Committee on Public Lands.

By Mr. TILLMAN:

A bill (S. 4363) to authorize the discharge of officers of the Navy and Marine Corps incapacitated for active service by reason of misconduct; to the Committee on Naval Affairs.

By Mr. CHAMBERLAIN:

A bill (S. 4364) to subject to trial by court-martial persons who endanger the good discipline, order, movements, health, safety, or successful operations of the land or naval forces of the United States by acting as spies in time of war in the United States, and for other purposes; and

A bill (S. 4365) to authorize the President to make provision for the care and treatment of persons discharged from the military or naval forces of the United States who are citizens of any nation at war with a nation with which the United States is at war; to the Committee on Military Affairs.

A bill (S. 4366) to amend section 5 of an act entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1914, and for other purposes," approved June 23, 1913 (38 Stat. L., 4, 75) (with accompanying paper); to the Committee on the Library.

By Mr. SHIELDS:

A bill (S. 4367) granting a pension to Zack Amis (with accompanying papers); to the Committee on Pensions.

By Mr. DILLINGHAM:

A bill (S. 4368) for the relief of Joseph Eubor; to the Committee on Military Affairs.

By Mr. JONES of Washington:

A bill (S. 4369) granting an increase of pension to David Patchin (with accompanying papers); to the Committee on Pensions.

A bill (S. 4370) prohibiting trespassing upon the cars or trains of carriers by rail engaged in interstate or foreign commerce (with accompanying paper); to the Committee on Interstate Commerce.

By Mr. CURTIS:

A bill (S. 4371) granting an increase of pension to John W. Johnson (with accompanying papers);

A bill (S. 4372) granting an increase of pension to Samuel H. Booker (with accompanying papers);

A bill (S. 4373) granting an increase of pension to Joseph J. Bennett (with accompanying papers);

A bill (S. 4374) granting an increase of pension to Benjamin F. Sawrey (with accompanying papers);

A bill (S. 4375) granting a pension to Alice P. Knapp (with accompanying papers);

A bill (S. 4376) granting an increase of pension to James William Alexander (with accompanying papers);

A bill (S. 4377) granting an increase of pension to Anna C. Seaman (with accompanying papers);

A bill (S. 4378) granting an increase of pension to James H. Mills (with accompanying papers);

A bill (S. 4379) granting an increase of pension to Jeremiah B. Cook (with accompanying papers);

A bill (S. 4380) granting a pension to Walter C. Nicolls (with accompanying papers);

A bill (S. 4381) granting an increase of pension to Maria Love (with accompanying papers);

A bill (S. 4382) granting an increase of pension to Abram W. Sidwell (with accompanying papers);

A bill (S. 4383) granting an increase of pension to Swain C. Kindblade (with accompanying papers);

A bill (S. 4384) granting an increase of pension to Davis Parsons (with accompanying papers);

A bill (S. 4385) granting an increase of pension to Eli Avery (with accompanying papers);

A bill (S. 4386) granting a pension to Frances L. Ha Ha (with accompanying papers);

A bill (S. 4387) granting an increase of pension to John H. Biddle (with accompanying papers); and

A bill (S. 4388) granting an increase of pension to Henry Yerkes (with accompanying papers); to the Committee on Pensions.

By Mr. SMOOT:

A bill (S. 4389) granting a pension to Malinda Dillon (with accompanying papers); to the Committee on Pensions.

By Mr. CURTIS:

A bill (S. 4390) to amend section 1 of an act entitled "An act to regulate commerce," approved February 4, 1887, as amended by section 7 of the act entitled "An act to create a Commerce Court," and to amend the act entitled "An act to regulate commerce," approved February 4, 1887, as heretofore amended, and for other purposes," approved June 18, 1910; to the Committee on Interstate Commerce.

By Mr. GALLINGER: A bill (S. 4390) granting an increase of pension to James W. Elwell (with accompanying papers); to the Committee on Pensions.

By Mr. CHAMBERLAIN:

A joint resolution (S. J. Res. 148) providing for the payment of income tax in monthly installments by certain members of

the military and naval forces of the United States (with accompanying paper); to the Committee on Finance.

#### WITHDRAWAL OF PAPERS—ELIZABETH CROWELL.

On motion of Mr. CURTIS, it was

Ordered, That the papers accompanying the bill S. 4640, Sixty-fourth Congress, first session, granting an increase of pension to Elizabeth Crowell, be withdrawn from the files of the Senate, no adverse report having been made thereon.

#### OUTPUT OF COAL.

Mr. THOMAS. Mr. President, I desire to read without any comment three very short clippings from papers of recent date. The first is entitled "Miners warn chaos means fuel famine":

MINERS WARN CHAOS MEANS FUEL FAMINE—STABILIZATION OF PRICE AND DISTRIBUTION URGED AS VITAL.

INDIANAPOLIS, IND., April 13.

Declaring that the present coal production in the United States is far below the Nation's lowest possible estimated requirements, the international executive board of the United Mine Workers of America, in a telegram to Federal Fuel Administrator Garfield, urged the immediate stabilization of prices and distributing agencies to prevent a recurrence of the crisis of 1917.

The telegram declares that mines in the States of Iowa, Oklahoma, Missouri, Kansas, Colorado, Wyoming, Montana, and West Virginia are working less than half time, and that in many mining towns large producing mines are actually shut down. Miners are leaving the mines in industrial centers where the car shortage shows no signs of improvement, the committee states, and adds: "If this exodus of miners to other lines of employment is permitted to continue, full car supply and most satisfactory distributing facilities provided later will be destined to failure."

The committee reiterates its pledge of full cooperation to all agencies of the Government to the end that the maximum coal production may result.

The second clipping is entitled "Soft coal production less":

SOFT COAL PRODUCTION LESS—1,500,000 TONS DECREASE IN WEEK ENDED APRIL 6, REPORT SHOWS.

That a serious coal shortage is impending is shown by the report of the Geological Survey made public yesterday. The decrease in production of bituminous for the week ended April 6 was 1,500,000 tons, or 14 per cent, as compared with the preceding week. The total production of bituminous coal, including lignite and coal made into coke, is estimated at 9,395,000 net tons.

The average per working day for the week ended April 6 was 1,566,000 tons, as compared with 1,833,000 tons for the week ended March 23. Bituminous shipments on 123 roads fell off from 197,415 carloads for the week ended March 2 to 161,500 carloads for the week ended April 6.

The last clipping has no headline and it appeared in an obscure portion of the paper.

One day Lee Thurman happened to be Acting Secretary of Commerce, Mr. Redfield being out of town. It also happened that a lighthouse inspection steamer ran out of coal.

The Department of Commerce sent to the Coal Administration for an order for the steamer's fuel, and Acting Secretary Thurman signed the order. Back it came.

"We can't take orders from subordinate officials," said the Fuel Administration with its head in the air; and do you know, because of that stupid bit of red tape the lighthouse inspection steamer hung around in port for one week.

Mr. LODGE. Mr. President, I happened to see a recent report of the Geological Survey in regard to coal which shows a great diminution in the production of coal, as the Senator has shown in the clippings. Is that not due in large measure to the fact that people are not buying coal as recommended by the Fuel Administration?

Mr. THOMAS. The reasons assigned by the executive committee of United Mine Workers and also in a statement this morning which I did not read in the RECORD—I do not state them in the order of their importance perhaps—are, first, coal-car shortage; second, interference in prices, lack, in other words, of stabilization of prices sufficiently reasonable to admit of fair profit. In my judgment the latter is the more serious of the two, for the reason that interference with prices by frequent changes and the probability of the continuance of that policy introduce the element of uncertainty in the business so great as to make it difficult for the producers to hold their organizations together or to assure their men of constant work. The two things together threaten the country with a coal famine quite as serious as or more serious than the one of last winter which resulted, as we have good reason to recollect, in the temporary paralysis of American industry.

Mr. LODGE. Is it not true that there is an effort being made to reduce the prices to railroads?

Mr. THOMAS. I am unable to answer that question. I understand that an effort is being made—and it is a very proper one if not carried to an extreme, to supply all industries engaged in the production of war material with such coal as they need.

Mr. LODGE. I did not mean precisely that. I mean is there not an effort being made to compel mines to sell coal to railroads at prices below those fixed by the Fuel Administration?

Mr. THOMAS. I understand the Senator's question. I am unable to answer it. I have no information on that subject.

Mr. FLETCHER. I wish to ask the Senator just one question. My information may be wrong, and I would like to be corrected if it is. It is that the output of the mines for 1916, both of



bituminous and anthracite, was the greatest in the history of the country, and that for 1917 there was an immense increase in the bituminous and anthracite output?

Mr. THOMAS. That is my information.

Mr. FLETCHER. And that the price now at the mines is much greater than it has been heretofore?

Mr. THOMAS. The latter statement I can not concur in. I do not think that is true. I feel very sure it is not the case in my State.

Mr. LODGE. The Fuel Administration has recently fixed certain prices and given it to be understood that they were to continue during the year. I have heard that there is an effort being made to compel mines to sell coal cheaper to the railroads, and therefore the railroads are holding off in buying, and as they consume a quarter of the production the result will be if that is done that the difference will have to be made up either out of the private consumer or by a reduction in the wages of labor.

Mr. THOMAS. That is unquestionably true, but I have no information, as I said before.

Mr. LODGE. I have not the details of it. I only heard that, and I thought the Senator might know.

Mr. THOMAS. I am not posted on that subject.

Mr. LODGE. I was told that the consumption by the railroads in the Senator's State would have a great effect in taking certain kinds of coal which could not be stored.

Mr. THOMAS. If the decrease in production continues for any considerable length of time I fear that when the general shortage comes, even in the great coal section where I live, they may find it necessary to obtain a part of their supply from other sources. I hope that will not be the case. The two fundamental causes of the present distressing situation are lack of stabilization of prices at reasonably remunerative rates and the possibility of further reductions, coupled with an undoubted shortage of cars.

#### ARTICLE BY ANDREW FURUSETH.

Mr. FLETCHER. Mr. President, I present an article by Andrew Furuseth, president of the International Seamen's Union of America, entitled "American Sea Power and the Seamen's Act." I ask that it be referred to the Committee on Printing with a view to having it made a public document.

The VICE PRESIDENT. Without objection, it will be so referred.

#### NATIONAL WAR LABOR BOARD.

Mr. SHERMAN. I present an article from the Official Bulletin of April 1, 1918, a report and recommendation of the War Labor Conference Board, and another from the Official Bulletin of April 10, 1918, being the President's proclamation appointing a National Industrial Conference Board. I ask that it may be printed without reading, and following that an article prepared by James A. Emery, of the National Industrial Conference Board, referring to those two documents, which I also ask may be printed without reading.

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

NATIONAL WAR LABOR BOARD IS RECOMMENDED BY COMMISSION: PROGRAM OF ACTION OUTLINED—REPORTS TO SECRETARY WILSON—REPRESENTATIVES OF EMPLOYERS AND EMPLOYEES AGREE ON STATEMENT OF POLICIES AND PRINCIPLES TO BE FOLLOWED—NO STRIKES OR LOCKOUTS.

The following report and recommendations are presented by the war labor conference board, representing employers and employees, in accordance with the suggestion of Secretary of Labor William B. Wilson, to aid in the formation of a national labor program for the period of the war:

WASHINGTON, March 29, 1918.

Hon. WILLIAM B. WILSON,  
Secretary of Labor.

SIR: The commission of representatives of employers and workers, selected in accord with the suggestion of your letter of January 28, 1918, to aid in the formulation, in the present emergency, of a national labor program, present to you, as a result of their conferences, the following:

(a) That there be created, for the period of the war, a national war labor board of the same number and to be selected in the same manner and by the same agencies as the commission making this recommendation.

#### FUNCTIONS AND POWERS OF BOARD.

(b) That the functions and powers of the national board shall be as follows:

1. To bring about a settlement, by mediation and conciliation, of every controversy arising between employers and workers in the field of production necessary for the effective conduct of the war.

2. To do the same thing in similar controversies in other fields of national activity, delays and obstructions in which may, in the opinion of the national board, affect detrimentally such production.

3. To provide such machinery by direct appointment, or otherwise, for selection of committees or boards to sit in various parts of the country where controversies arise, to secure settlement by local mediation and conciliation.

4. To summon the parties to the controversy for hearing and action by the national board in case of failure to secure settlement by local mediation and conciliation.

#### PROVISION FOR UMPIRE.

(c) If the sincere and determined effort of the national board shall fail to bring about a voluntary settlement and the members of the board shall be unable unanimously to agree upon a decision, then and in that

case, and only as a last resort, an umpire appointed in the manner provided in the next paragraph shall hear and finally decide the controversy under simple rules of procedure prescribed by the national board.

(d) The members of the national board shall choose the umpire by unanimous vote. Failing such choice, the name of the umpire shall be drawn by lot from a list of 10 suitable and disinterested persons to be nominated for the purpose by the President of the United States.

(e) The national board shall hold its regular meetings in the city of Washington, with power to meet at any other place convenient for the board and the occasion.

#### MAY ALTER METHODS.

(f) The national board may alter its methods and practice in settlement of controversies hereunder from time to time as experience may suggest.

(g) The national board shall refuse to take cognizance of a controversy between employer and workers in any field of industrial or other activity where there is by agreement or Federal law a means of settlement which has not been invoked.

(h) The place of each member of the national board unavoidably detained from attending one or more of its sessions may be filled by a substitute to be named by such member as his regular substitute. The substitute shall have the same representative character as his principal.

(i) The national board shall have power to appoint a secretary and to create such other clerical organization under it as may be in its judgment necessary for the discharge of its duties.

(j) The national board may apply to the Secretary of Labor for authority to use the machinery of the department in its work for conciliation and mediation.

#### HOW ACTION MAY BE INVOKED.

(k) The action of the national board may be invoked in respect to controversies within its jurisdiction by the Secretary of Labor or by either side in a controversy, or its duly authorized representative. The board, after summary consideration, may refuse further hearing if the case is not of such character or importance to justify it.

(l) In the appointment of committees of its own members to act for the board in general or local matters, and in the creation of local committees, the employers and the workers shall be equally represented.

(m) The representatives of the public in the board shall preside alternately at successive sessions of the board or as agreed upon.

(n) The board in its mediating and conciliatory action, and the umpire in his consideration of a controversy, shall be governed by the following principles:

#### PRINCIPLES TO BE OBSERVED.

There should be no strikes or lockouts during the war.

#### RIGHT TO ORGANIZE.

1. The right of workers to organize in trade-unions and to bargain collectively through chosen representatives is recognized and affirmed. This right shall not be denied, abridged, or interfered with by the employers in any manner whatsoever.

2. The right of employers to organize in associations of groups and to bargain collectively through chosen representatives is recognized and affirmed. This right shall not be denied, abridged, or interfered with by the workers in any manner whatsoever.

3. Employers should not discharge workers for membership in trade-unions nor for legitimate trade-union activities.

4. The workers, in the exercise of their right to organize, shall not use coercive measures of any kind to induce persons to join their organizations nor to induce employers to bargain or deal therewith.

#### EXISTING CONDITIONS.

1. In establishments where the union shop exists the same shall continue, and the union standards as to wages, hours of labor, and other conditions of employment shall be maintained.

2. In establishments where union and nonunion men and women now work together, and the employer meets only with employees or representatives engaged in said establishments, the continuance of such condition shall not be deemed a grievance. This declaration, however, is not intended in any manner to deny the right or discourage the practice of the formation of labor unions or the joining of the same by the workers in said establishments, as guaranteed in the last paragraph, nor to prevent the War Labor Board from urging, or any umpire from granting, under the machinery herein provided, improvement of their situation in the matter of wages, hours of labor, or other conditions as shall be found desirable from time to time.

3. Established safeguards and regulations for the protection of the health and safety of workers shall not be relaxed.

#### WOMEN IN INDUSTRY.

If it shall become necessary to employ women on work ordinarily performed by men, they must be allowed equal pay for equal work, and must not be allotted tasks disproportionate to their strength.

#### HOURS OF LABOR.

The basic eight-hour day is recognized as applying in all cases in which existing law requires it. In all other cases the question of hours of labor shall be settled with due regard to governmental necessities and the welfare, health, and proper comfort of the workers.

#### MAXIMUM PRODUCTION.

The maximum production of all war industries should be maintained, and methods of work and operation on the part of employers or workers which operate to delay or limit production, or which have a tendency to artificially increase the cost thereof, should be discouraged.

#### MOBILIZATION OF LABOR.

For the purpose of mobilizing the labor supply with a view to its rapid and effective distribution, a permanent list of the number of skilled and other workers available in different parts of the Nation shall be kept on file by the Department of Labor, the information to be constantly furnished:

1. By the trade-unions.

2. By State employment bureaus and Federal agencies of like character.

3. By the managers and operators of industrial establishments throughout the country.

These agencies should be given opportunity to aid in the distribution of labor, as necessity demands.

#### CUSTOM OF LOCALITIES.

In fixing wages, hours, and conditions of labor regard should always be had to the labor standards, wage scales, and other conditions prevailing in the localities affected.

## THE LIVING WAGE.

1. The right of all workers, including common laborers, to a living wage is hereby declared.

2. In fixing wages, minimum rates of pay shall be established which will insure the subsistence of the worker and his family in health and reasonable comfort.

Loyall A. Osborne, L. F. Loree, W. H. Van Dervoort, C. E. Michael, B. L. Worden, Wm. H. Taft, Frank J. Hayes, Wm. L. Hutcheson, Thomas J. Savage, Victor A. Olander, T. A. Rickert, Frank P. Walsh.

[From the Official Bulletin, Wednesday, April 10, 1918.]

**PRESIDENT APPROVES CREATION OF NATIONAL WAR LABOR BOARD; OUTLINES ITS POWERS AND DUTIES.**

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA—A PROCLAMATION.

Whereas, in January, 1918, the Secretary of Labor, upon the nomination of the president of the American Federation of Labor and the president of the National Industrial Conference Board, appointed a War Labor Conference Board for the purpose of devising for the period of the war a method of labor adjustment which would be acceptable to employers and employees; and

Whereas, said board has made a report recommending the creation for the period of the war of a national war labor board with the same number of members as, and to be selected by the same agencies, that created the War Labor Conference Board whose duty it shall be to adjust labor disputes in the manner specified, and in accordance with certain conditions set forth in the said report; and

Whereas, the Secretary of Labor has, in accordance with the recommendation contained in the report of said War Labor Conference Board dated March 29, 1918, appointed as members of the National War Labor Board Hon. William Howard Taft and Hon. Frank P. Walsh, representatives of the general public of the United States; Messrs. Loyall A. Osborne, L. F. Loree, W. H. Van Dervoort, C. E. Michael, and B. L. Worden, representatives of the employers of the United States; and Messrs. Frank J. Hayes, William L. Hutcheson, William H. Johnston, Victor A. Olander and T. A. Rickert, representatives of the employees of the United States;

Now, therefore, I, Woodrow Wilson, President of the United States of America, do hereby approve and affirm the said appointments and make due proclamation thereof and of the following for the information and guidance of all concerned:

The powers, functions, and duties of the National War Labor Board shall be: To settle by mediation and conciliation controversies arising between employers and workers in fields of production necessary for the effective conduct of the war, or in other fields of national activity, delays and obstructions which might, in the opinion of the national board, affect detrimentally such production; to provide, by direct appointment or otherwise, for committees or boards to sit in various parts of the country where controversies arise and secure settlement by local mediation and conciliation; and to summon the parties to controversies for hearing and action by the national board in event of failure to secure settlement by mediation and conciliation.

The principles to be observed and the methods to be followed by the National Board in exercising such powers and functions and performing such duties shall be those specified in the said report of the War Labor Conference Board dated March 29, 1918, a complete copy of which is herewith appended.

The national board shall refuse to take cognizance of a controversy between employer and workers in any field of industrial or other activity where there is by agreement or Federal law a means of settlement which has not been invoked.

And I do hereby urge upon all employers and employees within the United States the necessity of utilizing the means and methods thus provided for the adjustment of all industrial disputes, and request that during the pendency of mediation or arbitration through the said means and methods there shall be no discontinuance of industrial operations which would result in curtailment of the production of war necessities.

In witness whereof, I have herewith set my hand and caused the seal of the United States to be affixed.

Done in the District of Columbia, this eighth day of April, in the year of our Lord one thousand nine hundred and eighteen, and of the independence of the United States the one hundred and forty-second.

[SEAL.]

WOODROW WILSON.

By the President:

ROBERT LANSING,  
Secretary of State.

**WAR LABOR BOARD FOR INCREASING PRODUCTION—BODY JUST FORMED WILL ENDEAVOR TO MAINTAIN HARMONY BETWEEN EMPLOYERS AND LABOR IN ORDER TO SPEED UP WORK OF AMERICAN INDUSTRIES.**

[By James A. Emery, of the National Industrial Conference Board.]

Without attracting proportionate attention or comment, a remarkable social experiment of critical interest to our country is about to be made. A representative committee of employers and organized labor will undertake, through machinery jointly devised, to secure uninterrupted maximum production of war necessities and conciliate, mediate, or arbitrate inevitable differences as to hours, wages, and working conditions by the application of standards of mutual conduct which they agree ought to govern the employment relation for the duration of the war.

The joint committee which fathered these proposals was appointed by the Secretary of Labor January 28, 1918, and consisted of five representative employers nominated by the National Industrial Conference Board, and five officers of international unions named by the American Federation of Labor. Each group then selected a representative of the public to participate in the conferences. The employer representatives nominated ex-President Taft; the union representatives Frank P. Walsh, head of the old Industrial Relations Commission.

This joint committee, after repeated conferences at Washington, made recommendations to the Secretary of Labor on March 29 suggesting the creation of a war labor board, to conciliate and finally adjust labor disputes affecting war production, and offered certain principles and policies to govern the administration of the proposed board.

With the approval of the Secretary of Labor, the President of the United States, by Executive proclamation on April 9, adopted the proposals of the joint conference and appointed the same representatives of employers and unions to constitute the National War Labor Board. The President further urged "upon all employers and employees within

the United States the necessity of utilizing the means and methods thus provided for the adjustment of all industrial disputes," and requested "that during the pendency of mediation and arbitration through the said means and methods there shall be no discontinuance of industrial operations which would result in curtailment in the production of war necessities."

The need for devising an effective means of preventing the continuously increasing interruptions of our war production has become steadily greater. So far as it has been and is being caused by agents of the public enemy it has been and will be the subject of increasingly drastic legislation and police administration, but so far as it has been due to economic differences intensified by the circumstances of war production, agitation, and suspicious discontent it is but partially and ineffectually met by existing agencies or the experimental policies of the Government.

Soon after the declaration of war labor-dispute adjustment machinery was created by agreement between the Secretary of War and Mr. Gompers in relation to cantonment construction, by the Shipping Board, and the international officers of the craft unions involved, while the Department of Labor and various temporary committees and commissions, including the President's Mediation Commission, undertook the investigation, mediation, or arbitration of general classes of employment controversies. Despite these various agencies, none of which were coextensive with the field of industrial production, from our entrance into the war strikes steadily increased in number, extent, and intensity.

An investigation of strikes between April 6 and October 6, 1917, made by the National Industrial Conference Board, showed during that period a verified loss of 6,285,519 production days. The Bureau of Labor Statistics, Department of Labor, in its December, 1917, bulletin reported for the preceding month of September 171 strikes involving 147,349 persons, whose average loss of time indicated a minimum labor loss of more than a million workdays.

The same bulletin, reporting from official statistics of the German Empire, indicated that the United States lost through strikes in the single month of September, 1917, more workdays than the German Empire from the same cause in the whole year 1916. Whether we prefer the conclusions of a private body predicated upon painstaking inquiry or the comparisons afforded by official figures, either indicates an actual and threatened loss of production through labor disputes, with their social reaction upon national unity of thought and action, constituting a tragic menace. Whatever the motive of those who stop, or threaten to stop, the production of ships or supplies for ourselves or our allies, they consciously or unconsciously perform the work of the public enemy.

Great Britain met this condition by the famous treasury agreement of March 1915 between the Government and the representatives of all the British trade-unions. The unionists were asked to abandon every restrictive shop practice or custom threatening the maximum output of munitions, to agree that there should be no strikes affecting such production, that a dilution of unskilled, female, and unorganized labor be accepted, with a compulsory arbitration of all differences. In return for this the Government assured a limitation of employers' profits and the restoration, without prejudice to the unions, of the customs and practices which they abandoned for the period of the war. In other words, highly organized Great Britain became an open shop to win the war, for organized British labor accepted the proposal, and has kept its pledge with magnificent loyalty.

American labor conditions as we entered the war were substantially those which Great Britain reached by agreement. There from 80 per cent to 90 per cent of the war industries, including shipbuilding, were highly unionized. Here the reverse was the fact. The Naval Consulting Board which examined and classified plants available for munition production reported, prior to our entrance into the war, 18,654 establishments, of which 1,867, or slightly more than 10 per cent, were union shops. We therefore possessed, as a matter of fact and law, upon entering the war, a condition which Great Britain sought and established as a national policy through negotiation and after learning its necessity by costly experience.

Our industrial circumstances are, therefore, not only unlike those of our great ally, but the establishment of the War Labor Board presents an essentially different method in principle of fixing standards of conduct and methods of adjusting disputes. Great Britain sanctioned the Treasury agreement by enacting its industrial policy and the Government's pledge into the munition acts of 1915-16. We have undertaken to accomplish the same purpose without legislation through representatives of employers and unions directly recognizing and declaring for the imposition of specific reciprocal voluntary restraints in the conduct of their relations with each other, in order to minimize causes of disagreement, while adjusting such disputes as arise between them through machinery of their own devising, which they jointly administer in the presence and with the aid of representatives of the public.

The board is without legal authority to compel the acceptance of its policy or methods, the reference to it of any dispute, or the enforcement of any award. It can not compel a single employer to adopt its views or a single employee to remain at his task. But the circumstances of its formation, the representative quality of its membership, the inherent worth, perceived necessity, and apparent practicability of its principles and procedure attach a powerful moral sanction to its proceedings.

For the American people realize more clearly each day the necessity of uninterrupted production. The needs of their soldiery are calling insistently from the trenches. They know their cause to be equally imperiled whether that production is stopped by stubborn disputants or the military effort of the public enemy. If it can not be assured by the operation of a voluntary arrangement, the people are likely to demand that the very extreme of authority shall be exerted to obtain it. It will be a notable and inspiring achievement, indeed, if the recognition of a common obligation to the national defense will supply an ample substitute for any exercise of public authority.

The fundamental declaration which underlies the whole scheme is the recognition by both parties that "there should be no strikes or lockouts during the war." Expressed in the form of an opinion rather than an imperative pledge, it expresses the end to which all else is subordinate. To avoid this wasteful, and for the war unendurable, method of settling labor disputes the board arms itself with a means of flexibly adapting its organization to the circumstances of any disagreement. It refuses first of all to take cognizance of any case in which by agreement or statute a medium of adjustment is provided until that medium has been tried and failed. Even after its intervention has been invoked the board may drop any case if its character or importance does not justify its further consideration.

The action of the board is invoked by application of either of the parties or the Secretary of Labor. It may operate through permanent or temporary local committees of its own appointment, provided always



that employers and employees are equally represented. It creates its own methods and practice as it progresses, and may alter these in the light of its experience.

While the plan emphasizes a determination to exhaust the resources of mediation and conciliation before proceeding to arbitration, it nevertheless provides, in the event of the failure of these methods, for the choice of an umpire, either by the unanimous vote of the board or by a drawing from a list of 10 suitable and disinterested persons nominated by the President of the United States. The decision of such umpire is to be final and without appeal. The subject matter to which the board confines itself are controversies directly, or in its opinion indirectly but detrimentally, affecting production necessary for the conduct of the war. The whole working arrangement is by its very nature for the duration of the war.

A means of adjustment without standards would be a procedure without substantive law. The joint conference committee therefore proposed, and the Executive proclamation approves, a brief declaration of principles to govern the board or its representatives in the consideration of any controversy. These include a declaration of the right of all workers to a living wage in recognition of the principle that found perhaps its best expression in the famous labor encyclical of Pope Leo XIII, a recommendation to assist in the mobilization of labor by providing lists of workers to the Department of Labor through trade-unions, State and Federal employment agencies, and the management of industrial establishments. Women workers, it is declared, should be allowed equal pay for equal work on work ordinarily performed by men and be limited to tasks proportionate to their strength.

In respect to hours of labor the basic eight-hour day is recognized in all cases where it is required by law. In all other instances hours of service are determinable by the public necessity and the welfare, health, and proper comfort of the worker.

A most important declaration is made with respect to the necessity for "maximum production," which, it is asserted, "should be maintained, and methods of work and operation on the part of employers or workers which operate to delay or limit production, or which have a tendency to artificially increase the cost thereof, should be discouraged."

It is recognized that local custom and standards should prevail in fixing wages, hours, and conditions of labor.

In addition to these declarations of economic standards and policy, and for the assured continuance of established safeguards and regulations for the protection of health, safety, and welfare of workers special declarations are made upon the subject of the "right to organize" and in recognition and protection of existing employment conditions in munition establishments. These declarations are for the apparent purpose of clearly affirming for trade unions the right to organize and deal collectively with their employers and engage in all legitimate activities to that end.

The nonunion worker and the employer not at present dealing with trade-unions is assured of equal protection against the use of any coercive means either to compel the one to take membership in a union or the other, against his will, to deal with it.

It is likewise clearly stated that where union standards and conditions exist they shall be maintained, but where union men and women or nonunion men and women now work together the continuance of such a condition shall not be deemed a "grievance" by organized labor.

While I am a member of the National Industrial Conference Board, I neither know nor am authorized to express the opinions of its membership nor of the employer members of the War Labor Board, but I should assume from antecedent circumstances that the representatives neither of employer nor employee intended to make this declaration of principles exclusive, but rather sought through it to clarify the ambiguous interpretation and misunderstandings which have frequently arisen in the endeavor to apply the standards which early in the war the National Council of Defense declared ought to govern the employment relation throughout the struggle. It is substantially summed up in the declaration that neither employer nor employee should take advantage of the circumstances of the war to obtain a condition which they were unable to secure prior thereto.

Of course neither employer nor employee can undertake to define the rights or privileges of the other, nor substitute his opinions or desires with respect to the same for those which spring from the nature of our Government or the decisions of our highest judicial tribunals. But the accredited representatives of such parties can, as they have in this instance, and with great moral authority, recommend a course of conduct with respect to the relations of employers and trade-unions, which, springing from exceptional experience, should be calculated to diminish the differences likely to arise from disagreeing interpretations of the employment relation.

The economic standards proposed should be mutually acceptable. The right to organize, which is undeniable, is properly conditioned by condemnation of the use of coercive measures and the assurance of the recognition of the rights and protection of the nonconformant, whether employer or employee. If trade-unions by superior efficiency or service can merit and win the membership of individual workers, and if employers voluntarily, and not because of coercive threats, prefer to deal with them because of a demonstrated advantage, neither the individual nor the public has cause for complaint.

The experiment is unique in political history: the stake a tremendous one. The practical operation of the plan will be its true test. But the object it seeks to accomplish is at present essential to our national safety, and we should therefore give to the enterprise our hearty cooperation, with every desire to make it a notable success.

#### LEGISLATIVE, ETC., APPROPRIATIONS.

Mr. MARTIN. I move that the Senate proceed to the consideration of the legislative, executive, and judicial appropriation bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 10358) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1919, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

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

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

The first amendment of the Committee on Appropriations was, under the head of "Legislative," subhead "Senate," in the item of appropriation for clerks and messengers for the following committees, on page 5, line 9, before the word "clerk," where it occurs the first time, to insert "actuary, \$4,000."

The amendment was agreed to.

The next amendment was, in line 11, after "\$1,440," to strike out "two experts (one for the majority and one for the minority) at \$2,000 each," and insert "expert for the minority, \$2,000."

Mr. SMOOT. Mr. President, I call the attention of the Senator from Virginia to the fact that I think the committee desires that amendment rejected.

Mr. MARTIN. I move that the Senate disagree to the amendment just stated, and the amendment previously agreed to in respect to that matter. I shall explain my reasons for doing so a little later on.

The VICE PRESIDENT. Does the Senator desire that the Senate shall disagree to the amendment in reference to an actuary?

Mr. MARTIN. I desire that the Senate shall disagree to these two committee amendments.

The VICE PRESIDENT. The Senator refers also to the amendment on page 5, line 9?

Mr. MARTIN. Yes.

The VICE PRESIDENT. Without objection, the vote whereby the amendment on page 5, line 9, was agreed to will be reconsidered and the committee amendment rejected. Without objection, the committee amendment on page 5, lines 11, 12, and 13, is also rejected. The Chair hears none.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, in the item of appropriation for clerks and messengers to the following committees, on page 6, line 11, after "\$2,220," to strike out "assistant clerk, \$1,440" and insert "two assistant clerks, at \$1,440 each," so as to read:

Military Affairs—clerk \$2,500, assistant clerk \$2,220, two assistant clerks at \$1,440 each, messenger \$1,200.

The amendment was agreed to.

The next amendment was, on page 6, line 18, after the word "clerk," to strike out "\$1,800" and to insert "\$2,220," so as to read:

Naval Affairs: Clerk, \$2,500; assistant clerk, \$2,220.

The amendment was agreed to.

The next amendment was, in the item of appropriation for clerks and messengers to the following committees, on page 7, line 25, after the words "in all," to strike out "\$428,380" and insert "\$432,240," so as to read:

Transportation routes to the seaboard—clerk \$2,220, assistant clerk \$1,440, messenger \$1,200; University of the United States—clerk \$2,220, assistant clerk \$1,440, messenger, \$1,200; Woman Suffrage—clerk \$2,220, assistant clerk \$1,440, messenger \$1,200; in all, \$432,240.

The amendment was agreed to.

Mr. MARTIN. I ask unanimous consent that the Secretary be authorized to correct all the totals which it shall be necessary to change because of amendments to the bill.

The VICE PRESIDENT. Without objection, the Secretary will be authorized to correct the totals. The Chair hears none.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 8, line 9, after the word "each," where it occurs the second time, to insert "one for the minority, \$1,440"; in line 10, after the word "one," where it occurs the first time, to strike out "\$1,050" and insert "\$1,440"; in line 20, after "\$1,200," to strike out "two" and insert "four"; in line 24, after the word "each," to strike out "thirty-two" and insert "thirty-four"; and on page 9, line 1, after the words "in all," to strike out "\$129,650" and insert "\$144,720," so as to make the clause read:

Office of Sergeant at Arms and Doorkeeper: Sergeant at Arms and Doorkeeper, \$6,500; Assistant Sergeant at Arms, \$2,500; Assistant Doorkeeper, \$3,000; Acting Assistant Doorkeeper, \$3,000; two floor assistants at \$2,000 each; messengers—4 (acting as assistant doorkeepers) at \$1,800 each, 34 at \$1,440 each, one for the minority, \$1,440; one \$1,440, one \$1,000, one at card door \$1,600; clerk on Journal work for CONGRESSIONAL RECORD, to be selected by the official reporters, \$2,400; storekeeper, \$2,220; stenographer in charge of furniture accounts and records, \$1,200; upholsterer and locksmith, \$1,440; cabinetmaker, \$1,200; 3 carpenters, at \$1,080 each; janitor, \$1,200; skilled laborers—4 at \$1,000 each; laborer in charge of private passage, \$840; 3 female attendants in charge of ladies' retiring room, at \$720 each; 3 attendants to women's toilet rooms, Senate Office Building, at \$720 each; telephone operators—chief \$1,200, 4 at \$900 each, night operator \$720; telephone page, \$720; press gallery—superintendent \$1,800, assistant superintendent \$1,400, messenger for service to press correspondents \$900; laborers—3 at \$800 each, 34 at \$720 each; 16 pages for the Senate Chamber, at the rate of \$2.50 per day each during the session, \$4,800; in all, \$144,720.

