

Also, memorial of the Legislature of Florida, relative to the centennial celebration of the purchase of the Territory of Florida; to the Committee on Industrial Arts and Expositions.

By Mr. CLARK of Florida: Memorial of the Legislature of Florida, asking Congress to participate and to invite foreign nations to participate in celebration of the centennial of the purchase of Florida; to the Committee on Industrial Arts and Expositions.

Also, memorial of the Legislature of Florida, advocating construction of a canal from Cumberland Sound through the St. Marys River and Suwannee River to St. Marks, on the Gulf of Mexico; to the Committee on Railways and Canals.

Also, memorial of the Legislature of Florida, asking repeal of postal zone law; to the Committee on the Post Office and Post Roads.

Also, memorial of the Legislature of Florida, asking for the deportation of aliens who, although enjoying the blessings of this Government, at the outbreak of the World War refused to fight for the United States; to the Committee on Immigration and Naturalization.

Also, memorial of the Legislature of Florida, asking refund of taxes levied and collected on cotton from 1863 to 1868; to the Committee on War Claims.

#### PRIVATE BILLS AND RESOLUTIONS.

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

By Mr. ALEXANDER: A bill (H. R. 9422) granting an increase of pension to Jackson Vail; to the Committee on Invalid Pensions.

By Mr. CRAGO: A bill (H. R. 9423) granting an increase of pension to John L. B. Breighner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9424) for the relief of Aaron Schmulovitz; to the Committee on Military Affairs.

By Mr. CRAMTON: A bill (H. R. 9425) granting a pension to Walter E. Crackel; to the Committee on Pensions.

By Mr. ELLIOTT: A bill (H. R. 9426) granting an increase of pension to John C. Leonard; to the Committee on Invalid Pensions.

By Mr. HAYDEN: A bill (H. R. 9427) granting an increase of pension to Walker Anderson; to the Committee on Pensions.

Also, a bill (H. R. 9428) granting a pension to Esther M. Openshaw; to the Committee on Pensions.

Also, a bill (H. R. 9429) granting a pension to John A. Shaw; to the Committee on Pensions.

By Mr. HOUGHTON: A bill (H. R. 9430) granting a pension to Stephen L. Tobey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9431) granting a pension to Charles E. Cortright; to the Committee on Pensions.

By Mr. IRELAND: A bill (H. R. 9432) granting a pension to Mary L. Taylor; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9433) granting a pension to William L. Meister; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9434) for the relief of John E. Ramsden and Mary D. Ramsden; to the Committee on Interstate and Foreign Commerce.

By Mr. LANGLEY: A bill (H. R. 9435) granting an increase of pension to John Wilson; to the Committee on Invalid Pensions.

By Mr. McLAUGHLIN of Nebraska: A bill (H. R. 9436) granting a pension to William Bays; to the Committee on Pensions.

By Mr. NELSON of Missouri: A bill (H. R. 9437) granting a pension to William C. Scott; to the Committee on Invalid Pensions.

By Mr. PURNELL: A bill (H. R. 9438) granting an increase of pension to Warner L. Cole; to the Committee on Invalid Pensions.

By Mr. RAMSEYER: A bill (H. R. 9439) granting a pension to Kate Bressler; to the Committee on Invalid Pensions.

By Mr. REBER: A bill (H. R. 9440) granting an increase of pension to Susanna Noll; to the Committee on Invalid Pensions.

By Mr. STEPHENS of Ohio: A bill (H. R. 9441) granting a pension to Mary Sheridan; to the Committee on Pensions.

By Mr. VESTAL: A bill (H. R. 9442) granting a pension to Mary M. Dillier; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9443) granting a pension to Laura Adams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9444) granting an increase of pension to John W. Skiff; to the Committee on Invalid Pensions.

By Mr. WEAVER: A bill (H. R. 9445) granting a pension to John F. Ritter; to the Committee on Pensions.

By Mr. WOODYARD: A bill (H. R. 9446) granting an increase of pension to Henry Stahl; to the Committee on Invalid Pensions.

By Mr. WELTY: A bill (H. R. 9447) granting a pension to Margaret P. Black; to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

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

By Mr. BURKE: Petition of 300 members of St. Michael's congregation, of South Side, Pittsburgh, Pa., opposing the passage of the Smith-Towner educational bill; to the Committee on Education.

By Mr. CAREW: Petition of Northwest Daily Press Association, of Minneapolis, Minn., protesting against the repeal of the present postal-zone system; to the Committee on the Post Office and Post Roads.

Also, petition of Retail Dry Goods Association, of New York, protesting against Senate bill 2904 and House bill 8315; to the Committee on Interstate and Foreign Commerce.

By Mr. KENNEDY of Iowa: Petition of Jefferson County Community Club, of Fairfield, Iowa, opposing the Plumb plan for railroads; to the Committee on Interstate and Foreign Commerce.

Also, petition of Jefferson County Community Club, of Fairfield, Iowa, opposing bills introduced into Congress in their present form, bills proposing universal military service and augmenting the Regular Army; to the Committee on Military Affairs.

By Mr. LINTHICUM: Petition of John R. Given and Albert J. Shields, of Baltimore, Md., favoring a bonus of \$360 to all ex-service men; to the Committee on Military Affairs.

By Mr. LONERGAN: Petition of Knights of Pythias Domain of New York, pledging earnest support of the Government against Bolshevism and anarchy; to the Committee on the Judiciary.

By Mr. MANSFIELD: Petition of retail merchants of southern Texas, favoring the passage of the Kenyon bill for the regulation of packers; to the Committee on Interstate and Foreign Commerce.

By Mr. O'CONNELL: Petition of D. E. Hemley Co., of New York, favoring the amendment of Senate bill No. 641, submitted by the New York Board of Trade and Transportation; to the Committee on Interstate and Foreign Commerce.

Also, petition of War Camp Community Service of New York City, favoring the enactment of Senate bill 2535; to the Committee on Military Affairs.

Also, petition of Corrugated Bar Co. (Inc.), of Buffalo, N. Y., favoring the enactment of House bills 5011, 5012, and 7010; to the Committee on Patents.

By Mr. VARE: Petition of National Association of Hosiery and Underwear Manufacturers, protesting against the passage of the Longworth bill; to the Committee on Ways and Means.

By Mr. YATES: Petition of the Springfield Commercial Association, Springfield, Ill., containing protest against the Jones bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of Dan Williams Beckwith, Danville, Ill., protesting against the Jones bill, S. 2904; to the Committee on Interstate and Foreign Commerce.

Also, petition of Hon. J. H. Kimble, Port Deposit, Md., urging the early passage of House bill 7348; to the Committee on Interstate and Foreign Commerce.

Also, petition of Stewart-Warner Speedometer Corporation, Chicago, urging the early passage of House resolutions 5011, 5012, and 7010; to the Committee on Patents.

Also, petition of Everett J. Buswell, Kewanee, Ill., urging the early passage of the Gronna-Baer bill; to the Committee on Military Affairs.

#### SENATE.

TUESDAY, September 23, 1919.

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

Almighty God, we have built up a great spiritual democracy out of the precepts of Thy holy Word. The entering in of Thy Word giveth light. We pray that as we face the problems of this day we may be enabled to apply those unchanging principles of divine truth, and that the outcome of it all may be for the permanency of our institutions and the blessing and welfare of all the people. For Christ's sake. Amen.

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

## PETITIONS AND MEMORIALS.

Mr. FLETCHER. I present a communication from the secretary of state of the State of Florida transmitting certain memorials and resolutions of the Florida Legislature, which I ask may be printed in the RECORD.

The communication, resolutions, and memorials are as follows:

OFFICE OF THE SECRETARY OF STATE,  
STATE OF FLORIDA.  
Tallahassee, September 18, 1919.

HON. DUNCAN U. FLETCHER,  
United States Senate, Washington, D. C.

DEAR SIR: I inclose herewith certified copy of house memorial No. 2, house memorial No. 4, senate concurrent resolution No. 9, house concurrent resolution No. 31, and house concurrent resolution No. 32, passed by the Legislature of Florida, 1919.

Yours, very truly,

H. CLAY CRAWFORD,  
Secretary of State.

House concurrent resolution 31.

Whereas that historic event, known as the Florida Purchase, occurred on July 16, 1821; and

Whereas the Florida Purchase Centennial will occur on July 16, 1921, and an event of such importance should be fittingly commemorated and celebrated both by the nation at large as well as by the State of Florida; and

Whereas it is especially important that the nations of South America, for whom the people of the United States, and particularly the State of Florida, entertain the highest regard and most friendly feeling, should be most closely united in bonds of mutual good will, fellowship, and understanding with the people of North America, to the great benefit of their common social and commercial advantage; and

Whereas at this period in the history of the world, when an era of world-wide reconstruction and commercial development is at hand, and such development and reconstruction will be greatly assisted and promoted by an international exposition; and

Whereas it is especially fitting, at this the close of the World War, that all nations should unite in an exhibition of their industries, products, literature, and art, in order that world-wide commercial and social understanding, comprehension, and trade may be made as complete, full, and perfect as possible, and that national ideals and aspirations may be more fully understood and appreciated throughout the brotherhood of nations: Therefore be it

*Resolved by the Legislature of the State of Florida*, That the people of the State of Florida are in favor of commemorating the Florida Purchase Centennial by an international fair to be held in the State of Florida, dedicated on July 16, 1921, and inaugurated on Victory Day, November 11, 1922, and to run or continue 12 months after that time, and that the people of Florida do hereby suggest to the President and Congress of the United States that such an international fair be held for the purposes expressed in these resolutions, and that every effort be made to induce all nations of the world to participate in such exposition or international fair: Be it further

*Resolved*, That the President and Congress of the United States are hereby requested to undertake, create, and realize the conception contained in these resolutions by such means, instrumentalities, and national legislation as in their judgment are proper: Be it further

*Resolved*, That the secretary of state of the State of Florida is hereby requested to transmit a copy of these resolutions to the President of the United States and to each House of Congress.

Approved June 9, 1919.

STATE OF FLORIDA,  
Office of Secretary of State, ss:

I, H. Clay Crawford, secretary of state of the State of Florida, do hereby certify that the foregoing is a true and correct copy of house concurrent resolution 31, passed by the Legislature of Florida, 1919, and filed in this office.

Given under my hand and the great seal of the State of Florida, at Tallahassee, the capital, this the 18th day of September, A. D. 1919.

[SEAL.]

H. CLAY CRAWFORD,  
Secretary of State.

House concurrent resolution 32.

Whereas the construction of a canal from Cumberland Sound through the St. Marys River, thence to the Suwannee River, and through this river thence on to St. Marks, on the Gulf, would be of untold advantage to the commerce of the Southeastern States, and especially the States of Georgia and Florida; and

Whereas by the routing of such a canal from Cumberland Sound through the St. Marys River, thence to the Suwannee River, and through this river thence on to St. Marks, on the Gulf, would entail the digging of only about 100 miles of such canal; and

Whereas the construction of such canal would open a water route for the coal fields of Alabama located on the Warrior River, and thereby reduce the traffic rates on this article; and

Whereas the construction of this canal would reduce the haul from the Southeast of all commerce going to Europe, South America, and Central America over 500 miles; and

Whereas it is believed that the cost of the construction of this canal would not compare with the benefits to the general commerce to be gained therefrom: Therefore be it

*Resolved by the house of representatives (the senate concurring)*, That the Congress of the United States be petitioned to cause said proposed canal to be definitely located and constructed at as early a date as practicable.

*Resolved further*, That our Senators and Representatives in Congress be urged to secure the final survey and construction of said canal to be made at as early a date as practicable and to assist in procuring the construction of said canal; be it further

*Resolved*, That the secretary of state of the State of Florida be requested to furnish each of the Senators and Representatives aforesaid a copy of this memorial.

And respectfully requests the concurrence of the senate thereto.

Approved, June 9, 1919.

## STATE OF FLORIDA.

Office of the Secretary of State, ss:

I, H. Clay Crawford, secretary of state of the State of Florida, do hereby certify that the foregoing is a true and correct copy of house concurrent resolution No. 32, passed by the Legislature of Florida, 1919, and filed in this office.

Given under my hand and the great seal of the State of Florida, at Tallahassee, the capital, this the 18th day of September, A. D. 1919.

H. CLAY CRAWFORD,  
Secretary of State.

Senate concurrent resolution 9.

Whereas every publication in this State and Nation has been inconvenienced and made to suffer in circulation, and consequent advertising patronage and business, as a result of the Federal zone Postal System; and

Whereas the newspapers of extensive circulation are great factors in education, in keeping the public informed, and, therefore, most helpful in the development of the country in every worthy way, it having been said that it would have been impossible to have won the war in so short a time or to have successfully put through any of the numerous drives for funds without the willing aid of the newspapers and other periodicals; and

Whereas it does not behove either National or State legislators to in anywise cripple the press which carries the report of their acts to the people whose business the lawmakers are transacting: Therefore be it

*Resolved by the senate (the house of representatives concurring)*, That Congress is hereby petitioned and memorialized to repeal at once the act providing for the division of this country into postal zones, with graduated rates for each zone: And be it further

*Resolved*, That the secretary of state is hereby instructed to mail a copy of this memorial to each of the Florida Senators and Representatives in Washington.

STATE OF FLORIDA,

Office of Secretary of State, ss:

I, H. Clay Crawford, secretary of state of the State of Florida, do hereby certify that the foregoing is a true and correct copy of senate concurrent resolution No. 9, passed by the Legislature of Florida, 1919, and filed in this office.

Given under my hand and the great seal of the State of Florida at Tallahassee, the capital, this the 18th day of September, A. D. 1919.

[SEAL.]

H. CLAY CRAWFORD,  
Secretary of State.

House memorial 2 to the Congress of the United States asking that the cotton tax collected from 1860 to 1868 be returned to the governors of the respective States from which it was collected, and providing for its distribution among the claimants upon proof of said claims.

Whereas there was collected by our Federal Government during the years 1860 to 1867 a large tax on raw cotton; and

Whereas it is within our opinion that moneys derived from said tax should be returned to the governors of the respective States from which it was collected, same to be placed in the State treasury and distributed among the claimants upon proof of said claims: Therefore be it

*Resolved by the Legislature of the State of Florida*, That the Congress of the United States is hereby requested to return said moneys.

*Resolved further*, That our Senators and Representatives in Congress are hereby requested to use all honorable means to secure the passage of a bill carrying out the purpose of this memorial.

*Resolved further*, That the secretary of state be directed to furnish each of our Senators and Representatives in Congress a copy of this memorial under the great seal of the State of Florida.

Approved May 5, 1919.

STATE OF FLORIDA,

Office of Secretary of State, ss:

I, H. Clay Crawford, secretary of state of the State of Florida, do hereby certify that the foregoing is a true and correct copy of house memorial No. 2, passed by the Legislature of Florida, 1919, and filed in this office.

Given under my hand and the great seal of the State of Florida at Tallahassee, the capital, this the 18th day of September, A. D. 1919.

[SEAL.]

H. CLAY CRAWFORD,  
Secretary of State.

House memorial 4, requesting the Members of Congress to use their efforts to have suitable laws passed deporting foreigners who claimed exemption and were exempt from military service in the recent war against German autocracy on the ground that they were subjects of and gave allegiance to foreign countries.

Whereas during the recent titanic struggle to banish from the earth German militarism, when practically all of the great nations of the world were in a death grapple, our great Republic entered the conflict to do battle for the rights of humanity, that American privileges, liberties, and rights might be made safe, that the glorious traditions of our beloved country might be upheld and defended; and

Whereas our Government called into its service thousands of loyal, red-blooded, and patriotic Americans, who answered the summons unflinchingly and without murmur or complaint, glad to take up arms in defense of their homeland; and

Whereas at that time there was scattered throughout this country thousands of able-bodied foreigners who claimed exemption from military service on the ground that they were subjects of and gave allegiance to a foreign country; and

Whereas these very foreigners who claimed and were granted such exemption came to our shores for the purpose of reaping the manifold benefits of a free country and to have the assurance of our constitutional liberties, which they were accorded, skulked like cowards they were, behind their foreign citizenship and their allegiance to foreign powers when America, the land in which they lived, called them to its defense, and, claiming exemption on that ground, they remained at home on American soil in safety and security, reaping the benefits of good positions and, in many instances, with high wages, while red-blooded young Americans, the very manhood of our Nation, went to battle and gave their lives in defense of our great American Republic and its traditions; and

Whereas these yellow-streaked aliens sneaked behind their foreign citizenship to escape a duty they owed America, the country in which they lived and which guaranteed to them freedom and protection, should be deported as so much worthless scum and baggage, thereby relieving this country of such undesirable and miserable slackers in order to properly show America's contempt for such ingrates and as a tribute to the glory of American arms and the valor and courage of America's red-blooded fighting men: Therefore be it

*Resolved by the Legislature of the State of Florida.* That our Representatives in Congress be, and they are hereby, respectfully requested and urged to exercise every honorable means to have Congress enact proper laws carrying out the intent of this memorial; be it further

*Resolved.* That the secretary of state of the State of Florida be, and he is hereby, requested to furnish each of our Representatives in the National Congress, under the great seal of the State of Florida, certified copies of this memorial.

Approved May 14, 1919.

STATE OF FLORIDA,

*Office Secretary of State, ss:*

I, H. Clay Crawford, secretary of state of the State of Florida, do hereby certify that the foregoing is a true and correct copy of house memorial No. 4, passed by the Legislature of Florida, 1919, and filed in this office.

Given under my hand and the great seal of the State of Florida, at Tallahassee, the capital, this the 18th day of September, A. D. 1919.