The amendment was agreed to.

The next amendment was, on page 9, line 10, after the word "folders," to strike out "6" and insert "7"; in the same line, after the word "each," to strike out "8" and insert "7"; and in line 11, after the words "in all," to strike out "\$16,920" and insert "\$17,080," so as to make the clause read:

Folding room: Foreman, \$1,000; assistant, \$1,400; clerk, \$1,200; folders—7 at \$1,000 each, 7 at \$840 each, in all, \$17,080.

The amendment was agreed to.

The next amendment was, on page 9, line 25, before the word "clerks," to strike out "24" and insert "30"; on page 10, line 1, before the words "assistant clerk," to strike out "24" and insert "30"; in line 2, before the word "messengers," to strike out "24" and insert "30"; and in the same line, after the words "in all," to strike out "\$105,000" and insert "\$132,000," so as to make the clause read:

For assistance to Senators who are not chairmen of committees, as follows: Thirty clerks, at \$2,000 each; 30 assistant clerks, at \$1,200 each; 30 messengers, at \$1,200 each; in all, \$132,000.

The amendment was agreed to.

The next amendment was, on page 10, line 11, after the words "Sergeant at Arms," to strike out "\$6,000" and insert "\$7,000," so as to make the clause read:

For maintaining, exchanging, and equipping motor vehicles for carrying the mails, and for official use of the offices of the Secretary and Sergeant at Arms, \$7,000, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, on page 11, line 4, after the word "labor," to strike out "\$50,000" and insert "\$140,000, of which sum \$40,000 shall be immediately available," so as to make the clause read:

For miscellaneous items, exclusive of labor, \$140,000, of which sum \$40,000 shall be immediately available.

The amendment was agreed to.

The next amendment was, under the subhead "Capitol Police," on page 11, line 17, before the word "additional," to strike out "10" and insert "60"; and in line 20, after the words "in all," to strike out "\$65,550" and insert "\$114,550, of which sum \$7,000 shall be available for the fiscal year 1918: *Provided*, That the appointment to the positions herein provided under the Capitol Police shall be made solely on account of efficiency and special qualifications," so as to make the clause read:

For captain, \$1,800; 3 lieutenants, at \$1,200 each; 2 special officers, at \$1,200 each; 47 privates, at \$1,050 each; 60 additional privates, at \$840 each; one-half of said privates to be selected by the Sergeant at Arms of the Senate and one-half by the Sergeant at Arms of the House; in all, \$114,550, of which sum \$7,000 shall be available for the fiscal year 1918: *Provided*, That the appointment to the positions herein provided under the Capitol Police shall be made solely on account of efficiency and special qualifications.

The amendment was agreed to.

The Secretary continued the reading of the bill, the last clause read being on page 13, after line 2, as follows:

Office of the Clerk: Clerk of the House of Representatives, including compensation as disbursing officer of the contingent fund, \$6,500; hire of horse and wagon for use of the Clerk's office, \$900, or so much thereof as may be necessary.

Mr. MARTIN. On page 13, line 6, I move the amendment which I send to the Secretary's desk.

The VICE PRESIDENT. The amendment proposed by the Senator from Virginia will be stated.

The SECRETARY. On page 13, line 6, after the word "office," it is proposed to strike out the sum "\$900" and in lieu thereof to insert "\$1,200," so as to read:

Hire of horse and wagon for use of the Clerk's office, \$1,200, or so much thereof as may be necessary.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the head of "Library of Congress," on page 28, after line 9, to insert:

For temporary services of additional employees when found necessary, at the discretion of the superintendent, in the operation of the Library Building and grounds, \$500.

The amendment was agreed to.

The next amendment was, on page 28, line 19, after the word "stonework," to strike out "\$18,000" and insert "\$18,500, of which sum \$1,500 shall be immediately available," so as to make the clause read:

For fuel, lights, repairs, miscellaneous supplies, electric and steam apparatus, city directory, stationery, mail and delivery service, including new auto delivery wagon, and all incidental expenses in connection with the custody, care, and maintenance of said building and grounds, including \$2,000 for repairs to roof and \$1,500 for pointing exterior stonework, \$18,500, of which sum \$1,500 shall be immediately available.

The amendment was agreed to.

Mr. MARTIN. I send to the Secretary's desk an amendment to come in on line 18, page 29.

The VICE PRESIDENT. The amendment proposed by the Senator from Virginia will be stated.

The SECRETARY. On page 29, line 18, it is proposed to strike out "care and maintenance of motor-propelled delivery vehicle" and in lieu thereof to insert "purchase, exchange, care, and maintenance of motor-propelled delivery vehicles."

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the head of "Department of State," in the item of appropriation for salaries of Secretary of State, Assistant Secretary, etc., on page 34, line 11, before the word "telephone," to strike out "two" and insert "four"; and in line 12, after the words "in all," to strike out "\$321,320" and insert "\$322,760," so as to read:

Four laborers; 4 telephone switchboard operators; chauffeur, \$1,080; in all, \$322,760.

The amendment was agreed to.

The next amendment was, on page 35, line 7, after the word "act," to insert "except the act making appropriations for the Diplomatic and Consular Service," so as to make the clause read:

No money appropriated by any other act, except the act making appropriations for the Diplomatic and Consular Service, shall be used during the fiscal year 1919 for employment and payment of personal service in the Department of State at Washington, D. C.

The amendment was agreed to.

The next amendment was, under the head "Treasury Department," on page 36, line 18, after the word "each," to strike out "Government actuary, under control of the Treasury, \$3,500"; and in line 22, after the words "in all," to strike out "\$82,700" and insert "\$79,200," so as to make the clause read:

Office of the Secretary: Secretary of the Treasury, \$12,000; assistant to the Secretary, \$5,000; 3 Assistant Secretaries, at \$5,000 each; 2 additional Assistant Secretaries, at \$5,000 each, in accordance with the authority contained in the deficiency appropriation act approved October 6, 1917; clerk to the Secretary, \$3,000; executive clerk, \$2,400; stenographer, \$1,800; 5 private secretaries, 1 to each Assistant Secretary, at \$1,800 each; clerks—1 of class 4, 4 of class 3, 2 of class 2; chief messenger, \$1,100; 2 assistant chief messengers, at \$1,000 each; messengers—3 at \$900 each, 5 at \$840 each; in all, \$79,200.

Mr. MARTIN. I ask that the Senate disagree to that amendment of the committee.

The VICE PRESIDENT. The question is on the amendment reported by the committee.

The amendment was rejected.

Mr. MARTIN. In lieu of the amendment which has just been rejected I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment proposed by the Senator from Virginia will be stated.

The SECRETARY. On page 36, line 18, after the word "each," it is proposed to insert:

Government actuary, under control of the Treasury, \$4,000.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 45, line 4, before the words "of class four," to strike out "thirty-six" and insert "thirty-nine"; in the same line, before the words "of class three," to strike out "sixty-three" and insert "sixty-six"; in line 5, before the words "of class two," to strike out "seventy-nine" and insert "eighty-three"; in line 6, before the words "of class one" to strike out "one hundred and three" and insert "one hundred and thirteen"; in line 7, before the words "at \$1,000 each," to strike out "twenty-six" and insert "thirty"; in line 7, before the words "at \$900 each," to strike out "seven" and insert "nine"; and in line 10, after the words "in all," to strike out "\$468,290" and insert "\$501,890," so as to make the clause read:

Office of Auditor for War Department: Auditor, \$4,000; assistant and chief clerk, \$2,250; law clerk, \$2,000; chief of division of accounts, \$2,500; chief of claims and records division, \$2,000; 2 assistant chiefs of division, at \$1,900 each; chief transportation clerk, \$2,000; clerks—29 of class 4, 66 of class 3, 83 of class 2, 113 of class 1, 30 at \$1,000 each; 9 at \$900 each; skilled laborer (qualified as carpenter), \$900; skilled laborer (to act as foreman of laborers), \$900; 2 messengers; 8 assistant messengers; 12 laborers; messenger boy, \$480; in all, \$501,890.

The amendment was agreed to.

The next amendment was, under the subhead "Independent Treasury," on page 63, after line 16, to strike out:

The Secretary of the Treasury is authorized and directed to discontinue the offices of the assistant treasurers at Baltimore, Boston, Chicago, Cincinnati, New Orleans, New York, Philadelphia, St. Louis, and San Francisco within six months after the President shall have proclaimed the termination of the existing state of war between the United States and Germany; and section 3595 of the Revised Statutes of the United States is repealed from and after the discontinuance of the said offices. The Secretary of the Treasury further is authorized to retain only such of the employees in the office of the assistant treasurers as may be necessary to safeguard the property and funds of the United States and to transfer to Washington to the office of the Treasurer of the United States such others as in his judgment may be necessary in connection with the discontinuance of the said offices.

The amendment was agreed to.



Mr. MARTIN. On behalf of the committee, I send to the Secretary's desk an amendment and move its adoption.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 72, after line 14, it is proposed to insert the following:

For the following as authorized by the act approved April 6, 1918, at annual rates of compensation as follows: Second Assistant Secretary of War, \$4,500; Third Assistant Secretary of War, \$4,500; in all, \$11,075; of which sum \$2,075 shall be available for the fiscal year 1918.

The VICE PRESIDENT. Without objection, the amendment is agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the head of "War Department," at the top of page 77, to insert:

The Chief of Ordnance is authorized to appoint one of the Army officers serving in his office as disbursing officer to pay the civilian employees in the Ordnance Office authorized in this or any other appropriation act for the fiscal year 1919.

The amendment was agreed to.

Mr. MARTIN. I ask for the adoption of the amendment which I send to the Secretary's desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 78, line 24, after the word "trucks," where it occurs in each instance, the first and last words in the line, it is proposed to insert the words "and motorcycles," so as to read:

purchase and exchange of motor trucks and motorcycles; maintenance, repair, and operation of motor trucks and motorcycles.

The VICE PRESIDENT. Without objection, the amendment is agreed to.

Mr. MARTIN. I send another amendment to the desk and ask for its adoption.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 78, line 21, it is proposed to strike out "\$4,000" and insert in lieu thereof "\$3,000."

The VICE PRESIDENT. Without objection, the amendment is agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the head of "State, War, and Navy Department Buildings," on page 82, after line 16, to strike out:

War and Navy Department Buildings (Henry Park Reservation): For the following employees for the maintenance and protection of the buildings, at annual rates of compensation, as follows: Clerks—1 of class 3, 1 of class 2, 2 of class 1, 1 at \$1,000; 2 messengers, at \$720 each; electricians—chief \$1,400, 3 at \$1,200 each; 2 plumbers, at \$1,200 each; machinist, \$1,200; foreman, \$1,500; 2 painters, at \$1,200 each; four carpenters, at \$1,200 each; 8 general mechanics, at \$1,000 each; assistant engineers—2 at \$1,400 each, 2 at \$1,200 each; 18 firemen; laborers—foreman \$1,000, 30 at \$660 each; 9 female laborers, at \$480 each; guards—captain \$1,600, 3 lieutenants at \$1,000 each, 6 sergeants at \$840 each, 125 at \$720 each; charwomen—3 forewomen at \$300 each, 75 at \$240 each; in all, \$202,880.

And insert:

War and Navy Department Buildings (Henry Park Reservation): For the following employees for the maintenance and protection of the buildings, at annual rates of compensation, as follows: Assistant superintendent, \$2,000; clerks—1 of class 3, one of class 2, 2 of class 1, one at \$1,000; 3 messengers, at \$720 each; electricians—chief \$1,400, 2 at \$1,200 each, 3 at \$1,000 each; 2 plumbers, at \$1,200 each; machinist, \$1,200; foreman, \$1,500; 2 painters, at \$1,200 each; 4 carpenters, at \$1,200 each; 2 carpenters, at \$1,000 each; 3 switchboard operators, at \$1,000 each; 10 general mechanics, at \$1,000 each; chief engineer, \$1,400; assistant engineers, 4 at \$1,200 each; steam fitter, \$1,080; firemen—7 at \$840 each, 11 at \$720 each; laborers—foreman \$1,000, 50 at \$660 each; 9 female laborers, at \$480 each; guards—captain \$1,600, 3 lieutenants at \$1,000 each, 6 sergeants at \$840 each, 155 at \$720 each; charwomen—4 forewomen at \$300 each, 80 at \$240 each; in all, \$245,700.

The amendment was agreed to.

The next amendment was, under the head of "Navy Department," in the item of appropriation for the Hydrographic Office, for the purchase and printing of nautical books, charts, sailing directions, etc., on page 88, line 14, after the words "purchase of," to strike out "a hand press" and insert "such additional printing presses as may be necessary," so as to read:

Purchase of equipment for the storage of plates used in making charts and for the storage of Hydrographic Office charts and publications; care and repairs to printing presses, furniture, instruments, and tools, including the purchase of such additional printing presses as may be necessary.

The amendment was agreed to.

Mr. MARTIN. I send to the Secretary's desk, on behalf of the committee, an amendment proposing to reduce the amount for the purchase of a motor vehicle from \$4,000 to \$3,000.

The SECRETARY. On page 96, line 2, it is proposed to strike out "\$4,000" and insert in lieu thereof "\$3,000."

The VICE PRESIDENT. Without objection, the amendment is agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the head of "Department of the Interior," on page 102,

line 23, before the words "at \$2,000 each," to strike out "13" and insert "14"; in line 25, before the words "of class 3," to strike out "53" and insert "57"; on page 103, line 1, before the words "of class 2," to strike out "77" and insert "83"; in line 2, before the words "of class 1," to strike out "85" and insert "89"; in the same line, before the words "at \$1,000 each," to strike out "73" and insert "77"; and in line 13, after the words "in all," to strike out "\$647,190" and insert "\$672,790," so as to make the clause read:

General Land Office: Commissioner, \$5,000; assistant commissioner, \$3,500; chief clerk, \$3,000; chief law clerk, \$2,500; 2 law clerks, at \$2,200 each; 3 law examiners of surveyors general and district land offices, at \$2,000 each; recorder, \$2,000; chiefs of divisions—1 of surveys \$2,750, 1 \$2,400, 10 at \$2,000 each; assistant chief of division, \$2,000; law examiners—14 at \$2,000 each, 10 at \$1,800 each, 18 at \$1,600 each; clerks—27 of class 4, 57 of class 3, 83 of class 2, 89 of class 1, 77 at \$1,000 each; 65 copyists; 26 copyists, at \$720 each; 2 messengers; 10 assistant messengers; messenger boys—10 at \$600 each, 6 at \$480 each; 3 skilled laborers, who may act as assistant messengers when required, at \$660 each; 3 laborers (13 transferred to building for Interior Department offices); packer, \$720; depositary acting for the commissioner as receiver of public moneys, \$2,000, who may, with the approval of the commissioner, designate a clerk of the General Land Office to act as such depositary in his absence; clerk and librarian, \$1,000; in all, \$672,790.

The amendment was agreed to.

The next amendment was, on page 106, line 9, before the words "per cent," to strike out "25" and insert "33½," so as to make the clause read:

Appointment shall not be made to any of the positions herein appropriated for in the classified service of the Bureau of Pensions not actually filled June 30, 1918, nor shall more than 33½ per cent of other vacancies actually occurring in any grade in the classified service of that bureau, during the fiscal year 1919, be filled by original appointment or promotion. The salaries or compensation of all places which may not be filled as hereinabove provided for shall not be available for expenditure, but shall lapse, and shall be covered into the Treasury. The provisions of this paragraph shall not apply to any position with a salary of \$2,250 or above that sum.

Mr. MARTIN. I ask that the Senate disagree to the committee amendment.

The VICE PRESIDENT. The question is on agreeing to the amendment reported by the committee.

The amendment was rejected.

Mr. MARTIN. Now, I ask that lines 5 to 17, both inclusive, be stricken from the bill, and in lieu thereof to have inserted the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 106 it is proposed to strike out lines 5 to 17, inclusive, and insert in lieu thereof the following:

Appointment shall not be made to any of the positions herein appropriated for in the classified service of the Bureau of Pensions not actually filled June 30, 1918, nor shall more than 50 per cent of other vacancies actually occurring in the \$1,200 grade, nor more than 25 per cent of such vacancies actually occurring in all other grades or positions, except those with salaries of \$2,250 or above, or \$1,000 or below, during the fiscal year 1919, be filled by original appointment or promotion. The salaries or compensation of all places which may not be filled as hereinabove provided for shall not be available for expenditure, but shall lapse, and shall be covered into the Treasury.

Mr. SMOOT. Mr. President, I am not going to take the time of the Senate to discuss this amendment, further than to say that the amendment that has just been proposed by the chairman of the committee is very much better than the House provision, although I should like to see even this amendment rejected; but I am not going to ask a vote of the Senate upon it.

The situation at the Pension Office is such that, in my opinion, and in the opinion of the commissioner himself, no limitation ought to be put upon the number of employees in that department this year. Some eight years ago this provision first appeared in the law. It was a very wise provision, and it has continued in the law from that time until this. Last year was the first year it became burdensome upon the department. In that year some 149 employees less were employed, brought about through death and the fact that their positions could not be filled. If that continues, and our pension laws are such that the work of the department increases, it can not do the work necessary this year; but I am perfectly willing now, with the amendment that was offered by the Senator from Virginia, to allow the amendment to be adopted, and hope the department for this year can get along with the present number of employees.

Mr. MARTIN. Mr. President, I will say just a word. The committee certainly had no idea of hampering the work of that department; but this amendment was gotten up after an investigation by Mr. Brown, of the Bureau of Efficiency, and we feel very sure that it will meet the necessities for the present. If it develops that they need additional service, of course it will be allowed.

The VICE PRESIDENT. The question is on agreeing to the amendment offered on behalf of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 108, line 18, after the word "papers," to insert "and for expense of transporting publications of patents issued by the Patent Office to foreign governments," so as to make the clause read:

For producing copies of weekly issue of patents, designs, and trademarks; production of copies of drawings and specifications of exhausted patents and other papers; and for expense of transporting publications of patents issued by the Patent Office to foreign governments, \$140,000.

The amendment was agreed to.

Mr. MARTIN. Mr. President, the adoption of that amendment renders unnecessary lines 15, 14, and the words "and expense of," in line 13; so I ask the Senate to strike out those words, not including the sum "\$3,000."

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 108, line 13, after the word "books," it is proposed to strike out the remainder of the paragraph, except the numerals "\$3,000," in the following words:

And expense of transporting publications of patents issued by the Patent Office to foreign governments.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 111, line 5, after "\$3,000," to strike out "and \$750 additional so long as the position is held by the present incumbent," and in line 16, after the words "in all," to strike out "\$30,710" and insert "\$29,960," so as to make the clause read:

Office of Superintendent of the Capitol Building and Grounds: Superintendent, \$6,000; chief clerk, \$2,000; chief electrical engineer, \$3,000; civil engineer, \$2,400; 2 draftsmen, at \$1,200 each; 2 clerks, at \$1,200 each; compensation to disbursing clerk, \$1,000; messenger; person in charge of the heating of the Supreme Court and central portion of the Capitol, \$1,000; laborer in charge of water-closets in central portion of the Capitol, \$660; 7 laborers for cleaning Rotunda, corridors, Dome, and old library portion of Capitol, at \$660 each; 2 laborers in charge of public closets of the House of Representatives and in the terrace, at \$720 each; bookkeeper and accountant, \$2,200; in all, \$29,960.

The amendment was agreed to.

Mr. MARTIN. I send to the desk an amendment to reduce the amount for the purchase of an automobile from \$4,000 to \$3,000.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 111, line 25, it is proposed to strike out "\$4,000" and in lieu thereof to insert "\$3,000," so as to read:

not exceeding \$3,000 for the purchase of a motor-propelled passenger-carrying vehicle for official use of the Secretary of the Interior.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the head of "Post Office Department," on page 118, line 23, before the words "of class 4," to strike out "86" and insert "88"; in line 24, before the words "of class 3," strike out "130" and insert "134"; in line 25, before the words "of class 2," to strike out "200" and insert "208"; on page 119, line 1, before the words "of class 1," to strike out "246" and insert "276," so as to read:

Office, Postmaster General: Postmaster General, \$12,000; chief clerk, including \$500 as superintendent of buildings, \$4,000; private secretary, \$2,500; disbursing clerk, \$2,250; appointment clerk, assistant to chief clerk, confidential clerk to Postmaster General, and chairman, board of inspection, at \$2,000 each; chief inspector, \$4,000; chief clerk to chief inspector, \$2,000; purchasing agent, \$4,000; chief clerk to purchasing agent, \$2,000; assistant attorneys—1 \$2,750, 1 \$2,500; 3 at \$2,000 each; bond examiner, \$2,500; law clerk, \$1,800; clerks—88 of class 4, 134 of class 3, 208 of class 2, 276 of class 1, 183 at \$1,000 each, 31 at \$900 each.

The amendment was agreed to.

The next amendment was, in the item of appropriation for "Maintenance of office, Postmaster General," on page 120, line 2, after the words "in all," to strike out "\$1,459,340" and insert "\$1,516,540," so as to read:

Assistant foreman \$840, 2 at \$840 each, 76 at \$720 each, 3 at \$660 each; female laborers—1 \$540, 3 at \$500 each, 9 at \$480 each; 58 charwomen; actual and necessary expenses of the purchasing agent while traveling on business of the department, \$500; in all, \$1,516,540.

The amendment was agreed to.

The next amendment was, on page 120, after line 2, to insert:

In making readjustments hereunder, the salary of any clerk in any class may be fixed by the Postmaster General at \$100 below the salary fixed by law for such class and the unused portion of such salary shall be used to increase the salary of any clerk in any class entitled thereto by not less than \$100 above the salary fixed by law for such class.

The amendment was agreed to.

The next amendment was, on page 120, after line 16, to insert:

For enforcement of title 12 of the espionage act, approved June 15, 1917, and section 19 of the trading with the enemy act, approved October 6, 1917, \$50,000.

The amendment was agreed to.

The next amendment was, on page 123, after line 8, to insert:

For rent of stables, \$500.

The amendment was agreed to.

The next amendment was, under the head of "Department of Justice," on page 126, line 6, after the words "Attorney General," to strike out "\$30,000" and insert "\$37,000," so as to make the clause read:

For miscellaneous expenditures, including telegraphing, fuel, lights, foreign postage, labor, repairs of buildings, care of grounds, books of reference, periodicals, typewriters and adding machines and exchange of same, street car tickets not exceeding \$200, and other necessities, directly ordered by the Attorney General, \$37,000.

The amendment was agreed to.

Mr. MARTIN. I send to the desk another amendment reducing the price of an automobile.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 126, line 9, it is proposed to strike out "\$4,000," and in lieu thereof to insert "\$3,000," so as to make the paragraph read:

For official transportation, including the purchase of a motor-propelled passenger-carrying vehicle for use of the Attorney General to cost not exceeding \$3,000, and for the maintenance, repair, and operation thereof, to be used only for official purposes, and purchase and repair of bicycles, \$6,000.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 126, line 16, after the words "chief clerk," to strike out "\$2,000" and insert "who shall also discharge the duties of chief law clerk, \$2,250"; in line 17, after "\$2,250," to strike out "2 law clerks, \$2,000 each" and insert "law clerk, \$2,000"; in line 21, after the words "in all," to strike out "\$28,980," and insert "\$27,230," so as to make the clause read:

Office of Solicitor of the Treasury: Solicitor, \$5,000; Assistant Solicitor, \$3,000; chief clerk, who shall also discharge the duties of chief law clerk, \$2,250; law clerk, \$2,000; 2 docket clerks, at \$2,000 each; clerks—2 of class 4, 2 of class 3, 2 of class 2; assistant messenger; laborer; in all, \$27,230.

The amendment was agreed to.

The next amendment was, under the head of "Department of Commerce," on page 128, line 12, after the word "each," to insert "statistical and technical expert, \$3,000," and in line 20, after the words "in all," to strike out "\$739,240" and insert "\$742,240," so as to make the clause read:

Census Office: Director, \$6,000; 5 chief statisticians, at \$3,000 each; statistical and technical expert, \$3,000; chief clerk, \$2,500; geographer, \$2,000; stenographer, \$1,500; nine expert chiefs of divisions, at \$2,000 each; clerks—20 of class 4, 30 of class 3, 65 of class 2, 285 of class 1, 90 at \$1,000 each, 81 at \$900 each; skilled laborers—3 at \$900 each, 1, \$720; 3 messengers; 5 assistant messengers; 4 unskilled laborers, at \$720 each; 4 messenger boys, at \$480 each; in all, \$742,240.

The amendment was agreed to.

The next amendment was, in the item of appropriation for securing information for census reports provided for by the law, etc., on page 129, line 17, before the words "special agents," to strike out "seven" and insert "ten," and in line 18, after the words "per day," to strike out "\$450,000" and insert "\$490,000," so as to make the proviso read:

Provided, That the compensation of not to exceed 10 special agents provided for in this paragraph may be fixed at a rate not to exceed \$8 per day, \$490,000.

The amendment was agreed to.

The next amendment was, on page 130, line 5, after the words "Fourteenth Decennial Census," to strike out "\$60,000" and insert "\$70,000," so as to make the clause read:

For the construction, purchase, rental, or repair of punching machines for use in punching cards of the Fourteenth Decennial Census, \$70,000.

The amendment was agreed to.

The next amendment was, on page 134, line 14, after "\$1,500," to insert "Newport News, \$1,500," and in line 17, after the words "in all," to strike out "\$28,000" and insert "\$30,100," so as to make the clause read:

Shipping service: For shipping commissioners in amounts not exceeding the following: Baltimore, \$1,200; Bath, Me., \$1,000; Boston, \$3,000; New Bedford, \$1,200; New Orleans, \$1,500; Newport News, \$1,500; New York, \$5,000; Norfolk, \$1,500; Philadelphia, \$2,400; Portland, Me., \$1,300; Seattle, \$3,500; Providence, \$1,800; Rockland, \$1,200; San Francisco, \$4,000; in all, \$30,100.

The amendment was agreed to.

The next amendment was, on page 134, line 21, after the words "shipping commissioners," to strike out "\$45,000" and insert "\$47,700," so as to make the clause read:

Clerk hire: For compensation, to be fixed by the Secretary of Commerce, of not to exceed \$1,600 per annum to each person or clerk in the offices of shipping commissioners, \$47,700: Provided, That 1 clerk may be employed hereunder at a compensation not to exceed \$1,800 per annum.

The amendment was agreed to.



The next amendment was, on page 135, line 2, after the words "in all," to strike out "\$7,500" and insert "\$8,365," so as to make the clause read:

Contingent expenses: For rent, stationery, and other requisites for transaction of the business of shipping commissioners' offices, and for janitor in the commissioner's office at New York, \$840; in all, \$8,365.

The amendment was agreed to.

The next amendment was, on page 142, after line 14, to insert:

For the standardization and design of sugar-testing apparatus; the development of technical specifications for the various grades of sugars with particular reference to urgent problems made pressing by war conditions, especially involving the standardization and manufacture of sugars; for the study of the technical problems incidental to the collection of the revenue on sugar and to determine the fundamental scientific constants of sugars and other substances, including personal services in the District of Columbia and in the field, \$30,000.

The amendment was agreed to.

Mr. MARTIN. I send to the desk an amendment, in line 22, page 143, changing "\$4,000" to "\$3,000."

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 143, line 22, it is proposed to strike out "\$4,000" and to insert "\$3,000," so as to read:

Not exceeding \$3,000 for the purchase of a motor-propelled passenger-carrying vehicle for official use of the Secretary of Commerce.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 145, line 16, before the word "section," to strike out "Hereafter" and insert "During the present war," so as to make the clause read:

During the present war section 3709 of the Revised Statutes of the United States shall not be construed to apply to any purchase or service rendered for the Department of Commerce when the aggregate amount involved does not exceed the sum of \$25.

The amendment was agreed to.

The next amendment was, under the head of "Department of Labor," on page 147, line 7, after "\$3,000," to strike out "and \$500 additional so long as the position is held by the present incumbent"; and in line 18, after the words "in all," to strike out "\$173,460" and insert "\$172,960," so as to make the clause read:

Bureau of Labor Statistics: Commissioner, \$5,000; chief statistician, who shall also perform the duties of chief clerk, \$3,000; statistician, \$3,000; 6 statistical experts, at \$2,000 each; employees—2 at \$2,760 each, one \$2,520, 5 at \$2,280 each, one \$1,800, 6 at \$1,600 each, 7 at \$1,400 each, 2 at \$1,200 each; special agents—4 at \$1,800 each, 6 at \$1,600 each, 8 at \$1,400 each, 4 at \$1,200 each; clerks—8 of class 4, 7 of class 3 (1 transferred to the Secretary's Office), 10 of class 2, 17 of class 1, 8 at \$1,000 each (1 transferred to the Secretary's Office); 2 copyists; messenger; 3 assistant messengers; 2 laborers; in all, \$172,960.

The amendment was agreed to.

The next amendment was, on page 151, line 1, after the word "heating," to insert "purchase, exchange," so as to read:

Contingent expenses, Department of Labor: For contingent and miscellaneous expenses of the offices and bureaus of the department, for which appropriations for contingent and miscellaneous expenses are not specifically made, including the purchase of stationery, furniture, and repairs to the same, carpets, matting, oilcloth, file cases, towels, ice, brooms, soap, sponges, laundry, street car tickets not exceeding \$150, lighting and heating; purchase, exchange, maintenance and repair of a motor truck and passenger-carrying vehicle to be used only for official purposes.

The amendment was agreed to.

The next amendment was, on page 151, after line 22, to insert:

During the present war section 3709 of the Revised Statutes of the United States shall not be construed to apply to any purchase or service rendered for the Department of Labor when the aggregate amount involved does not exceed the sum of \$25.

The amendment was agreed to.

The next amendment was, on page 157, after line 20, to strike out:

SEC. 6. That all civilian employees of the Governments of the United States and the District of Columbia who receive a total of compensation at the rate of \$2,000 per annum or less, except as otherwise provided in this section, shall receive, during the fiscal year ending June 30, 1919, additional compensation at the rate of \$120 per annum: *Provided*, That such employees as receive a total of annual compensation at a rate more than \$2,000 and less than \$2,120 shall receive additional compensation at such a rate per annum as may be necessary to make their salaries, plus their additional compensation, at the rate of \$2,120 per annum, and no employee shall receive additional compensation under this section at a rate which is more than 30 per cent of the rate of the total annual compensation received by such employee: *Provided further*, That the increased compensation at the rates of 5 and 10 per cent for the fiscal year ending June 30, 1918, shall not be computed as salary in construing this section: *Provided further*, That where an employee in the service on June 30, 1917, has received during the fiscal year 1918, or shall receive during the fiscal year 1919 an increase of salary at a rate in excess of \$200 per annum, or where an employee whether previously in the service or not, has entered the service since June 30, 1917, whether such employee has received an increase in salary or not, such employees shall be granted the increased compensation provided herein only when and upon the certification of the person in the legislative branch or the head of the department or establishment employing such

persons of the ability and qualifications personal to such employees as would justify such increased compensation: *Provided further*, That the increased compensation provided in this section to employees whose pay is adjusted from time to time through wage boards or similar authority shall be taken into consideration by such wage boards or similar authority in adjusting the pay of such employees.

The provisions of this section shall not apply to the following: Employees paid from the postal revenues and sums which may be advanced from the Treasury to meet deficiencies in the postal revenues; employees of the Panama Canal on the Canal Zone; employees of the Alaskan Engineering Commission in Alaska; employees whose duties require only a portion of their time, except charwomen, who shall be included; employees whose services are utilized for brief periods at intervals; employees who receive a part of their pay from any outside sources under cooperative arrangements with the Governments of the United States or the District of Columbia; employees who serve voluntarily or receive only a nominal compensation; and employees who may be provided with special allowances because of their service in foreign countries. The provisions of this section shall not apply to employees of the railroads taken over by the United States, and nothing contained herein shall be deemed a recognition of the employees of such railroads as employees of the United States.

Section 6 of the legislative, executive, and judicial appropriation act approved May 10, 1916, as amended by the naval appropriation act approved August 29, 1916, shall not operate to prevent anyone from receiving the additional compensation provided in this section who otherwise is entitled to receive the same.

Such employees as are engaged on piecework, by the hour, or at per diem rates, if otherwise entitled to receive the additional compensation, shall receive the same at the rate to which they are entitled in this section when their fixed rate of pay for the regular working hours and on the basis 313 days in the said fiscal year would amount to \$2,000 or less: *Provided*, That this method of computation shall not apply to any per diem employees regularly paid a per diem for every day in the year.

So much as may be necessary to pay the additional compensation provided in this section to employees of the Government of the United States is appropriated out of any money in the Treasury not otherwise appropriated.

So much as may be necessary to pay the increased compensation provided in this section to employees of the government of the District of Columbia is appropriated, one-half out of any money in the Treasury not otherwise appropriated and one-half out of the revenues of the District of Columbia, except to employees of the Washington Aqueduct and the water department, which shall be paid entirely from the revenues of the water department.

So much as may be necessary to pay the increased compensation provided in this section to persons employed under trust funds who may be construed to be employees of the Governments of the United States or the District of Columbia is authorized to be paid, respectively, from such trust funds.

Reports shall be submitted to Congress on the first day of the next regular session showing for the first four months of the fiscal year the average number of employees in each department, bureau, office, or establishment receiving the increased compensation at the rate of \$120 per annum and the average number by grade receiving the same at each other rate.

No income herein shall apply to salaries or compensations for personal services in any of the executive departments or independent establishments of the United States or of the District of Columbia, or any bureau or office therein, which does not, subject to the provisions and exceptions of section 7 of the legislative, executive, and judicial appropriation act approved March 15, 1898, require eight hours of labor each day.

And to insert:

SEC. 6. That all civilian employees of the Governments of the United States and the District of Columbia who receive a total compensation at the rate of \$2,500 per annum or less, except as otherwise provided in this section, shall receive, during the fiscal year ending June 30, 1919, additional compensation at the rate of \$120 per annum: *Provided*, That such employees as receive a total of annual compensation at a rate more than \$2,500 and less than \$2,620 shall receive additional compensation at such a rate per annum as may be necessary to make their salaries, plus their additional compensation, at the rate of \$2,620 per annum, and no employee shall receive additional compensation under this section at a rate which is more than 30 per cent of the rate of the total annual compensation received by such employee: *Provided further*, That the increased compensation at the rates of 5 and 10 per cent for the fiscal year ending June 30, 1918, shall not be computed as salary in construing this section: *Provided further*, That where an employee in the service on June 30, 1917, has received during the fiscal year 1918, or shall receive during the fiscal year 1919 an increase of salary at a rate in excess of \$200 per annum, or where an employee whether previously in the service or not, has entered the service since June 30, 1917, whether such employee has received an increase in salary or not, such employees shall be granted the increased compensation provided herein only when and upon the certification of the person in the legislative branch or the head of the department or establishment employing such persons of the ability and qualifications personal to such employees as would justify such increased compensation: *Provided further*, That the increased compensation provided in this section to employees whose pay is adjusted from time to time through wage boards or similar authority shall be taken into consideration by such wage boards or similar authority in adjusting the pay of such employees.