[SEAL.] H. CLAY CRAWFORD,

*Secretary of State.*

Mr. SHERMAN. I present a petition of 500 or 600 citizens in different parts of Illinois, referring to the league of nations, which I ask to have referred to the appropriate committee.

The PRESIDENT pro tempore. The petition will lie on the table.

Mr. OVERMAN presented memorials of sundry citizens of Transylvania County, N. C., remonstrating against the ratification of the proposed league of nations treaty unless certain reservations and amendments are adopted which will preserve American fundamental principles, which were ordered to lie on the table.

Mr. TOWNSEND presented a petition of the Republican Club of Detroit, Mich., praying for the return to private ownership of the railroads of the country, which was referred to the Committee on Interstate Commerce.

He also presented petitions of sundry citizens of Jackson, Kalamazoo, and Allenville, all in the State of Michigan, praying for the ratification of the proposed league of nations treaty, which were ordered to lie on the table.

He also presented a petition of Charles A. Larned Post, No. 1, American Legion, of Detroit, Mich., and a petition of Saginaw Post, No. 22, American Legion, of Saginaw, Mich., praying for the passage of the so-called Sweet bill providing for the lump-sum payment of war-risk insurance, which were referred to the Committee on Finance.

He also presented a petition of the Judson E. Ingram Post, No. 80, American Legion, of Houghton, Mich., praying for universal military training, which was referred to the Committee on Military Affairs.

He also presented petitions of sundry postal clerks of Tacoma, Wash., and of sundry third and fourth class postmasters of Curtis, Oologah, El Reno, Altus, Chickasha, and Miami, in the State of Oklahoma, praying for an increase in the salaries of postal employees, which were referred to the Committee on Post Offices and Post Roads.

Mr. PHELAN presented a petition of Heliotrope Rebekah Lodge, No. 183, Independent Order of Odd Fellows, of Pomona, Calif., and a petition of Local Union No. 88, Lathers International Union, of Oakland, Calif., praying for the ratification of the proposed league of nations treaty, which were ordered to lie on the table.

Mr. NELSON presented a memorial of sundry citizens of Hoka, Minn., remonstrating against the establishment of a Department of Education, which was referred to the Committee on Education and Labor.

He also presented the petition of C. L. Bennit, of Minneapolis, Minn., praying for the repeal of the tax on spectacles and eyeglasses, which was referred to the Committee on Finance.

Mr. NEWBERRY. I present resolutions adopted by the Detroit Republican Club, of Detroit, Mich., remonstrating against the adoption of the so-called "Plumb plan" for the control and operations of railroads. I ask that the resolutions be printed in the RECORD and referred to the Committee on Interstate Commerce.

There being no objection, the resolutions were referred to the Committee on Interstate Commerce and ordered to be printed in the RECORD, as follows:

Resolutions adopted September 18, 1919.

Whereas representatives of the several railroad brotherhoods have made demands upon the Government of the United States to the effect that the railroads should be purchased by the Government and should be operated for the joint benefit of the railroad employees mostly, the public incidentally; and

Whereas this demand, in form of the so-called Plumb plan, was accompanied with an implied threat that unless promptly acceded to a universal strike would be called to coerce the Government into acceptance thereof; and

Whereas during the recent war the experience under Government control and operation of our rail and transportation lines resulted in a demonstration of higher cost, unsatisfactory service, and low efficiency; and

Whereas this demand would establish a railroad employees' aristocracy, the only object of which is control of the great railroad transportation systems for the benefit of about one-half of 1 per cent of our population to the detriment of the other 99½ per cent, and would further increase the cost of living; and

Whereas statistics furnished by the Director General of the Railroad Administration show that railroad employees receive as much as \$385 in wages per month, or about \$4,700 per year, which is more than the remuneration of high-class professional men, mechanics, and others after years of training without pay; and

Whereas our Government under the Constitution is not one of paternalism nor nationalism, and the railroad brotherhoods' suggestions are entirely along class lines and their demands carry a threat practically of revolution: Therefore be it

*Resolved.* That the Detroit Republican Club strongly opposes the demands of the Plumb plan and its sponsors, and we join with the labor and business interests of our country in calling upon the President and Congress to resist such demands at any cost; and be it

*Resolved.* That we request that the railroads be returned to their owners; that we favor the enactment of laws providing for private ownership and operation under strict Government control, with the prohibition of speculation and manipulation of stocks, bonds, and other railroad securities, providing for the highest wages possible commensurate with adequate service and efficiency; and be it further

*Resolved.* That the secretary be, and he is hereby, instructed to forward a copy of these resolution to the Senators from Michigan, Congressman CHARLES A. NICHOLS, and the daily papers.

Mr. NEWBERRY. I also present a memorial signed by six bishops of the African Methodist Episcopal Church, praying for an investigation into the recent race riots in Washington, D. C., Chicago, Ill., and Knoxville, Tenn. I ask that the memorial be printed in the RECORD and referred to the Committee on Education and Labor.

There being no objection, the memorial was referred to the Committee on Education and Labor and ordered to be printed in the RECORD, as follows:

A memorial.

*To the Congress of the United States:*

The Commission on After-War Problems of the African Methodist Episcopal Church, representing a religious organization numbering a million communicants and adherents, now in the one hundred and third year of its denominational existence, prompted by a sense of stern duty, respectfully directs your attention to the solemn and ominous statements which characterize the following poem, printed in the September issue of a magazine published by colored people in New York City:

"IF WE MUST DIE!"

"If we must die, let it not be like hogs  
Hunted and penned in an inglorious spot,  
While round us bark the mad and hungry dogs,  
Making their mock at our accursed lot.  
If we must die, oh, let us nobly die  
So that our precious blood may not be shed  
In vain; then even the monsters we defy  
Shall be constrained to honor us, though dead!  
"Oh, kinsmen! We must meet the common foe;  
Though far outnumbered, let us still be brave,  
And for their thousand blows deal one deathblow!  
What though before us lies the open grave?  
Like men we'll face the murderous, cowardly pack,  
Pressed to the wall, dying, but—fighting back!"

Though the poem is the production of a West Indian negro, a native of Jamaica, it nevertheless reflects the conviction of a large group of American citizens of African descent—a group who feel that death is preferable to a state halfway between slavery and freedom. This group has sworn by the blood of their kinsmen who fell on the battle fields of France, in a death grip with the foe, to help make the world safe for democracy, that they will no longer tamely submit to a denial of the rights guaranteed them by the National Constitution.

This does not mean that they intend to go around with a chip on the shoulder seeking for trouble; that they mean to be needlessly offensive; that they will provoke a conflict, or that they intend to resort to force to secure a fair measure of righteous justice. Not at all. It means that they will pursue the path of peace, imposing on themselves the virtue of self-restraint to the limit, impelled by the lofty purpose to agitate for a better understanding between the races. They will demand a hearing at the bar of public opinion.

It is quite certain, however, that the fulminating of the archaic and vicious dogma, "This is a white man's country," which of late has been resurrected, will not conduce to a better understanding between the races. Moreover, when Gen. Lee surrendered his sword to the commander of the triumphant armies of freedom at Appomattox, that dogma fell a shattered idol.

This year is the ter-centenary of the coming of our forebears to this country, which antedates by a year the coming of the Pilgrim Fathers. Our claim to an equitable ownership of this country is attested by three centuries of toil for its development and expansion, as well as by heroic deeds and sacrifices in its defense on fields of sanguinary conflict from Bunker Hill to Metz. We are here, and here to stay—not as aliens or pariahs but as a bona fide and integral part of the body politic. Our supreme desire is to be allowed to exercise our inalienable rights without let or hindrance, to prove a strong prop in the support of American institutions, and to continue a helpful factor in the development of American industry.

We most earnestly pray the Congress to make diligent inquiry as to the underlying cause of the race riots at Washington, D. C., Chicago, Ill., and Knoxville, Tenn., with the view of formulating such sugges-

tions for adoption by the people as, in your judgment, may prove a safeguard against similar outbreaks in the future, and also lead to the establishment of a more friendly relationship between the races.

And your petitioners will ever pray.

Charles S. Smith, chairman, Detroit, Mich., bishop, American Episcopal Church; John R. Hawkins, secretary, Washington, D. C., financial secretary, American Methodist Episcopal Church; Joseph S. Flipper, Atlanta, Ga., bishop, American Methodist Episcopal Church; J. Albert Johnson, Baltimore, Md., bishop, American Methodist Episcopal Church; William H. Heard, Jackson, Miss., bishop, American Methodist Episcopal Church; John Hurst, Jacksonville, Fla., bishop, American Methodist Episcopal Church; William D. Chappelle, Columbia, S. C., bishop, American Methodist Episcopal Church; Richard R. Wright, Jr., Savannah, Ga., editor Christian Recorder, American Methodist Episcopal Church; Arthur S. Jackson, Waco, Tex., secretary of education, American Methodist Episcopal Church.

DETROIT, MICH., September 22, 1919.