The provisions of this section shall not apply to the following: Employees paid from the postal revenues and sums which may be advanced from the Treasury to meet deficiencies in the postal revenues; employees of the Panama Canal on the Canal Zone; employees of the Alaskan Engineering Commission in Alaska; employees paid from lump-sum appropriations; employees whose duties require only a portion of their time, except charwomen, who shall be included; employees whose services are utilized for brief periods at intervals; persons employed by or through corporations, firms, or individuals acting for or on behalf of or as agents of the United States or any department or independent establishment of the Government of the United States in connection with construction work or the operation of plants; employees who receive a part of their pay from any outside sources under cooperative arrangements with the Government of the United States or the District of Columbia; employees who serve voluntarily or receive only a nominal compensation, and employees who may be provided with special allowances because of their service in foreign countries. The provisions of this section shall not apply to employees of the railroads taken over by the United States, and nothing contained herein shall be deemed a recognition of the employees of such railroads as employees of the United States.

Section 6 of the legislative, executive, and judicial appropriation act approved May 10, 1916, as amended by the naval appropriation act approved August 29, 1916, shall not operate to prevent anyone from receiving the additional compensation provided in this section who otherwise is entitled to receive the same.

Such employees as are engaged on piecework, by the hour, or at per diem rates, if otherwise entitled to receive the additional compensation, shall receive the same at the rate to which they are entitled in this section when their fixed rate of pay for the regular working hours and on the basis of 313 days in the said fiscal year would amount to \$2,500 or less: *Provided*, That this method of computation shall not apply to any per diem employees regularly paid a per diem for every day in the year.

So much as may be necessary to pay the additional compensation provided in this section to employees of the Government of the United States is appropriated out of any money in the Treasury not otherwise appropriated.

So much as may be necessary to pay the increased compensation provided in this section to employees of the government of the District of Columbia is appropriated, one-half out of any money in the Treasury not otherwise appropriated and one-half out of the revenues of the District of Columbia, except to employees of the Washington Aqueduct and the water department, which shall be paid entirely from the revenues of the water department.

So much as may be necessary to pay the increased compensation provided in this section to persons employed under trust funds who may be construed to be employees of the Government of the United States or the District of Columbia is authorized to be paid, respectively, from such trust funds.

Reports shall be submitted to Congress on the first day of the next regular session showing for the first four months of the fiscal year the average number of employees in each department, bureau, office, or establishment receiving the increased compensation at the rate of \$120 per annum and the average number by grades receiving the same at each other rate.

Mr. MARTIN. Mr. President, I send to the desk an amendment to come in on line 22, page 163, after the word "appropriations." It is an amendment to the original committee amendment, though this has been adopted by the committee and is presented as a committee amendment.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. In the committee amendment, on page 163, line 22, after the word "appropriations," and before the semicolon, it is proposed to insert "in bureaus, divisions, commissions, or any other governmental agencies or employments created by law since January 1, 1916," so as to read:

The provisions of this section shall not apply to the following: Employees paid from the postal revenues and sums which may be advanced from the Treasury to meet deficiencies in the postal revenues; employees of the Panama Canal on the Canal Zone; employees of the Alaskan Engineering Commission in Alaska; employees paid from lump-sum appropriations in bureaus, divisions, commissions, or any other governmental agencies or employments created by law since January 1, 1916—

And so forth.

The amendment to the amendment was agreed to.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee as amended.

Mr. THOMAS. Mr. President, I wish to inquire of the chairman of the committee what the additional burden upon the Government, as expressed in figures, will result from this amendment?

Mr. MARTIN. In view of the modification made this morning when the committee met I can not give it accurately, but I should say with approximate accuracy it is something over \$20,000,000. As the House fixed it the amount was \$27,200,000; as the Senate committee first reported it it was \$28,100,000; but with the modification made by the committee this morning it is reduced, and I should say, roughly speaking, nearly enough for practical purposes, it is something over \$20,000,000. That is as near as I can come to it at the moment.

Mr. THOMAS. I am informed that the proposed increase to postal employees will amount somewhere in the neighborhood of \$83,000,000.

Mr. MARTIN. That is a mistake.

Mr. THOMAS. That is not in this bill.

Mr. MARTIN. I beg the Senator's pardon, I misunderstood him.

Mr. THOMAS. The amount of increase made by this bill, added to the amount of contemplated increase which will undoubtedly be passed in the Post Office appropriation bill, will increase the expenditure of our domestic establishment by a sum very considerably in excess of \$50,000,000, and presumably the increases in other directions will make the total sum much larger, probably approaching \$75,000,000.

I shall not delay the passage of the bill, Mr. President. I could not do so if I tried, and time is too valuable to justify me in doing more than record a protest against these ever-increasing expenditures.

There is no doubt, Mr. President, that the increased cost of living is out of proportion to the salaries which existed and were paid prior to the war. There is no doubt either that this is not the way in which to remedy that situation. We can not in-

crease the pay of employees as fast as those who furnish supplies and shelter can increase the cost of them, and it is inevitable that as the prices paid for labor increase, the prices of those who cater to the people will increase out of proportion it may be to the benefit which we seek to confer by this kind of legislation.

We are merely by this bill providing for the transfer to the landlords and the groceries and the dry-goods merchants and the other purveyors \$20,000,000 through this increase of salaries. It is not the way, Mr. President, to meet or to do away with this situation. England has handled the problem differently and with far greater success, and I hope she will continue to do so.

Mr. President, our people are responding with unprecedented generosity to subscriptions for war loans. So long as money is necessary to prosecute the war and is utilized for that purpose just so long will they contribute their money to the Public Treasury. But we are beginning to note, Mr. President, that vast sums, raised both by taxes and by bond issues, are not being used for the prosecution of the war but for many things which have little or any relation to it. There is nowhere in this country, certainly not in Washington, any spirit or practice of economy whatever. On the contrary, we are more prodigal in our appropriations than we have been in all our history, and as far as one may judge the future from the past, we will be more prodigal and less frugal as time goes on, because our funds and our credit, necessarily expansive during a time like this, not only stimulate extravagance on the part of the legislators of the country but prompt fresh demands upon the Treasury, veiled under the pretense of necessity, either contributing for or essential to the prosecution of the war.

Mr. President, this war is a formidably serious thing. It is becoming more serious for America every day. The news from the front this morning is not reassuring. The last reverse is one of the most serious which the British troops have recently encountered. How many more of them they will be able to endure no man can tell. They are fighting with their backs to the wall and with that grit and tenacity characteristic of the Anglo-Saxon as his last successful resource in many a previous time of crisis and of travail.

But we should look beyond the present, Mr. President, and take some note of what the immediate future may have for the Republic should that splendid line of heroes be pierced by the German hordes and driven back upon the Channel. They are fighting our battle. They are fighting it with a heroism without parallel in the history of warfare. Every true American heart to-day is beating in response to the hope that they may prevail over the Hun and save civilization for the world.

In the event, Mr. President, that line is broken and the Germans capture the channel ports, which I do not believe, America will be faced with the immediate prospect of a war nearer at home, and for that we should make, it is essential that we do make, immediate preparation, for possibly France, war worn and weary, bled white, and her resources strained to the utmost, can do no more; that Britain, depending solely upon her fleet, America will be obliged to carry on this war to its ultimate and successful conclusion. We will do that, God willing, should the task be imposed upon us.

I trust, Mr. President, that no such responsibility will be ours, but since there may be such a responsibility I want to see some evidence of that spirit of sacrifice and that manifestation of patriotism, patriotism in the deepest sense of the word, manifest not only in our proceedings, but among the people without regard to class or condition.

These are serious times, Mr. President. America is more than ever the hope of the world. Her strength, her endurance, her stout-heartedness, her ability to measure up to the tremendous responsibilities that may soon be hers depend in large degree upon our financial resources, and they should be in every way husbanded and protected as far as it is within our power to do so.

Mr. President, I do not care to say anything more upon the subject. I do not think this amendment is wise. It will give no serious permanent measure of relief, but will merely tend to increase the already high cost of living, and become the precedent for another and a larger increase in the fiscal legislation for the year 1920.

Mr. TOWNSEND. Mr. President, I know it is unpopular with Senators who are very anxious to pass this measure carrying \$70,000,000 immediately upon its introduction to submit any remarks upon it, and I do not propose to occupy any considerable length of time of the Senate in its discussion, but I must state that I agree very largely with many of the sentiments which the able Senator from Colorado [Mr. THOMAS] has just uttered. I do not agree with him, however, that there



should be no increase of salaries to Federal employees. I know that the salaries now paid are not sufficient, even if other conditions in the country were normal and all of the people who have rent and other things to sell in this District were actuated by purely patriotic motives.

I understand that the bill which seeks to investigate and remedy conditions connected with landlordism here in the city is working upon a measure of relief.

I have never been one who has strongly favored interfering with individual effort when that effort is exerted along reasonable lines, but when I realize, as I do, that the people not directly connected with the Government who are living in the District of Columbia are here because the Government's Capital has made it a most desirable place to live in, because the burdens upon the property owners are comparatively light and the advantages here furnished by the taxpayers of the whole country are greater than those of any other city in the United States—when I know these things I am impressed that in time of war, when every patriot should think of service and sacrifice rather than profit, I am ready to deal with the profiteers in this District as I would with any other disloyal citizen. Until we entered this war I have not been moved to criticize the disposition of many of the residents of Washington to extort from Government officials and employees all that the Government pays in salaries, but now when the life of the Nation requires thousands of men and women to live here I regard it as nothing less than treasonable for the favored property owners to profiteer out of the necessities of the war. One of the discouraging features of the present is the too general disposition to make and save money by any means, however questionable, rather than to spend it for the general welfare. I know of no place where that disposition is more manifest than in the Capital of our Nation. I do not know what the conditions will be generally throughout the District, but in many places the occupants of rooming houses, apartment houses, and hotels have been notified that on the 1st day of May the rents are to be increased. I happen to know that many of these rents have already been increased 75 per cent over what they were prior to the breaking out of the war. It is now proposed to make it 100 per cent. I know that the general excuse is that the cost of fuel has been and is very great, but I also know that this is not a good excuse. So do many of us. Coal has been higher, but much less has been used. The increased cost has been offset by decreased quantity purchased. Tenants have not been warmed. The rooms have not been fit for occupation on account of the lack of heat. Owners have economized in coal.

I have inquired as to the cost of help that landlords have employed. The owners have been magnanimous enough in many instances to increase the pay of servants who were receiving already \$20 a month to \$22 a month, and at the same time increasing the rentals charged their patrons from 75 to 150 per cent more than they charged prior to the war.

Mr. President, I am in favor of this increase of salaries for the clerks. In fact, I would be willing to vote a little more in most cases; but I hope that this will not be simply additional plunder for those who are profiting out of the necessities of

those who are compelled to remain here in Washington. I would give greater weight to the arguments of District residents for increased wages to Government employees if I did not realize that they were inspired by the vision of increased spoils. I would not care to vote an additional salary to a clerk if that additional salary is to be turned over to a landlord.

Not only the rentals to employees, but, of course, the cost of food, has increased, and provision should be made for it; but the responsibility of Congress does not end with granting the increase of salaries, it should extend as far as in justice it can, and these employees should be protected against the greed of profiteers.

Mr. President, I hope that the antiprofitteering measure is going to be pushed to legal enactment. I do not say that all hotels and apartment and rooming houses are guilty of extortion, because I happen to know that there are many proprietors who have not increased their charges materially. I want to get after the men who feel that the Government of the United States is established in Washington in order to support the District of Columbia or the property owners who happen to be here. Patriotism and sacrifice are demanded quite as much of the residents of the District of Columbia as they are of those who live outside. I shall be very glad to support, if I have an opportunity, any just measure or any reasonable measure which attempts at least to allow Government employees to retain a small portion of their salaries for their own individual use without being obliged to contribute to people who feel that this is their opportunity to profit at the expense of the Government's vital necessity.

I indorse what the Senator from Colorado says relative to economy, but I also know that expenses naturally increase, and that clerks of the Government should not be expected to make all the sacrifice. They should be paid a sufficient salary upon which to live. Therefore I am in favor of the increase, but I hope it will be supplemented by action looking to the possibility of their retaining at least a portion of what they earn.

Mr. SMOOT. Mr. President, I have had prepared a statement showing the average salaries or wages paid by representative commercial concerns and States and municipalities for work similar to that which is done for the Federal Government by its employees. I want to put the finding of that investigation into the Record in order that Senators and the country may know the facts concerning compensation paid by the Government of the United States in comparison to compensation for similar work paid by private corporations and by municipalities and States as well. This statement will show that the Government of the United States to-day is paying a higher rate of compensation than is paid for similar work anywhere else in the United States, with a few exceptions, and those exceptions appear in this statement.

I present this statement, Mr. President, because there has been a universal charge outside of Congress that the employees of the Government are not paid so well as are employees elsewhere, and I desire that the facts may be known by all. I ask that the statement be printed in the Record.

The VICE PRESIDENT. Without objection, it is so ordered. The statement referred to is as follows:

Statement showing average rates paid for similar work by the Federal Government, representative commercial concerns, and State and municipal governments.

MALE EMPLOYEES.

Description of work.	1918								1914				
	Federal Government.				Commercial concerns.		State and municipal governments.		Federal Government.			Com- mer- cial con- cerns— aver- age an- nual salary.	State and muni- cipal govern- ments— aver- age an- nual salary.
	Aver- age an- nual salary.	Per cent of in- crease over 1914.	Per cent of com- mer- cial salary.	Per cent of State and muni- cipal salary.	Aver- age an- nual salary.	Per cent of in- crease over 1914.	Aver- age an- nual salary.	Per cent of in- crease over 1914.	Aver- age an- nual salary.	Per cent of com- mer- cial salary.	Per cent of State and muni- cipal salary.		
Bookkeeping:													
1. Preparing schedules or registers of accounting documents or transactions.....	\$1,264	— 3.2	105.9	101.9	\$1,194	26.1	\$1,241	12.6	\$1,306	137.9	118.5	\$947	\$1,102
2. Posting and balancing detail ledgers.....	1,368	3.8	109.1	96.3	1,254	24.5	1,420	13.7	1,318	130.9	105.5	1,007	1,249
3. Journalizing routine transactions.....	1,339	0.3	90.8	92.5	1,475	32.2	1,448	98.0	1,335	119.6	90.3	1,116	1,478
4. Searching for errors, making trial balances.....	1,444	— 0.6	72.7	86.2	1,987	22.5	1,675	8.9	1,453	89.6	94.5	1,622	1,538
Averages for bookkeepers .....	1,367	1.7	102.3	97.4	1,336	25.0	1,404	11.7	1,344	125.7	106.9	1,069	1,257
Stenography-typewriting:													
1. Plain copying on the typewriter .....	1,078	6.1	127.3	106.6	847	21.3	1,011	.....	1,016	145.6	.....	698	.....
2. Transcribing from dictating machines.....	1,164	29.3	.....	114.1	.....	.....	1,020	.....	900	115.4	.....	780	.....

Statement showing average rates paid for similar work by the Federal Government, representative commercial concerns, and State and municipal governments—Continued.

## MALE EMPLOYEES.

Description of work.	1918								1914					
	Federal Government.				Commercial concerns.		State and municipal governments.		Federal Government.			Commercial concerns—average annual salary.	State and municipal governments—average annual salary.	
	Average annual salary.	Per cent of increase over 1914.	Per cent of commercial salary.	Per cent of State and municipal salary.	Average annual salary.	Per cent of increase over 1914.	Average annual salary.	Per cent of increase over 1914.	Average annual salary.	Per cent of commercial salary.	Per cent of State and municipal salary.			
<b>Stenography-typewriting—Continued.</b>														
3. Taking and transcribing routine dictation.....	\$1,152	8.1	98.0	100.2	\$1,175	23.6	\$1,150	13.1	\$1,066	112.1	104.8	\$951	\$1,017	
4. Expert stenography.....	1,359	2.0	97.6	61.4	1,393	26.2	2,214	5.2	1,332	120.7	63.3	1,104	2,104	
Averages for stenographers and typists.....	1,159	8.5	102.3	98.0	1,133	25.3	1,183	95.9	1,068	118.1	86.5	904	1,234	
<b>Secretarial work—correspondence:</b>														
1. Composing and typing routine correspondence.....	1,378	5.4	103.9	113.4	1,366	35.4	1,215	13.0	1,307	129.5	121.6	1,099	1,075	
2. Composing and dictating correspondence.....	1,578	5.8	89.5	80.1	1,764	26.5	1,971	4.1	1,492	107.0	78.8	1,394	1,894	
3. Secretaries to administrative officers.....	1,767	6.1	74.3	92.8	2,380	17.4	1,904	5.8	1,666	82.2	92.6	2,027	1,800	
Averages for secretaries and correspondents.....	1,559	6.2	83.8	81.4	1,861	26.5	1,915	4.9	1,468	90.8	80.4	1,471	1,825	
<b>Clerical work:</b>														
1. Plain copying, filling forms.....	1,196	9.4	146.9	119.6	814	27.1	1,000	3.4	1,093	170.8	113.0	640	967	
2. Indexing or filing, comparing, verifying.....	1,182	-0.9	122.7	98.7	963	25.7	1,198	8.8	1,193	155.7	108.4	766	1,101	
3. Operating tabulating or calculating machines.....	1,230	11.3	117.0	111.8	1,051	24.5	1,100	10.0	1,105	130.9	110.5	844	1,000	
4. Operating addressing and duplicating machines.....	954	9.8	145.4	86.7	656	21.7	1,190	10.0	869	161.2	86.9	539	1,000	
5. Preparing and verifying pay rolls.....	1,176	-8.9	105.1	79.8	1,119	30.2	1,474	10.3	1,291	150.3	96.6	859	1,336	
Averages for clerks.....	1,155	-0.8	115.3	98.5	1,002	27.3	1,173	7.2	1,164	147.9	104.0	787	1,094	
<b>Miscellaneous:</b>														
1. Telephone switchboard operators.....	739	0.8	98.5	72.5	750	2.4	1,020	6.3	733	100.1	76.4	732	960	
2. Messengers.....	639	2.1	134.5	65.4	475	52.2	977	8.3	626	200.6	69.4	312	902	
3. Unskilled laborers.....	626	12.0	70.6	65.1	886	49.1	961	26.3	559	94.1	73.5	594	761	
4. Elevator operators.....	705	2.8	84.7	82.4	832	31.2	856	14.1	686	108.2	91.5	634	750	
5. Watchmen.....	717	3.0	70.3	84.9	1,020	45.5	845	13.0	696	99.3	93.0	701	748	
6. Carpenters.....	1,139	8.1	90.5	61.8	1,258	35.3	1,758	11.5	1,054	113.3	66.8	930	1,577	
7. Electricians.....	1,141	7.6	87.9	62.5	1,299	37.7	1,825	9.3	1,060	112.4	63.5	943	1,609	
8. Plumbers and fitters.....	1,117	1.2	96.4	.....	1,159	26.6	.....	.....	1,104	120.7	56.3	915	.....	

## FEMALE EMPLOYEES.

<b>Bookkeeping:</b>													
1. Preparing schedules or registers of accounting documents or transactions.....	\$1,161	13.8	173.8	105.2	\$668	44.6	\$1,104	10.4	\$1,020	220.8	102.0	\$462	\$1,000
2. Posting and balancing detail ledgers.....	1,161	4.8	148.8	111.4	780	39.2	1,042	3.0	1,108	197.5	109.5	561	1,012
3. Journalizing routine transactions.....	1,257	2.1	201.1	86.6	625	34.1	1,452	7.6	1,231	234.2	91.2	466	1,350
4. Searching for errors, making trial balances.....	1,236	-3.6	123.2	.....	1,003	43.9	.....	.....	1,281	183.8	.....	697	.....
Averages for bookkeepers.....	1,197	3.1	164.0	108.1	730	39.0	1,107	5.6	1,161	221.1	110.8	525	1,048
<b>Stenography-typewriting:</b>													
1. Plain copying on the typewriter.....	1,106	9.4	172.0	116.4	643	22.0	950	12.0	1,011	191.8	119.2	527	848
2. Transcribing from dictating machines.....	1,088	23.6	145.8	98.9	746	20.1	1,100	10.0	880	141.7	88.0	621	1,000
3. Taking and transcribing routine dictation.....	1,120	4.4	125.1	106.2	895	22.6	1,055	11.3	1,073	147.0	113.2	730	948
4. Expert stenography.....	1,287	3.5	127.0	118.1	1,013	18.5	1,090	11.2	1,243	145.4	126.8	855	980
Averages for stenographers and typists.....	1,134	6.6	140.3	108.7	808	21.7	1,043	11.3	1,064	160.2	113.6	604	937
<b>Secretarial work—correspondence:</b>													
1. Composing and typing routine correspondence.....	1,333	3.3	155.9	123.9	855	23.9	1,076	18.0	1,290	187.0	141.4	690	912
2. Composing and dictating correspondence.....	1,324	4.3	135.4	80.2	978	43.0	1,650	37.5	1,269	185.5	105.8	684	1,200
3. Secretaries to administrative officers.....	1,463	6.8	110.0	97.9	1,335	33.2	1,500	7.1	1,374	137.1	98.1	1,002	1,400
Averages for secretaries and correspondents.....	1,358	6.4	131.7	111.4	1,031	34.2	1,219	21.3	1,276	166.1	129.0	768	989
<b>Clerical work:</b>													
1. Plain copying, filling forms.....	1,054	.5	181.7	93.4	580	31.8	1,129	12.9	1,049	238.4	104.9	440	1,000
2. Indexing or filing, comparing, verifying.....	1,091	1.2	156.7	106.9	696	42.9	1,021	2.2	1,078	221.4	107.9	487	999
3. Operating tabulating or calculating machines.....	1,037	8.1	140.3	94.3	739	23.0	1,100	10.0	959	167.4	95.9	573	1,000
4. Operating addressing and duplicating machines.....	1,054	5.4	173.9	87.8	606	30.3	1,200	.....	1,000	215.1	.....	465	.....
5. Preparing and verifying pay rolls.....	1,155	-2.8	173.2	92.5	667	21.4	1,248	22.4	1,188	216.4	116.5	549	1,020
Averages for clerks.....	1,101	3.8	161.9	104.0	680	32.8	1,059	5.9	1,061	207.2	106.1	512	1,000
<b>Miscellaneous:</b>													
1. Telephone switchboard operators.....	770	3.9	105.3	90.1	731	23.4	855	7.1	741	125.2	92.9	592	798
2. Messengers.....	504	-6.7	103.7	45.8	486	25.6	1,100	10.0	540	139.5	54.0	387	1,000
3. Unskilled laborers.....	403	4.1	86.3	.....	467	21.6	.....	.....	387	100.8	.....	384	.....
4. Elevator operators.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
5. Watchmen.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
6. Carpenters.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
7. Electricians.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
8. Plumbers and fitters.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....

The VICE PRESIDENT. The question is on the amendment reported by the committee.

The amendment was agreed to.

Mr. GALLINGER. Mr. President, I desire to call the attention of the chairman of the committee to an item on page 101, line 17, being the appropriation for the salary of the medical expert in the office of the Solicitor for the Interior Department.

The salary of that official was estimated for at \$2,500, and the appropriation made carried by the bill is \$2,000. I happen to know that that employee is a very efficient man and is almost indispensable to that office. I should like very much indeed to have the salary increased to the estimate and have the matter go to conference, where undoubtedly it will be scanned very closely.



Mr. MARTIN. I am perfectly willing for the matter to go to conference.

Mr. GALLINGER. I therefore move, on page 101, line 17, to increase the salary of the medical expert from \$2,000 to \$2,500.

The VICE PRESIDENT. Without objection, the amendment is agreed to.

Mr. GALLINGER. Mr. President, I desire to call attention to one other matter, which, I think, was an oversight on the part of the committee. Turning to page 147, line 6, the bill reads:

Chief statistician, who shall also perform the duties of chief clerk, \$3,000.

The estimate for that item was \$4,000, it being recommended that \$1,000 additional should be given to that official so long as the office was retained by the present incumbent. The House of Representatives allowed an additional \$500, using the language—and \$500 additional so long as the position is held by the present incumbent.

The Senate committee very properly intended to strike out the language "so long as the position is held by the present incumbent," but in doing so struck out the appropriation of the additional \$500 which the House had allowed.

The official now occupying this position is acknowledged by everyone to be one of the most efficient employees of the Government and one performing a vast amount of work. I therefore appeal to the Senator from Virginia to consent to an increase of the amount of \$3,000, which is provided in line 7, page 147, to \$3,500. That would make the exact amount which the House of Representatives has allowed. Then, let the language, "so long as the position is held by the present incumbent," which the Senate committee doubtless intended to strike out, be stricken out.

Mr. MARTIN. Mr. President, the policy of the Committee on Appropriations, a policy with which I am in most earnest sympathy, was not to increase the salaries of civilian employees of the Government in this time of war. The committee was very liberal as to all war expenditures, but was very unwilling to increase the salaries of civilian employees. There are not a half dozen instances in the entire bill—I do not think there are over three—in which an increase has been allowed in the salary of civilian employees, except in the case of the lump-sum increase of \$120.

Mr. GALLINGER. But, Mr. President, I will suggest to the Senator from Virginia that there are very few instances where the amount allowed by the House of Representatives was reduced by the Senate committee.

Mr. MARTIN. I think we made reductions in quite a number of instances.

Mr. GALLINGER. The House allowed \$3,500 in this instance.

Mr. MARTIN. But the Senate committee did not agree to it in this instance for this reason: While soldiers are going to the front, giving up big salaries and comforts and luxuries, and working and serving the country and risking their lives in the Army for \$30 a month, I tell you I can not look with any favor on increasing the salaries of civilian employees. If a man has a salary of \$3,000 a year—and that is what this official got last year—he can get along on it. The committee was unwilling to increase the salaries of civilians under conditions such as now confront us.

Mr. GALLINGER. I was laboring under the impression that the Senate committee had made a mistake in striking out the \$500 additional which was allowed by the House of Representatives. My impression was that the committee simply intended to strike out the language "so long as the position is held by the present incumbent."

Mr. MARTIN. It was a deliberate action of the committee; they did not think that the salary ought to be increased. Under ordinary circumstances the increase might be very proper, but had we increased this salary there are scores of others which should have been increased in cases which are just as meritorious. The committee was not willing to increase the salaries of civilian employees in this critical period of our history.

Mr. GALLINGER. If that is the position which the chairman of the committee takes, I have nothing further to say about it, except to add a word to the effect that I feel sure that if the chairman of the committee will investigate this particular case he will find that it is very exceptional, so far as the capabilities of this man are concerned and the importance of the work which he is performing.

Mr. MARTIN. We had no doubt about all that; but this is a time of sacrifice, and we thought that these civilian employees could get along on the salaries which they had heretofore received.

Mr. JONES of Washington. Mr. President, I desire to ask the chairman of the committee about a provision on page 139 of the bill. I had intended to ask about it in committee, but overlooked it. I refer to the provision on that page, beginning in line 22, which reads as follows:

For investigation of the standards and methods of measurements of public utilities, such as gas, electric light, electric power, water, telephone, and electric railway service, and the solution of the problems which arise in connection with standards in such service, including personal services in the District of Columbia and in the field, \$50,000.

As I understand, the estimate of the department for the service was \$100,000. They have represented to me that this work is very important and that the demand and need for work along this line is very important. I desire to ask whether or not the subcommittee gave that matter any special consideration?

Mr. MARTIN. I will say to the Senator from Washington that the subcommittee did give the matter very careful consideration, but we felt that in these strenuous times, when there is so much demand for money, this service could get along with the sum which was provided for in the bill as it came from the other House, which is \$50,000.

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

The VICE PRESIDENT. The amendment proposed by the Senator from South Dakota will be stated.

The SECRETARY. On page 9, at the end of line 2, it is proposed to insert the following:

To authorize the Secretary of the Senate to pay those officers and employees of the Senate borne on the roll known as the soldiers' roll, in accordance with the provisions of Senate resolution of July 14, 1911, and continue such persons on said roll who are now designated as "mail carriers," "folders," "skilled laborers," "policemen," or by other designation, but who are now serving as messengers in and about the doors of the Senate and performing service exactly similar to those performed by messengers whose compensation is \$1,440 each per annum, a sum sufficient to make their compensation at the rate of \$1,440 each per annum for the fiscal year ending July 30, 1918, \$4,327.50, which amount shall be immediately available.

Mr. STERLING. I trust this amendment will be acceptable to the chairman of the Committee on Appropriations.

Mr. MARTIN. Mr. President, it is very painful to me to say a word in opposition to anything for an old soldier. The committee has not made an investigation into the details of these special cases, but, generally speaking, the old soldiers on the rolls are getting a reasonable salary—I will not say they are getting what they ought to have—but they are getting pensions and each one of them will get the \$120 increase. Still, the matter is one which appeals to the sympathies of every Senator, and I should be glad, if it be agreeable to the Senator from South Dakota, to let the amendment go to conference, where it will be carefully considered.

Mr. STERLING. That will be satisfactory to me.

Mr. OVERMAN. Do I understand that the Senator from Virginia accepts the amendment?

Mr. MARTIN. I am willing that the matter shall go to conference.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from South Dakota.

The amendment was agreed to.

Mr. JONES of Washington. I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment proposed by the Senator from Washington will be stated.

The SECRETARY. It is proposed to strike out all after line 5, on page 3, all of page 4, all of page 5, all of page 6, all of page 7, and lines 22, 23, 24, and 25 on page 9, and in lieu thereof insert after line 5 on page 3 the following:

Clerks and messengers to the following committees: Agriculture and Forestry—clerk, \$2,500; assistant clerk, \$1,800; messenger, \$1,440; Appropriations—clerk, \$4,000; two assistant clerks, at \$2,500 each; two assistant clerks, at \$1,440 each; messenger, \$1,440; laborer, \$720; Banking and Currency—clerk, \$3,000; assistant clerk, \$1,800; assistant clerk, \$1,440; messenger, \$1,440; Claims—clerk, \$2,500; assistant clerk, \$2,000; assistant clerk, \$1,440; messenger, \$1,440; Commerce—clerk, \$2,500; assistant clerk, \$2,220; assistant clerk, \$1,800; messenger, \$1,440; Conference—Minority of the Senate—clerk, \$2,500; assistant clerk, \$1,800; two messengers, at \$1,200 each; District of Columbia—clerk, \$2,500; assistant clerk, \$1,800; messenger, \$1,440; Education and Labor—clerk, \$2,500; assistant clerk, \$1,800; messenger, \$1,440; Engrossed Bills—clerk, \$2,500; assistant clerk, \$1,800; messenger, \$1,200; Expenditures in the Interior Department—clerk, \$2,500; assistant clerk, \$1,800; messenger, \$1,200; Finance—clerk, \$3,000; assistant clerk, \$2,220; assistant clerk, \$1,800; assistant clerk, \$1,440; messenger, \$1,440; two experts (one for the majority and one for the minority), at \$2,000 each; Foreign Relations—clerk, \$3,000; assistant clerk, \$2,220; messenger, \$1,440; Immigration—clerk, \$2,500; assistant clerk, \$1,800; messenger, \$1,440; Indian Affairs—clerk, \$2,500; assistant clerk, \$1,440; messenger, \$1,440; Inter-oceanic Canals—clerk, \$2,500; assistant clerk, \$1,800; messenger, \$1,200; Interstate Commerce—clerk, \$2,500; two assistant clerks, at \$1,800 each; messenger, \$1,440; Judiciary—clerk, \$2,500; assistant clerk, \$2,220; two assistant clerks, at \$1,800 each; messenger, \$1,440; Manufactures—clerk, \$2,500; assistant

clerk, \$1,500; messenger, \$1,440; Military Affairs—clerk, \$2,500; assistant clerk, \$2,220; assistant clerk, \$1,440; messenger, \$1,200; Naval Affairs—clerk, \$2,500; assistant clerk, \$1,800; assistant clerk, \$1,440; messenger, \$1,440; Pacific Islands and Porto Rico—clerk, \$2,500; assistant clerk, \$1,800; messenger, \$1,440; Pensions—clerk, \$2,500; assistant clerk, \$1,800; 3 assistant clerks, at \$1,440 each; messenger, \$1,440; Philippines—clerk, \$2,500; assistant clerk, \$1,800; messenger, \$1,440; Post Offices and Post Roads—clerk, \$2,500; assistant clerk, \$2,000; 2 assistant clerks, at \$1,440 each; messenger, \$1,440; Printing—clerk, \$2,500; assistant clerk, \$1,800; messenger, \$1,440; Private Land Claims—clerk, \$2,500; assistant clerk, \$1,800; messenger, \$1,200; Privileges and Elections—clerk, \$2,500; assistant clerk, \$1,500; messenger, \$1,440; Public Buildings and Grounds—clerk, \$2,500; assistant clerk, \$1,500; messenger, \$1,440; Public Lands—clerk, \$2,500; assistant clerk, \$1,800; assistant clerk, \$1,440; messenger, \$1,200; Rules—clerk, \$2,720, to include full compensation for the preparation biennially of the Senate Manual, under the direction of the Committee on Rules; assistant clerk, \$1,800; messenger, \$1,440; in all, \$211,380.

For assistance to Senators who are not chairmen of the committees specifically provided for herein: Sixty-eight clerks, at \$2,500 each; 68 assistant clerks, at \$1,500 each; 68 messengers, at \$1,200 each; in all, \$353,600. *Provided*, That such clerks, assistant clerks, and messengers shall be ex officio clerks, assistant clerks, and messengers of any committee of which their Senator may be chairman.

Mr. JONES of Washington. Mr. President, this amendment strikes out the provision that refers to clerks and messengers to the committees, beginning on page 3, and also the provision at the bottom of page 9, beginning in line 24, and makes another provision in lieu thereof, which I will explain. The amendment I have proposed is framed on the theory of giving to each Senator a secretary at \$2,500 a year, an assistant secretary at \$1,500 a year, and a messenger at \$1,200 a year. This is in accord with the conclusion that was reached by the special committee that was appointed a year or two ago, of which the Senator from North Carolina [Mr. OVERMAN] was the chairman. The amendment was framed to carry out that conclusion, and was referred to the committee at the suggestion of the special committee.

The amendment which I have proposed does not interfere with the provision made by law now for the compensation of clerks of any committee where their compensation exceeds \$2,500 for a secretary, \$1,500 for an assistant secretary, and \$1,200 for a messenger; in other words, I reinsert in my amendment every provision made in this bill for clerical help to committees that would not be cared for by my amendment. That course was followed on the theory that where the Senate had given consideration to the needs of any committee and had allowed special compensation to any employee of that committee we would not disturb that conclusion, except in the case of one or two of the insignificant committees where the messenger gets more than the ordinary compensation of messengers. In such cases we have provided the regular messenger rate of \$1,200 for each messenger.

The purpose of this amendment is to get rid of a number of committees that every Senator admits are useless, the only purpose served by them being to give increased compensation to employees who do not do any more work than they would do if they were not employees of such committees; in other words, the purpose of this amendment is to put the compensation of the help of Senators upon an equal, just, and fair basis.

The amount carried, as I have had it figured out as nearly as possible with reference to the provisions which were agreed to by the committee, would only be a little over \$4,000 more than the amount provided in the bill as reported to the Senate.

Mr. President, that is all I am going to say about it. I am not going to take the time of the Senate to discuss it at any further length. I do think that we ought to get rid of a number of the committees that are actually useless, that never meet, and never have any business to do as committees, and that we ought to place the employees of all Senators upon a fair, just, and equitable basis, one with another.

Mr. MARTIN. Mr. President, I have no hesitation in saying that there is a great deal of merit in the proposition presented by the Senator from Washington. We have many committees that should be abolished; there should be a revision of the compensation allowed to clerks of the different committees; the matter ought to have the attention of the Senate; but the proposal of the Senator from Washington has not been considered by any committee and the time does not seem propitious to act upon the question now. The Senate has just given to each Senator an additional clerk, unless he already has as many as four clerks, and it seems to me that this matter, for which I concede there is a great deal of justification, which has a great deal of merit, and which is entitled to careful consideration, should not be pressed now. It will certainly have careful consideration at an early day, so far as I am concerned, but just at present I hope the Senator will not press his amendment, as we could not well dispose of it to-day with such a full understanding as there ought to be before it is finally acted upon.