Mr. NEWBERRY presented memorials of sundry citizens of Bay City, Pontiac, Cassopolis, Reed City, Fremont, Maple Rapids, Manton, Bad Axe, Dundee, Lake City, Coldwater, and Charlevoix, all in the State of Michigan remonstrating against the ratification of the proposed league of nations treaty, which were ordered to lie on the table.

#### REPORTS OF COMMITTEES.

Mr. KELLOGG, from the Committee on the Judiciary, to which was referred the bill (S. 2085) relating to the maintenance of actions for death on the high seas and other navigable waters, reported it with amendments and submitted a report (No. 216) thereon.

#### MINNESOTA RIVER BRIDGE.

Mr. NELSON. From the Committee on Commerce I report back favorably without amendment (H. R. 9091) granting the consent of Congress to the county of Hennepin to construct, maintain, and operate a bridge across the Minnesota River. I ask unanimous consent for 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 the consent of Congress is hereby granted to the county of Hennepin, in the State of Minnesota, and its successors, to construct, maintain, and operate a bridge and approaches thereto across the Minnesota River, at a point suitable to the interests of navigation at or near the intersection of that certain public highway in said county commonly known and designated as Lyndale Avenue, with the said Minnesota River, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Sec. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

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

The title was amended so as to read: "A bill granting the consent of Congress to the county of Hennepin, in the State of Minnesota, to construct, maintain, and operate a bridge across the Minnesota River."

#### TENNESSEE RIVER BRIDGE.

Mr. JONES of Washington. For the junior Senator from New York [Mr. CALDER] I report back favorably from the Committee on Commerce, with an amendment, the bill (S. 2910) to revive and reenact the act entitled "An act to authorize the Cincinnati, New Orleans & Texas Pacific Railway Co. to rebuild, reconstruct, maintain, and operate a bridge across the Tennessee River near Chattanooga, in Hamilton County, in the State of Tennessee," approved April 5, 1916, and I submit a report (No. 217) thereon. I ask unanimous consent for the present consideration of the bill.

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

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

The amendment was, in section 1, page 1, line 5, after the word "rebuild," to insert "and," so as to make the section read:

That the act approved April 5, 1916, authorizing the Cincinnati, New Orleans & Texas Pacific Railway Co. to rebuild and reconstruct, maintain, and operate a bridge across the Tennessee River near the city of Chattanooga, Tenn., be, and the same is hereby, revived and reenacted: *Provided*, That this act shall be null and void unless the actual construction of the bridge be commenced within one year and completed within three years from the date hereof.

The amendment was agreed to.

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

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

The title was amended so as to read: "A bill to revive and reenact the act entitled 'An act to authorize the Cincinnati, New Orleans & Texas Pacific Railway Co. to rebuild and recon-

struct, maintain, and operate a bridge across the Tennessee River near Chattanooga, in Hamilton County, in the State of Tennessee,' approved April 5, 1916."

#### BILLS INTRODUCED.

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

By Mr. McNARY:

A bill (S. 3060) providing commissions in the Regular Army for all commissioned officers in the United States Army as of their present grade, and for the granting to them of furloughs to the Regular Army Reserve under certain conditions; to the Committee on Military Affairs.

A bill (S. 3061) granting an increase of pension to John Beazan; and

A bill (S. 3062) granting an increase of pension to Vincent J. Turnidge; to the Committee on Pensions.

By Mr. POMERENE:

A bill (S. 3063) granting a pension to William Cannon (with accompanying papers); to the Committee on Pensions.

By Mr. JONES of New Mexico:

A bill (S. 3064) to provide for the acquisition of a site and the erection thereon of a public building at Deming, N. Mex.; to the Committee on Public Buildings and Grounds.

By Mr. SHERMAN:

A bill (S. 3065) granting a pension to Melissa J. King; to the Committee on Pensions.

By Mr. CAPPER:

A bill (S. 3066) to provide for the incorporation of cooperative associations in the District of Columbia; to the Committee on the District of Columbia.

By Mr. MOSES:

A bill (S. 3067) granting a pension to Charles Edward Stevens (with accompanying papers); to the Committee on Pensions.

By Mr. SUTHERLAND:

A bill (S. 3068) granting a pension to Elijah Peck (with accompanying papers); and

A bill (S. 3069) granting a pension to Caroline Pearl; to the Committee on Pensions.

By Mr. HARRIS:

A bill (S. 3070) to provide for the annual election of chairmen of Federal boards and commissions, and for other purposes; to the Committee on Civil Service and Retrenchment.

#### DEVELOPMENT OF WATER POWER.

Mr. WADSWORTH submitted an amendment intended to be proposed by him to the bill (H. R. 3184) to create a Federal power commission and to define its powers and duties, to provide for the improvement of navigation, for the development of water power, for the use of lands of the United States in relation thereto, to repeal section 18 of "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved August 8, 1917, and for other purposes, which was ordered to lie on the table and be printed.

#### AMENDMENT TO FIRST DEFICIENCY APPROPRIATION BILL.

Mr. JONES of Washington submitted an amendment proposing to increase the appropriation for civil government of the Panama Canal and Canal Zone, etc., from \$150,000 to \$192,000, intended to be proposed by him to the first deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

#### AMENDMENT TO THE CONSTITUTION.

Mr. OWEN submitted an amendment intended to be proposed by him to the joint resolution (S. J. Res. 41) proposing an amendment to the Constitution of the United States, which was ordered to lie on the table and be printed.

#### LABOR STRIKES.

Mr. THOMAS. Mr. President, I desire to offer the following resolution (S. Res. 190), and as I have not had time to put it in proper condition for the Secretary to read I beg the privilege of reading it myself:

Whereas the right of citizens to organize for the promotion of their views and the improvement of their condition and to utilize all means to the attainment of their ends which are consonant with law, justice, and the limitations of the Constitution; and Whereas this right, long exercised and enjoyed, for some time past has been and is being utilized oppressively, unjustly, and for the accomplishment of aims and objects wholly repugnant to free institutions and to the inalienable rights of the citizen, thus promoting riot, restraining trade and commerce, overthrowing law and destroying order, and imperiling the lives and limbs of the people of States and communities: Therefore be it

*Resolved*, That we view with deep concern and disapproval all combinations, conspiracies, and disturbances designed to accomplish objects, lawful or unlawful, by frauds, force, disorder, or resort to other criminal methods.

That in America every citizen, in the enjoyment of life, liberty, and the pursuit of happiness, has the constitutional right to follow any calling or to refrain therefrom, as he may choose. That this right is mutual and universal, any denial of or interference with which is wholly contrary to free institutions and individual liberty.

That the so-called "closed shop," the denial to the citizen of the right to a livelihood for the support of himself and family free from limitations imposed upon him outside the law are tyrannous, un-American, and wholly in conflict with the fundamentals of American freedom.

That so-called strikes for power, paralyzing business, interfering with distribution, lowering production, defying the laws, and necessarily resulting in riot, insurrection, murder, and the destruction of property are conspiracies in restraint of trade, and should be prevented whenever possible and resisted at all times.

That no person, association, or corporation can be safely or constitutionally exempted or excluded from the obligations, penalties, and prohibitions of general laws enacted for the public safety and welfare.

To-morrow, Mr. President, when an appropriate occasion offers itself, I shall submit some remarks upon the resolution.

The PRESIDENT pro tempore. The resolution offered by the Senator from Colorado will lie over under the rule.

TREATY OF PEACE WITH GERMANY.

Mr. LODGE. Mr. President, I offer a resolution, for which I ask present consideration. I ought to say a word of explanation in regard to it. It is to print 98 additional copies of Senate Document No. 51, with maps, entitled "The Treaty of Peace with Germany." The maps had to be brought from Paris. Copies of the treaty with the maps have already been furnished to all the Senators, but there are still 98 complete sets of the maps remaining at the Printing Office. I ask for the adoption of this resolution in order that the 98 copies with all maps may be published, which will give each Senator one additional copy of the treaty with maps.

The PRESIDENT pro tempore. The resolution submitted by the Senator from Massachusetts will be read.

The resolution (S. Res. 191) was read, considered by unanimous consent, and agreed to, as follows:

*Resolved*, That there be printed 98 additional copies of Senate Document No. 51, Sixty-sixth Congress, first session, entitled "Treaty of Peace with Germany," with maps, for the use of the Senate document room.

LEAGUE OF NATIONS.

Mr. GAY. Mr. President, I present a letter signed by numerous citizens of Louisiana in regard to the league of nations. I think it fairly represents the sentiment of the people of the State of Louisiana, and I ask that it may be printed in the RECORD.

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

VIVIAN, LA., September 20, 1919.

Hon. EDWARD J. GAY,  
Senate, Washington, D. C.

DEAR SENATOR: Your entire constituency are very anxious that you bring all of the pressure that you can command to bring about the ratification of the peace treaty and covenant at the earliest possible moment.

Believing as we do that humanity, commerce, industry, and labor and the whole social order urgently needs speedy ratification, the delay has already been too long.

We believe that you are working to this end, but wanted to let you know our wishes in the matter.

We remain,

Yours, very respectfully,

H. H. Huckabee, merchant; C. H. Thurmond; Daniel Crowe, postmaster; C. J. Lawton, merchant; T. H. Brown; L. C. Butler; J. P. Wilson, merchant; Vivian State Bank; J. A. Caldwell; Bank of Vivian; J. D. Houston; W. T. Adams.

Mr. MOSES. I have received a letter from a former member of this body, Hon. Henry W. Blair, of New Hampshire, who served in the Senate 30 years ago, making valuable suggestions to the Senate for the consideration of the treaty of peace. I ask that it may be printed in the RECORD without reading.

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

WASHINGTON, D. C., September 22, 1919.

Hon. GEORGE H. MOSES,  
United States Senate.

DEAR SENATOR: Suggestions for world policy of the United States for present consideration:

Let the proposed treaty, league of nations, and covenant fail or be so modified as to suit the United States, regardless of party. The President and all of us have been imposed upon enough to justify if not to require this.

Let all the secret treaties and understandings to which any of the allies or enemies are, or have been, parties be made public and carried out if they think best, so far as any of them desire to attempt it, provided there be no injury done to the

United States or interests she may feel bound to uphold and defend, in honor, or the dictates of humanity, or by responsibility already incurred.

Treat all negotiations and understandings and proposals involved in the existing international status as null and void so far as the United States is concerned unless the following condition is made fundamental and indispensable—alone securing ultimately everything, without it nothing, to wit:

The adoption and maintenance in each nation of a system of free public instruction and education in all the common branches of knowledge useful in the affairs of this life, including the nature of the different forms of government and of the rights and duties of citizenship under the several forms, especially of autocracy and democracy, so that every child in the world ultimately shall have opportunity to acquire that degree of intelligence and virtue necessary in a government of the people, by the people. Such systems of public schools and education shall be preferably nonsectarian, and shall inculcate the principle of toleration in all matters of religious belief and practice, so that the religious as well as civil liberty may prevail among the people of all nations, whatever may be their general faith, if any be prescribed by custom or local law.

Autocracy is force, and the simplest of all forms of government; democracy is intelligence of the majority, and the most complex of all forms of government.

The majority of the people must know enough to govern themselves or mankind must forever submit to autocracy or to anarchy.

The proposed peace has no foundation stone. It is built upon the sand and shall fall because it is not founded upon the rock of the education of the masses of the people, without which democratic government is impossible.

Such a peace is active preparation for final slavery or still greater wars. The education of the masses of the people is the supreme issue in the whole world. A treaty with China would accomplish the whole thing. Yielding to all other nations the right to make treaties as they please not injurious to the United States or the general principles of humanity, the United States reserves untrammelled the right to enter into any treaty or alliance with the Republic of China which may be agreeable to both Republics, to resist encroachments upon or violation of the rights of and for the maintenance and promotion of the democratic form of government in either or in any other nation, and to that end to make war or peace, which treaty may endure for the necessary period of time. Such a treaty might be analogous, but preferably public, to the treaty entered into secretly between Great Britain and Japan when both these nations were interested in China, but were apprehensive of Russian power. With such a treaty all three will let the Republic of China alone. It is safe to say that if such a treaty had been entered into by the United States and China when I most strongly urged it upon former President Taft there would have been no recent wars in the Orient and probably no World War during the last four years.

All other nations would have taken notice and would have kept the peace. Germany sought world power in China as much as in Europe. She wanted both or no present war.

China and the United States combined would and will hold this world in peace as nothing else will do it. Treaties do not require or often if ever result in the comingling of citizenship or social relations, much less in the assimilation of nations or races.

China has cheap labor, which is capital, and 50,000,000 fighting men, many good officers, and all the resources for overwhelming armies and navies.

The United States has all that China lacks. Capital and educated labor, without which capital is nothing, the best army and coming the best navy. Her officers are inferior to none. They can train the 50,000,000 of men into unflinching fighting masses for the battle field, and China has not yet forgotten the American record of two generations ago nor the Boxer War and American generosity.

Both these nations want peace and united they will have it. And again North and South America, thanks to the Monroe doctrine and the canal and increasing intercourse, are forever one.

We shall not fight Mexico, but we shall keep order, feed her people, and give them schools, work, and better pay. Then, we shall vacate, and God bless her. We shall always be friends if she will let us, but we must have real peace or fight.

Japan has cheap labor, China five times more. Great Britain, France, Italy, and Russia have more than enough else to do, and Japan will soon remember our early love and how she became great. She will cease to worship a man as her people study in the common school. Then, she will be free, indeed.

seeking peace, not war. And with China secure we shall help them all the more, including Germany, who disciplined our armies until we overthrew Burgoyne alone, when Cilley, of New Hampshire, swore his artillery into our service on the battle field of Saratoga. And France then gave her armies to avenge the loss of Canada and the Empire of India, 15 years before the Bourbon died in 1793. Lafayette was not France, but he led the spirit of young France into the fatherly arms of Washington.

Who can now pass the neglected statue of Steuben and not weep. We did not fight the Germany of Luther and liberty, nor our comrades in the Civil War. There is or there shall be a new Germany, but the Hohenzollern spirit must die.

Yet how can you get full reparation of the damage done by great nations from the fragments of such nations after they are cut up into exempted allied States. All such questions will be solved by the all prevailing sense of justice when once the Hohenzollern is dead.

Then shall be ushered in the day when—

All crimes shall cease and ancient fraud shall fail,  
Returning justice lift aloft her scale,  
Peace o'er the world her olive wand extend  
And white-robed innocence from heaven descend.

To the above it should perhaps be added that education includes character, as well as facts and science. Also, that with a wisdom born of 2,000 years of accumulated Christian discretion in constant action, the Pope in a recent letter, published about the 8th instant, to Cardinal Lucan has thrown the tremendous influence of the Catholic Church in favor of democracy which is the destruction of autocracy, for that destruction is possible only where the common school and toleration of religious faith are the fundamental law of the land, thus indorsing the leading proposition of these suggestions and ending the long dispute which has separated the two great divisions of Christianity.

Does this mean even more? Will those divisions disappear in a restored and more glorious union than ever prevailed before, just as our Civil War was the birth of liberty for all the nations of the earth? Who knows? Be not faithless but believing.

Moreover, it should be remembered that the common people of all nations and races have fought side by side with those of the highest civilization, nine-tenths of whom were educated only in the common school. The victims of autocracy all know that the common school has made the difference between them. They will tell their neighbors what they have seen and know, and their neighbors will believe them. Every returning soldier of the oppressed and defective races is now worth 10 missionaries, although the missionary sowed the seed of it all—the Almighty God furnishing the seed.

HENRY W. BLAIR.

Mr. SHERMAN. I present a letter dated September 11, 1919, from the Mount Clemens News Bureau sent out to various papers in Illinois, soliciting an exchange with them and offering the service. It is a short communication, and I wish to have it printed in the RECORD without reading.

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

MOUNT CLEMENS, MICH., September 11, 1919.

To all editors receiving Mount Clemens News Bureau League of Nations Service:

The Mount Clemens News Bureau would appreciate the courtesy of being included in your exchange list during the time that you are receiving its service on President Wilson's tour in behalf of the league of nations.

Comments on the service are invited. It is the desire of the bureau to furnish plate-using newspapers with a timely and complete report of the President's tour and any suggestions which will assist us in giving you better service will be appreciated.

Yours, very truly,

MOUNT CLEMENS NEWS BUREAU,  
D. D. MARTIN, *Editor.*

Mr. SHERMAN. I also present an article from the Manufacturers' Record, published in Baltimore, Md., referring to the league of nations, which I should like to have printed in the RECORD.

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

THE LEAGUE OF NATIONS AS A MORAL ISSUE.

[By Eugene Thwing.]

(That the request of American ministers of the gospel then in France that the peace conference be opened with some form of divine service for God's guidance was refused on the ground that there was no time available has been frequently mentioned in the Manufacturers' Record. These ministers do not feel authorized to publish the correspondence, but one of the signers, one of the foremost ministers of the country, has briefly stated the facts publicly and has repeatedly in letters to the Manufacturers' Record confirmed his announcement. The large majority of Americans who favor the league of nations do so because they have imagined that it was a religious duty to do so, and

that the league would save the world from wars. The other side of the case and the significance of the refusal to hold any divine service is very strikingly presented in the following remarkable article by Eugene Thwing, a widely known author and publicist. Mr. Thwing tears away the claim that the league must be supported on moral or religious grounds or on the ground of saving the world from war, and he leaves not a thread of that garment with which to clothe a creature whose creators definitely refused to recognize the Supreme Creator as the overruling God of all world affairs.—Editor Manufacturers' Record.)

"When an appeal is made to the American people it is a very dangerous thing for a party to get on the wrong side of a moral issue, and this is a moral issue much more than it is a political issue." (The New York Times, July 27, 1919.)