Mr. JONES of Washington. Mr. President, I submitted the amendment some time ago and had it referred to the committee, where it was referred, I presume, to the subcommittee. I rec-

ognize that the committee has a great deal to do, that the very important problems that confront it take a great deal of time, and I am disposed to accede to the request of the chairman of the committee. I should like to know, however, if the chairman of the committee can give me any assurance that probably at the next session, when the next legislative, executive, and judicial appropriation bill comes along, we can give this matter consideration and take some action upon it?

Mr. HARDWICK. Will the Senator from Washington yield to me for a moment?

The PRESIDING OFFICER (Mr. SHEPPARD in the chair). Does the Senator from Washington yield to the Senator from Georgia?

Mr. JONES of Washington. I yield.

Mr. HARDWICK. I am in sympathy with the purpose of the Senator, but let me suggest to the Senator that inasmuch as these committees were created by the standing rules of the Senate, first the rules ought to be changed, and then the useless committees ought to be abolished after action of the Rules Committee.

Mr. JONES of Washington. I wish to suggest to the Senator that I do not intend to abolish committees, but I do put the compensation of their employees on an entirely different basis, and that will rid us substantially of perhaps the worst evil.

Mr. HARDWICK. I thought the Senator's amendment had that purpose in view, and I am glad it has, because I should like to support such a proposal.

Mr. JONES of Washington. I do not by the amendment try to amend the rules but simply to place the compensation on a different plane, which will accomplish, I think, the real practical results which we would like to get at.

Mr. HARDWICK. If the Senator will pardon me just one suggestion further, I think a better way to do that would be to abolish every useless committee.

Mr. JONES of Washington. I think so, too; our rules ought not to be encumbered with them at all.

Mr. HARDWICK. The best way to do that would be to get the Committee on Rules to take action looking to the abolition of all the useless committees, and merely leave the virile, vital committees.

Mr. JONES of Washington. Yes; but the legislative, executive, and judicial appropriation bill is the measure that really fixes the compensation; our rules do not do that, so that if we fix the compensation upon a fair, just, and equitable basis we can still have all the committees provided for by the rules, and yet it would not affect the committees and would put their employees upon a fair and just basis. That is what I am really concerned about, and I should like to ask the chairman of the committee if he does not think that probably at the next session, when we are considering another appropriation bill, we may be able to give this matter serious consideration?

Mr. MARTIN. I will say to the Senator that it is my earnest desire to proceed right along the line with him. I think action along that line ought to be taken, and I hope we can find the opportunity to do so intelligently at the next session of Congress.

Mr. JONES of Washington. In view of that statement of the chairman of the committee, in the interest of the early passage of the pending legislation and in the hope that I will get the result which I seek quicker by taking this course, I withdraw my amendment.

The PRESIDING OFFICER. The Senator from Washington withdraws his amendment.

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

The PRESIDING OFFICER. The amendment will be stated. The SECRETARY. On page 9, line 25, it is proposed to strike out "\$2,000" and in lieu thereof to insert "\$2,220."

Mr. CALDER. Mr. President, this amendment is in line with the amendment just offered by the Senator from Washington and afterwards withdrawn. It is not so involved as his amendment. His amendment readjusts the pay of the clerks of all committees. My amendment simply provides that each Senator's clerk who now receives \$2,000 shall hereafter receive \$2,220.

We have had some talk in the Chamber to-day about useless committees. I intended to read the names of some of these committees into the RECORD, but perhaps that is not necessary. We all know the ones that are useless. The first one I see is the Committee on Additional Accommodations for the Library of Congress. I do not know just what that committee has to do; but the fact that there is such a committee and that a Senator is chairman of it allows his clerk \$220 a year more than he would otherwise receive. I find, on looking over these



committees, that the Senators from the States of New Mexico, Arizona, Wyoming, and Utah—the States of smaller population—all have chairmanships. I am sure the clerks of these Senators earn all the money that is paid to them; but in the case of many of the States of larger population, where the clerks of Senators work not 7 hours or 8 hours a day but 12 or 14 hours a day the clerk is paid but \$2,000.

Moreover, if this amendment is agreed to, I am going to ask that another amendment be made on the next page, giving the second clerk \$1,440, the same pay allowed the second clerks of Senators who are chairmen of committees. I may say that last year the War Department took my second clerk from me. He was receiving \$1,200, and they offered him \$1,500, and he left. This year one of the executive departments offered my second clerk \$1,600, one whom I had brought from my own State. I said to him, "All we can give you is \$1,200," and purely out of loyalty he stayed with me. But these departments of the Government are offering many Senators' clerks higher pay than we can give them, and when these clerks see that the clerks of other Senators, doing less work than themselves, are paid \$220 and \$240 more than they are paid it certainly is very discouraging to them and to us.

I hope that this simple little amendment will be agreed to. It is not involved at all; and if it is adopted, together with the one on page 10, increasing the pay of the \$1,200 clerks to \$1,440, it will mean altogether an additional appropriation of only \$13,200.

Mr. JONES of Washington. Mr. President—

Mr. CALDER. I yield to the Senator from Washington.

Mr. JONES of Washington. I just want to ask the Senator from New York if the effect of his amendment would not be this: The minimum compensation paid to the secretaries of Senators who are chairmen of minor committees is \$2,220?

Mr. CALDER. Yes.

Mr. JONES of Washington. The Senator's amendment would give the secretaries of Senators who are not chairmen of these minor committees the same compensation that the clerks of these minor committees receive?

Mr. CALDER. Exactly.

Mr. JONES of Washington. I think that is entirely just. There is no reason at all why the secretaries of Senators who are not chairmen of minor committees but who do just as much work, and in many instances possibly more work, should not have exactly the same compensation that comes to the clerks of committees who do not have any work to do because of the fact that they are clerks of committees.

Mr. CALDER. I am glad that the Senator from Washington agrees with what I am trying to do. It is just plain, simple justice that the clerks of all Senators who are doing identical work should get exactly the same compensation.

In view of the fact that these two items—the amendment I have now offered, and the amendment on the next page—will take only \$13,200, and that they will enable Senators to hold their good clerks, rather than have them taken away by the departments of the Government, when we are authorizing increases of salaries right along for clerks in the departments, I trust that the chairman of the committee will agree to accept this amendment.

Mr. MARTIN. Mr. President, I regret exceedingly that the Senator from New York wishes to open up this question of compensation to clerks. We have just allowed an additional clerk to every Senator who has less than four. I say to him very frankly that while the House generally concedes to the Senate the right to fix the compensation of its own force, it would be impossible to get a measure of this sort through at this time.

The Senator from Washington, in a very broad and liberal spirit, passed by the general proposition, which would include what the Senator from New York is asking. Under the circumstances, I feel constrained to make the point of order that the amendment has not been reported from any committee, and has never been even considered by a committee, and increases an appropriation, and is therefore subject to a point of order.

The PRESIDING OFFICER. The point of order is sustained. The bill was reported to the Senate as amended, and the amendments were concurred in.

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

The bill was read the third time and passed.

DESTRUCTION OR INJURING OF WAR MATERIAL—CONFERENCE REPORT.

Mr. OVERMAN. I present a conference report on Senate bill 383, to punish the destruction or injuring of war material and

war transportation facilities by fire, explosives, or other violent means, and to prevent the hostile use of property during time of war, and for other purposes, and I ask unanimous consent for its present consideration.

The PRESIDING OFFICER. The conference report 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. 383) to punish the destruction or injuring of war material and war transportation facilities by fire, explosives, or other violent means, and to forbid hostile use of property during time of war, and for other purposes, 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 striking out all after the enacting clause, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"That the words 'war material,' as used herein, shall include arms, armament, ammunition, live stock, stores of clothing, food, foodstuffs, or fuel; and shall also include supplies, munitions, and all other articles of whatever description, and any part or ingredient thereof, intended for, adapted to, or suitable for the use of the United States, or any associate nation, in connection with the conduct of the war.

"The words 'war premises,' as used herein, shall include all buildings, grounds, mines, or other places wherein such war material is being produced, manufactured, repaired, stored, mined, extracted, distributed, loaded, unloaded, or transported, together with all machinery and appliances therein contained; and all forts, arsenals, navy yards, camps, prisons, or other military or naval stations of the United States, or any associate nation.

"The words 'war utilities,' as used herein, shall include all railroads, railways, electric lines, roads of whatever description, railroad or railway fixture, canal, lock, dam, wharf, pier, dock, bridge, building, structure, engine, machine, mechanical contrivance, car, vehicle, boat, or aircraft, or any other means of transportation whatsoever, whereon or whereby such war material or any troops of the United States, or of any associate nation, are being or may be transported either within the limits of the United States or upon the high seas; and all dams, reservoirs, aqueducts, water and gas mains and pipes, structures and buildings, whereby or in connection with which water or gas is being furnished, or may be furnished, to any war premises or to the military or naval forces of the United States, or any associate nation, and all electric light and power, steam or pneumatic power, telephone and telegraph plants, poles, wires, and fixtures and wireless stations, and the buildings connected with the maintenance and operation thereof used to supply water, light, heat, power, or facilities of communication to any war premises or to the military or naval forces of the United States, or any associate nation.

"The words 'United States' shall include the Canal Zone and all territory and waters, continental and insular, subject to the jurisdiction of the United States.

"The words 'associate nation,' as used in this act, shall be deemed to mean any nation at war with any nation with which the United States is at war.

"Sec. 2. That when the United States is at war, whoever, with intent to injure, interfere with, or obstruct the United States or any associate nation in preparing for or carrying on the war, or whoever, with reason to believe that his act may injure, interfere with, or obstruct the United States or any associate nation in preparing for or carrying on the war, shall willfully injure or destroy, or shall attempt to so injure or destroy any war material, war premises, or war utilities, as herein defined, shall, upon conviction thereof, be fined not more than \$10,000 or imprisoned not more than 30 years, or both.

"Sec. 3. That when the United States is at war, whoever, with intent to injure, interfere with, or obstruct the United States or any associate nation in preparing for or carrying on the war, or whoever, with reason to believe that his act may injure, interfere with, or obstruct the United States or any associate nation in preparing for or carrying on the war, shall willfully make or cause to be made in a defective manner, or attempt to make or cause to be made in a defective manner, any war material, as herein defined, or any tool, implement, machine, utensil, or receptacle used or employed in making, producing, manufacturing, or repairing any such war material, as herein defined, shall,

upon conviction thereof, be fined not more than \$10,000 or imprisonment not more than 30 years, or both."

And the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House to the title, and agree to the same.

LEE S. OVERMAN,  
DUNCAN U. FLETCHER,  
KNUTE NELSON,

*Managers on the part of the Senate.*

E. Y. WEBB,  
C. C. CARLIN,  
A. J. VOLSTEAD,

*Managers on the part of the House.*

Mr. THOMAS. Mr. President, this is the second report from the conference committee. The conferees seem to have agreed upon two changes in the original report, which I presume were designed to balance each other. That is to say, those members of the Senate committee insisting upon the elimination of section 3 secured the assent of their associates on the House committee by agreeing to strike out the words in section 2 reading:

Shall conspire to prevent the erection or production of such war premises, war material, or war utilities.

I have no doubt that that compromise was effected upon the theory that if the clause of section 2 which I have read were eliminated from the bill the need for section 3, to which some of us here successfully objected, would be eliminated. If that were true, I would not be able to vote for the second conference report, since it would be substantially identical with the first report.

I have had occasion more than once, in discussing legislation of this sort, to call attention to my opinion as to the probable consequences of the proposed legislation. This bill upon its face as it now stands—and when I say "as it now stands," I mean as it now stands upon the present conference report—would exempt from the operation of the act conspiracies to commit the offenses provided against by it. In other words, it would require the actual accomplishment of the thing prohibited to invoke the machinery of the act and bring about the consequences and the penalties which it provides. But, Mr. President, it is due from me to those who are interested in this subject, and particularly to those who believe that section 3 should have remained in the conference report, that I should say that in my judgment the elimination of the clause of section 2 does not accomplish the purpose designed; and because it does not I shall vote for the committee report.

The subject of conspiracies generally is covered by section 37 of the Criminal Code, which reads as follows:

If two or more persons conspire either to commit any offense against the United States, or to defraud the United States in any manner or for any purpose, and one or more of such parties do any act to effect the object of the conspiracy, each of the parties to such conspiracy shall be fined not more than \$10,000 or imprisoned not more than two years, or both.

I wish to go on record at this time as saying that in the event this conference report is accepted, as I hope it will be, section 37 of the Criminal Code covers conspiracies to commit the offenses therein provided for; and under the provisions of section 37 indictment and punishment, in the event the evidence sustains the indictment, will inevitably follow, in my judgment.

Mr. POINDEXTER. Mr. President—

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

Mr. THOMAS. I yield.

Mr. POINDEXTER. Is it not true that altogether aside from the question of conspiracy to do certain things specified in the clause of section 2, that has been referred to, the manner in which the conference report has now been changed does not constitute those things an offense even though there be no conspiracy to do them? In other words, they have not only eliminated the idea of conspiracy but they have eliminated the provision which makes it a crime to interfere with the production of war materials.

Mr. THOMAS. I do not so understand.

Mr. POINDEXTER. I fail to see anything in the legislation recommended by the report that makes it unlawful to prevent the erection or production of such war premises, war materials, or war utilities, or to injure or interfere with or obstruct the United States in the production of them. There is nothing in the report to make that an offense. Now, that is the important thing that was intended to be curbed by this legislation; but in striking out a provision to punish a conspiracy to do that, which I understand was done in order to be sure that it did not interfere with the right of workmen not to work, they have struck out the substantive part of the legislation as well.

Mr. THOMAS. I have misread the second report of the conference committee if that conclusion is correct. The words in section 2, "shall conspire to prevent the erection or production of such war premises, war material, or war utilities," are the only words eliminated from the section. If that is not correct, I hope the chairman of the committee will correct me.

Mr. OVERMAN. Mr. President, that is correct. We struck those words out of section 2 and then we struck out section 3; that is all.

Mr. THOMAS. That being the case, section 2 as it stands is perfect, except that it does not punish conspiracies to do the things prohibited by that section.

Mr. POINDEXTER. Mr. President, if the Senator will pardon me—

Mr. THOMAS. I yield.

Mr. POINDEXTER. I do not want to embarrass the Senator in any way.

Mr. THOMAS. Indeed, I have said practically all that I intended to say.

Mr. POINDEXTER. I am making these suggestions largely for the purpose of developing just exactly what will be the effect of this legislation. I would be glad if the Senator from Colorado or the Senator from North Carolina making the report could point out any provision that is left in this proposed legislation providing for penalties against the man who interferes with or obstructs the production of war materials. I say there is nothing to that effect in the proposed legislation as it is now reported, and I will call the Senator's attention to what it does contain.

Mr. THOMAS. I want to say that if that criticism is correct, then the bill was defective ab initio, and the defect is not due to the report of the committee.

Mr. POINDEXTER. That may be true. I am not urging that the original bill contains this provision which I am talking about, but the first conference report did contain it, and it also contained in connection with it a penalty against conspiring to do those things. The conferees have eliminated the conspiracy and they have eliminated the whole subject matter along with the conspiracy.

Mr. OVERMAN. I think the Senator is mistaken about that. We have only eliminated words from what is known as the Cannon amendment. All that was eliminated were the words "shall conspire to prevent the erection or production of such war premises, war material, or war utilities," that is all.

Mr. POINDEXTER. If the Senator from Colorado will pardon me just a moment, all the acts that are prohibited by this report are defined in section 2 and in what is now called section 3. They are in those two last sections of the report. The rest of it is merely definition of material, and so forth, and what constitutes war utilities, so that we turn only to those two last sections to ascertain what acts shall be prohibited and penalized by this proposed legislation. Now, what are they?

Section 2 prohibits anyone, with the intent to injure, interfere with, or obstruct the United States or any associate nation, in preparing for or carrying on the war, or with reason to believe that his act may injure, interfere with, or obstruct the United States or any associate nation in preparing for or carrying on the war; that is, with the intent to do those things. Shall do what? "Shall willfully injure or destroy, or shall attempt to so injure or destroy, any war material," and so forth. There is nothing said there about interfering with or obstructing the production of it. That denounces the crime of destroying or of injuring war material after it is produced, and that is all there is in section 2. In section 3 there is a provision—

That when the United States is at war, whoever, with intent to injure, interfere with, or obstruct the United States—

The PRESIDING OFFICER. The Senator from Washington will suspend. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 3771) authorizing the President to coordinate or consolidate executive bureaus, agencies, and offices, and for other purposes, in the interest of economy and the more efficient concentration of the Government.

Mr. OVERMAN. I ask unanimous consent that the unfinished business be laid aside temporarily for the disposition of this report.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NELSON. Will the Senator yield to me?

Mr. POINDEXTER. In just one second I will yield to the Senator. I merely want to complete the sentence which I was engaged in at 2 o'clock.

Mr. THOMAS. I think I have the floor, Mr. President, but I am not certain.



Mr. POINDEXTER. Undoubtedly the Senator from Colorado has the floor, and I will yield to him.

Mr. THOMAS. I do not mean by that to cut off the Senator.

Mr. POINDEXTER. I just want to say a word more.

Mr. THOMAS. The Senator said that he would yield the floor to the Senator from Minnesota, and I did not want it to be understood that I had myself yielded the floor to the Senator from Washington.

Mr. POINDEXTER. I beg the Senator's pardon for trespassing on his courtesy.

Mr. THOMAS. It is not necessary.

Mr. POINDEXTER. I pointed out the acts which are prohibited in section 2. The only other acts prohibited are defined in section 3, and those acts are with the intent, using the same language as to the intent that I read from the second section, to do what? Not that it shall interfere with or stop the production of war material, but "shall cause to be made in a defective manner, or attempt to make or cause to be made in a defective manner, any war material."

So, Mr. President, the only things that are prohibited by this legislation are, first, with the intent referred to, to injure or destroy war material; second, with the same intent already referred to and defined, to make in a defective manner or attempt to make in a defective manner such war material. That is all, and there is not anything in either one of those provisions that makes it a penalty to interfere with or to obstruct the production.

Mr. THOMAS. I am inclined to think there is considerable force in the Senator's criticism, but it goes to the bill itself and not to the changes made in the second conference report. I think section 2 would have been more complete had it contained the word "produce" or "production" or both or their equivalent. That, however, goes to the merit not only of this but of the first conference report and to the original bill itself. We are confronted here, however, at this time with the second conference report, which eliminates one section and a phrase in another relating to conspiracy. My sole purpose in taking the floor was to call attention to what I conceive to be a very important proposition, which is that the striking out of the clause regarding conspiracy in section 2 still leaves full play to section 37 of the Criminal Code, and that completes the report. So I am prepared to vote for it.

Mr. FLETCHER. Will the Senator allow me to say that that I think is the view of the conferees?

Mr. THOMAS. I think that is the correct view to be taken of it. I yield the floor, Mr. President.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. HOLLIS. Mr. President, I do not desire to renew the controversy of last week over the conference report on this measure. There were certain statements made last week in criticism of the conduct of the Government Employment Service and the attitude of the American Federation of Labor which ought to be explained, and instead of making that explanation myself I ask leave to print in the Record without reading a letter from the Secretary of Labor regarding the United States Employment Service as it relates to shipbuilding plants in the Puget Sound district, a letter from the secretary of the American Federation of Labor regarding the report of the National Industrial Conference Board, and a letter from the president of the American Federation of Labor, Mr. Gompers, with regard to the attitude of labor, with certain inclosures, being a letter to me.

The PRESIDING OFFICER. Without objection, leave will be granted.

Mr. FALL. Do I understand that it is the request of the Senator that these letters shall be printed in the Record without reading?

The PRESIDING OFFICER. That is the request.

Mr. FALL. I think they should be read, in view of the statement of the Senator that they are intended to answer some of the criticisms which were offered on the floor here in the discussion. I so understood the Senator.

Mr. HOLLIS. Does the Senator object to having them printed in the Record?

Mr. FALL. I object to anything being printed in the Record as an answer to criticisms made by a Senator on the floor without knowing what the answer is.

The PRESIDING OFFICER. Objection is made.

Mr. HOLLIS. If the Secretary will return the papers to me, I will read them and make such comments as I think are necessary.

Mr. FALL. I should like to have them read.

Mr. HOLLIS. The first letter is in regard to a suggestion made by the Senator from South Dakota [Mr. STERLING] that

the United States Employment Service had notified men who applied for work in the shipbuilding district of Puget Sound that they should not go there to work unless they were union men.

Mr. JONES of Washington. Mr. President—

Mr. HOLLIS. I yield to the Senator.

Mr. JONES of Washington. I merely wish to suggest to the Senator that in view of the fact that these letters apparently answer some statements made by certain Senators on the floor, and those Senators are not here now, probably it would be well to have a quorum. I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum having been suggested, the Secretary will call the roll.

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

Ashurst	Gallinger	Nelson	Shields
Baird	Gerry	New	Smith, Ga.
Borah	Hale	Norris	Smith, S. C.
Brandlee	Harding	Nugent	Smoot
Calder	Hardwick	Overman	Swanson
Chamberlain	Henderson	Page	Tillman
Culberson	Hollis	Phelan	Townsend
Cummins	Johnson, Cal.	Pittman	Trammell
Curtis	Jones, Wash.	Poindexter	Warren
Dillingham	McCumber	Pomerene	Weeks
Fall	McKellar	Saulsbury	Williams
Fletcher	McNary	Sheppard	Wolcott
France	Martin	Sherman	

Mr. CURTIS. I desire to announce the absence of the Senator from West Virginia [Mr. SUTHERLAND] on official business.

While I am on my feet I desire to announce the absence of the Senator from New Jersey [Mr. FRELINGHUYSEN]. I will let this announcement stand for the day.

Mr. WARREN. I wish to announce that my colleague [Mr. KENDRICK] is absent to-day on public business.

Mr. POMERENE. I wish to announce that the Senator from Louisiana [Mr. RANDELL], the Senator from Mississippi [Mr. VARDAMAN], the Senator from Arkansas [Mr. KIRBY], the Senator from Kansas [Mr. THOMPSON], the Senator from Oklahoma [Mr. GORE], the Senator from Montana [Mr. MYERS], and the Senator from Colorado [Mr. SHAFROTH] are detained in attendance on the funeral of the late Senator Broussard.

Mr. GERRY. I desire to announce that the Senator from Missouri [Mr. REED], the Senator from Nebraska [Mr. HITCHCOCK], the Senator from Arizona [Mr. SMITH], the Senator from West Virginia [Mr. SUTHERLAND], the Senator from New Mexico [Mr. JONES], the Senator from Maine [Mr. FERNALD], the Senator from Utah [Mr. KING], and the Senator from Wyoming [Mr. KENDRICK] are detained in attendance on the funeral of the late Senator Stone.

The PRESIDING OFFICER (Mr. SHEPPARD). I desire to announce that the Senator from Illinois [Mr. LEWIS] and the Senator from Arkansas [Mr. ROBINSON] are necessarily detained, taking part in the third liberty loan campaign.

Fifty-one Senators having responded to their names, a quorum is present. The Senator from New Hampshire will proceed.

Mr. HOLLIS. As I was saying before the call for a quorum, a statement was made last week on the floor of the Senate with reference to the conduct of the United States Employment Service engaging men to work in the shipbuilding district of Puget Sound, and it was then said that men who were secured by the Department of Labor for that purpose were told that if they were not union men it was useless for them to apply. The Secretary of Labor, Mr. Wilson, has sent me this letter in explanation, and I will read it:

DEPARTMENT OF LABOR,  
OFFICE OF THE SECRETARY,  
Washington, April 11, 1918.

Hon. HENRY F. HOLLIS,  
United States Senate, Washington, D. C.

MY DEAR SENATOR HOLLIS: My attention was called to an article in the morning paper referring to an attack by some Senators on the administration, and particularly to this department, charging that it was catering to union labor, the discussion apparently having been brought about by reference to the recruiting by the United States Employment Service of this department of labor for the shipyards in the Puget Sound district.

The statement's alleged to have been made that the officers of the Employment Service conducting this recruiting announced to the public that no one but union men would be employed and sent to the shipyards in Seattle. This statement is quite correct, but the Senate should know that the shipbuilding companies in the Puget Sound district have a written agreement with the metal-trades council of that district to employ no one but union men. Consequently it would be useless for any agency to recruit any labor for these shipyards other than union labor. It would not only be useless but misleading and work a great injury on nonunion men, who might leave positions in the Middle West and go to Seattle only to find that under the agreement between the unions and the shipyards they could not be employed. The agreement between the shipbuilding companies and the metal-trades council in that district has been in existence for a long time. This department or no other branch of the Government is a party to the contract, nor was it urged by the Government. The shipbuilding com-

panies have simply agreed to the closed union shop in that district, and the agreement is defended by the shipbuilding companies and the Seattle Chamber of Commerce and other employers in that district as a measure of great efficiency, and the speed with which the shipbuilding companies in that district are turning out ships for the Shipping Board indicates the value of the plan under which they are working. If you will refer to the speech of Chairman Hurley, of the Shipping Board, at New York on March 26, you will find that he makes particular reference to the greater speed in shipbuilding on the Pacific coast than elsewhere. It is true that the United States Employment Service of this department supplies absolutely all of the labor, both skilled and unskilled, going into the shipyards in the Puget Sound district.

It is quite clear from what I have just stated that if the shipyards are operating on a written closed union shop agreement with the unions that the Employment Service supplying the labor must supply union labor if it is to supply it at all.

Very sincerely, yours,

W. B. WILSON,  
Secretary.

The letter from Mr. Frank Morrison, secretary of the American Federation of Labor, is as follows:

AMERICAN FEDERATION OF LABOR,  
Washington, D. C., April 15, 1918.

Senator HENRY F. HOLLIS,  
United States Senate, Washington, D. C.

MY DEAR SENATOR: Read into the CONGRESSIONAL RECORD, issue of April 10, on page 4902, is a report of the National Industrial Conference Board on "Strikes in American industry in war time, April 6 to October 6, 1917."

It is stated that during this time 1,156 strikes are recorded. The number of employees made idle, it is stated, was 283,402, and the number of days of production lost was 6,285,519. The National Industrial Conference Board, as you know, is composed of representatives of 17 employers' organizations and associations. It would be interesting to know the method employed by which these figures were compiled or if they were merely the estimate of some individual or group of individuals.

The trade-union movement has found it impossible to compile figures of this character that would be found approximately correct, for the reason that in strike times a large percentage of men drift into other activities for temporary employment. Although known as strikers, these men are engaged in production or other useful occupations, and could not be included in the list above referred to. To illustrate: If 500 employees are on strike for four weeks that does not mean a loss to society of 2,000 days of production, because many of these workers secure employment elsewhere. Because of the temporary character of their employment and the constant shifting from one place of employment to another during this period we have not been successful in securing reliable statistics.

In support of our position and to show the unreliability of the figures issued by the National Industrial Conference Board I quote the following statement by the bureau of mediation and arbitration of the New York State Industrial Commission, published in the commission's monthly bulletin issued February, 1918:

"It may properly be mentioned in this connection that it has been customary in the reports of this bureau and of other bureaus of a like character to speak of the number of days' continuance of a strike as time lost, as a measure of the wages lost to the employees, and also as indicating, in a way, the economic loss to the employer. It is the experience of this bureau, however, that while the total of lost working days reported does show the seriousness of the strike in loss to the worker and employer, it is not an exact estimate of the real loss to either. During the continuance of a strike the bureau has frequently observed that many strikers have obtained temporary employment from another firm or person than the one involved in the dispute, returning to the old position upon settlement of the dispute, and it has also often occurred that one department of an industrial concern may be tied up temporarily by a strike, while the other departments continue in absolutely normal operation, without lessening of the production of the plant as a whole. The great majority of industrial disputes, however, result in material loss to both employer and employee and affect injuriously a community in which they occur."

Yours, very truly,

FRANK MORRISON,  
Secretary American Federation of Labor.

The letter from Mr. Compers, president of the American Federation of Labor, is dated April 13, 1908.

DEAR SIR—

Then there is a complimentary reference to myself, and I will omit the first paragraph of the letter. He mentions the sabotage bill and the discussion last week, and then continues:

Am I right in assuming that the vote of the Senate, reversing the decision of the Presiding Officer of the Senate, was not indicative of opposition to the features of the bill discussed, but rather as a matter of parliamentary procedure? At least I hope so.

Surely when there was such a divergence of views expressed as to the necessity for incorporating section 3 of the bill, the Congress should retain it, for you know, as many Senators know, how the interests and rights of the workers have been subverted on account of interpretations by the courts of laws which the Congress had not the slightest notion should apply to the normal, natural activities of wage earners. Either section 3 should be restored or the so-called Cannon amendment stricken out.

Yesterday I addressed a letter to Hon. LEE S. OVERMAN, member conference committee of the Senate and House, upon the above bill, and it seemed to me that you ought to be in possession of a copy of that letter. I may say, too, that I furnished a copy of my letter to Senator OVERMAN and to each of the conferees on the part of the Senate and the House.

It is with a sense of regret I find that Senator SHERMAN should, at least by indirection, call into question the loyalty of the American Federation of Labor or myself. More than a month before our country entered into the war I issued a call to the representatives of organized labor of America to meet in conference at Washington. That conference was held on March 12, 1917, and, after a thorough discussion, a declaration was unanimously adopted. Permit me to quote the few concluding paragraphs of that document:

"We, the officers of the national and international trade-unions of America in national conference assembled in the Capital of our Nation, hereby pledge ourselves in peace or in war, in stress or in storm, to stand unreservedly by the standards of liberty and the safety and preservation of the institutions and ideals of our Republic.

"In this solemn hour of our Nation's life, it is our earnest hope that our Republic may be safeguarded in its unswerving desire for peace; that our people may be spared the horrors and the burdens of war; that they may have the opportunity to cultivate and develop the arts of peace, human brotherhood, and a higher civilization.

"But, despite all our endeavors and hopes, should our country be drawn into the maelstrom of the European conflict, we, with these ideals of liberty and justice herein declared, as the indispensable basis for national policies, offer our services to our country in every field of activity to defend, safeguard, and preserve the Republic of the United States of America against its enemies whomsoever they may be, and we call upon our fellow workers and fellow citizens in the holy name of labor, justice, freedom, and humanity to devotedly and patriotically give like service.

"Issued by American Federation of Labor, American Federation of Labor Building, Washington, D. C."

That declaration was reported to the convention of the American Federation of Labor, held at Buffalo, N. Y., November, 1917, and it was indorsed by a unanimous vote of all the delegates to that convention.

It has been my purpose and that of my associates to do everything physically possible to prevent interruptions of work.

Under date of April 8, 1918, I addressed a circular to all the organizations of workers of America. May I presume upon your patience and ask you to read a copy of it, which I take pleasure in inclosing?

For nearly a year, in conference with the Secretary of the Department of Labor and members of the Advisory Commission of the Council of National Defense, I have cooperated for the purpose of first reaching agreements by which industry would be continued without interruption. As the result of these conferences, the employers' associations and the undersigned as representing the workers, appointed committees representative of both sides, and they in turn selected two high-minded citizens of our country representing the public; that they agreed upon principles and standards, and also upon machinery or instrumentality by which these principles and standards and methods of adjustment or prevention of disputes might be put into operation, and that these have been established by the proclamation of the President of the United States. I do not undertake to question the figures quoted by Senator SHERMAN, but I venture to express my judgment that the men engaged in the strikes to which he has referred were largely unorganized.

This fact must be borne in mind, that among the unorganized workers employers have for years had full sway to determine wages, hours, and conditions of the workers, and the former have not failed during all these periods to take full advantage of the impotency of the workers to defend or protect their rights and interests, and that within this past year opportunities had opened up to the workers which they utilized in securing some improvement in their conditions.

Of course, you know that there are no workers in this country under my jurisdiction. There is no power vested in me or even in the American Federation of Labor itself to act more than in an advisory capacity to our fellow workers. That course as advisors we have consistently and persistently pursued, and under it the organized, as well as the unorganized, have almost generally, and particularly in this recent past, conformed. Should section 2 be retained in the bill and section 3 rejected, the influential, advisory character of the American Federation of Labor and me would be minimized or destroyed.

I have some understanding of men and the causes which prompt them to action, particularly as to their action as wage workers, and it is because of that knowledge that I aim to call the attention of Congress to the wholly hurtful effect which would result should it retain section 2 and reject section 3 of the bill.

It is gratifying to me to see in the utterance of Senator SHERMAN that the differences which exist between us he is perfectly willing to lay in abeyance, particularly at this time. I sincerely reciprocate that expression on my part. I am endeavoring by the light that is given me and by every effort I can put forth help our country and our allies to as quickly as physically possible bring this war to a triumphant conclusion for our common cause. If the time should arrive when greater sacrifice may be necessary to win for these great principles, the working people of America will not be found wanting, and while we are fighting for the safety of our Republic and the freedom of the world, we should at least not unnecessarily sacrifice justice and freedom at home. It is something not yet fully understood how perfectly safe is freedom.

Concluding with another complimentary reference, he signs himself:

I have the honor to remain,  
Yours, very respectfully,

SAM GOMPERS,  
President American Federation of Labor.

The circulars are short, are in printed form, and together with the copy of the letter to the Senator from North Carolina [Mr. OVERMAN], I presume may be printed in the RECORD without reading. I am sorry to take up the time of the Senate to this extent, but I felt that these letters ought to go into the RECORD.

The PRESIDING OFFICER (Mr. GERRY in the chair). Without objection, the matter referred to by the Senator from New Hampshire will be printed in the RECORD. The Chair hears no objection.

The matter referred to is as follows:

APRIL 8, 1918.

TO THE TOILEES OF AMERICA:

BROTHERS: Will the battle line of freedom hold against the onslaughts of autocracy's military machine? Upon that line hangs the destiny of the world for decades to come. The line can hold back the offensive and drive the invaders out of the Republic of France only if it is the concentrated expression of national determination unflinchingly supplying men, munitions, food, and every accoutrement required.

Workers of America, the safety of that battle line in France depends mainly now upon us. We must furnish the majority of those in the trenches. We must build the ships that carry the troops and munitions of war. Regardless of hidden dangers we must maintain the life line of ships on the high seas which connect the fighting front with our national bases of supplies. We must make the guns, the munitions, the aeroplanes. We must have ready food, clothing, blankets. We serve in the great industrial army that serves overseas with the fighting forces.



We must do all these things because a principle is involved that has to do with all we hold dear.

We are fighting against a government that disregards the will of the governed; a government that prides into intimate relations of life and extends its supervision into smallest details and dominates all of them. We are fighting against involuntary labor; against the enslavement of women and the mutilation of the lives and bodies of little children. We are fighting against barbarous practices of warring upon civilian populations, killing the wounded, the agents of mercy, and those who bear the white flag of truce.

We are fighting for the ideal which is America; equal opportunity for all. We are fighting for political and economic freedom, national and international.

We are fighting for the right to join together freely in trade-unions and the freedom and the advantages represented by that right.

Our country is now facing a crisis, to meet which continuity of war productions is essential. Workers, decide every industrial question fully mindful of those men—fellow Americans—who are on the battle line, facing the enemies' guns, needing munitions of war to fight the battle for those of us back at home, doing work necessary but less hazardous. No strike ought to be inaugurated that can not be justified to the men facing momentary death. A strike during the war is not justified unless principles are involved equally fundamental as those for which fellow citizens have offered their lives—their all.

We must give this service without reserve until the war is won, serving the cause of human freedom, intelligent, alert, uncompromising wherever and whenever the principles of human freedom is involved.

We are in a great revolutionary period which we are shaping by molding everyday relations between man and man. Workers of America as well as all other citizens have difficult tasks to perform that we might hand on to the future the ideals and institutions of America not only unimpaired, but strengthened and purified in spirit and in expression, thus performing the responsible duty of those intrusted with the high resolve to be free and perpetuate freedom.

Fraternal, yours,

SAMUEL GOMPERS,  
President American Federation of Labor.

#### AMERICAN LABOR'S POSITION IN PEACE OR IN WAR.

WASHINGTON, D. C., March 12, 1917.

A conference of the representatives of the national and international trade-unions of America, called by the executive council of the American Federation of Labor, was held in the American Federation of Labor Building, March 12, 1917, in which conference the representatives of affiliated national and international trade-unions and the railroad brotherhoods participated.

The executive council of the American Federation of Labor had the subject matter for three days under advisement prior to the conference and submitted a declaration to the conference. The entire day was given over to a discussion of the recommendation and such suggestions as were submitted. After a thorough discussion the following document was adopted by a unanimous vote:

"We speak for millions of Americans. We are not a sect. We are not a party. We represent the organizations held together by the pressure of our common needs. We represent the part of the Nation closest to the fundamentals of life. Those we represent wield the Nation's tools and grapple with the forces that are brought under control in our material civilization. The power and use of industrial tools is greater than the tools of war and will in time supersede agencies of destruction. A world war is on. The time has not yet come when war has been abolished.

"Whether we approve it or not, we must recognize that war is a situation with which we must reckon. The present European war, involving as it does the majority of civilized nations and affecting the industry and commerce of the whole world, threatens at any moment to draw all countries, including our own, into the conflict. Our immediate problem, then, is to bring to bear upon war conditions instructive forethought, vision, principles of human welfare, and conservation that should direct our course in every eventuality of life. The way to avert war is to establish constructive agencies for justice in times of peace and thus control for peace situations and forces that might otherwise result in war.

"The methods of modern warfare, its new tactics, its vast organization, both military and industrial, present problems vastly different from those of previous wars. But the Nation's problems afford an opportunity for the establishment of new freedom and wider opportunities for all the people. Modern warfare includes contests between workshops, factories, the land, financial and transportation resources of the countries involved; and necessarily applies to the relations between employers and employees, and as our own country now faces an impending peril, it is fitting that the masses of the people of the United States should take counsel and determine what course they shall pursue should a crisis arise necessitating the protection of our Republic and defense of the ideals for which it stands.

"In the struggle between the forces of democracy and special privilege, for just and historic reasons the masses of the people necessarily represent the ideals and the institutions of democracy. There is in organized society one potential organization whose purpose is to further these ideals and institutions—the organized labor movement.

"In no previous war has the organized-labor movement taken a directing part.

"Labor has now reached an understanding of its rights, of its power and resources, of its value and contributions to society, and must make definite constructive proposals.

"It is timely that we frankly present experiences and conditions which in former times have prevented nations from benefiting by the voluntary, whole-hearted cooperation of wage earners in war time, and then make suggestions how these hindrances to our national strength and vigor can be removed.

"War has never put a stop to the necessity for struggle to establish and maintain industrial rights. Wage earners in war times must, as has been said, keep one eye on the exploiters at home and the other on the enemy threatening the National Government. Such exploitation made it impossible for a warring nation to mobilize effectively its full strength for outward defense.

"We maintain that it is the fundamental step in preparedness for the Nation to set its own house in order and to establish at home justice in relations between men. Previous wars, for whatever purpose waged, developed new opportunities for exploiting wage earners. Not only was there failure to recognize the necessity for protecting rights of workers that they might give that whole-hearted service to the country that can come only when every citizen enjoys rights, freedom, and opportunity,

but under guise of national necessity labor was stripped of its means of defense against enemies at home and was robbed of the advantages, the protections, the guarantees of justice that had been achieved after ages of struggle. For these reasons workers have felt that, no matter what the result of war, as wage earners they generally lost.

"In previous times labor had no representatives in the councils authorized to deal with the conduct of war. The rights, interests, and welfare of workers were autocratically sacrificed for the slogan of 'national safety.'

"The European war has demonstrated the dependence of the governments upon the cooperation of the masses of the people. Since the masses perform indispensable service, it follows that they should have a voice in determining the conditions upon which they give service.

"The workers of America make known their beliefs, their demands, and their purposes through a voluntary agency which they have established—the organized-labor movement. This agency is not only the representative of those who directly constitute it, but it is the representative of all those persons who have common problems and purposes but who have not yet organized for their achievement.

"Whether in peace or in war, the organized-labor movement seeks to make all else subordinate to human welfare and human opportunity. The labor movement stands as the defender of this principle and undertakes to protect the wealth producers against the exorbitant greed of special interests, against profiteering, against exploitation, against the detestable methods of irresponsible greed, against the inhumanity and crime of heartless corporations and employers.

"Labor demands the right in war times to be the recognized defender of wage earners against the same forces which in former wars have made national necessity an excuse for more ruthless methods.

"As the representatives of the wage earners we assert that conditions of work and pay in Government employment and in all occupations should conform to principles of human welfare and justice.

"A nation can not make an effective defense against an outside danger if groups of citizens are asked to take part in a war though smarting with a sense of keen injustice inflicted by the government they are expected to and will defend.

"The corner stone of national defense is justice in fundamental relations of life—economic justice.

"The one agency which accomplishes this for the workers is the organized-labor movement. The greatest step that can be made for national defense is not to bind and throttle the organized-labor movement but to afford its greatest scope and opportunity for voluntary effective cooperation in spirit and in action.

"During the long period in which it has been establishing itself the labor movement has become a dynamic force in organizing the human side of industry and commerce. It is a great social factor which must be recognized in all plans which affect wage earners.

"Whether planning for peace or war, the Government must recognize the organized-labor movement as the agency through which it must cooperate with wage earners.

"Industrial justice is the right of those living within our country. With this right there is associated obligation. In war time obligation takes the form of service in defense of the Republic against enemies.

"We recognize that this service may be either military or industrial, both equally essential for national defense. We hold this to be incontrovertible that the government which demands that men and women give their labor power, their bodies, or their lives to its service should also demand the service in the interest of these human beings of all wealth and the products of human toil—property.

"We hold that if workers may be asked in time of national peril or emergency to give more exhausting service than the principles of human welfare warrant, that service should be asked only when accompanied by increased guarantees and safeguards, and when the profits which the employer shall secure from the industry in which they are engaged have been limited to fixed percentages.

"We declare that such determination of profits should be based on costs of processes actually needed for product.

"Workers have no delusions regarding the policy which property owners and exploiting employers pursue in peace or in war, and they also recognize that wrapped up with the safety of this Republic are ideals of democracy, a heritage which the masses of the people received from our forefathers, who fought that liberty might live in this country—a heritage that is to be maintained and handed down to each generation with undiminished power and usefulness.

"The labor movement recognizes the value of freedom, and it knows that freedom and rights can be maintained only by those willing to assert their claims and to defend their rights. The American labor movement has always opposed unnecessary conflicts and all wars for aggrandizement, exploitation, and enslavement, and yet it has done its part in the world's revolutions, in the struggles to establish greater freedom, democratic institutions, and ideals of human justice.

"Our labor movement distrusts and protests against militarism, because it knows that militarism represents privilege and is the tool of special interests, exploiters, and despots. But, while it opposes militarism, it holds that it is the duty of a nation to defend itself against injustice and invasion.

"The menace of militarism arises through isolating the defensive functions of the State from civic activities and from creating military agencies out of touch with masses of the people. Isolation is subversive to democracy; it harbors and nurtures the germs of arbitrary power.

"The labor movement demands that a clear differentiation be made against military service for the Nation and police duty, and that military service should be carefully distinguished from service in industrial disputes.

"We hold that industrial service shall be deemed equally meritorious as military service. Organization for industrial and commercial service is upon a different basis from military service—the civic ideals still dominate. This should be recognized in mobilizing for this purpose. The same voluntary institutions that organized industrial, commercial, and transportation workers in times of peace will best take care of the same problems in time of war.

"It is fundamental, therefore, that the Government cooperate with the American organized-labor movement for this purpose. Service in Government factories and private establishments, in transportation agencies, all should conform to trade-union standards.

"The guarantees of human conservation should be recognized in war as well as in peace. Wherever changes in the organization of industry are necessary upon a war basis, they should be made in accord with plans agreed upon by representatives of the Government and those engaged and employed in the industry. We recognize that in war, in certain employments requiring high skill, it is necessary to retain in industrial service the workers specially fitted therefor. In any eventuality when women may be employed, we insist that equal pay for equal work shall prevail without regard to sex.

"Finally, in order to safeguard all the interests of the wage earners organized labor should have representation on all agencies determining and administering policies for national defense. It is particularly important that organized labor should have representatives on all boards authorized to control publicity during war times. The workers have suffered much injustice in war times by limitations upon their right to speak freely and to secure publicity for their just grievances.

"Organized labor has earned the right to make these demands. It is the agency that, in all countries, stands for human rights and is the defender of the welfare and interests of the masses of the people. It is an agency that has international recognition which is not seeking to rob, exploit, or corrupt foreign governments, but instead seeks to maintain human rights and interests the world over, nor does it have to dispel suspicion nor prove its motives either at home or abroad.

"The present war discloses the struggle between the institutions of democracy and those of autocracy. As a nation we should profit from the experiences of other nations. Democracy can not be established by patches upon an autocratic system. The foundations of civilized intercourse between individuals must be organized upon principles of democracy and scientific principles of human welfare. Then a national structure can be perfected in harmony with humanitarian idealism—a structure that will stand the tests of the necessities of peace or war.

"We, the officers of the national and international trade-unions of America in national conference assembled in the Capital of our Nation, hereby pledge ourselves in peace or in war, in stress or in storm, to stand unreservedly by the standards of liberty and the safety and preservation of the institutions and ideals of our Republic.

"In this solemn hour of our Nation's life, it is our earnest hope that our Republic may be safeguarded in its unswerving desire for peace; that our people may be spared the horrors and the burdens of war; that they may have the opportunity to cultivate and develop the arts of peace, human brotherhood, and a higher civilization.

"But, despite all our endeavors and hopes, should our country be drawn into the maelstrom of the European conflict, we, with these ideals of liberty and justice herein declared as the indispensable basis for national policies, offer our services to our country in every field of activity to defend, safeguard, and preserve the Republic of the United States of America against its enemies whomsoever they may be, and we call upon our fellow workers and fellow citizens in the holy name of labor, justice, freedom, and humanity to devotedly and patriotically give like service."

Issued by American Federation of Labor, A. F. of L. Building, Washington, D. C.; Samuel Gompers, president; Frank Morrison, secretary.

APRIL 11, 1918.

Hon. LEE S. OVERMAN,  
Member Conference Committee,

*Injury to War Material Bill,  
Senate Office Building, Washington, D. C.*

DEAR SIR: The legislative committee of the American Federation of Labor brought to my attention the fact that after consideration by the Senate of the conference report on the "protection of war material and war transportation facilities bill," the conference report was rejected and a motion adopted that the Senate insist upon its disagreement to the amendments of the House and requesting further conference.

It appears that the discussion on conference report centered about section 3 of the bill, which expressly stipulates that the provisions of the bill were to be interpreted as not preventing workmen from ceasing their work in disputes solely over wages and conditions of employment. Apparently the conference report was recommended for the purpose of making an effort to eliminate this section.

Labor, as those most vitally affected, interposed no serious objections to this bill as originally drafted, but, during its consideration in the House, Mr. CANNON, of Illinois, offered and the House adopted the following amendment:

"Whoever, with intent to injure, interfere with, or obstruct the United States or any associate nation in preparing for or carrying on the war shall conspire to prevent the erection or production of such war premises, war material, or war utilities shall, upon conviction thereof, be fined not more than \$10,000 or imprisoned not more than 30 years, or both."

To this amendment, without any qualifications, labor has very serious objections. Labor has had some sorrowful experiences in the interpretation of statutes.

In order that there might not be any question as to the meaning of the statute, an amendment was offered to this bill making it clear that the section above referred to did not apply to the normal and legal activities of workmen. The amendment offered, and which was accepted by the House, is as follows:

"That nothing herein shall be construed as making it unlawful for employees to agree together to stop work, or not to enter thereon, with the bona fide purpose of securing better wages or conditions of employment."

This bill, upon its passage by the House, went to conference. The conferees agreed to a change in the amendment and inserted the words "sole and," so that the provision would read:

"That nothing herein shall be construed as making it unlawful for employees to agree together to stop work, or not to enter thereon, with the sole and bona fide purpose of securing better wages or conditions of employment."

There would have been no occasion for the introduction or the passage of the amendment last referred to had it not been for the adoption of the so-called "Cannon amendment."

The elimination of section 3 and the retention of the Cannon amendment would be a direct challenge to labor. Such a policy would be unjustifiable and discriminatory against human beings and the granting of power and special privileges to private employers over their employees, and would be so interpreted by the great mass of the workers of our country.

No one disputes the fact that the workers generally of our country and the American Federation of Labor have given indispensable service, and the failure of the Congress to retain the amendment above quoted would bring about its reaction among the wage-workers of our country and would nullify all the efforts made by the organized-labor movement. A challenge of this character will destroy the cooperative spirit of the workmen of our country, and thus retard rather than accelerate our necessary industrial activities in the conduct of a successful war.

Depriving workmen of their inherent and constitutional rights can have no other effect than to create in an intensified form the spirit engendered and developed by those who covertly desire to see the issues of this war result in failure. It is my earnest hope that no legislation will be enacted that will retard the successful prosecution of the undertaking in which we are now engaged, and I sincerely trust that in the

final determination of this bill either it will remain in the form reported by the conferees or that both the Cannon amendment and section 3 be stricken from it.

Realizing that you will give this matter most serious consideration, I am,

Very respectfully, yours,

SAMUEL GOMPERS,  
President American Federation of Labor.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. McCUMBER. Mr. President, I want to know what the conference report means before I agree to it. I do not know when it was brought in here. I have not heard any statement as to just what has been done and the changes agreed on by the conferees. I should like to have the Senator from North Carolina explain it.

Mr. OVERMAN. Mr. President, the Senator from North Dakota was not present, I am sorry to say, when the conference report was brought in. The Senator from Colorado [Mr. THOMAS], who was the chief opponent of the conference report as previously presented, took the floor and explained it. Therefore I did not say anything about it. The Senator from Colorado explained it fully and stated why he would vote for it.

What was known as the Cannon amendment and section 3, which was debated long and fully here, the conferees agreed to strike out. That was done in agreement between the conferees of the House and the Senate. The House conferees stated that section 3 would not have been adopted had not what was known as the Cannon amendment been adopted. I presume that the Senator from North Dakota is familiar with the Cannon amendment and does not desire that I shall read it.

Mr. McCUMBER. I know what the Cannon amendment is.

Mr. OVERMAN. The conferees agreed to strike out section 3 and the Cannon amendment. We had before us the general conspiracy statute of the United States, which is found in the Judicial Code and which made it a crime for anyone to conspire to do anything denominated a crime by the laws of the United States. It was stated that that statute would cover this situation, anyway, and we made a compromise agreement on that basis. The House was willing to strike out section 3 if the Senate conferees would agree to strike out what was known as the Cannon amendment, because they said that the adoption of the Cannon amendment was the reason for the adoption of section 3 by the House of Representatives. We agreed to strike out everything about labor, and so those two amendments were stricken out.

Mr. McCUMBER. Mr. President, the Senator from North Carolina refers to some other section of existing law, and states that that other section of the law covers the same question.

Mr. OVERMAN. The Senator from North Dakota is doubtless familiar with the general statute.

Mr. McCUMBER. Is the Senator from North Carolina certain that the situation is covered by the general statute?

Mr. OVERMAN. That is what I thought, and I understand the Senator from Colorado, in the statement which he made here, said that he was going to support the conference report, because he had examined the statute and was satisfied that it covered the situation.

Mr. McCUMBER. I know, but one would suppose that every Senator on the conference committee would himself examine the statute and would pass his own judgment upon it.

Mr. OVERMAN. We had the statute before us, and what I have stated was the judgment of every member of the committee, without exception.

Mr. SHERMAN. Will the Senator from North Dakota permit me to interrupt him a moment?

Mr. OVERMAN. I will read the statute for the Senator from North Dakota in a moment.

Mr. SHERMAN. The Senator from North Carolina refers to the general conspiracy statute, I presume?

Mr. OVERMAN. Yes, sir.

Mr. SHERMAN. Prosecutions have been had under that statute several times, particularly in the Indiana cases which were prosecuted under the general conspiracy section. I think that is the section to which the Senator from Colorado alluded?

Mr. McCUMBER. Yes; but was not a demurrer sustained in those cases?

Mr. SHERMAN. Some convictions have been had and some of the defendants are in the penitentiary.

Mr. McCUMBER. For doing what? Will the Senator from Illinois tell me what the particular crime charged was?

Mr. SHERMAN. Indictment was brought under the general conspiracy act, which prohibits the doing of any unlawful act to the injury of the United States, and in the Indiana cases the specific charge was because of fraud committed at an election in which Members of Congress were voted for. I refer to what is known as the Roberts case, growing out of prosecutions in the



district of Indiana. The acts were committed in Terre Haute. The act was sustained in the circuit court of appeals.

Mr. McCUMBER. I want to ask the Senator from Illinois a question. This section provides:

That whoever \* \* \* shall conspire to prevent the erection or production of such war premises, war material, or war utilities shall upon conviction thereof be fined not more than \$10,000 or imprisoned not more than 30 years, or both.

Have we any law upon the statute books to-day that is practically the same as this provision which has now been stricken out by the conferees?

Mr. SHERMAN. I think we have. I think the section for which the Senator from North Carolina is looking would be violated by such an act.

Mr. OVERMAN. Mr. President, we have had expressions of opinion from the Senator from Illinois [Mr. SHERMAN] and the Senator from Colorado [Mr. THOMAS], and they think the situation is covered by the existing statute. That is all I can say. As soon as I can find the statute I will read it to the Senator. I have not yet had time to find it, as I do not remember it specifically by number.

Mr. McCUMBER. While the Senator from North Carolina is looking for the law to which he refers I wish to present another letter to the Senate and to have it read into the RECORD. The letter is one which is addressed to the Senator from Minnesota [Mr. NELSON], and he has authorized me to have it put into the RECORD. I desire the Secretary to read it. I especially want to call the attention of the Senate to the number of strikes which, according to this letter, have taken place between the 15th day of February and the 11th day of March, 1918, at a time in which it has been stated that labor difficulties had all been settled.

The PRESIDING OFFICER. Without objection, the Secretary will read as requested.

The Secretary read as follows:

SEATTLE CHAMBER OF COMMERCE AND COMMERCIAL CLUB,  
Washington, D. C., Office, March 11, 1918.

MY DEAR SENATOR NELSON: I hand you herewith an incomplete record of strikes which have occurred in the United States since February 15 of the present calendar year. I find that I am unable at this time to tell you just what has caused all of them or how long they were in effect. A great number of them have been called to force the "closed shop" and reduction of hours of labor to eight:

#### NEW ENGLAND STATES.

Fall River, Mass., cotton mills	3,000
Lynn, Mass., shoe factories	8,000
Sanford, Me., textile mills	450
Pawtucket, R. I., textile mills	
Portland, Me., biscuit factory	
Chelsea, Mass., clock makers	
Bristol, R. I., shoe factory	2,000

In addition there has been a number of strikes in nonessential industries and continued threatened strikes in textile, garment, shoe, and machine shops.

#### NEW YORK AND MID-ATLANTIC STATES.

New York, longshoremen	2,000
New York, cotton-duck factories	1,000
New York, chemical workers	600
Allegheny, Pa., machinists	100
Shamokin, Pa., coal washers	200
Kensington, Pa., weavers	4,000
Buffalo, N. Y., turbine-engine workers	200
Chester, Pa., munition workers	300
Baltimore, Md., shipbuilders	600
Cohoes, N. Y., shoddy mills	200
Hog Island, Pa., ship carpenters	300
Mount Carmel, Pa., coal miners	150
Conshohocken, Pa., boiler makers	500
Buffalo, N. Y., shipbuilders	900

Also a number of strikes, such as elevator men, teamsters, section hands, cigar factories, etc. A continued threatened strike of all the marine workers of New York.

#### SOUTHERN STATES.

Alabama, general coal mine	
Birmingham, Ala., metal trades	5,000
Ensley, Tenn., coal miners	
Louisville, Ky., Avery farm implements	500
Waco, Tex., street car strike	

Number of threatened strikes in southern shipyards.

#### MIDDLE WEST STATES.

Kansas City, general, sympathy laundries	22,000
St. Louis, Mo., general	18,000
Chicago, Ill., airplane workers	800
Martins Ferry, Ohio, sheet-metal workers	
Pekin, Ill., gunstock factory	
Chicago, Ill., carriage workers	1,200
Peoria, Ill., all structural iron workers	
Chicago, Ill., garment workers	1,000
Elyria, Ohio, aero-engine workers	
Springfield, Ill., munition plant	
Gary, Ind., switchmen, trainmen	
Peoria, Ill., boiler makers	
Murphysboro, Ill., steel plant	
Fort Wayne, Ind., freight handlers	
Marine, Ill., mill workers	
Denver, Colo., shop mechanics	
Great Falls, Mont., general	1,500

A great many minor strikes, including teamsters, garment workers, electricians, woodworking plants, clerks, waiters, etc.

#### PACIFIC COAST STATES.

Generally quiet, excepting small strikes in Spokane, North Yakima, and Toppenish, Wash., and pipe fitters on ship construction at Oakland, Cal.

NOTE: This list includes about 80,000 men who have quit work for one reason and another. The Buffalo shipyard strike was caused because the company would not discharge the assistant superintendent, who had been active in reporting the men for slacking. A strike occurred in a Raleigh, N. C., shell plant because two nonunion men were not discharged; and, as stated before, a great number of them are for closed shop.

Trusting these figures may be of some use to you, I am,

Very sincerely,

J. E. BARNES,

828-830 Woodward Building, City.

Mr. McCUMBER. Mr. President, that shows a very serious situation existing to-day in the matter of construction of war material. I have looked over that list of strikes, and I find that out of 43 strikes occurring in those few days, 17 were in shipyards or in industries closely allied to the shipbuilding and construction business. At this period of the war and in the present critical situation I want to appeal to Senators that it is time that we take this matter up and meet it honestly and fairly.

No one is attempting to condemn Mr. Gompers or any other of the labor-union leaders; on the contrary, we all desire to pay to Mr. Gompers our highest tribute for his wisdom and his patriotic efforts ever since the war began; but, notwithstanding his efforts, notwithstanding the strong efforts of Mr. Morrison, it is, nevertheless, true that the labor situation has gotten away from the labor leaders and they have not been able to sufficiently control it or to secure for the Government of the United States more than 50 per cent efficiency in the construction of war material and in that particular branch of industry that means so much to this country to-day, ship construction.

Mr. OVERMAN. Mr. President, I desire to say that the reason I could not readily find the statute which I desired to read was that I was handed the wrong volume. I find that the old statute is section 5440 of the Revised Statutes, and section 37 in the criminal code. It reads as follows:

Sec. 5440. If two or more persons conspire either to commit any offense against the United States, or to defraud the United States in any manner or for any purpose, and one or more of such parties do any act to effect the object of the conspiracy, all the parties to such conspiracy shall be liable to a penalty of not less than one thousand dollars and not more than ten thousand dollars, and to imprisonment not more than two years.

Mr. SHERMAN. Mr. President—

Mr. McCUMBER. Mr. President, notwithstanding the assurance that has been given me by Senators who undoubtedly have given the matter greater consideration than have I, I am very doubtful if that statute would apply to this case. If to-day, without any just cause, anyone should organize a conspiracy to get men to quit their work upon the construction of a ship that is greatly needed for war purposes, I do not believe that that character of conspiracy would be covered by this particular law. I do not believe the section read would meet the strike situation. I now yield to the Senator from Illinois.

Mr. SHERMAN. Mr. President, I wish to state, in addition to what the Senator from North Dakota has had read, that on yesterday 350 men quit their work at Sparrows Point without any apparent cause. The press report in regard to that matter is as follows:

BALTIMORE, April 15.

About 350 men employed in the shipyards at Sparrows Point went on strike this afternoon without giving the management of the company any reasons for their action or without stating any cause of grievance.

Then the details follow. This only goes to prove what the Senator from North Dakota has stated—that the labor situation is getting away from the labor leaders. They are patriotically trying to hold the individual workman to his duty, but in numerous places in the United States—I note as many as I can from the press reports—strikes are occurring with alarming frequency, and they are impairing our ability to prepare for our whole duty in this war. They are reaching that point, Mr. President—and I particularly wish to add this to what the Senator from North Dakota has stated—that unless there is already some law which, taken in connection with this bill, will curb them, they will weaken us so that we can not utilize our resources.

I think, if the Senator will permit me further, that section 5440 of the General Statutes, which has been read by the Senator from North Carolina [Mr. OVERMAN], can be construed to punish a strike where it is willful. If a number of men, in pursuance of a common understanding, quit work on a Government contract or in a shipyard, and under that concerted action go out leaving work undone, I believe that that is a conspiracy to the injury of the United States.

If the Senator will permit me, that statute, as I have said, was construed in a case arising in Indiana by the circuit court

of appeals for the seventh circuit. That case specifically involved a violation of the election laws; it was a case of conspiracy to procure the fraudulent election of certain candidates for Congress. The first time the statute was applied was in that case. It was doubted whether Congress had in mind at the time it enacted this statute the question of elections, and so it was only by construction that it could be held to cover elections. The circuit court of appeals sustained the interpretation put upon it by the trial court, and held that a conspiracy to obtain fraudulent votes in the election of an officer of the United States was a conspiracy that resulted in the injury of the United States and was a violation of section 5440.

I do not think it would be any more violent a construction of the statute—and I wish to invite the Senator's attention to this, because it may be an open question; I am only giving my opinion, as the Senator from Colorado and as the Senator from North Carolina have done—to say in war times that concerted action to cease work on a Government contract or in a shipyard where ships are in the course of construction is a conspiracy of itself when proven that it is to the injury to the United States. I think the Seventh Circuit Court of Appeals would not have to make so violent a construction of the statute, if the contrary could even be contended by those representing the defendants, as has already been made in the interpretation and the application of this statute.

This is what leads me to favor the adoption of this report: I believe the prosecuting attorneys and others who have to do with the interpretation and enforcement of the law when this bill is applied and construed with section 5440 will conclude that it will furnish a remedy.

Mr. McCUMBER. Mr. President, recognizing the fact that Congress has from time to time indicated its desire that labor unions should not be held to the same strict accountability for breach of law as unions of capital and as individuals, I am rather inclined to believe that the court would pause a long time before it would conclude under that statute that it was the intention to punish anyone who would incite a strike in a Government shipyard, even though the very life of the Nation depended upon the rapid construction of ships. I think we ought to have a law at this time to govern cases of that kind. If Mr. Gompers or Mr. Morrison were the absolute dictators of the labor unions, I have no doubt that we would be freed entirely from strikes, but in view of the strike the Senator from Illinois has just read about, the account of which was published in the press this morning, it appears, unhappily, that they can not control the situation, and unhappily there is in many of the labor unions a large element of the I. W. W., which in some instances controls the union; and where it does not control, it is an element of disloyalty, an element that has prevented construction in so far as it could and has rendered construction work in our shipyards up to the present time, on the average, not more than 50 per cent efficient. At this particular time we ought to have some method to deal with the situation of that character.

The Senator from New Hampshire [Mr. HOLLIS] in his address, I think on the 10th of April or about that time, stated that without any law we had come to an agreement with all the labor organizations. I drew from his statement the conclusion that he did not believe there was now danger of any further strikes, and yet right in the face of this belief comes information of a strike in one of the shipyards, for which no reason on earth is given.

The Senator from New Hampshire made a speech the other day, as I remember, which was strongly in defense of labor unions. Certainly those unions have had no man in the Senate who has been more friendly to their interests than the Senator from New Hampshire, and I think sometimes that he carries that friendship so far that to a certain extent he does an injustice to the Government. Criticizing those who did not agree with him, he stated—

It is not desirable to take the laboring men out and shoot them at sunrise.

Mr. President, that statement has been iterated and reiterated several times upon the floor of the Senate, and it seems to me that it needs some attention. I do not think that the labor element of the United States ought to look upon Congress as its enemy; I know of no one in the Senate or in the other House who has ever advocated any injustice of any character toward honest labor. I have never heard of anyone advocating a low-wage scale. I know that it is the consensus of conviction of every Member of the Senate, and I have no doubt also of the other House, that the greatest liberality should be allowed in the matter of wages for our laborers, especially during this war, to the end that every laborer may feel that his service is recognized and appreciated by the American Republic, and when any Senator condemns sabotage, when any Senator con-

demns slacking in this most serious situation, I insist that it is hardly just to accuse him of a desire to have laboring men "shot at sunrise."

I want the Senator from New Hampshire to look also upon the other side of this question, and I want if possible every man who performs labor in the United States to-day to look upon the other side of the question. The Senator says that it is not desirable to shoot the laborers at sunrise. God knows that is true, and it is not desirable, either, through the slacking of any American laborer or any other American that our soldiers over in France should have their throats cut at sunrise. That is a matter I think that the labor unions and every other citizen of the United States should think of for a moment. I read from a written report by Adj. R. G. Starboard, who has charge of the Salvation Army work in France. This is what he says:

I visited a base hospital recently and had this story from a sergeant who had passed through one of the raids. The sergeant was horribly wounded by grenades, and was passed by the Germans as dead. Before the sergeant lost consciousness, however, he saw a dozen Germans overpower three American boys and cut their throats from ear to ear. The sergeant said the murder of the third American was most horrible. Four Germans held him while another fairly severed his head from his body.

Mr. President, suppose it had been the son of the Senator from New Hampshire or the son of some good mother whom the Senator knows in his State—

Mr. THOMAS. As these men were the sons of good American mothers.

Mr. McCUMBER. Yes; they were the sons of good American mothers. Reports come to us almost daily of horrible atrocities inflicted upon American and British prisoners. If we had had the Army that we proposed to have in France before the last German drive, which may prove fatal to our allies, that drive never would have been made. If we had had 1,500,000 well-armed American boys to put into the breach at that time beside their British and French allies, this war would have been well on toward the last stages to final victory. We did not have them there. Why? Secretary Baker said in the early winter: "I have 1,500,000 men whom I could ship to France to-day, but I have not the ships. The crux of the whole situation is ships, and I do not know where to get them."

The ships could have been built if, first, the Shipping Board had done its duty and, second, if labor connected with the shipping had faithfully performed its duty. I will not lay the blame all on one or all on the other; it was due to the delay of the Shipping Board, due to profiteering on the part of those who had things to sell to the American Government for the construction of ships, and due even to a greater extent, after we began our shipbuilding program, to the inefficiency and the slacking of labor in the shipyards.

It is problematical whether, with all the ships that we can bring to our support, even when Great Britain is denying her people food that they ought to have in order that her few remaining ships may be put into the service of the United States to take our soldiers to the front, it will be possible for us to get over a sufficient number of soldiers to stem the tide and to be able to save the situation in France to-day; but we are bending every possible effort to do so, and in this critical situation it is our moral duty—the duty of Congress, the duty of every American citizen, I do not care whether he is a laborer or a millionaire, or who he may be—to do everything in his power to see that there is not one minute of delay in our ship construction. That is all that patriotic American citizens are asking for, and I am certain we are asking none too much of our laboring men.

If one son stays at home, what right has he to slack in his work while he sends his brother over to the trenches to face an army? And yet the work of the former is just as essential to final victory as the work of the brother who holds the gun.

It is even more important, because it not only is necessary to support the boy who is at the front, but it is also necessary to support those who must go to his assistance if he is to make his work at the front successful. The workman here is receiving from \$5 to \$8 per day. The strikes are not for greater wages. I would not complain if they were even greater, though I fear that our extravagance to-day is such that we will bankrupt the Government before we ever get into this war. But be the wages what they will, there is one thing that we have a right to ask of the workman, and that is an honest day's work for the wage that is paid; and, as a matter of fact and truth, no one will deny that nearly every one of these strikes has been because those who employed the workmen would not yield to their demands to make their places closed shops. They were not strikes for higher wages or better conditions.

One of the Senators read this morning a letter indicating that the reason why men were required to say either that they would



become members of the labor union or that they were members of the labor union before they were sent out to the West coast was that they might be assured of work. I do not complain of the Government doing that; but is it not also true that the Government forced every establishment in the West to go under the rule of a closed shop before it would allow it to take any contracts? That is the information that I have.

Mr. HOLLIS. Mr. President—

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

Mr. McCUMBER. I yield to the Senator.

Mr. HOLLIS. The letter I read from the Secretary of Labor stated that the agreement was between the private shipbuilding plants and their employees; that it was a contract that had been in existence since long before the war, which the Government did not advise and which the Government had no power to change. If a man went out there who was not a labor-union man, he could not be employed, under the private contract between the shipbuilding plants and their employees.

Mr. McCUMBER. Yes; that is what I understood was in the letter which the Senator read, and I think that was proper under those conditions. I think we have a right to complain, however, when the Government says to another shipbuilding yard that is running under an open shop, "Unless you close your shop and take in only union laborers we will cancel our contract with you." Now, I may be mistaken; the information which comes to me may be erroneous, but I have it from many sources that that has been done.

Mr. HOLLIS. Mr. President, will the Senator permit me to interrupt him again?

Mr. McCUMBER. Certainly.

Mr. HOLLIS. In all those cases there is an agreement between labor and capital, to which the Government is a party, that where there has been an open shop it shall continue an open shop until the war is ended, and where there has been a closed shop it shall continue a closed shop until the war is ended. I am very confident of that.

Mr. McCUMBER. I hope, Mr. President, that that is the case.

Mr. THOMAS. Mr. President—

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

Mr. McCUMBER. I yield to the Senator from Colorado.

Mr. THOMAS. I know the Senator has kept very closely in touch with these conditions for some time and will correct me if the statement which I am about to make is erroneous. I have been informed that the hull of a large vessel was constructed on the Pacific coast and launched, the work being done by nonunion labor; that it was towed to the proper place in San Francisco Bay, or some harbor in the vicinity of that bay, to receive the installation of its engines, but that because this vessel had been constructed by nonunion labor the trades-unions refused to place in the vessel the machinery necessary to equip her and make her seaworthy, and that no other labor could be secured for that purpose. I am also informed that that condition still prevails, and that that splendid hull, new and otherwise seaworthy, is rendered useless to the Government because another class of labor absolutely refuses to make her seaworthy and efficient by the installation of the machinery. If that be so, then, in my judgment as a man and a Senator, the situation in these times borders very closely upon treason.

Mr. McCUMBER. Mr. President, if the Senator will peruse the January and the March numbers of the Sunset Magazine he will find not only that there is one but that there are four or five of those hulls lying idle out on the west coast to-day that can not be used by the Government because the Government can not get the men to put the boilers and the engines in them, the hulls having been constructed by nonunion labor.

Mr. SHERMAN. Mr. President—

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

Mr. McCUMBER. I yield to the Senator.

Mr. SHERMAN. I will ask the Senator to permit me to supplement that statement with another fact: That on the Pacific coast the shipbuilders' union has adopted and is enforcing a rule that no member of less than one year's continuous standing shall be employed as a riveter in shipyards, although the supply of riveters is grossly insufficient.

I should like to add to that the further statement that at Newark, N. J., where there is a shipyard, the local union has fined members of the union from \$100 to \$1,000 apiece for working with nonunion men who have been assembled on the emergency to put together the fabricated portions of ships, that being an assembling plant.