"Serious fundamental truth lies in the words quoted above from an editorial in the New York Times urging the league of nations. The American people as a whole prefer righteousness rather than iniquity in its national affairs and in its dealings with other nations. Whatever their religious creed, and even where no religious creed is strictly held, the American people of all sects and all denominations believe at heart that 'righteousness exalteth a nation.' 'In God we trust' is not an empty phrase, and no political party can safely treat it with scorn or defiance.

"The league of nations as now proposed is a moral issue, above all else, and it is necessary for the American people to know why and how.

I.

"The league of nations is a device of man's contrivance, which was built without recognition of God's governing hand in the affairs of men; it was constructed without any public acknowledgment of Him, and without any public appeal for His guidance.

"During all the sessions of the peace conference in Paris, when the most vital and fundamental issues of world policy were being considered; when the most serious and far-reaching problems of humanity were being discussed, amid bitter disputes and clashing interests; when the delegates of many nations were groping blindly for conclusions which would mean life or death, slavery or freedom, misery or happiness to hundreds of millions of human souls—not once was any appeal made to Almighty God for light and guidance in their counsels. Even the President of our own Christian Nation went away to his self-appointed task without any public acknowledgment of his dependence on God, nor any request to the people of America to seek Divine guidance for him in his mission. No religious service nor public prayer of any kind was allowed in connection with the long, troubled conference. Earnest written petition was presented by Christians outside the conference that there be some invocation of God's blessing and guidance in the work to be done, but official reply was made that there was no time for such service in connection with the conference. Man had serious work to do; there was no time to bother with God!

"And Almighty God turned away from that conference in anger at that moment and set His curse upon it, as of old, in these words: 'Woe to the rebellious children, saith the Lord, that take counsel, but not of me.' (Isaiah 30:1.)

"And in these words: 'Thus saith the Lord: Cursed be the man that trusteth in man, and maketh flesh his arm, and whose heart departeth from the Lord.' (Jeremiah 17:5.)

"And so, having rejected the counsel of the Almighty, these delegates of many nations proceeded to build their own devices, regardless of the warning that—

"The Lord bringeth the counsel of the nations to nought; He maketh the devices of the people to be of none effect." (Psalm 33:10.)

"They constructed an edifice of their own contrivance, after many bargains and mutual threats and compromises of principles and violations of justice, disbelieving or defying the warning that 'except the Lord build the house, they labor in vain that build it.' And they ornamented their structure with beautiful words, and played before it the music of fine-sounding ideals, making it 'indeed appear beautiful outward,' while within it was 'full of dead man's bones and of all uncleanness.' And they called their edifice 'the league of nations,' dedicated to the 'peace of the world.'

"And, having ears, they heard not the awful sound which came from the Eternal Throne:

"He that sitteth in the heavens shall laugh; the Lord shall have them in derision. Then shall He speak unto them in His wrath and vex them in His sore displeasure." (Psalm 2:4-5.)

II.

"The league of nations is in direct disobedience to the commands of God as given many centuries ago to His people when He delivered them from their oppressors and delivered into the hands of His people those enemies of His who had defied Him and worked abominations in His sight.

"When the Lord thy God shall deliver them before thee, then shalt thou smite them, and utterly destroy them; thou shalt make no covenant with them nor show mercy to them."

"Neither shalt thou make marriages with them; thy daughter thou shalt not give unto his son nor his daughter shalt thou take unto thy son."

"For they will turn away thy son from following Me, that they may serve other gods; so will the anger of the Lord be kindled against you." (Deuteronomy 7:2-4.)

"The 'utterly destroy' in the first part of this command, evidently, in the light of what follows, does not mean slaughter nor utter destruction of property, but complete destruction of power, and complete refusal of political and family alliances. The command is repeated many times, in various forms, emphasizing the need of separation between the nations whose God is the Lord and the nations who will have none of Him. In the new dispensation the command was made even more explicit:

"Be ye not unequally yoked together with unbelievers; for what fellowship hath righteousness with unrighteousness? And what communion hath light with darkness?" (II Cor., 6:14.)

"Among the 32 members of the league of nations are many pagan nations. Their presence in the Paris peace conference was one of the things, no doubt, which prevented the recognition of God and a turning to Him for guidance. The United States, a Christian Nation, with only 1 vote in a total of 32, would certainly be 'unequally yoked together with unbelievers' in disobedience of the command of God. The offense would be increased when Germany, that great worker of abominations, is admitted as a member of the league of nations and a subscriber to and beneficiary of the 'covenant.' No good could come of this unequal yoking together, but only evil, as only evil has come during the first period of that yoke fellowship. The wish and the vote of the United States has been set at naught already by the wish and the vote of pagans. It would be so again and again.

"All this unequal yoking together has been covered up with finely spun sentiment and unfulfillable promises; but God's people are warned against this very thing.

"Let no man deceive you with vain words, for because of these things cometh the wrath of God upon the children of disobedience. Be not ye therefore partakers with them, and have no fellowship with the unfaithful works of darkness." (Eph. 5:6, 7, 11.)

### III.

"The league of nations is an instrument of evil and not an instrument of good."

"It could not be otherwise, since, in its making, the guidance of the God of Nations was not sought and recognition of Him was refused. It could not be otherwise, since it yields to, even if it is not dominated by, pagan influences."

"Its promises have been for justice, and its first definite acts have been acts of injustice. Thus already the world has been 'deceived with vain words.'

"In the concrete example of Shantung, the league of nations pledges itself to 'respect and preserve as against external aggression the territorial integrity and existing political independence of all members of the league,' and following that pledge it appends the name of China as one of its members to whom the pledge is made. Then, after formulating, and agreeing to, and proudly proclaiming to the world and to China this beneficent purpose of the league, the very men who made the league and the pledge proceeded to tear away from China, one of its own chosen members, a large part of its most important territory and 38,000,000 of its citizens, with the vast interests pertaining to them, and to turn them all over to an external aggressor who demanded them, in order to bribe that pagan aggressor to become also a member of that same league and to subscribe to that same pledge!"

"Can any more grotesque or preposterous act of injustice and insincerity be imagined? The sponsors of the league of nations, solemnly agreeing to protect one another against any despoiler, deliberately compound with such a despoiler, the complete violation of their own most sacred pledge and rob one of their own weaker members at the command of the despoiler, in order that this very despoiler may be induced to come into the league and join in the pledge to 'respect and preserve the territorial integrity and political independence of all members!'

"What respect can the creators of the league have for their own pledge after so gross a violation in the very act of making it? What respect will that nation have for it that violated it as a condition to becoming a party to it? Even at the very beginning of his strange contrivance of men who refused to seek the blessing and guidance of Almighty God on their work, He was making 'the devices of the people to be of none effect.'

"Our own President yielded to this act of gross injustice against and despoliation of a friend. He acknowledges that he disapproved and tried to modify it, but felt compelled to consent to the wrong in order to get Japan into the league of nations. What a pity he did not have this warning blazoned in letters of fire before his eyes, 'When sinners entice thee, consent thou not!'

"The time to remember that the league of nations 'is a moral issue' was just then, when temptations to do wrong for seeming political advantage assailed the makers of the league. The very soul of the league was bartered away at the moment of its birth in order that it might have the appearance of power. And in gaining this appearance of power it showed that it possessed the very essence of weakness and failure.

"Whatever the temptations, whatever the threatenings, whatever the troublesome alternative, one simple rule, one final test, would have settled everything with honor and integrity and established the league of nations upon a solid rock. It is the rule followed by and emphasized by Theodore Roosevelt, 'The choice must ever be in favor of righteousness, and this whether the alternative be peace or whether the alternative be war. The question must not be merely, Is it to be peace or war? The question must be, Is the right to prevail? Are the great laws of righteousness to be fulfilled? And the answer from a strong, virile people must be "yes," whatever the cost. We scorn the man who would not stand for justice though the whole world come in arms against him.'

"Only as he is girded and guided by the God of righteousness can any man be strong enough and wise enough to stand thus at such a time. Only then can he translate into his words and acts of the twentieth century, as Roosevelt did, the proud confidence of King David of 30 centuries ago:

"The Lord is my light and my salvation; whom shall I fear? The Lord is the strength of my life; of whom shall I be afraid?"

"When the wicked, even mine enemies and my foes, came upon me to eat up my flesh, they stumbled and fell."

"Though an host should encamp against me, my heart shall not fear; though war should arise against me, in this will I be confident."

### IV.

"The league of nations is foredoomed to utter failure because of its disobedience to God and its own inherent weakness."

"Many times, through the centuries, nations have tried similar plans, and all have failed. Again and again God rebuked and punished Israel and Judah for seeking to strengthen themselves with pagan alliances instead of with obedience to Him. And more modern history contains instances of leagues of nations, notably the one that was formed at Aix-le-Chapelle just a hundred years before the present peace conference met in Paris. The same idealistic pronouncements then, as now, 'seemed to promise the advent of the golden age.' But then, also, the league, formed 'as a sign of brotherly good will,' was merely a smiling mask behind which the great powers continued their own alliances 'by a secret protocol,' and the scheme came to naught."

"The inherent weakness of this new league of nations makes its failure certain, if even its actual career shall begin. This weakness lies in—

"1. Its composition politically, its membership of jealous, rival nations, their historical enmities, their geographical jealousies, their racial and religious hostilities, their trade rivalries and jealousies.

"2. Its composition morally, without God as the accepted Leader, and righteousness as the governing principle; with bitter hatred in many hearts. 'Everyone, from the least even unto the greatest, is given to covetousness—everyone dealeth falsely,' and 'inwardly they are ravening wolves.' Even if this is not true of some of the best, it is true undeniably of others, and no league containing such elements can be for long a federation of peace able to 'substitute the court of law for the arbitrament of war.'

"3. Its certainty of disagreement and split. No vital question of magnitude can be decided to the satisfaction of all. No strong nation will allow the others to vote against it with impunity. (Would we?) Secret intrigues and realignments already are going on. Expulsion or withdrawal of any strong nation is sure to result in a stupendous war."

"4. Its wrong basis of power. If any power at all exists, it is the power of strong nations, for the moment acting together, to enforce their will upon weak nations. They can not enforce their will upon one of their own number. They have already failed to do anything more than buy one another's consent by the giving of the property of the weak in return for consent. And this is weakness, not power. Certainly no moral power has been asked for nor conferred upon the league by the God from whom it has turned away."

"5. Its inconsistency and insincerity. It plans for disarmament while all its members feverishly increase their armaments, some members being particularly active in that respect. Claims are made in behalf of the league which are far from true. Its founders and advocates profess principles to govern its operation which they discard in its formation. It is urged as a means to world peace, but it contains the threat of innumerable wars. It is offered as a protector of weak nations against strong aggressors, and it begins by helping the strong aggressor to ravish its weaker neighbor. Therefore, 'be not deceived, God is not mocked; for whatsoever a man (or a nation) soweth, that shall he also reap.'

"The whole scheme of the Godless league is summed up in I Thessalonians, 5:3: 'When they shall say, "peace and safety," then sudden destruction cometh upon them, as travall upon a woman with child; and they shall not escape.' This was true in 1914; it is true in 1919. The new forces of 'sudden destruction' are in preparation at this very moment, some of them in the plain sight of men and some of them hidden away in the dark. Some of the preparers are in the league, and some are without, scheming to get in, so that they may carry on their preparations more expeditiously and effectively.

"The superficiality and futility of the whole glib and glittering program, with all its ceremony and theatrical display, is expressed in the sad lament of the Prophet Jeremiah: 'They have healed the hurt of the daughter of my people slightly, saying, peace, peace, when there is no peace.'

"The league of nations is only a splendid appearing structure, with no real living soul to hold its form together. It is an offense to the living God. It will crumble and disappear when the shouting and the tumult die. God keep America out of it! God turn the hearts of Americans to seek His guidance and accept His leadership!

"The counsel of the Lord standeth forever. Blessed is the nation whose God is the Lord."

#### RAILROAD PASSES.

Mr. SHERMAN. I next offer a communication from Life, a source of perennial philosophy, a wellspring of humorous instruction to guide us when we laugh and free us from our nonsense with a smile. It is a profound observation on the railway deficit. I ask that it be printed in the CONGRESSIONAL RECORD. It notes that among those to whom free passes have been issued by the Railway Administration are included 33 widows and 4 mothers-in-law. I ask that the whole article, which is a very short one, be printed in the RECORD.

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

#### "INFORMATION.

"To those who think that our railroad rates are too high, and that the whole system is more or less corrupt and incompetent, it will be good news to learn that not everybody is suffering from this high cost of travel. There are certain exceptions.

"According to the Hines report on July 1, 1919, there are 1,590 wives, daughters, sons, and relatives of the United States railroad officials who hold annual all-line railroad passes. Of these, 1,096 hold annual all-line Pullman passes. The ladies have by no means been neglected. Among them are 33 widows and 4 mothers-in-law.

"If you wish to travel free over our Government-controlled railroad system, the proper way is to get some relative a job as a United States railroad official."

#### GOVERNMENT-CONTROLLED RAILROADS.

Mr. THOMAS. Mr. President, in this connection I offer and ask to have read a very short letter from one of my constituents in southern Colorado, which I think contains some valuable information, which, however, is not entirely new.

The PRESIDENT pro tempore. Without objection the Secretary will read as requested.

The Secretary read as follows:

TRINCHERA, COLO., September 18, 1919.

Hon. CHARLES S. THOMAS,

*United States Senator from Colorado.*

DEAR SIR: I am writing you a private letter in regard to our railroad situation here. It is claimed there is a great shortage of labor, but it is not necessary the Government-controlled railroads have at least five times as many track workers as they formerly had.

Had the corporations used the same unbusiness-like methods it would have created just such a condition 10 years ago; perhaps the deficit would not have been quite so great as it is now.

I am a farmer here, but am unable to employ sufficient help to harvest and replant my crop without paying an unreasonable

price for such help. I think the labor unions are in control of our Government.

We never had such poor service from the railroads, never was treated more contemptuously by its agents, and never paid so much money to be abused as we are paying under Government control. If those people want to strike let them do so.

Very truly, yours,

O. D. HOLLENBECK.

#### ENFORCEMENT OF ORDER—DECORUM IN THE GALLERIES.

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

The PRESIDENT pro tempore. The Senator from North Carolina submits a resolution and asks unanimous consent for its present consideration. The resolution will be read.

The Secretary read the resolution (S. Res. 192), as follows:

*Resolved*, That it is the sense of the Senate that in the interest of decorum and good order the presiding officer shall enforce section 6 of Rule XIX.

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

Mr. SMOOT. Mr. President, I think it would be very much out of place for the Senate to pass a resolution calling upon its presiding officer to enforce the rules of the body. I think it would be unwise to do so.

Mr. MCLEAN. I object to the consideration of the resolution. Let it go over until to-morrow.

Mr. OVERMAN. Mr. President, I desire to say before the Senator from Connecticut insists on his objection that there is no intention on my part of making any reflection upon the present occupant of the chair or the Vice President, but the resolution merely follows out a suggestion from the Vice President himself that he would like to know the sense of the Senate in regard to this matter, whether or not the rule should be enforced. The rule has not been enforced until the Senate has really taken on the aspects of a mob or a town meeting. I saw on yesterday a Senator of the United States, while standing upon the floor and inviting the Chair to enforce the rule, being hissed outrageously by the galleries. It is a shame. For the first time in the history of the Senate the galleries cheer and hiss while a colloquy between two Senators on the floor is taking place.

The PRESIDENT pro tempore. The present occupant of the chair desires to say that he very much needs the moral support of Senators if the rule is to be enforced. It is practically impossible to do so unless Senators express their desire to have it done.

Mr. OVERMAN. Mr. President, I was going to say to the Senate that the present occupant of the chair was right in what he said on yesterday, and the presentation of this resolution is intended as no reflection on any presiding officer; but I repeat the Vice President of the United States himself has invited the Senate to give an expression of its opinion in reference to the enforcement of the rule. I also know that the present occupant of the chair desires an expression from the Senate as to whether or not he should enforce the rule. The enforcement of the rule is always left to the sound judgment of the presiding officer. When a Senator makes a great speech in the Senate, whether or not the galleries should be permitted to cheer is one question, but that the galleries should cheer while two Senators are engaged in a colloquy upon the floor of the Senate is outrageous. If such demonstrations continue, we may have fights in the galleries, and the Senate may degenerate into a mob. Where is it going to lead?

Mr. President, recall in your own mind the presiding officers of this Chamber who have heretofore occupied that high position, such as the lamented Sherman, and Fairbanks, and that greatest of all presiding officers I have ever seen, William P. Frye—the galleries would never have thought of doing such a thing in the days of those great presiding officers. I think in the interest of dignity and decorum the rule ought to be enforced.

I repeat that no reflection is intended on the present presiding officer, who himself has stated that he should like to know what the opinion of the Senate is in regard to the enforcement of the rule. I think I know what is the opinion of a majority of Senators.

Mr. NORRIS. Mr. President, may I ask the Senator from North Carolina a question?

Mr. OVERMAN. I yield gladly to the Senator.

Mr. NORRIS. Without undertaking to contend that the Senator is in any way wrong, I should like to ask him how the presiding officer could enforce the rule in such cases? Take yesterday, for instance, what would have been the duty of the presiding officer on that occasion?

Mr. OVERMAN. If the presiding officer should clear the galleries but once, that would end these disorderly manifestations.

Mr. NORRIS. Let me ask the Senator another question. In the case of applause such as we had yesterday, for instance, and as we have had on other days, would the Senator from North Carolina have the presiding officer order the galleries cleared?