Mr. McCUMBER. And if the Senator had investigated the subject a little further, he would have found that according to the reports any active man can become a good riveter in a

month's time, notwithstanding the fact that under the union rules he must hold a card showing that he has worked a year before he can be employed as a riveter.

Mr. SHERMAN. Mr. President, the average village blacksmith can learn the trade in 30 days—a man that is used to pounding hot iron.

Mr. McCUMBER. The Senator is correct.

Mr. President, there is not a man in the Senate or in the House who realizes the present precarious situation in this war, who realizes the dire necessity for ships, who does not also realize in this hour of our need the effect of having a strike in our shipyards, the effect of delaying for a day or a month the construction of any ship necessary for the support of our Army. I can not but fear that this desire to eliminate the Cannon amendment displays a rather gross lack of courage, a subversion of our conscience, in the hope of receiving the votes of some particular organization, that we are willing to see the country's interest so jeopardized.

We talk about the courage of our soldiers. We laud and commend their wonderful courage. Their's is a courage to face death. Their's is to face bullets. Well, if that courage is so commendable, I submit that the Members of the Senate ought to have courage enough to face a paper ballot, even if it should be aimed at the Senator's political interests. We talk about having a Congress free from partisanship. We do not want partisanship to enter into our discussions. No; Mr. President, and we do not want anything but honest, patriotic Americanism in our discussions and actions during this conflict. That means we should do everything that is necessary to protect this country, everything that is necessary to win a victory; and what is most necessary for this country and for victory is to speed up the construction of war materials, to see that every man employed does an honest day's work for an honest wage, and, in addition to that, to see that every American is employed in some useful vocation. Nothing short of that is ever going to save this war, and, Mr. President, it does not need the courage that a great many Senators think it needs to do the right thing.

I know something about labor and laborers myself. I have been associated with them. I have been brought up with them. I have probably performed more physical labor between the ages of 8 and 22 than any of them performs in this age in a like number of years. I know that for the most part they have the same sentiments, the same conscience, the same respect for independence and patriotism that you have and that I have, and they are not led by their officials when it comes to the ballot. They vote their convictions exactly the same as you and I do, and I do not believe there is going to be one patriotic American labor vote polled against an American citizen because he believes that every laborer ought to perform eight hours of honest service. I should be perfectly willing to take my chances with them. There are a great many of the I. W. W.'s that would probably be against you, but would you not rather have them against you than for you?

Mr. THOMAS. They are against you, anyway.

Mr. McCUMBER. They are against anything that is in favor of honest government. They are against anything that does not wear the garb of the murderer and the robber and the thief; so we need not be afraid of that element. I believe with all my heart, Mr. President, that we ought to have left the Cannon provision in this bill. I regret very much that the conferees have brought in a report in which that has been eliminated, in order that they might eliminate that which would exempt labor unions from the operation of this most just law.

Just at the time when we ought to do everything in our power to encourage American labor, I confess we ought to have had the courage to strike out section 3 and leave in the bill the Cannon amendment, which in no uncertain words declared that any person who should conspire to prevent the construction of things necessary for the Government in this war should be subject to punishment. I think he should, and I would be willing to vote for it. I have just as much right to refuse to pay my taxes because I think they are heavier than they ought to be, as a laborer has a right to refuse to proceed to work upon a ship which the Government needs and which my taxes are to pay for, because the wage is not as much as he thinks he might get if he should organize a strike.

Mr. FLETCHER. Mr. President—

The PRESIDING OFFICER (Mr. Wolcott in the chair). Does the Senator from North Dakota yield to the Senator from Florida?

Mr. McCUMBER. I yield to the Senator.

Mr. FLETCHER. I merely wish to suggest to the Senator that section 37 of the Criminal Code fully covers the subject of conspiracy; but, further than that, there is a great deal

more in this bill than appears by reading sections 2 and 4. If the Senator will refer to the definition given at the beginning of the bill of war material, war premises, and war utilities, and the broad latitude covered by those definitions, and then keep in mind the fact that sections 2 and 4 merely make reference to those words, and they must be read together, the Senator will see, as I say, that there is a great deal more in the bill than there would appear to be from reading just sections 2 and 4.

Mr. McCUMBER. Let me ask the Senator a question for his candid judgment. Suppose this bill, as reported by the conferees, should become a law to-morrow, in its present form, and suppose day after to-morrow there should be a strike organized of the character of the one which was read into the Record just a few moments ago, in which laborers struck in a shipyard, giving no reason whatever for the strike, no claim that they needed higher wages or that they required better conditions. Does the Senator believe that those persons would be told by the Department of Justice, "You either go to work now and do an honest day's work for \$5 or \$8 or \$10 a day or you will be proceeded against in a criminal prosecution"?

Mr. FLETCHER. No; I do not, Mr. President.

Mr. McCUMBER. Neither do I.

Mr. FLETCHER. I do not think so, if those are the facts. Of course, each one of these particular strikes depends upon the facts in the case. For instance, the Senator read in this list of strikes that some 300 or more carpenters had struck at Hog Island. I happen to have information, which I think is absolutely reliable—it was reported by Admiral Bowles, as I recall—to the effect that that strike lasted about 30 minutes, and then the whole thing was over and every man went back to work. There was a disagreement about the amount of wages. Now, I do not know what the facts are in connection with the matter to which the Senator refers. As published, the statement is to the effect that the men stopped work without giving any reason. I think they have a right to do that, and I do not know how on earth you are going to prevent it.

Mr. McCUMBER. Mr. President, I really do not think they have a right to do it.

Mr. FLETCHER. I mean, a legal right.

Mr. McCUMBER. Well, I do not think that, Mr. President. Any individual has the right to refuse to perform personal services for another individual at any and all times, and there is no law that can compel him to do otherwise. That is one proposition.

Mr. FLETCHER. That is what I mean.

Mr. McCUMBER. On the other hand, we can pass a law making criminal in time of war a conspiracy to secure all the employees in a certain plant that is producing articles for the Government needs to stop work. That we have the power to do.

Mr. HARDWICK. Mr. President—

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

Mr. McCUMBER. I yield to the Senator.

Mr. HARDWICK. Does not the Senator think that we can go even further than that? Does not the Senator agree that we could prohibit strikes entirely in these munition plants producing war necessities?

Mr. McCUMBER. There could not be a general strike unless it was preceded by some kind of a talk which, in law, would amount to a conspiracy to bring on the strike; so it would be the same thing.

Mr. HARDWICK. All right; we will not quarrel about that. That is purely technical. I believe we could do that, and I want to go further; I think we ought to do that; but I think, whenever we do do that, there are two things we ought to do concurrently. We ought to be sure that we have limited the application of that extreme power to the real war necessities of this country, and that we have not applied it to the industries generally.

Mr. McCUMBER. I agree with the Senator. I think we should have more laws upon the subject than we have that will provide for a board of conciliation and settlement, supervised by the Government, and that the wages should always be most liberal.

Mr. HARDWICK. Yes. Secondly, let me say to the Senator that I believe it is an absolute necessity, whenever we enact legislation of that sort—and I think the time is coming, if it has not already arrived, when we must do it in order to supply the necessities of this Government and in order to prosecute this war adequately—whenever that time arrives, we ought to limit it to the war industries of the country entirely and strictly; and we ought also, at the same time that we take away from labor its only weapon, to provide authority of law

to see that labor is fairly treated in every respect by the Government; and those things ought to be done concurrently.

Mr. McCUMBER. We ought to protect labor. There is no question about that.

Mr. HARDWICK. That was one reason why I did not like the first conference report—because that proposition had not been carefully worked out. I think it ought to be carefully limited and carefully worked out along that line.

Mr. McCUMBER. I think myself that I have no right, even at my age, to fail to do what I can for the Government. I think the Government has a right to call on me for whatever I can do; and if I could be more efficient elsewhere than in the Senate of the United States, I would concede that in time of war the Government would have the right to select me and put me into that work. That is one duty that the citizen owes to the Nation in time of war, and no one has a right to be exempted from it.

Mr. President, I simply desired to express my opposition to any scheme that would make a conspiracy criminal if it was entered into by one class of American citizens, and make it legal if it was entered into by another class. I would not be concerned quite so much in times of peace, even though I deeply feel that there never ought to be a law upon the statute books which would recognize any class in American citizenship.

I ask, Mr. President, that this article on the last strike, which was published in the Washington Post of this morning, may be read into the Record. It is very short.

The PRESIDING OFFICER. Without objection, the article referred to will be read.

The Secretary read as follows:

[From the Washington Post of Tuesday, Apr. 16, 1918.]

THREE HUNDRED AND FIFTY QUIT WORK IN SHIPYARDS—NO REASON GIVEN BY MEN FOR THEIR WALK-OUT AT SPARROWS POINT.

BALTIMORE, April 15.

About 350 men employed in the shipyards at Sparrows Point went on strike this afternoon without giving the management of the company any reasons for their action or without stating any cause of grievance. General Manager Anderson, of the shipbuilding plant, said to-night that he knew of no reason for the men stopping work; that there had been no money troubles of any sort, no demands for increased pay, and no complaint about conditions of work.

"The men just walked out," he said, "without giving any explanation, and I have not the slightest knowledge of why they went out. The entire plant is now being operated under the direction of the Government, and if they had any grievances it would have been easy for them to have had them adjusted."

Judge Gray, of Wilmington, Del., is the referee for this district in any labor disputes, but so far as I have heard no complaints have been laid before any of the Government officials who have to do with labor difficulties.

The men out are principally riveters, platers, and calkers.

Mr. SHERMAN. Mr. President, I do not think the Senator from North Dakota is any more earnest in this matter than I am, so far as my private thoughts go. If I thought this conference report left matters where some adequate remedy could not be applied, I would oppose it by voting against it.

If we take section 5440 of the Revised Statutes of the United States and couple it with the provisions of the conference report, it seems to me that we have a proper remedy if this report should be adopted and the bill should mature into a law. Section 5440, under the title of "Crimes," is as follows:

If two or more persons conspire either to commit any offense against the United States, or to defraud the United States in any manner or for any purpose, and one or more of such parties do any act to effect the object of the conspiracy, all the parties to such conspiracy shall be liable to a penalty of not less than \$1,000 and not more than \$10,000, and to imprisonment not more than three years.

This is one remedy, I think, by a fair construction of the act, when a case is before a court provided by existing law. I believe the construction given by the Circuit Court of Appeals in the seventh district in applying the law to fraudulent elections, as I suggested a while ago, is not a more liberal construction even of a criminal statute—perhaps not as much so, when we consider the fact that we are now at war—than the interpretation of this same act, and applying it to strikes that limit or interfere with war munitions production in a way that amounts to an offense against the United States.

Mr. McCUMBER. Mr. President—

Mr. SHERMAN. I yield to the Senator from North Dakota.

Mr. McCUMBER. Let me suggest to the Senator this difference: The injury must be one directly against the United States. The fraudulent election of an officer of the United States, of course, could well be construed to be an offense against the United States, affecting the United States in its governmental functions. But here is a private shipyard. The strike is not really and directly against the United States, but it is a strike organized against the employer.



The employer is not the United States, even though the United States is indirectly affected by the act. Now, I am fearful that the court will construe that to mean an act that directly, and not indirectly, affects the Government.

Mr. SHERMAN. I wish to read, in connection with that same section, and by way of enforcing what the Senator from North Dakota has said, paragraph 3 of the text of the war act of Great Britain of 1915, as amended by the act of Parliament known as the munitions of war act of 1916, which reads as follows: I read from page 64 of the volume entitled, "Employers and Workmen: A Handbook Explanatory of their Duties and Responsibilities Under the Munitions of War Acts, 1915 and 1916," by Thomas Alexander Fyfe:

Any rule, practice, or custom not having the force of law which tends to restrict production or employment shall be suspended in the establishment, and if any person induces or attempts to induce any other person (whether any particular person or generally) to comply, or continue to comply, with such a rule, practice, or custom, that person shall be guilty of an offense under this act.

Under that provision undoubtedly a strike, as we commonly understand it, is a penal act or any of the acts which tend to or do restrict production.

In connection with section 5440 of the Revised Statutes now in force we ought to read sections 2 and 3 of the conference committee report:

That when the United States is at war, whoever, with intent to injure, interfere with, or obstruct the United States or any associate nation in preparing for or carrying on the war, or whoever, with reason to believe that his act may injure, interfere with, or obstruct the United States or any associate nation in preparing for or carrying on the war, shall willfully injure or destroy, or shall attempt to so injure or destroy, any war material, war premises—

And so forth.

This is an affirmative act of destruction of war materials. Then in the following section, section 3:

That when the United States is at war, whoever, with intent to injure, interfere with, or obstruct the United States or any associate nation in preparing for or carrying on the war, or whoever, with reason to believe that his act may injure, interfere with, or obstruct the United States or any associate nation in preparing for or carrying on the war, shall willfully make or cause to be made in a defective manner, or attempt to make or cause to be made in a defective manner, any war material, as herein defined, or any tool, implement, machine, utensil, or receptacle used or employed in making, producing, manufacturing, or repairing any such war material, as herein defined, shall, upon conviction thereof, be fined not more than \$10,000 or imprisonment not more than 30 years, or both.

These two provisions, section 2 and section 3 of the report, coupled with section 5440 of the statutes it seems to me furnish a remedy. The Government now has control of all shipyards, so as to be directly affected by a strike. If it should be found upon actual application that the remedy is not forthcoming under these provisions I would be very glad then to vote for a measure that in express terms and by as positive provisions as can be employed in the English language cover anything that will interfere with the production of war material or for the preparation of this country to bear its full part in the war.

Mr. McCUMBER. I think if the Senator will read it more carefully he will probably vote against this conference report. Section 37 reads:

If two or more persons conspire either to commit any offense against the United States, or to defraud—

And so forth.

Now, they must conspire to commit that which has been declared by law to be an offense. What it means is a criminal offense. The law has never declared a strike to be a criminal offense. Therefore the conspiracy to commit an offense against the United States is not fulfilled in a conspiracy to organize a strike which has not been declared an offense against the United States.

Mr. SHERMAN. I believe section 5440 is leveled against an offense committed against the United States so that it ordinarily must be a violation of some existing law. That evidently was in the mind of Congress when the original act was passed. But the interpretation of this act in applying it in the seventh district by the circuit court of appeals liberalized it considerably. It does not seem so restricted. It said that the fraudulent voting by persons, two or more, for an election of an officer of the United States, a Member of the House, was an offense against the United States. The election law does not specifically provide more than general declarations. It does not extend to a conspiracy for fraudulent or illegal voting or for the fraudulent or illegal election of a Member of the House. Still the court, in the liberal construction which they gave in order to advance the remedy that was intended by this section or other acts of the United States, found that it was a conspiracy, that the trial court properly instructed the jury on the nature

of the act that it constituted a conspiracy, and so sustained the conviction.

I believe it may be a fair interpretation of this section 2 to say that a strike that leaves property in a condition where it will be injured is within section 2, or willfully interfering with or obstructing the United States or any associate nation in preparing for or carrying on the war, or whoever, with reason to believe that his act may injure, interfere with, or obstruct the United States in preparing for or carrying on the war." That is one distinct offense: "Shall willfully injure or destroy or shall attempt to injure or destroy." Ordinarily that is an affirmative act. It must be some one who breaks up a meld, who destroys ship timber, who destroys a shipway, or some affirmative act of destruction, taking away something that the Government is using or will use when completed.

A strike occurs by which a hindrance to the completion, say, of a shipway is the direct and natural result—not a remote consequence, but which directly follows from it. I think, however, it is within section 2, so that when this bill is enacted it becomes an offense against the laws of the United States, even bringing it within the strict interpretation that an offense against the United States must be some violation of existing law. At any rate, it would not require any more liberal construction of the section that is now the law to declare it an offense against the United States to interfere with the preparation of war material or the building of ships, but that of itself in time of war is an offense against the United States, than was declared in the case I have referred to, decided by the circuit court of appeals.

I would go as far, I know, as the Senator from North Dakota to produce results. I think it is tolerably evident by this time that if we are to get anything speedily out of this legislation we had as well adopt this report.

The House is in one mind, it seems, and somewhat persistently of that mind, and the majority of the Senate is of another mind. This presents a real purpose of a conference committee to adjust differences. It is not an attempt to legislate originally, as we have recently prohibited by a very wise rule of the Senate. It seems to me, but it is an honest attempt to effect a settlement of differences, to the end that legislation may result rather than continued differences. In view of that I believe this conference report has accomplished some good results. It is a forward step.

I would go further, Mr. President, than possibly this conference report has gone if I were the sole judge of it, but I am not. There are 94 Senators here, and besides that there are 435 Members of the House who are to be consulted. Most legislation is a matter of adjustment of different opinions. The radical neither gets what he wants nor does the extreme conservative, and usually it is a sort of happy medium, and that has marked the advance of legislation for the time being.

Probably that is the condition in which this conference report finds itself, but it is an advance, to say the least of it, over present conditions; and if the wisdom of this law shall demonstrate upon its application the necessity of a further step or if the folly of those against whom it may be directed shall by their continuous folly make it demonstrated that further legislation is required, they by that act of folly will produce the necessary votes in this and the other body, if it is shown that no other remedy is adequate except to amend this law or to pass additional measures.

Mr. President, I wish to add before this is left a statement about the general course of labor unions. I think the officers of the American Federation of Labor are sincere, loyal, and patriotic in their efforts to control the local unions and the members who are essential in the preparation of much war material and of the merchant shipping that we must have. I think whatever differences they have had with employers or with lawmaking powers—such of us as have not altogether agreed with them at times—will be fused in a common loyalty with all of us. I am sure I have a spirit ever of meeting them upon a common ground for the production of the necessary results that will give us adequate preparation for this struggle.

I have never had any hostility to labor unions as labor unions. I think they have a right to exist. I would vote at all times and would support their right to organize and to exist as lawful bodies. I want the same degree of tolerance shown by them to others outside of the union that they have a right to ask for themselves. When we concede that they have a right to exist; that through lawful organization their purposes are good; that they have done many good things in remedial legislation and given them protection by court decisions as well as legislation, whatever some of their members may say to the contrary, then they themselves are in duty bound to exercise

the same liberal charity and the same broad toleration for other people who are not members of the union.

Nevertheless, Mr. President, it is true that there is a degree of narrowness on the part of some and some members of unions, a degree that would keep a man from earning a living in this world if he does not join a union. When it comes to that I have had frequent controversies with unions. I will have them as long as I live. They have no right to attempt to try to prevent my neighbor, because he is a member of a union or is not a member of a union, from earning his living. I am just as hostile to an employer who discharges a man because he is a member of a union as I am to one who discharges a man because he is not a member of a union. The right is correlative and mutual, and there can not be classes built up in this country based upon mere membership in any private organization. Because I may be a Free Mason or my neighbor may be a member of the Knights of Columbus is no reason for discriminating against each other in government. It is the end of civil government when that is permitted or tolerated in any country.

Nevertheless, official documents are in the possession of various persons in this country in private life coming from the departmental officers or heads of bureaus recognized by law as Government agencies, that provide before a man can get work in a certain part of this country, and I will be specific about it, on the northwest Pacific coast or the entire Pacific coast, every shipyard along the coast—before he can be sent to an employment agency from any part of the country under Government auspices he must signify that he will be a member of the union or is already a member of the union.

Mr. HOLLIS. Mr. President—

The VICE PRESIDENT. Does the Senator from Illinois yield to the Senator from New Hampshire?

Mr. SHERMAN. Yes, sir.

Mr. HOLLIS. Does the Senator happen to know why that is?

Mr. SHERMAN. I know in one place, and I will reply.

Mr. HOLLIS. Not where it is, but why it is?

Mr. SHERMAN. In the Seattle district the yards are all union yards. The shipbuilding companies are union employers.

Mr. HOLLIS. Then what good will it do for the United States Government to send a man there who is not a union man? Will he not be out of pocket his expenses?

Mr. SHERMAN. He would not get work in that locality, it is true, but the documents to which I refer say that no man can go to the Pacific coast to work in a shipyard unless he is a union man or has signified his willingness to become a union man. There is a shipyard or there are yards in the Northwest, at Seattle, possibly at Portland, or near there, on the Columbia River. These comprise at least what is called the Puget Sound country, the northwest Pacific coast. Those are union yards. There is a yard at San Francisco, there is one at Los Angeles, there is one at San Diego, and these are open-shop yards. The Government does not, through its agents, represent the conditions as they are to the men who are asking to be taken to the Pacific coast for work. Those are open-shop yards below, but not in the Seattle district. So far as it applies to that district it is true, and the statements made by the Senator are strictly correct, but when applied to the entire Pacific coast they are not in accordance with actual working conditions, and that far the documents which are sent out are misleading and taking advantage of the closed-shop conditions in the Puget Sound country.

In addition to that, there is at Newark, N. J., a shipbuilding yard that is, I think, a successful experiment, so far as I have any facts. It is a yard that assembles fabricated material. They are making an experiment, the first of this kind in the world. They are taking farmers' boys, they are taking clerks out of dry-goods stores, they are taking blacksmiths and bar-tenders, and in a very short time, in from 30 to 90 days, they are turning them into shipbuilders under an intensive course of training, because a large part of the material comes to that yard fabricated or framed according to the blue prints before it is brought there. It is a question of putting it together after it is on the ground. It is an assembling ground, in other words, for these workmen. They are making remarkable progress there.

These men, coming from every walk in life, not skilled laborers at the beginning, have under the foreman who gives them the instruction learned to be efficient men. They have not joined the union. Some of these newly skilled workmen under this course of training I have referred to do not care to join the unions. When the war is over they will go back to their before-the-war occupation, whatever it is. They have gone into the shipyards just like my neighbors' sons went into the Army before the draft law. Many of them volunteered. My

own State and many of the Western States sent volunteers when there was no conscription law, sent them by the thousands, and they went, not because they wanted to be professional soldiers, but because they thought their country needed them. These men have left the farms and the blacksmith shops and the stores and have gone into the shipyards to give of their service because they think the country needs them. They will work 14 hours a day if the country needs them. They do not watch the clock. It is not their permanent occupation; they do not expect to be caulkers and riveters and hanger men all their lives. They expect, when the war is done and the ships are built and the treaty of peace has once more turned us back into our peaceful nation to return to their farms, their shops, and their blacksmithing—the things that they left when the war began and called for them. Under those conditions they do not join that union.

Let me call the attention of my friends who are the leading spirits of the American Federation of Labor to the fact that union men of patriotic sentiment who are loyal and who are listening to such manly, powerful appeals as the Senator from North Dakota [Mr. McCUMBER] has made here to-day have dropped their differences and have touched elbows, and their sweat has fallen on the same forge with the nonunion men.

They have been fined by their local unions all the way from \$100 to \$1,000 apiece for working with nonunion men. Against that I protest. Against that I wish Mr. Gompers with his official influence would level an edict of his and tell them to remit those fines, loosen their rule, and tell the men to go into shipyards or a shipbuilding plant and build ships as fast as their employers know how.

That is the reason why I complain here that some optimistic views that are taken are not justified. They may say that strikes are ended. I know that is not true, all the way from the coal miner, who is bringing the fuel out to furnish power, up to the riveter in the shipyards. I know that strikes are in constant progress and others are threatened. I know that the whole soft-coal mining belt in the Mississippi Valley to-day is on the edge of a volcano. Say what they please, I know that strikes are contemplated now, and if by merely anticipating or telling about it we can throw daylight in and ventilate it before it happens we will be justified in taking the few hours we have spent this afternoon on this measure.

I wish to read what I consider good authority. I do not criticize our beloved Chief Executive. I criticize his ministers sometimes. I think they lead him to commit errors which by a sort of vicarious atonement ought to be laid on them, not on the President, who has too much to do; he can not keep track of all these details.

In a time when he had fewer advisers and could use his own clear thinking faculties, at Cincinnati, Ohio, in 1907, he in an address delivered himself of these sentences:

There is another as formidable an enemy to equality and freedom of opportunity as it, and that is the class formed by the labor organizations and leaders of the country representing only a small minority of the laboring men of the country, quite as monopolistic in spirit as the capitalists and quite as apt to corrupt and ruin our industries by their monopolies. If we are to restore the purity of our law and the freedom of our life we must see to it—in all moderation and in all fairness—that no class whatever is given artificial privileges or advantages; that our life move free again of fear or favor from whatever quarter for whatever class. What we need is not a square deal but no deal at all, an old-fashioned equality and harmony of conditions—a purged business and a purged law.

We certainly need a purged business, and if existing law will not give us the required relief, then we need not only a purged law but an amended law. I wish my voice could reach the locals in these unions, not only among my own immediate constituency but everywhere in this country. I should like to look the workmen in the face by the thousands and say to them what I think here and say this afternoon, say to them that when Haig sent out the touching appeal to the free Governments of the world that the English Army is fighting now with its back to the wall it ought to make every workman in this country willing within the limits of his health and strength to go to his work and stay there, with union or nonunion men, without complaint, as many hours in a day and as loyally as lies within his ability.

Not only did Haig send out that appeal to the world, but we remember, Mr. President, that on the 9th day of April Lloyd-George, speaking to the House of Commons, said, "We must admit that it is a grievous disappointment that we have not the forces from the American Army, magnificent men as they are, that we had hoped"; and only yesterday in London, by a cablegram that came across, the foreign secretary, Mr. Balfour, said, "What is now most pressing required is that the fighting forces of the United States should be brought as speedily as possible into the field."



In addition to that, in another part of his address, Mr. Balfour uses this language:

Perhaps the most important was because the German higher command were determined that the land struggle should come to an end before the United States could bring its forces to bear upon the western front.

Before this great struggle had come to a conclusive end America would prove its determination to bear its full share in the tremendous struggle.

Mr. FALL. Will the Senator state to whom Mr. Balfour was making that plea?

Mr. SHERMAN. It was to a delegation of laboring men representing the labor interests of his country. I wish that the magazine published by the American Federation of Labor, of which Mr. Gompers is the editor, would publish these words of appeal from the English Foreign Secretary; that it would publish the appeal of Gen. Haig, fighting with his back to the wall; that it would publish the appeal of Lloyd-George, voicing the disappointment that he inevitably must feel because we have not forces on the line sufficient to do what was necessary in resisting the army released from Russia and joined with the original line of Germany on the west front.

The day before Lloyd-George made the appeal the responsible censor, as already said on the floor of the Senate Chamber, while Lloyd-George was calling upon us to hurry, just the day before that, George Creel had said in the capital of this Republic, he thanked God we were unprepared when we went into the war. I have a stack of postal cards about that high [indicating], most of them sent out from my own State postmarked, that are all a part of the propaganda in which fortunately I feel a very sympathetic response, and it is much better than the slogan of George Creel. It was the last words spoken by Joseph H. Choate, "For God's sake, hurry up." I wish I could have that appeal put in Mr. Gompers's magazine and sent into every local of every union in this country—"For God's sake, hurry up."

Of course, it is fashionable to criticize Congress. What can we do? Pass laws. After they are passed I wish to remind Mr. Gompers of what he said; and that is why I criticized his statement on the floor of the Senate Chamber a few days ago, after we had rejected the former conference report, when he said in substance it did not make any difference what kind of a law Congress makes, we will not obey it. I want Mr. Gompers to obey the laws of this Republic and of the several States. I have sometimes feared he has spent more time breaking laws than he did in defending his country prior to our declaring war. I am glad now to join hands with him in a patriotic purpose, and to fuse with him some of the differences we may have had in the common design of defending our country. When peace comes I hope we may, with his help, work out under wise laws an industrial peace based on justice.

It is a doubtful method, though, of showing how one is devoted to one's country by saying in advance that if certain laws with which one does not agree are passed that it will not be possible to enforce them and they will be habitually disobeyed. It is a direct invitation to break such laws in the event of their enactment.

I do not wish to go any further, although at some opportune time we may discuss that question. The question now pending is the conference report. The main thing, after all, is for us to sink our differences. I shall vote for the conference report upon that ground and that only, and that we must at least make some forward step. Whether it be a long enough step or not I will not now stop to inquire. If we take this step, we can take a longer one when occasion requires. If it does not bring about the necessary result, we shall have to legislate further. One thing, however, is certain: The men who are losing priceless time, who are delaying the building of ships and the manufacture of material, who are obstructing and impeding our war program, if not by malicious intent by their overt omission to work, without any adequate cause, when a tribunal is furnished to adjust their differences by peaceful compromise and hearing—these men are not doing the lawful patriotic service to the country that we have a right to demand of them.

The Government can take every one of us who has not reached the age of 60 years, say, and can impress us into the service. I am like the Senator from North Dakota [Mr. McCUMBER]; whenever the Government can do better with my service some place else than it can here, it has a right to reach out and take me, and I will cheerfully go. If the Government sees fit to put me on the farm or in the field again, if it sees fit to make me an apprentice in a shipyard, I will work at whatever I can do; but I will not join a union to help my country. If I am a member of a union and wish to belong to one, I shall not leave it to help my country. I will fight just as hard for

my right to stay in a union as I will for the right of a man to stay out of a union and earn an honest living if he wishes to.

Mr. HOLLIS. Mr. President, my only excuse for saying a word further is that the Senator from North Dakota [Mr. McCUMBER] has seen fit to make me the special target of his remarks this afternoon. I wish to say to the distinguished Senator that it is not necessary for him to plead with me to try to make our Government, our Army, and our workingmen most efficient for winning this war. It is not necessary for the distinguished Senator to ask me to assume that I have a son in order to point the argument. I have a son. It is not necessary for the distinguished Senator to ask me to assume that that son is in the service of the United States. He is in the service of the United States. You will not find him sitting in a swivel chair in one of the departments; you will not find him in an easy and safe place. He is in the most difficult and most dangerous service of the United States Army; he is in the flying section of the Aviation Corps. That is no credit to me; he did not do it to please me; he did it of his own will; but I am as anxious as is the Senator from North Dakota or any other Senator to have him furnished with the best possible equipment, and to have this war speeded up and terminated as speedily and as successfully as possible.

The Senator wants more ships and I want more ships; but the way to get more ships is not to pass a law saying to the workingman that he shall not quit work, if the conditions are not what he thinks they should be. If I believe that passing a law would prevent strikes, would make this Government more efficient, then I would vote for it; we may come to that; but I believe the only way to get the greatest efficiency out of labor is to treat laborers as if they had intelligence and patriotism.

I am willing to join with the Senator from Illinois [Mr. SHERMAN] and urge Mr. Gompers to put in his official magazine and in his communications to the local unions "Hurry up"; I have no doubt Mr. Gompers is doing that now and has done it to the best of his ability since the war started; but you can not make men work by passing laws; you can not make men do unjust things by passing laws. I join with Mr. Gompers not as a threat, but as advice to Senators of the United States that if they pass a law forbidding peaceful strikes that law can not be enforced.

The conditions in the aircraft service are not due to labor. If there is a fall-down in the airplane program, it is due to the falling down of capitalists; it is not the fault of Congress. Congress acted promptly, and appropriated \$640,000,000 for airplanes. It turned it over to the captains of industry of this country, who enlisted the most efficient and the most famous engineers they could find in the effort to secure the best motor and the best airplane that could be obtained. I do not know wherein labor has delayed that program one day. The delay is not the fault of labor; it is the fault of the employers of labor, the captains of industry, of whom we hear so much.

It was only a few years ago that a distinguished man, now a justice of the Supreme Court of the United States, called attention to the inefficiency of the railroads. I think his statement was that if the railroads were properly run a million dollars a day could be saved. I have no doubt that was true of the railroads, and I have no doubt that it is true of business generally. We have got ahead in this country because we have not had to compete with other people; we have got ahead because of this very spirit of American labor—the spirit of freedom and independence, of working for themselves—but we have got to get down to earth now and require service not only of labor but of the men who employ labor—of capital. Senators stand up here and say how much they love labor and how much they are willing to give labor; but when it comes down to voting something that will help labor they are content with giving them three cheers and letting it go at that.

The Senator from North Dakota, with great industry, has produced a list of strikes in this country—not of to-day but of March 11—and, considering the greatness of the country and the number of men employed, it is a very short list. The strikes in this country to-day are inconsiderable. The Senator has had to go into the cloak room and dig among all the newspapers we have here to produce just one present instance of a strike in this country, and that is the most ridiculous report a man ever heard—350 men in a shipyard striking without any grievance. No one who gives it a moment's thought will believe it. It is an incorrect report, and can not be otherwise.

Hog Island was on the list of strikes. They have not lost a week's work at Hog Island on account of strikes. They had just one strike there, and it lasted 30 minutes; but that was put on the list, and it is figured out with a pencil and we are

told how many days and months and years of labor have been lost through that strike.

But, Mr. President, I have said all I want to say upon this subject. The Senator from North Dakota intimated at least that Senators voted a certain way because they wanted labor votes. I do not want a labor vote. There is no man in the United States who has less need for labor votes than have I. I never belonged to a labor union; I never was counsel for a labor union; I never advised a labor union; but I do feel that up to this time laborers have needed help more than have employers, and they have had less help. Labor is the side that is down and needs to be raised. If the time ever comes when labor unions are getting more than they are fairly entitled to and the poor employer is ground in the dirt, then I will take hold and help the poor employer just as hard as I have tried to help the poor laboring man in the past.

Mr. McCUMBER. Mr. President, I was not aware that my few remarks were directed to the Senator from New Hampshire entirely. I admit the fact that I was facing in his direction, and I paid my respects to the Senator's defense of the labor unions and insisted that he had been certainly a very good friend to labor organizations. Other than that, the cap which I was making was not especially fitted for the Senator, and I had not even invited him to put it on. If he did so, it was without any intent upon my own part.

The Senator says that the way to get men to work is to treat them right. I should like to know wherein the conditions have not been made right for the laborers since this war began. They have been paid from two to three times the wages that they have ever earned before. So far, therefore, as compensation is concerned, they never had such splendid treatment as they have had since this war began; and yet there have never been so many strikes in the history of the country or so many days lost by strikes as since the United States entered into this war, only a little over a year ago.

Mr. HOLLIS. Mr. President, will the Senator give his authority for that statement, or is it merely his opinion?

Mr. McCUMBER. My judgment, from all the sources of information that I can obtain, is that there have been more days lost because of strikes in the essential industries of the United States during the last year than in any other equal period of the history of the United States. They have not all been strikes of 350 men. Only a little while ago about 6,000 men, carpenters alone, struck in shipyards.

We have treated labor well. They have been treated well by Congress. They have not only been made the equals of any other class in the United States, but they have been made the superiors of any other class in the United States. We have put laws upon our statute books—I admit I voted against them—which would make an act if committed by the Senator from New Hampshire and myself a crime, but which if committed by two members of a labor union would not be a crime.

In view of those facts, I do not think the Senator from New Hampshire is justified in saying that labor does not have fair treatment in the Senate and the House of Representatives of the United States. Labor has always had more than fair treatment, if equality means fairness.

The Senator from New Hampshire speaks about the boys being conscripted. Mr. President, I would be ashamed if I had any relative within the serving age who was not in the Army or the Navy of the United States. I would not myself mention the fact that my son or brother or any other relative were in the Army or the Navy, because that is but a common duty, incumbent upon every son and every brother within the conscription age. I would disown a son that was not patriotic enough to enlist in his country's service in this great war. But, Mr. President, that has nothing to do with the question; that would be doing nothing more than a common duty, and I would not allow any boy of mine to even wait to be conscripted. I am not condemning those who have been conscripted, because there are many who would like to have enlisted could they have done so.

Mr. HOLLIS. Will the Senator permit me to say that my son volunteered and was not conscripted?

Mr. McCUMBER. Certainly; and so would the Senator himself have volunteered if he were within the age. Now, if the country has a right to call your boy to the colors to serve in the trenches of France, to face bullets, to battle 24 hours of the day, then the Government has a right to call upon his brother or his comrade in the United States to work at least 8 hours to furnish him with the material with which to carry on that warfare and to furnish ships to provide him sufficient support to enable him to meet the enemy on the field of battle.

We ought to be fair. I do not think the Senator is fair when he says that capital was responsible for the delay in the aircraft

production program. I wish the Senator or anybody else would tell me what capital had to do with it. I want to say frankly that labor was not responsible for that delay in any way; that was a delay unquestionably due to those who had the authority to go ahead and construct machines; but whether it was their fault or misfortune we must look to them alone, and we can not place the responsibility for their failure upon either capital or labor.

But the Senator and I both want the same thing; we want every American citizen to perform his duty in this time of war, and if anyone is slacking in the building of ships, he is committing a crime against his Government, and the Senator and myself both want him to cease committing that offense and to perform his duty. That is all I have to say, Mr. President.

The VICE PRESIDENT. The question is on agreeing to the report of the committee of conference.

The report was agreed to.

#### NATURALIZATION OF ALIENS IN MILITARY SERVICE.

Mr. HARDWICK. Mr. President, I will ask the Senator from North Carolina if he will agree again to lay aside temporarily the unfinished business in order that I may present an important matter which I think is vital.

Mr. OVERMAN. Mr. President, I realize the importance of the matter the Senator has in charge, and I therefore ask consent that the bill alluded to, which is now the unfinished business, be temporarily laid aside for the consideration of the bill in charge of the Senator from Georgia.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and the unfinished business is temporarily laid aside.

Mr. HARDWICK. I ask unanimous consent that the Senate shall presently consider the bill (H. R. 3132) to amend section 2171 of the Revised Statutes of the United States relating to naturalization. I will say by way of explaining the request that there are two great purposes sought to be accomplished by this bill: One is to provide for the naturalization of 123,000 soldiers of the United States whom we can not with either safety or justice to themselves send abroad until this is done. The second purpose, although hardly so important and hardly so pressing, is not unimportant, and that is to readjust our naturalization laws to meet war conditions. I hope the Senate will consent to consider this bill.

The VICE PRESIDENT. Is there any objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 3132) to amend section 2171 of the Revised Statutes of the United States relating to naturalization, which had been reported from the Committee on Immigration with an amendment to strike out all after the enacting clause and insert:

That section 4 of the act entitled "An act to establish a Bureau of Immigration and Naturalization and to provide a uniform rule for the naturalization of aliens throughout the United States," approved June 29, 1906, be, and is hereby, amended by adding seven new subdivisions, as follows:

"Seventh. Any native-born Filipino of the age of 21 years and upward who has declared his intention to become a citizen of the United States and who has enlisted or may hereafter enlist in the United States Navy or Marine Corps or the Naval Auxiliary Service, and who may be honorably discharged therefrom after an enlistment of not less than four years, or who may receive an ordinary discharge with recommendation for reenlistment; or any alien, or any Porto Rican not a citizen of the United States, of the age of 21 years and upward, who has enlisted or may hereafter enlist in the armies of the United States, either the Regular or the Volunteer Forces, the National Guard, or Naval Militia of any State, Territory, or District, or the State militia in Federal service, or in the United States Navy or Marine Corps, or in the United States Coast Guard, or who has served for three years on board of any vessel of the United States Government, or for three years on board of merchant or fishing vessels of the United States of more than 20 tons burden, and while still in the service on a reenlistment or reappointment, or within six months after an honorable discharge or separation therefrom, or while on furlough to the Army Reserve or Regular Army Reserve after honorable service, may, on presentation of the required declaration of intention petition for naturalization without proof of the required five years' residence within the United States if upon examination by the representative of the Bureau of Naturalization, in accordance with the requirements of this subdivision it is shown that such residence can not be established; any alien serving in the military or naval service of the United States during the time this country is at war may file his petition for naturalization without making the preliminary declaration of intention and without proof of the required five years' residence within the United States; any alien declarant who has served in the United States Army or Navy, or the Philippine Constabulary, and has been honorably discharged therefrom, and has been accepted for service in either the military or naval service of the United States on the condition that he becomes a citizen of the United States, may file his petition for naturalization upon proof of continuous residence within the United States for the three years immediately preceding his petition, by two witnesses, citizens of the United States, and in these cases only residence in the Philippine Islands and the Panama Canal Zone by aliens may be considered residence within the United States for purposes of naturalization; and any alien, or any person owing permanent allegiance to the United States embraced within this subdivision, may file his petition for naturalization in the most convenient court without proof of residence within its jurisdiction, notwithstanding the limitation upon the jurisdiction of the courts



specified in section 3 of the act of June 29, 1906, provided he appears with his two witnesses before the appropriate representative of the Bureau of Naturalization and passes the preliminary examination hereby required before filing his petition for naturalization in the office of the clerk of the court, and in each case the record of this examination shall be offered in evidence by the representative of the Government from the Bureau of Naturalization and made a part of the record at the original and any subsequent hearings, and, except as otherwise herein provided, the honorable discharge certificate of such alien, or person owing permanent allegiance to the United States, or the certificate of service for the time required showing good conduct, signed by a duly authorized officer, or by the masters of said vessels, shall be deemed prima facie rebuttable evidence to satisfy all of the requirements of residence within the United States and within the State, Territory, or District, and good moral character required by law, when supported by the affidavits of two witnesses, citizens of the United States, identifying the applicant as the person named in the certificate or honorable discharge, and in those cases only where the alien is actually in the military or naval service of the United States, the certificate of arrival shall not be filed with the petition for naturalization in the manner prescribed; and any petition for naturalization filed under the provisions of this subdivision may be heard immediately, notwithstanding the law prohibits the hearing of a petition for naturalization during 30 days preceding any election in the jurisdiction of the court. Any alien, who, at the passage of this act, is in the military service of the United States, including the Czech-Slovak and Polish forces, who may not be within the jurisdiction of any court authorized to naturalize aliens, may file his petition for naturalization without appearing in person in the office of the clerk of the court and shall not be required to take the prescribed oath of allegiance in open court. The petition shall be verified by the affidavits of at least two credible witnesses who are citizens of the United States, and who shall prove in their affidavits the portion of the residence that they have personally known the applicant to have resided within the United States. The time of military service may be established by the affidavits of at least two other citizens of the United States, which, together with the oath of allegiance, may be taken in accordance with the terms of section 1750 of the Revised Statutes of the United States after notice from and under regulations of the Bureau of Naturalization. Such affidavits and oath of allegiance shall be admitted in evidence in any original or appellate naturalization proceeding without proof of the genuineness of the seal or signature or of the official character of the officer before whom the affidavits and oath of allegiance were taken, and shall be filed by the representative of the Government from the Bureau of Naturalization at the hearing as provided by section 11 of the act of June 29, 1906. Members of the Naturalization Bureau and Service may be designated by the Secretary of Labor to administer oaths relating to the administration of the naturalization law; and the requirement of section 10 of notice to take depositions to the United States attorneys is repealed, and the duty they perform under section 15 of the act of June 29, 1906 (34 Stat. L., pt. 1, p. 596), may also be performed by the Commissioner or Deputy Commissioner of Naturalization: *Provided*, That it shall not be lawful to make a declaration of intention before the clerk of any court on election day or during the period of 30 days preceding the day of holding any election in the jurisdiction of the court: *Provided further*, That service by aliens upon vessels other than of American registry, whether continuous or broken, shall not be considered as residence for naturalization purposes within the jurisdiction of the United States, and such aliens can not secure residence for naturalization purposes during service upon vessels of foreign registry.

During time when the United States is at war no clerk of a United States court shall charge or collect a naturalization fee from an alien in the military service of the United States for filing his petition or issuing the certificate of naturalization upon admission to citizenship, and no clerk of any State court shall charge or collect any fee for this service unless the laws of the State require such charge to be made, in which case nothing more than the portion of the fee required to be paid to the State shall be charged or collected. A full accounting for all of these transactions shall be made to the Bureau of Naturalization in the manner provided by section 13 of the act of June 29, 1906.

"Eighth. That every seaman, being an alien, shall, after his declaration of intention to become a citizen of the United States, and after he shall have served three years upon such merchant or fishing vessels of the United States, be deemed a citizen of the United States for the purpose of serving on board any such merchant or fishing vessel of the United States, anything to the contrary in any act of Congress notwithstanding; but such seaman shall, for all purposes of protection as an American citizen, be deemed such after the filing of his declaration of intention to become such citizen: *Provided*, That nothing contained in this act shall be taken or construed to repeal or modify any portion of the act approved March 4, 1915 (38 Stat. L., pt. 1, p. 1164, ch. 153), being an act to promote the welfare of American seamen.

"Ninth. That for the purpose of carrying on the work of the Bureau of Naturalization of sending the names of the candidates for citizenship to the public schools and otherwise promoting instruction and training in citizenship responsibilities of applicants for naturalization authority is hereby given for the reimbursement of the printing and binding appropriation of the Department of Labor upon the records of the Treasury Department from the naturalization fees deposited in the Treasury through the Bureau of Naturalization for the cost of publishing the citizenship textbook prepared and to be distributed by the Bureau of Naturalization to those candidates for citizenship only who are in attendance upon the public schools, such reimbursement to be made upon statements by the Commissioner of Naturalization of books actually delivered to such student candidates for citizenship, and a monthly naturalization bulletin, and in this duty to secure the aid of and cooperate with the official State and national organizations, including those concerned with vocational education and including personal services in the District of Columbia, and to aid the local Army exemption boards and cooperate with the War Department in locating declarants subject to the Army draft and expenses incident thereto.

"Tenth. That any person not an alien enemy, who resided uninterruptedly within the United States during the period of five years next preceding May 1, 1910, and was on that date otherwise qualified to become a citizen of the United States, except that he had not made the declaration of intention required by law and who during or prior to that time, because of misinformation regarding his citizenship status erroneously exercised the rights and performed the duties of a citizen of the United States in good faith, may file the petition for naturalization prescribed by law without making the preliminary declaration of intention required of other aliens, and upon satisfactory proof to

the court that he has so acted may be admitted as a citizen of the United States upon complying in all respects with the other requirements of the naturalization law.

"Eleventh. No alien who is a native, citizen, subject, or denizen of any country, State, or sovereignty with which the United States is at war shall be admitted to become a citizen of the United States unless he made his declaration of intention within seven years prior to the existence of the state of war, or was at that time entitled to become a citizen of the United States, without making a declaration of intention, or unless his petition for naturalization shall then be pending and is otherwise entitled to admission, notwithstanding he shall be an alien enemy at the time and in the manner prescribed by the laws passed upon that subject: *Provided*, That no alien embraced within this subdivision shall have his petition for naturalization called for a hearing except after the written consent of the Commissioner or Deputy Commissioner of Naturalization shall have been received by the clerk of the court and exhibited to the court, and the petition shall be given no final hearing except in open court and in the presence of the representative of the Government from the Bureau of Naturalization, whose objection shall cause the petition to be continued from time to time for so long as the Government may require: *Provided, however*, That nothing herein contained shall be taken or construed to interfere with or prevent the apprehension and removal, agreeably to law, of any alien enemy at any time previous to the actual naturalization of such alien; and section 2171 of the Revised Statutes of the United States is hereby repealed: *Provided further*, That the President of the United States be, and he is hereby, authorized and empowered, from time to time, by proclamation or otherwise, to except natives, citizens, subjects, or denizens of any country with which the United States is or may be at war, or any individual or class thereof, from the classification of alien enemies, and thereupon they shall have the privilege to apply for naturalization; and for the purposes of carrying into effect the provisions of this section, including personal services in the District of Columbia, the sum of \$400,000 is hereby appropriated, to be available until June 30, 1919, including travel expenses for members of the Bureau of Naturalization and its field service only, and the provisions of section 3679 of the Revised Statutes shall not be applicable in any way to this appropriation.

"Twelfth. That no person who, while a citizen of the United States and during the existing war in Europe, entered the military or naval service of any country at war with a country with which the United States is now at war, shall be deemed to have lost his citizenship by reason of any oath or obligation taken by him for the purpose of entering such service, and the act (Public 55, 65th Cong., approved Oct. 5, 1917), is hereby repealed.

"Thirteenth. That any person who is serving in the military or naval forces of the United States at the termination of the existing war, and any person who before the termination of the existing war may have been honorably discharged from the military or naval services of the United States on account of disability incurred in line of duty, shall, if he applies to the proper court for admission as a citizen of the United States, be relieved from the necessity of proving that immediately preceding the date of his application he has resided continuously within the United States the time required by law of other aliens, or within the State, Territory, or District for the year immediately preceding the date of his petition for naturalization, but his petition for naturalization shall be supported by the affidavits of two credible witnesses, citizens of the United States, identifying the petitioner as the person named in the certificate of honorable discharge, which said certificate may be accepted as evidence of good moral character required by law, and he shall comply with the other requirements of the naturalization law."

SEC. 2. That the following provisions of law be, and they are hereby, repealed: Sections 2166 and 2174 of the Revised Statutes of the United States of America and so much of an act approved July 26, 1894, entitled "An act making provisions for the naval service for the fiscal year ending June 30, 1895, and for other purposes," being chapter 165 of the laws of 1894 (28 Stat. L., p. 124), reading as follows: "Any alien of the age of 21 years and upward who has enlisted or may enlist in the United States Navy or Marine Corps and has served or may hereafter serve five consecutive years in the United States Navy or one enlistment in the United States Marine Corps and has been or may hereafter be honorably discharged, shall be admitted to become a citizen of the United States upon his petition without any previous declaration of his intention to become such; and the court admitting such alien shall, in addition to proof of good moral character, be satisfied by competent proof of such person's service in and honorable discharge from the United States Navy or Marine Corps," and so much of an act approved June 30, 1914, entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1915, and for other purposes," being chapter 190 of the laws of 1914 (38 Stat. L., pt. 1, p. 392), reading as follows: "Any alien of the age of 21 years and upward who may under existing law become a citizen of the United States, who has served or may hereafter serve for one enlistment of not less than four years in the United States Navy or Marine Corps, and who has received therefrom an honorable discharge or an ordinary discharge, with recommendation for reenlistment, or who has completed four years in the Revenue-Cutter Service and received therefrom an honorable discharge or an ordinary discharge with recommendation for reenlistment, or who has completed four years of honorable service in the naval auxiliary service, shall be admitted to become a citizen of the United States upon his petition without any previous declaration of his intention to become such, and without proof of residence on shore, and the court admitting such alien shall, in addition to proof of good moral character, be satisfied by competent proof from naval or revenue-cutter sources of such service: *Provided*, That an honorable discharge from the Navy, Marine Corps, Revenue-Cutter Service, or the Naval Auxiliary Service, or an ordinary discharge with recommendation for reenlistment, shall be accepted as proof of good moral character: *Provided further*, That any court which now has or may hereafter be given jurisdiction to naturalize aliens as citizens of the United States may immediately naturalize any alien applying under and furnishing the proof prescribed by the foregoing provisions"; and so much of section 3 of an act approved June 25, 1910 (34 Stat. L., pt. 1, p. 630), reading as follows: "That paragraph 2 of section 4 of an act entitled 'An act to establish a Bureau of Immigration and Naturalization, and to provide for a uniform rule for the naturalization of aliens throughout the United States,' approved June 29, 1906, be amended by adding, after the proviso in paragraph 2 of section 4 of said act, the following: *Provided further*, That any person belonging to the class of persons authorized and qualified under existing law to become a citizen of the United States, who has resided constantly in the United States during a period of five years next preceding May 1, 1910, who, because of misinformation in regard to his

citizenship or the requirements of the law governing the naturalization of citizens has labored and acted under the impression that he was or could become a citizen of the United States and has in good faith exercised the rights or duties of a citizen or intended citizen of the United States because of such wrongful information and belief may, upon making a showing of such facts satisfactory to a court having jurisdiction to issue papers of naturalization to an alien, and the court in its judgment believes that such person has been for a period of more than five years entitled upon proper proceedings to be naturalized as a citizen of the United States, receive from the said court a final certificate of naturalization, and said court may issue such certificate without requiring proof of former declaration by or on part of such person of their intention to become a citizen of the United States, but such applicant for naturalization shall comply in all other respects with the law relative to the issuance of final papers of naturalization to aliens.

That all acts or parts of acts inconsistent with or repugnant to the provisions of this act are hereby repealed; but nothing in this act shall repeal or in any way enlarge section 2169 of the Revised Statutes, except as specified in the seventh subdivision of this act and under the limitation therein defined: *Provided*, That for the purposes of the prosecution of all crimes and offenses against the naturalization laws of the United States which may have been committed prior to this act the statutes and laws hereby repealed shall remain in full force and effect: *Provided further*, That as to all aliens who, prior to January 1, 1900, served in the armies of the United States and were honorably discharged therefrom, section 2166 of the Revised Statutes of the United States shall be and remain in full force and effect, anything in this act to the contrary notwithstanding.

SEC. 2. That all certificates of naturalization granted by courts of competent jurisdiction prior to December 31, 1918, upon petitions for naturalization filed prior to January 31, 1918, upon declarations of intention filed prior to September 27, 1906, are hereby declared to be valid in so far as the declaration of intention is concerned, but shall not be by this act further validated or legalized.

Mr. HARDWICK. Mr. President, on page 3, line 8, before the word "District," I move to insert the word "the," and after the word "District" I move to insert the words "of Columbia," so that instead of reading "District" the text shall read "the District of Columbia."

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. On page 3, line 8, before the word "District," it is proposed to insert the word "the," and after the word "District" and before the comma it is proposed to insert the words "of Columbia," so that, if amended, it will read:

Or the District of Columbia, or the State militia in Federal service.

The amendment to the amendment was agreed to.

Mr. HARDWICK. Mr. President, I move the same amendment in connection with the word "District" on line 13 of page 5 as a committee amendment.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. On page 5, line 13, it is proposed to strike out the word "District," and in lieu thereof to insert the words "the District of Columbia."

The amendment to the amendment was agreed to.

Mr. HARDWICK. On page 6, lines 1 and 2, I move to strike out the words "including the Czecho-Slovak and Polish forces."

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. On page 6, lines 1 and 2, after the words "United States," it is proposed to strike out the words "including the Czecho-Slovak and Polish forces," so as to read:

Any alien who, at the passage of this act, is in the military service of the United States, who may not be within the jurisdiction of any court authorized to naturalize aliens, may file his petition for naturalization without appearing in person in the office of the clerk of the court and shall not be required to take the prescribed oath of allegiance in open court.

The amendment to the amendment was agreed to.

Mr. HARDWICK. On page 10, line 19, I move to strike out the word "within" and to insert in lieu thereof the words "not less than two nor more than."

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. On page 10, line 19, it is proposed to strike out the word "within," and in lieu thereof to insert the words "not less than two nor more than," so that, if amended, it will read:

No alien who is a native, citizen, subject, or denizen of any country, State, or sovereignty with which the United States is at war shall be admitted to become a citizen of the United States unless he made his declaration of intention within not less than two nor more than seven years prior to the existence of the state of war, or was at that time entitled to become a citizen of the United States, without making a declaration of intention, or unless his petition for naturalization shall then be pending and is otherwise entitled to admission, notwithstanding he shall be an alien enemy at the time and in the manner prescribed by the laws passed upon that subject—

And so forth.

The amendment to the amendment was agreed to.

Mr. HARDWICK. On page 13, line 2, in lieu of the word "District" in said line, I move to insert the words "the District of Columbia."

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. On page 13, line 2, it is proposed to strike out the word "District" and in lieu thereof to insert "the District of Columbia."

The amendment to the amendment was agreed to.

Mr. HARDWICK. At the end of the bill, just before the amendment to the title, I move to insert the following words:

The word "District" in sections 4, 10, and 27 of the act which this act amends is hereby amended to read "the District of Columbia."

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. On page 18, after line 2, it is proposed to insert:

The word "District" in sections 4, 10, and 27 of the act which this act amends is hereby amended to read "the District of Columbia."

The amendment to the amendment was agreed to.

Mr. HARDWICK. That completes the committee amendments, and unless some Senator desires to question me about some of the details—

Mr. LODGE. Mr. President—

Mr. HARDWICK. I yield to the Senator.

Mr. LODGE. I do not desire to ask any questions. If the Senator is through, I have an amendment which I should like to offer to the bill.

Mr. HARDWICK. Yes.

Mr. LODGE. It is in the shape of an additional section. I send the amendment to the desk and ask to have it stated.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. It is proposed to add, at the end of the amendments heretofore agreed to, the following:

No citizen or subject of any country which by law permits its citizens or subjects to retain their citizenship or allegiance in such country after being naturalized in another country shall be eligible for naturalization in the United States.

Mr. LODGE. Mr. President, on the 1st of January, 1914, the German Government promulgated a law or decree that a subject of the German Empire might be naturalized in any other country and if he filed a statement with an official of the German Government he could retain his allegiance to the German Empire. That is, he could become a citizen of the United States by our process of naturalization and yet remain a German subject. It was one of those far-sighted things that Germany is apt to do. It was also one of those, I think, villainous things that she is apt to do, for this simple reason:

No man could possibly take naturalization in the United States and retain his allegiance to the German Emperor without committing perjury of the grossest kind. The oath which a foreign-born citizen takes is an extremely strong oath. It not only renounces all other allegiance, but it especially renounces allegiance to the sovereign of the country from which the alien comes; and this was a deliberate attempt to allow Germans to become naturalized in this country while they remained subjects of the German Empire, and held their allegiance to the Kaiser.

Mr. President, I think that is entirely wrong. I do not think we ought to permit men to be naturalized where they have the opportunity to commit this perjury and attempt this dual citizenship. No doubt there may be cases where they desire naturalization honestly, and do not file the certificate with the official, but we have no means whatever of knowing that—none whatever. It would be impossible to find out. The German could file a certificate in Germany before he left that country. He could file it with the consul here. We have no access to their records, and a man in this country who gives himself out and parades as a naturalized citizen, and who all the time is a German, is a dangerous citizen, and ought not to be admitted. I see no way of getting at it except by a general provision of this kind. It is quite true that at this moment Germans are alien enemies, and can not be naturalized, but it is just as well to prepare against the future.

Mr. POMERENE. Mr. President—

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Ohio?

Mr. LODGE. I yield; certainly.

Mr. POMERENE. The Senator has just stated, and I think correctly, that German aliens could not now be naturalized.

Mr. LODGE. I understand not. They are enemy aliens.

Mr. POMERENE. That is my understanding about it, too. That being so, might it not be for the best to let this amendment rest until some time in the future? It certainly would do no good now, and a new situation may arise later on.

Mr. LODGE. It could do no possible harm now. I think, as a broad general proposition, that we ought not to admit the possibility of such a thing as that. We have always been the champions against the doctrine of indefeasible allegiance, and I do



not think we ought to allow our contention with respect to that doctrine to be impaired; and we have always held, as the necessary corollary of that doctrine, that where the man gave up his prior allegiance to the country of his origin, he became an American citizen. The thing is false from beginning to end.

Mr. CUMMINS. Mr. President—

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Iowa?

Mr. LODGE. I yield.

Mr. CUMMINS. I call the attention of the Senator from Massachusetts to the eleventh subdivision of the bill, on page 10. I want to ask him what effect, in his opinion, the proposed amendment would have upon that subdivision? It provides:

No alien who is a native, citizen, subject, or denizen of any country, State, or sovereignty with which the United States is at war shall be admitted to become a citizen of the United States unless he made his declaration of intention within seven years prior to the existence of the state of war.

That permits the naturalization of a German citizen who had filed his declaration of intention within seven years of our declaration of war. Then, further—

or was at that time—

I assume that the words "at that time" refer to the declaration of war, although that is not entirely clear—entitled to become a citizen of the United States, without making a declaration of intention—

And so forth. Is it not true that so far as German aliens are concerned the amendment proposed by the Senator from Massachusetts would entirely destroy the operation of the parts of the bill which I have read?

Mr. LODGE. Mr. President, I had no such intention, and I do not think it does. My amendment can not be retroactive. These are people who have gained another status entirely.

Mr. CUMMINS. It would not be necessary for the amendment to be retroactive. The Senator's amendment would operate from now on, and the naturalization is to take place in the future.

Mr. LODGE. That is very easily met, Mr. President, by inserting the word "hereafter," if there is any doubt. I do not think there is. I had no desire to interfere with the class of people to whom this subdivision refers.

Mr. CUMMINS. I mention that because I think the amendment would interfere with them unless it were somewhat modified.

Mr. LODGE. I think the word "hereafter" will make it perfectly clear.

Mr. CUMMINS. Will the Secretary state the amendment with that change in it?

The VICE PRESIDENT. The Secretary will state the amendment as modified.

The SECRETARY. The Senator from Massachusetts modifies his amendment so that it will read:

No citizen or subject of any country which by law permits its citizens or subjects to retain their citizenship or allegiance in such country after being naturalized in another country shall hereafter be eligible for naturalization in the United States.

Mr. CUMMINS. I call the attention of the Senator from Massachusetts to the wording of his amendment. These naturalizations which are to take place under the eleventh subdivision are hereafter to take place. They have not yet taken place, and therefore the amendment which he has proposed, even with the modification—

Mr. LODGE. It is easy enough to put in "except as provided in subdivision 11."

Mr. CUMMINS. I think there ought to be some modification of that kind.

Mr. LODGE. I will modify it so that it will read "shall hereafter be eligible for naturalization in the United States except as herein provided in subdivision 11."

Mr. CUMMINS. I should like to ask the Senator from Massachusetts another question, and I ask it purely out of unfamiliarity with the subject myself. Wherein does the description of nations which have a regulation of the character referred to in the amendment differ in status from those nations which refuse to recognize the right of expatriation?

Mr. LODGE. Why, Mr. President, I think it is entirely different. For instance, France and Italy both claim that they have the right to military service even after their natives have become naturalized here. That we have always denied. It is a conflict of law. This is wholly different from that. They deny the right of their people to expatriate themselves and become Americans. Germany, in her law, does not deny that right; but she expressly invites them to become naturalized here, retaining at the same time citizenship in their own country. That is, she invites them to commit perjury in order that

they may pass as American citizens. To me, there is a broad distinction.

Mr. CUMMINS. The Senator can hold no greater abhorrence for the general view of the matter held by Germany than I do; but I think that those nations which deny the right of expatriation, and insist that an immigrant from their own sovereignty who comes here and becomes naturalized shall still be subject to allegiance to them, are just as reprehensible as far as we are concerned as those that have made a special regulation about it.

Mr. LODGE. I can not see it that way. The only nations that do deny the right of expatriation are Turkey and Russia.

Mr. CUMMINS. Yes.

Mr. LODGE. We are put upon notice that they deny the right of expatriation. Germany does not deny the right of expatriation. She says to her people: "You may go to the United States and be naturalized and expatriate yourselves, if you want to; but we give you the opportunity to retain your German allegiance, so that when war comes, or anything of that kind, you may consider yourselves Germans, if you choose." It seems to me very different from putting us upon notice, as those other countries do.

Mr. CUMMINS. One other difficulty would be that, no matter how much the alien desired to throw off the yoke of his native country, no matter how deep his resentment might be against his own country, simply because his own country had that kind of regulation he would be denied citizenship in the United States. It seems to me that you are visiting rather a severe penalty upon the man who really desires to change his sovereignty and his allegiance.

Mr. LODGE. Mr. President, I have referred to that already. I see the difficulty of that; but how are we to know? A man who will perjure himself when he renounces allegiance would not hesitate to perjure himself if he were asked whether he had made any reservation, or whether he had filed a certificate with the German Government. It seems to me to create a perfectly false class in this country—men who have a double allegiance. A man should have but one. I do not believe, myself, that such a thing can exist.

Mr. CUMMINS. If we should apply any such principle or rule to people who hereafter come from Germany into the United States it would meet with my entire approval. I shrink a little from visiting that penalty upon Germans who have already come to the United States, who are already here, who want to become American citizens, and who can be prevented from doing so simply because their own country, with which they have no sympathy whatever—I hope they have not; most of them have not—passed a law or makes a regulation of this kind.

Mr. LODGE. Those who are already here I do not want to cut off, as I have already said to the Senator. I do not want to cut them off. I will make it so that it can apply only in the future, so that no German coming from Germany now can be naturalized. You may confound the innocent with the guilty under that rule.

Mr. CUMMINS. I am willing to absolutely prohibit the immigration of any Germans—

Mr. LODGE. So am I.

Mr. CUMMINS. And make it applicable for a good many years to come.

Mr. LODGE. But, from the national point of view, how can we as a Nation admit the proposition of a double allegiance? It seems to me that it is impossible to expect us to admit it. I think the amendment should be modified, if the Secretary will make the change, so as to read, "subject to the provisions of subdivision 11."

Mr. HOLLIS. Mr. President, before the Senator takes his seat, let me ask whether the amendment has been read?

Mr. LODGE. It has been read three or four times. It is a very short one.

Mr. HOLLIS. Will the Senator state what it is? I have been trying to gather its import.

Mr. LODGE. The object is to prevent the naturalization of Germans in this country while they have a law, which has been promulgated in Germany, permitting them to become naturalized here and at the same time, by filing a certificate with some German official, retain allegiance to the Emperor.

Mr. HOLLIS. Then, might a German become a citizen if he did not file that certificate? Is that the point?

Mr. LODGE. If there was any way of finding it out.

Mr. HOLLIS. Then, would the Senator's amendment absolutely prohibit the naturalization of Germans?

Mr. LODGE. It would prohibit any German, after the war, from being naturalized here until they had this law in Germany changed.

I was about to say that Germany is the only country, so far as I am aware, that has ever attempted or thought of such a

provision as that. As I said to the Senator from Iowa [Mr. CUMMINS], Russia and Turkey deny the right of expatriation, and we are on notice with regard to that, which is a different thing entirely. Our laws operate in favor of those who are here; but in this case the German Government provides that her subjects may commit perjury and remain loyal Germans while apparently naturalized American citizens. That seems to me a very unwholesome situation, an unsound one from every point of view, and one that no nation ought to tolerate.

Mr. HARDWICK. Mr. President, I am in such thorough accord with the views of the Senator from Massachusetts on immigration and on sharply restricting immigration, and in such thorough accord with the general proposition that he has in mind when he presents this amendment, that I hesitate to differ with him about it; and yet I feel that justice to the department, to the Bureau of Naturalization, and to the committee that handled this subject requires me at least to state the difficulty that we see in his amendment. I will say that it was considered by the Committee on Immigration—not in these words, but the proposition was considered by the committee—because the Senator kindly gave me the benefit of his counsel, and I was much impressed by it, and submitted his suggestion to the committee.

In the first place, we must remember that the House bill which we are amending, and which we are passing in the form of a substitute, was a bill which provided that alien enemies who became such by virtue of the declaration of war of this country against the countries from which these aliens came, and who therefore could not prosecute their pending petitions for naturalization in the courts of the land, should be allowed to go on with their actions at law in the courts, provided the petitions were pending before the declaration of war. The Senate committee thought that was too broad and too dangerous a proposition to adopt without a great many limitations. The Secretary of War, as I remember, protested very earnestly against it, and said that there was very great danger that great harm might be done by it if the bill were passed in the form in which the House of Representatives passed it. So that as a substitute on that one question, for the action of the House, the Senate committee has proposed the eleventh subdivision, on page 10 of the printed bill, which I will read:

Eleventh. No alien who is a native, citizen, subject, or denizen of any country, State, or sovereignty with which the United States is at war shall be admitted to become a citizen of the United States unless he made his declaration of intention within seven years prior to the existence of the state of war, or was at that time entitled to become a citizen of the United States, without making a declaration of intention, or unless his petition for naturalization shall then be pending and is otherwise entitled to admission, notwithstanding he shall be an alien enemy at the time and in the manner prescribed by the laws passed upon that subject.

In substance that would be, without the modification contained in the proviso, the House provision, but we put this additional safeguard around it:

*Provided*, That no alien embraced within this subdivision shall have his petition for naturalization called for a hearing except after the written consent of the Commissioner or Deputy Commissioner of Naturalization shall have been received by the clerk of the court and exhibited to the court, and the petition shall be given no final hearing except in open court and in the presence of the representative of the Government from the Bureau of Naturalization, whose objection shall cause the petition to be continued from time to time for so long as the Government may require: *Provided, however*—

The balance of the subdivision I need not read.

We took the House proposition, and we said, "Even if these petitions were pending at the time war was declared, and even if the legal rights of these people had accrued and were perfected prior to the declaration of war, still we will not permit them to become citizens of the United States by the process of naturalization unless the Government is satisfied of their loyalty and unless the Government has no objection to the proceedings." We thought that was a wise precaution in time of war.

Now, let us see where the amendment of the Senator from Massachusetts would lead us. We are informed by the Naturalization Bureau that there are many thousands of these people, so-called German-Americans, who are of undoubted loyalty to this country. It is the purpose of the Government to try to separate the loyal from the disloyal. They have ample appropriations and an ample force to make inquiries and to ascertain the truth in these cases. If the Senator from Massachusetts should secure the adoption of his amendment in such a form that it will apply to these aliens resident in the United States who came from Germany, and who are perfectly loyal, the fact that Germany—the Government that they want to repudiate forever, the Government that they want to leave for our Government—has enacted a law over there that they could not help will forever bar them and all of them from citizenship

in this country, although it is admitted that they are perfectly loyal.

Mr. LODGE. Mr. President, if the Senator will allow me, I am entirely in agreement with what he is saying—

Mr. HARDWICK. The Senator's amendment is not, though.

Mr. LODGE. And I have so amended the amendment that it excludes all those people.

Mr. HARDWICK. The Senator has done so?

Mr. LODGE. Yes. I have asked the Secretary to put in those words.

Mr. HARDWICK. I will stop now and ask the Secretary to read it in my time. I want to be sure on that point.

The VICE PRESIDENT. The Secretary will state the amendment as modified.

The Secretary read as follows:

Hereafter, subject to the provisions of subdivision 11 of this act, no citizen or subject of any country which by law permits its citizens or subjects to retain their citizenship or allegiance in such country after being naturalized in another country shall be eligible for naturalization in the United States.

Mr. HARDWICK. I think that meets that particular objection. I think I ought to say, in behalf of the department and of the bureau, that the department contends that it already has ample machinery of law to meet this situation; that the courts have held, under existing statutes, that proceedings lie to cancel citizenship on the ground that the oath of allegiance was taken with a mental reservation, and that such proceedings have been had, and successfully had, by the Government in this country within recent months. They contend that wherever they can make out a case against one of these people for doing that sort of thing—and they say they have done it in a good many cases—they can cancel his naturalization by court proceedings. For that reason the bureau did not believe there was any necessity for quite so drastic a provision as this.

I want to say that generally I am in sympathy with the main proposition laid down by the Senator from Massachusetts. I do not believe in a divided allegiance. I want no citizen to swear loyalty to this country while in his heart he is loyal or partly loyal to some foreign prince or potentate.

I do not object to establishing a policy of that sort if it does not work a grievous injustice to many honest people. Let us see what might happen. I do not know what the immigration conditions will be after this war is over; but I expect when we face that question, if it is any part of my duty to face it, the Senator from Massachusetts will not be more anxious than I am to have as little foreign immigration into this country as is possible, and that no man in this Chamber on either side will possibly go beyond my position in that regard. I think one of the great troubles we have had in this country is that we have had too much undigested and indigestible foreign immigration already. But be that as it may, extreme as I am in my views on that question, I hesitate to penalize anybody who has honestly and wholeheartedly given up his allegiance to a foreign prince or a foreign potentate and who comes to this country with a whole-hearted desire to become and remain permanently an American citizen—

Mr. LODGE. Mr. President—

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Massachusetts?

Mr. HARDWICK. I am glad to yield to the Senator.

Mr. LODGE. The Germans are not coming to this country now.

Mr. HARDWICK. And they ought not.

Mr. LODGE. They are excluded as alien enemies. The others to whom the Senator refers, who in the future would come here, in that way would be excluded from naturalization, but not from the country.

Mr. HARDWICK. But I do not think we ought to let anybody come here whom we do not intend to naturalize and take into the citizenship of the country except under treaty provisions about travel, and so on.

Mr. LODGE. We had some difficulty in drawing that line in the immigration bill.

Mr. HARDWICK. Yes, we did; I remember. I say to the Senator, those are the objections I have to the amendment, but as modified I do not think it will do any harm as to the future policy that it seeks to establish. While I can see some great merit in it, still I can see some great objections to it. But I want to get through with the bill. The Senator knows that I want to deal with candor with him. I am willing to accept his amendment and take it to conference if that will facilitate the measure, although I will not pledge myself to support it.

Mr. LODGE. That is perfectly agreeable to me.

Mr. CUMMINS. In the part of the bill the Senator from Georgia read I fear that, in his very proper anxiety to prevent



the possibility of naturalizing a disloyal citizen, he has subjected a judicial proceeding to the will of a bureau of the Government.

Mr. HARDWICK. Undoubtedly the Senator is right.

Mr. CUMMINS. I do not think that is wise, nor do I think it is fair. If we are going to carry forward naturalization proceedings in a court as we do, and ought to do, I thing in these perilous times when one seeks naturalization papers under this provision the Government, the Department of Justice, or the Bureau of Naturalization—I care not what particular function of the Government—ought to be notified, but I do not think that the mere failure of the Government to appear in the proceeding and make objection ought to have the effect of denying the naturalization.

Mr. HARDWICK. It will not. The Government has to object.

Mr. CUMMINS. That seems to me to be very wrong.

Mr. HARDWICK. The Government has to object and continue to object in order to keep the case open.

Mr. CUMMINS. The bill provides in the first place:

That no alien embraced within this subdivision shall have his petition for naturalization called for a hearing, except after the written consent of the Commissioner or Deputy Commissioner of Naturalization shall have been received by the clerk of the court and exhibited to the court—

That is hard enough. Then the bill proceeds—

and the petition shall be given no final hearing, except in open court and in the presence of the representative of the Government from the Bureau of Naturalization.

If the Bureau of Naturalization does not present the case through a representative then the proceeding can not be opened.

Mr. CALDER. If the Senator will permit me, the language written in the bill was caused by the fact that in some parts of the country judges have been giving naturalization to citizens of any country without regard to the opinion of the bureau, and it was deemed wise to have a provision of that kind in the bill to safeguard the Government.

Mr. CUMMINS. Then we ought to give to the Bureau of Naturalization the naturalization of citizens and take it away from the courts. It is shocking to me to suggest that the Bureau of Naturalization can command the court, and say that it shall not issue these papers unless it is satisfied that naturalization ought to occur. It destroys the attitude of the court in the matter entirely. I do not like that sort of thing. It is simply another instance of destroying all the safeguards that we have heretofore set up for the American people, and as far as I am concerned I protest against it.

Mr. NELSON. Mr. President—

Mr. HARDWICK. I yield to the Senator, although I should like to answer the Senator from Iowa.

Mr. NELSON. I wish to call attention to the language at the top of page 3, commencing after the word "reenlistment," in line 2:

Or any alien or any Porto Rican not a citizen of the United States, of the age of 21 years and upward, who has enlisted or may hereafter enlist in the armies of the United States, either the Regular or the Volunteer Forces, the National Guard or Naval Militia of any State.

And so forth.

Under that provision the cases of men who have been drafted into the National Army, as it is called, drafted men—and there are a good many of them—who have declared their intention, but who are willing to serve, and do not claim an exemption because they are not full citizens, would not be covered. I would be glad to have them encouraged, so that instead of insisting upon exemption they will go in for the sake of becoming citizens. So I suggest two amendments, after the word "enlist," in line 5, to insert the words "or enter," and then after the words "National Guard," in line 7, to insert the words "the National Army." I want the door open so that those who get into the Army through our draft law in that way may have the opportunities afforded by the bill.

Mr. HARDWICK. I have no doubt the Naturalization Bureau is in sympathy with that purpose, and I will say that personally I am in sympathy with it, and I have no objection to those amendments. I suggest to the Senator, however, to let us dispose of this other matter first. I will say to him I favor his amendments as far as I am personally concerned.

Mr. NELSON. Then I move to amend the bill.

Mr. HARDWICK. Just a moment. I have not yielded the floor. I want to get through with the objection made by the Senator from Iowa. Then I will say to my friend from Minnesota I think his amendment is a good one, and I do not see why we could not agree on it.

I realize the force of what the Senator from Iowa has said. Yet the Senator from Iowa must realize, as the Senator from Georgia was forced to realize when he considered this question fully, the unusual position we are in. It is an unusual position,

and I think I can say without any reflection on these people that this legislation is intended to protect a dangerous condition in most instances, to admit to citizenship at all during times of war alien enemies. It does not accord with the practices of nations, it does not accord with the usual and ordinary way with which nations treat each other, and it is not as a rule founded on safe considerations.

When the House of Representatives undertook by law to say that we would admit to citizenship of the United States men whose legal status to-day is that of alien enemies we thought it much wiser to put very rigid restrictions upon the exercise of that right. I would not subject any person except a person in the legal position of an alien enemy to any such a condition as that.

Mr. CUMMINS. I do not object to the rigorous test. My objection lies in subordinating a legal procedure to the will of an administrative bureau. I would be perfectly willing to strike out the court entirely and allow none of these people to be naturalized without the consent of the President. I am willing that he shall issue naturalization papers in such instances, or the Bureau of Naturalization, although I do not know what that is or who presides over it nor do I know how it is constituted. But it is entirely inconsistent with every conception which we have with free institutions to say that a man can file an application in a court to accomplish a certain end upon which he is called upon to prove certain things which will entitle him to the relief he asks, and then say that unless a subordinate officer of the Government, entirely unknown I think to most of us, gives his consent to the entry of a judgment of the court it can not be entered, and if he merely abstains from the court and does not see fit to go to the place of trial then there can be no action on the part of the court. It is to me as I said before so different from my notions of a trial of a case in a court that I can not contemplate it with any kind of toleration.

I would be perfectly willing to have the representative of the Bureau of Naturalization served so that he would be required to be present; I would be perfectly willing to take away from the court entirely the jurisdiction to issue naturalization papers to such a person, but I am not willing to combine the two authorities and give the superiority or the supremacy to at least a very obscure officer of the Government.

I know two or three men in my State who have lived there for 40 or 45 years, one of them for 50 years. They have been voting for not quite all of that time, but they have been voting at every election for 35 years. Two of them have held high offices in the State. They are among our foremost citizens, responsible and worthy in every way, and as loyal to the country as any human being can be, as earnest and as active in the work citizens now have to do in the prosecution of the war as any citizen can be. Yet owing to misinformation with respect to the law and to their right under the law they are not citizens of this country, and all of them are alien enemies. I have been interested in them somewhat, and I have assumed that under this statute they could be naturalized, but of course if some clerk in the Bureau of Naturalization can deny the court the opportunity of passing upon their fitness to become citizens and their loyalty and all other qualifications that are required, I would have no hope whatever of remedying the mistake, and it is only a mistake which they made and which those about them made in their early life. I do not like it. I do not believe the Senator from Georgia would like it any better than I do, and I do not think the exigency requires any such rigorous measure.

Mr. LODGE. Mr. President—

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

Mr. LODGE. Merely to ask a question.

Mr. HARDWICK. I yield to the Senator.

Mr. LODGE. I wish to ask a question of the chairman of the Immigration Committee. Is it not true that under our immigration laws a candidate for naturalization going into court has to present proof and show that he was admitted in accordance with our immigration laws and was properly admitted?

Mr. HARDWICK. Undoubtedly that answers the suggestion of the Senator from Iowa.

Mr. CUMMINS. Precisely, but it does not have to depend on the consent of the Naturalization Bureau.

Mr. LODGE. It depends on the consent of the Commissioner of Immigration.

Mr. CUMMINS. That is all. He is admitted by consent of the immigration officer, but no man can be naturalized in the United States who can not get the consent at that moment of the immigration officer.

Mr. LODGE. Previous consent. The immigration officer can come in and take him out and have him deported, if it is disclosed that he entered the country fraudulently.

Mr. HARDWICK. A part of the argument of the Senator from Iowa I do not sympathize with. The Senator says he is willing to give this power to the President. So am I, and yet there is not one whit difference between giving it to the President and giving it to the Naturalization Bureau, because that is the only way the President can exercise it, and the only way he would exercise it. That is the way all presidential power is exercised, or practically all of it, through subordinates, in the various executive departments.

Mr. CUMMINS. The difference, if the Senator will allow me, is that this gives a power without responsibility.

Mr. HARDWICK. I do not know about that. These people are officers of the Government. The commissioner is confirmed by the Senate; the head of the department is confirmed by the Senate. My guess would be that we have fully as much power to hold them responsible as we have to hold the President responsible if he should make a mistake. I can not sympathize with that part of the argument, although I do strongly sympathize, as the Senator from Iowa knows, with the proposition that it is, ordinarily, undesirable to see such tremendous powers given to the Executive authority over citizenship and its processes. Yet I must confess that in this moment of national stress, in this moment of national trial, when the very existence of this country may be at stake, and when we are proceeding to naturalize people who occupy at least the legal status of alien enemies, I feel that it is not wrong to give the Government that much authority. Now, that is the reason. It is not in accord with any principle I would apply in peace times to anybody, and it is not in accord with any principle I would apply in war times to anybody but an alien enemy.

To show you how the committee felt, there is another part of this proposition, and I wish to present it, and then I am going to ask the Senate to vote as soon as we can on this bill so that we may not be too long detained.

That the President of the United States be, and he is hereby, authorized and empowered, from time to time, by proclamation or otherwise, to except natives, citizens, subjects, or denizens of any country with which the United States is or may be at war, or any individual or class thereof, from the classification of alien enemies.

That is the classification made by statute law.

Mr. CUMMINS. Why do you give him power to exempt an individual or class from the operation of the law?

Mr. HARDWICK. I will tell you. Because there are thousands and hundreds of thousands of perfectly loyal Americans in this country who have not been naturalized, like the Bohemians, who are furnishing thousands of the bravest troops that are enlisted under our banner, who are in this classification, and because it is necessary that those men should not be driven to the position of disloyalty when they are thoroughly loyal. That is all. The interest of the country requires it. Listen to what we provided about that:

That the President of the United States be, and he is hereby, authorized and empowered, from time to time, by proclamation or otherwise, to except natives, citizens, subjects, or denizens of any country with which the United States is or may be at war, or any individual or class thereof, from the classification of alien enemies, and thereupon they shall have the privilege to apply for naturalization; and for the purposes of carrying into effect the provisions of this section, including personal services in the District of Columbia, the sum of \$400,000 is hereby appropriated, to be available until June 30, 1919, including travel expenses for members of the Bureau of Naturalization and its field service only, and the provisions of section 3679 of the Revised Statutes shall not be applicable in any way to this appropriation.

The moment the President relieves them by a proclamation, in individual cases or in classes, where loyalty is established to the satisfaction of the President, then by law they have a right to apply for naturalization just as aliens who are not alien enemies may apply.

Mr. CUMMINS. Mr. President—

The PRESIDING OFFICER (Mr. CURTIS in the chair). Does the Senator from Georgia yield to the Senator from Iowa?

Mr. HARDWICK. I do.

Mr. CUMMINS. You will then have the rather astonishing situation of the President exempting an individual from the operation of the law, assuming that he really ought to be naturalized, and the chief of the Bureau of Naturalization being able, by his absence from the court, to prevent him from being naturalized.

Mr. HARDWICK. But all the President can do is to relieve him from the operation of the alien-enemy act. Surely the Senator would not hesitate in war times to give that power to the President.

Mr. CUMMINS. I tell the Senator I am willing to give the entire power to the President of naturalizing or refusing to naturalize alien enemies.

Mr. HARDWICK. What difference does it make, then? Even if we have given it to the Naturalization Bureau, that is the bureau through which the President will exercise the power in any event.

Mr. CUMMINS. If the President is given the power, he will feel a sense of responsibility no matter to whom he delegates the power, and when he is appealed to he will decide the case, I assume, with confidence and with knowledge. If you give to the Bureau of Naturalization the authority to prevent the action of the court simply by staying away from court, you will have, in my opinion, an inoperative as well as an unjust statute.

Mr. HARDWICK. There is no need of arguing in circles. I believe that whatever power we give the President over this subject would be necessarily exercised through this bureau any way. So I am not especially concerned whether the bureau or the President is named. I hope we shall now have a vote on the bill.

Mr. FALL. Mr. President—

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

Mr. HARDWICK. I do.

Mr. FALL. I want to ask the Senator from Georgia if it would not meet the views of the committee, and at the same time allow some of us a little discretion in voting upon this proposition, if there were an amendment adopted on page 11, so that it would read that no hearing should be had upon any petition except after due notice given by the court to the commissioner or deputy commissioner to be present at a certain time, and that no final hearing should be had except on due notice to him to come in, and that it would be heard at that time?

Mr. HARDWICK. And that then it should not be heard if he objected?

Mr. FALL. That then it should not be heard if he objected.

Mr. HARDWICK. I do not object to that at all. I do not think that would impair what the bureau has in mind.

Mr. FALL. Then I suggest, after the word "after," that lines 3, 4, and 5 should be stricken out, and the words "due notice"—

Mr. HARDWICK. I do not think those three lines should be stricken out, if the Senator will pardon me.

Mr. FALL. I have made a mistake. If the Senator will listen to me I can give him my idea as to what I mean. I think the bill should provide for due notice to the Commissioner or Deputy Commissioner of Naturalization to be present instead of requiring his written consent. Why should the court not act except upon the written consent of the commissioner, when the commissioner may absent himself from the court and the court may therefore not be able to act?

Mr. HARDWICK. I agree with the Senator about that, and I am willing to modify the amendment so far as I have the power in that respect, because after the Government has a fair and reasonable opportunity to object and does not object, then I am willing for the proceedings to go on.

Mr. FALL. Then I suggest the following amendment—

The PRESIDING OFFICER. There is an amendment pending.

Mr. HARDWICK. An amendment was merely suggested in my time. It will be offered but is not now pending.

Mr. LODGE. I have an amendment pending.

Mr. HARDWICK. I beg pardon. The Senator from Massachusetts has a pending amendment.

Mr. LODGE. The chairman of the committee stated that he would accept the amendment, and I believe the Senate thought it had been disposed of.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Massachusetts to the amendment of the committee.

The amendment to the amendment was agreed to.

Mr. FALL. I can suggest how I would have the language read:

*Provided, That no alien embraced within this subdivision shall have his petition for naturalization called for a hearing except after due notice to the Commissioner or Deputy Commissioner of Naturalization to be present, and the petition shall be given no final hearing except in open court and after such notice to representative of the Government from the Bureau of Naturalization, whose objection shall cause the petition to be continued—*

*And so forth.*

Mr. HARDWICK. I do not think that would change the meaning materially.

Mr. FALL. It would give the commissioner notice and allow him to come in and present his objections.

The PRESIDING OFFICER. Will the Senator from New Mexico send his amendment to the desk in writing or will he suggest it so that the Secretary may get it?



Mr. FALL. I think if I state it over again the Secretary will get it. In line 3, page 11, after the word "after," I move to strike out the words "the written consent of" and to insert "due notice to"; in line 4, to strike out "shall have been received by the clerk of the court and exhibited to the court" and to insert "to be present"; and in line 7, to strike out the words "in the presence of" and to insert the words "after such notice to."

The PRESIDING OFFICER. The Secretary will read the language as proposed to be amended by the Senator from New Mexico.

The SECRETARY. As amended the language will read:

*Provided, That no alien embraced within this subdivision shall have his petition for naturalization called for a hearing except after due notice to the Commissioner or Deputy Commissioner of Naturalization to be present, and the petition shall be given no final hearing except in open court and after such notice to the representative of the Government from the Bureau of Naturalization.*

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from New Mexico to the amendment reported by the committee.

The amendment to the amendment was agreed to.

Mr. NELSON. I offer an amendment to the bill, in line 5, page 3, after the word "enlist," to insert the words "or enter."

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Minnesota to the amendment reported.

The amendment to the amendment was agreed to.

Mr. NELSON. Then, in connection with that amendment, after the words "National Guard," in line 7, page 3, I move to insert the words "National Army."

Mr. HARDWICK. Let me suggest to the Senator that that is probably covered by the language in the line just above where it reads "Regular or the volunteer forces," is it not?

Mr. NELSON. No; we have three classes.

Mr. HARDWICK. Very well; I will not object to the amendment.

Mr. NELSON. One is called the National Army as distinguished from the Regulars and as distinguished from the National Guard of the States.

Mr. HARDWICK. I do not object to the amendment.

The PRESIDING OFFICER. The Chair desires to suggest to the Senator from Minnesota that he thinks the amendment should come after the words "volunteer forces" in line 6. The Secretary will state it in that way.

The SECRETARY. On page 3, line 6, after the words "volunteer forces," it is proposed to insert the words "the National Army."

Mr. HARDWICK. That is right.

Mr. NELSON. I accept that modification.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Minnesota to the amendment.

The amendment to the amendment was agreed to.

Mr. POMERENE. Mr. President, I am not quite clear that I understood the amendment offered by the Senator from Minnesota. He moved to insert the words "or enter" after the word "enlist." Would that give the privileges herein set forth to aliens who have already entered the service?

Mr. NELSON. It is in the present tense—"to enlist or enter"—it relates to the future and not to the past.

Mr. POMERENE. I mean, does it apply to those who have already entered the service, so that they can have the privileges of naturalization?

Mr. NELSON. It does not cover them exactly. The word "enter" would have the same meaning as to time as the word "enlist." The Senator will observe in line 5 the words "or may hereafter enlist." My amendment is "or enter," so as to cover those who get in through the draft law.

Mr. POMERENE. But my thought was that it should apply to those who had already entered the service as well as those who might hereafter enter, and it occurred to me that the thought I had in mind would be met if we would insert after the words "who has enlisted" the words "or who has entered."

Mr. NELSON. Mr. President, I move to reconsider the vote by which the words "or enter" were inserted.

The PRESIDING OFFICER. Without objection, the amendment to the amendment is reconsidered.

Mr. NELSON. I ask now to have that amendment rejected.

The PRESIDING OFFICER. The vote whereby the amendment was agreed to has been reconsidered, and, without objection, the amendment to the amendment will be considered as rejected.

Mr. NELSON. Then I move to insert after the word "enlisted," at the beginning of line 5, the words "or entered."

Mr. HARDWICK. That is the same amendment the Senator offered before.

Mr. NELSON. The same amendment, only it applies to those who are already in the service as well as those who afterwards enter the service.

The PRESIDING OFFICER. Without objection, the amendment to the amendment is agreed to.

Mr. NELSON. I think it ought to apply to the future, and I renew my amendment to insert the words "or enter" in line 5, after the word "enlist," so as to apply to future cases.

The PRESIDING OFFICER. The Secretary will state the amendment to the amendment.

The SECRETARY. It is proposed to amend so that the clause will read:

*Who has enlisted or entered, or who may hereafter enlist in or enter, the Army of the United States.*

The PRESIDING OFFICER. Without objection, the amendment to the amendment is agreed to.

The amendment was agreed to.

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

The amendment was ordered to be engrossed and the bill read a third time.

The bill was read the third time and passed.

The SECRETARY. It is proposed to amend the title so as to read: "A bill to amend the naturalization laws and to repeal certain sections of the Revised Statutes of the United States and other laws relating to naturalization."

The PRESIDING OFFICER. It has been suggested to the Chair that the words "and for other purposes" should be added to the title.

Mr. HARDWICK. Very well. Let those words be added; but I think they make no difference.

The PRESIDING OFFICER. Without objection, the title will be so amended.

Mr. HARDWICK. I move that the Senate request a conference with the House of Representatives on the bill and amendment and that the conferees on the part of the Senate be appointed by the Chair.

The motion was agreed to; and the Presiding Officer appointed Mr. HARDWICK, Mr. GORE, and Mr. DILLINGHAM conferees on the part of the Senate.

#### EXECUTIVE SESSION.

Mr. MARTIN. 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 five minutes spent in executive session, the doors were reopened and (at 5 o'clock and 40 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, April 17, 1918, at 12 o'clock meridian.

#### NOMINATIONS.

*Executive nominations received by the Senate April 16, 1918.*

##### REGISTER OF LAND OFFICE.

John A. Ross, of South Dakota, to be register of the land office at Bellefourche, S. Dak., his present term expiring May 21, 1918. (Reappointment.)

##### RECEIVER OF PUBLIC MONEYS.

William H. Edley, of Wyoming, to be receiver of public moneys at Lander, Wyo., his present term expiring May 13, 1918. (Reappointment.)

##### APPOINTMENTS IN THE NATIONAL ARMY.

##### GENERAL OFFICERS.

*To be major generals with rank from April 12, 1918.*

Brig. Gen. William P. Burnham, National Army.  
Brig. Gen. Willard A. Holbrook, National Army.  
Brig. Gen. James H. McRae, National Army.  
Brig. Gen. George B. Duncan, National Army.  
Brig. Gen. Ernest Hinds, National Army.  
Brig. Gen. Charles H. Martin, National Army.  
Brig. Gen. Charles S. Farnsworth, National Army.  
Brig. Gen. James W. McAndrew, National Army.  
Brig. Gen. Edward F. McGlachlin, jr., National Army.  
Brig. Gen. LeRoy S. Lyon, National Army.

*To be brigadier generals with rank from April 12, 1918.*

Col. Robert H. Noble, Infantry.  
Col. Arthur Johnson, Infantry.  
Col. Charles Gerhardt, Infantry.  
Col. William R. Dashiell, Infantry.  
Col. Guy H. Preston, Cavalry.  
Col. Frank M. Caldwell, Inspector General's Department.  
Col. Lutz Wahl, General Staff Corps.  
Col. John L. Hines, Infantry.

Col. Joseph G. Castner, Infantry.  
 Col. Julian R. Lindsey, Infantry, National Army.  
 Col. George H. Jamerson, Infantry, National Army.  
 Col. Lincoln C. Andrews, Infantry, National Army.  
 Col. Dwight E. Aultman, Field Artillery.  
 Col. Ora E. Hunt, Infantry, National Army.  
 Col. Adrian S. Fleming, Field Artillery.  
 Col. Thomas W. Darrah, Infantry, National Army.  
 Col. Johnson Hagood, Coast Artillery Corps.  
 Col. Lytle Brown, Corps of Engineers, National Army.  
 Col. Alfred A. Starbird, Inspector General's Department.  
 Col. Edward T. Donnelly, Field Artillery, National Army.  
 Col. Fred T. Austin, Field Artillery, National Army.  
 Col. William I. Westervelt, Field Artillery, National Army.  
 Col. Augustine McIntyre, Field Artillery, National Army.  
 Col. Richard W. Young, National Guard.  
 Col. George A. Wingate, National Guard.

*To be brigadier generals with rank from April 15, 1918.*

Lieut. Col. Robert E. Wood, National Army.  
 Col. Hugh S. Johnson, General Staff.

#### TRANSFERS TO THE ACTIVE LIST OF THE ARMY.

##### CAVALRY ARM.

Capt. Louis R. Ball, United States Army, retired, to be major on the active list with rank from July 24, 1917.

##### INFANTRY.

Capt. George L. Byroade, retired, to be major with rank from July 1, 1916.

#### TEMPORARY PROMOTIONS IN THE ARMY.

##### INFANTRY.

*To be colonel with rank from December 8, 1917.*

Lieut. Col. George L. Byroade, additional officer.

*To be lieutenant colonel with rank from August 5, 1917.*

Maj. George L. Byroade, additional officer.

#### CONFIRMATIONS.

*Executive nominations confirmed by the Senate April 16, 1918.*

##### COLLECTOR OF CUSTOMS.

George H. Rowley to be collector of customs for customs collection district No. 12, with headquarters at Pittsburgh, Pa.

##### PROMOTIONS IN THE NAVY.

The following-named lieutenant commanders to be commanders:

Hugo W. Osterhaus and  
 Byron A. Long.

Lieut. (Junior Grade) Zachary Lansdowne to be a lieutenant.

The following-named lieutenants (junior grade) to be lieutenants:

Augustine H. Gray,  
 Warren L. Moore,  
 Wadleigh Capehart,  
 Melville S. Brown,  
 George M. Cook,  
 Frank H. Kelley, jr.,  
 Dorsey O. Thomas,  
 Miles P. Refo, jr.,  
 Robert T. Young,  
 Elmer K. Niles,  
 Charlton E. Battle, jr.,  
 Alfred G. Zimernann,  
 Ellis S. Stone.

Thomas S. King, 2d,  
 Urey W. Conway,  
 George F. Parrott, jr.,  
 Norman Scott, and  
 Jay L. Kerley.

Ensign Herbert K. Fenn to be a lieutenant (junior grade).

Asst. Surg. Charles S. Stephenson to be a passed assistant surgeon with the rank of lieutenant.

The following-named passed assistant paymasters to be paymasters with the rank of lieutenant commander:

Lewis W. Jennings, jr., and  
 William G. Neill.

Passed Assistant Paymaster Edward R. Wilson to be a paymaster with the rank of lieutenant commander.

The following-named assistant paymasters to be passed assistant paymasters with the rank of lieutenant (junior grade):

John B. Ewald and  
 Samuel R. White, jr.

Assistant Paymaster Macdonough C. Merriman to be a passed assistant paymaster with the rank of lieutenant (junior grade).

Assistant Paymaster John D. P. Hodapp to be a passed assistant paymaster with the rank of lieutenant (junior grade).

Chaplain Eugene E. McDonald to be a chaplain with the rank of captain.

The following-named assistant naval constructors to be naval constructors with the rank of lieutenant:

Philip G. Lauman,  
 Arthur W. Frank, and  
 Ralph T. Hanson.

Lieut. Roland M. Comfort to be a lieutenant commander for temporary service.

Lieut. (Junior Grade) Herbert W. Jackson to be a lieutenant for temporary service.

Lieut. (Junior Grade) Clifton A. F. Sprague to be a lieutenant for temporary service.

Lieut. (Junior Grade) Thaddeus A. Hoppe to be a lieutenant for temporary service.

The following-named acting ensigns for engineering duties only to be lieutenants (junior grade) for engineering duties only for temporary service:

Joseph H. Currier,  
 Isaac J. Van Kammen, and  
 Ernest V. David.

Ensign Michael J. Wilkinson to be a lieutenant (junior grade) for temporary service.

Carpenter Herman R. Newby to be an ensign for temporary service.

The following-named warrant officers to be ensigns for temporary service:

Frederick W. Boldt,  
 Horace L. Ham,  
 George Berton,  
 Alexander B. Provost,  
 Harry A. Mewshaw,  
 Chris Halverson,  
 William G. Scott,  
 Harry Bennett, and  
 Elmer J. Tugend.

The following-named enlisted men to be ensigns for temporary service:

Morey H. Downs,  
 Daniel E. Haskell,  
 John C. Mayhew,  
 Tom H. Williamson,  
 Hubert K. Stubbs,  
 Harold V. Andrews,  
 Clarence V. Waggonner,  
 Henry C. Flanagan, and  
 Omer L. Brewington.

The following-named ensigns in the United States Naval Reserve Force to be ensigns for temporary service:

Cecil A. McKay,  
 Nathan Young,  
 Stuart Parker,  
 Caleb Loring,  
 William L. Hickey,  
 Feustman B. Thatcher,  
 Barnes Newberry,  
 Bruce Burns,  
 Charles H. Duell, jr.,  
 John R. Haire,  
 Donald M. Lovejoy,  
 Edgar M. Queeny,  
 Charles H. Sterrett, and  
 Allen L. Welch.

The following-named ensigns in the National Naval Volunteers to be ensigns for temporary service:

Duncan W. Frick and  
 Ralph J. Stern.

The following-named pay clerks to be assistant paymasters for temporary service:

Henry G. Conrad and  
 Harry H. Bloxham.

#### POSTMASTERS.

##### LOUISIANA.

Lucien L. Prothro, Lenzburg.

##### MINNESOTA.

Margaret E. Gillespie, Carlton.  
 Alfred J. Lamberton, Kasota.

##### OHIO.

John P. Cummings, Waynesville.  
 William J. Evans, North Canton (late New Berlin).  
 Sage P. Deming, Rocky River.



## PENNSYLVANIA.

Flora C. Harwi, Hellertown.

## SOUTH CAROLINA.

Frank P. Wilson, Due West.

## WASHINGTON.

Maury C. Hayden, Lind.

Petrus Neilson, Enumclaw.

Grover C. Schoonover, Odessa.

## HOUSE OF REPRESENTATIVES.

TUESDAY, April 16, 1918.

The House was called to order at 12 o'clock noon by Mr. KITCHIN as Speaker pro tempore.

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

O Thou, who workest ever, in all and through all Thou hast made, animate or inanimate, creating, re-creating, and who art mighty to deliver, help us as rational beings, gifted with the power of choice, to open wide the portals of our souls that we may receive abundantly that power of spirit ever emanating from Thy heart to which we are so closely allied, that we may be strong to bear the burdens of life and be guided to a happy solution of its intricate problems and so become instruments in Thy hands for the fulfillment of Thy plans and good purposes, in the spirit of Him who said, "I must work the works of Him that sent me while it is day; the night cometh, when no man can work." Amen.

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

## SWEARING IN OF A MEMBER.

Mr. MADDEN. Mr. Speaker, I ask that Mr. JOHN W. RAINEY, Member elect from the fourth district of Illinois, be sworn in. His certificate of election is on file with the Clerk.

The SPEAKER pro tempore. The certificate has been filed in due form.

Mr. RAINEY appeared at the bar of the House and took the oath of office.

## ELECTION CONTESTS.

The SPEAKER pro tempore laid before the House the following communication, which was read:

HOUSE OF REPRESENTATIVES,  
CLERK'S OFFICE,  
Washington, D. C., April 16, 1918.

The SPEAKER,  
House of Representatives, Washington, D. C.

SIR: I have the honor to lay before the House of Representatives a list of contests for seats in the House of Representatives for the Sixty-fifth Congress of the United States, notices of which have been filed in the office of the Clerk of the House, and also transmit herewith all original testimony, papers, and documents relating thereto, as follows:

"James J. Britt against Zebulon Weaver, of the tenth district of North Carolina.

"Jacob Gerling against Thomas B. Dunn, of the thirty-eighth district of New York.

"James S. Davenport against Thomas A. Chandler, of the first district of Oklahoma."

The Clerk has opened and printed the testimony in all of the above cases. In compliance with the act approved March 2, 1897, entitled "An act relating to contested-election cases," such portions of the testimony in the above cases as the parties in interest agreed upon, or as seemed proper to the Clerk, after giving the requisite notices, have been printed and indexed, together with the notices of contest and the answers thereto, and such portions of the testimony as were not printed with the original papers have been sealed up and are ready to be laid before the Committee on Elections.

Two copies of the printed testimony in each case have been mailed the contestant and the same number to the contestee. The law in reference to the briefs of both the contestant and contestee in each case has been complied with as far as possible upon receipt by the Clerk of said briefs.

So far as the briefs have been furnished to the Clerk, they are ready to be laid before the Committee on Elections upon the order of the House, together with a tabulated statement, which has been prepared by the Clerk, showing the number of pages of testimony and the present status of each contested-election case, and all the papers in connection therewith.

Yours, respectfully,

SOUTH TRIMBLE,  
Clerk of the House of Representatives.

## LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. DALE of New York for two weeks, on account of important business.

## COMMITTEE TO ATTEND FUNERAL OF LATE SENATOR STONE.

Mr. GARRETT of Tennessee. Mr. Speaker, in announcing the Stone funeral on yesterday the Speaker of the House [Mr. CLARK], of course, did not announce himself as a member of that committee. I think he ought officially to be a member of

the committee, and I ask unanimous consent that his name be added to the list.

The SPEAKER pro tempore. Without objection, the Speaker's name will be added to the list of the committee.

There was no objection.

## TAKING OVER OF CERTAIN TRANSPORTATION LINES.

Mr. SAUNDERS of Virginia. Mr. Speaker, on behalf of the Committee on the Merchant Marine and Fisheries I ask unanimous consent that the bill (S. 3388), to amend the emergency shipping fund provisions of the urgent deficiency appropriation act approved June 15, 1917, so as to empower the President and his designated agents to take over certain transportation systems for the transportation of shipyard and plant employees, and for other purposes, be made in order after the disposition of the river and harbor appropriation bill. The chairman of the Shipping Board states that the passage of this bill will save the Government a large amount of money, and that this action is of immediate urgent necessity. Admiral Bowles has written to the same effect in relation to the necessity for the prompt passage of the bill. I would like to arrange by unanimous consent to take the bill up and agree upon a time for discussion, and have it in order to follow the disposition of the river and harbor appropriation bill.

Mr. SMITH of Michigan. Why is it that that proposition was stricken out of the housing bill? That right was given in the \$50,000,000 housing appropriation bill.

Mr. SAUNDERS of Virginia. It went out of the housing bill because it did not properly belong there under the rules of the House.

Mr. MOORE of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. MOORE of Pennsylvania. Are the various lines specified in the bill?

Mr. SAUNDERS of Virginia. No. It includes the lines necessary to be taken over in connection with the housing of the employees at work in our shipping yards, wherever located.

Mr. MOORE of Pennsylvania. The gentleman referred to a statement by Admiral Bowles, who is now in charge at Hog Island, and I desire to know whether the trolley lines are lines leading to Hog Island, and whether it is contemplated improving the transportation facilities to that point.

Mr. SAUNDERS of Virginia. The lines that will be taken over are those lines immediately necessary in connection with the housing proposition. Of course the phrasing of the bill is necessarily comprehensive.

Mr. SMITH of Michigan. How much does the bill carry?

Mr. SAUNDERS of Virginia. It does not carry anything.

Mr. MOORE of Pennsylvania. I have been making inquiries this morning concerning the housing problem and transportation facilities as far as Hog Island, and I am in doubt at the present time whether it is proposed to go on with the housing or whether it is proposed to substitute for housing improved transportation facilities, or whether we are to have both.

Mr. SAUNDERS of Virginia. The two lines of activity will go forward at the same time. A number of houses will be built, but the taking over of these lines will save the necessity for a great deal of construction. I will say to the gentleman from Michigan [Mr. SMITH] in this connection, that this bill does not propose to appropriate, but to save the necessity for appropriation. It is a money-saving, not a money-spending proposition.

Mr. MOORE of Pennsylvania. Then it means to curtail the housing construction?

Mr. SAUNDERS of Virginia. Yes; immensely.

Mr. MOORE of Pennsylvania. And to increase the transportation facilities?

Mr. SAUNDERS of Virginia. To the necessary extent, of course.

Mr. GILLET. Has the bill been reported from the committee?

Mr. SAUNDERS of Virginia. Unanimously.

Mr. GILLET. How long ago?

Mr. SAUNDERS of Virginia. Several days ago. Here is what Admiral Bowles says in this connection:

I have just received word of the passage of S. 3388, regarding transportation for shipyards. It is important to the Fleet Corporation, and I hope you can secure action by House.

Mr. Hurley writes more elaborately and strongly in relation to what will be accomplished by the bill.

Mr. MOORE of Pennsylvania. Could the gentleman put that in the RECORD before the bill is considered?

Mr. SAUNDERS of Virginia. Oh, yes; I am trying now to arrange for taking up the bill.

Mr. GILLET. What is the gentleman's request?