Mr. OVERMAN. I would, if the occupants of the galleries should cheer and hiss a Senator as they did on yesterday.

Mr. NORRIS. Assuming that we desire to pursue the course—I am not saying that I would not desire that it be done—of carrying out the Senator's idea in that manner, we would thereby prevent hundreds of people from occupying seats in the galleries who are not at all guilty of violating the rules. Not all of the people in the galleries cheer or hiss.

Mr. OVERMAN. Since I have been a Member of the Senate I have seen the galleries cleared, and it had a splendid effect.

Mr. NORRIS. If there could be a method of ejecting from the galleries those who were guilty of a violation of the rule and at the same time not interfere with other occupants of the gallery it would be a solution of the difficulty; but I do not know how that could be accomplished.

Mr. OVERMAN. I do not myself know how that could be done. The only way to do is, as I have seen done heretofore, to have the galleries temporarily cleared. That has the moral effect which goes with enforcing and carrying out the rules of the Senate.

Mr. NORRIS. But the Senator must admit that that would be punishing the innocent as well as the guilty.

Mr. OVERMAN. It is sometimes necessary to do that. The innocent have to suffer as well as the guilty in such cases.

Mr. LENROOT. Mr. President, I should like to remind the Senator from Nebraska that the people in the galleries are the guests of the Senate, and it is no punishment for them to be deprived of seats in the gallery for half an hour, if need be, in order to enforce discipline.

I desire also to remind the Senator that while the House of Representatives is very liberal and permits applause upon the part of Members upon the floor, the Senator from Nebraska in his long service there never heard and I never heard applause permitted from the galleries.

Mr. NORRIS. The Senator never heard the galleries in the House applaud?

Mr. LENROOT. I have seen them start to applaud, as the Senator has, but the Speaker has immediately prevented it under threat of clearing the galleries.

Mr. NORRIS. Why, Mr. President, I do not know that it would be a precedent here, but I have seen the galleries in the House applaud until it would make the applause that we have heard in the Senate "look like 30 cents." I am not objecting to some action if a proper rule can be secured; I am only calling attention to the fact that if the rule were enforced it would enable one person, if he desired to do so, to go into the gallery and applaud and make everybody else go out.

Mr. OVERMAN. No, Mr. President.

Mr. NORRIS. We are proposing to punish the innocent as well as the guilty. I never saw an instance when all the occupants of galleries were guilty.

Mr. OVERMAN. It is left to the sound discretion of the presiding officer. When he knows the Senate is standing back of him and going to help him to enforce the rule he can keep order. I have seen the galleries cleared once or twice when they paid no attention to the admonitions of the presiding officer. There is no reason why a presiding officer should clear the galleries if there is cheering after a great speech is delivered, but recall what took place in the Senate yesterday; the galleries were a mob. The Senator does not want to have hisses from the gallery.

Mr. NORRIS. No.

Mr. OVERMAN. He does not want to see his colleagues hissed?

Mr. NORRIS. No; I admit that.

Mr. OVERMAN. He does not want to see cheering going on in the galleries and loud noises made?

Mr. NORRIS. Let me suggest to the Senator that, in order not to discriminate against those who are obeying the rules of the Senate, if we find ourselves unable to have the rule enforced, we ought, it seems to me, to employ a few more doorkeepers, distribute them through the galleries and eject from the galleries, for instance, those who hiss.

Mr. OVERMAN. The presiding officer can do that now.

Mr. NORRIS. The presiding officer can not do that now. He can not point out the person who hisses.

Mr. OVERMAN. He can order the doorkeepers in the visitors' galleries to do so. It is a question with him how he shall do it.

Mr. NORRIS. He himself says he does not know how he should do it.

Mr. OVERMAN. And the Senator says he does not know how he would do it.

Mr. NORRIS. I have made my suggestion.

Mr. OVERMAN. But the Senator thinks it ought to be done. The PRESIDENT pro tempore. Will the Senator from North Carolina hear a suggestion from the Chair?

Mr. OVERMAN. Certainly.

The PRESIDENT pro tempore. The difficulty under which the presiding officer labored yesterday lies in the somewhat indefinite language of the rule. The rule provides:

Whenever confusion arises in the Chamber or the galleries, or demonstrations of approval or disapproval are indulged in by the occupants of the galleries, it shall be the duty of the Chair to enforce order on his own initiative and without any point of order being made by a Senator.

It does not provide that the galleries shall be cleared or that the doors shall be closed; and the present occupant of the chair would have great difficulty in reaching the conclusion that the galleries of the Senate should be closed to the public because a violation of the rule occurred in the galleries.

Mr. OVERMAN. It is just as I have said; it is left to the presiding officer how we will enforce the rule. Heretofore it has been enforced by the presiding officer, and we have had no trouble. If the galleries choose to cheer after a great speech is made, everybody recognizes the fact that that is all right; but when they get turbulent, as has been the case recently, the presiding officer can enforce the rule as he pleases and as it has been enforced in the past by Mr. Sherman and by Mr. Frye, as the Senator recollects. The presiding officer must use his own judgment.

The Vice President has stated that if the Senate would stand back of him he could enforce the rule and have order, and he invited an expression of the sentiment of the Senate. The present presiding officer himself said—and I intend no reflection on him—that he desired to know the sense of the Senate; and all I am trying to do is to get an expression of the sense of the Senate whether the rule ought to be enforced by the presiding officer in such manner as he thinks will keep order; that is all.

Mr. KNOX. Mr. President, I was struck the other day when the Vice President said he was going to put this matter squarely up to the Committee on Rules. That was his language. Occupying the position of chairman of that committee, I have been thinking over what the Committee on Rules could do. Suppose the Vice President did put it up to the committee. We do not make the rules of the Senate; we are not an executive branch of the Senate's authority. The rules are made by the Senate, and the duty of enforcing the rules rests upon the Vice President or upon whoever occupies the chair. We can not suspend the rules by advising him not to enforce the rule; it takes the Senate to do that; the Senate will have to modify the rule.

It seems to me, Mr. President, the Senate has got this matter very much in its own hands. We all know that, whatever the rule is, it will occasionally be broken. It is a rule which, I think, ought to be enforced in moderation. When there is an abuse of the rule the Senate has the remedy in its own hands by a motion to go into executive session, which automatically closes the galleries, and then proceed as in legislative session behind closed doors. In that way the remedy can be applied whenever the mischief reaches a point where it ought to be severely corrected. If we had a hundred rules, I do not believe, under extraordinary circumstances and in great crises such as we are passing through now, and passed through during the war, that we can prevent moderate expressions of approval, and sometimes of disapproval, on the part of occupants of the galleries.

Mr. OVERMAN. Mr. President, I agree with the Senator. We can not make a rule such as he says the Vice President invited; but the Vice President said that if the Senate would stand back of him the present rule was sufficient. Now, the moral effect of the Senate expressing itself upon this rule will. I have no doubt, be what the Vice President would like to have—an expression as to whether he should enforce it. I think it is his duty to do it; but, owing to what has been said upon this floor, the rules have not been enforced. The Senator admits that; the occupant of the chair admits it; and simply an expression from the Senate to the public that the Vice President or the occupant of the chair should enforce this rule would have a very

sound and healthy effect. The Senate can do as it pleases about it, of course.

Mr. SMOOT. Mr. President, I thought the position taken by the Vice President was a very sensible one. He gave notice to the Senate that he was going to enforce section 6 of Rule XIX, and that if the Senate wanted it otherwise than what he gave notice he intended to do, they should change the rules of the body.

Mr. President, I think that is the sensible thing to do. This resolution which is presented states that it is the sense of the Senate that in the interest of decorum and good order the presiding officer shall enforce section 6 of Rule XIX. The presiding officer knows what the rules of the body are to-day, and the matter is entirely in his hands. I think the Vice President was right when he stated that unless the Senate wanted this rule enforced they had better change the rules, because hereafter he intended to enforce them.

Mr. THOMAS. Mr. President, my service in the Senate has been a comparatively brief one, but during that time I can recall only one instance in which the rule was actually enforced. The order has been given on several occasions by the presiding officer, but has been met with a storm of protest from the occupants of the floor, the usual basis of the protest being that the applause or the violation of the rule began upon the floor rather than in the galleries.

My concern regarding this subject has to do with the existence of a rule which is chiefly honored by the breach. Nothing brings a law—whether it be a rule of a deliberative body or a statute—into disrepute so certainly and so quickly as a disregard of its provisions, especially if it be a prohibitory one. Hence, if this rule is not to be enforced it is better that it be deliberately repealed. Then there will be nothing that the occupants of the galleries can do, short of riotous demonstrations or throwing rotten eggs—as the Senator from Arizona [Mr. SMITH] suggests—which would not be within the purview of decorum, so far as general conditions are concerned.

Mr. President, I do not object to demonstrations from the galleries, even in this body, which claims to be—whether it is or not—the greatest deliberative body in the world; but I am convinced that such infractions of the rule as we have observed during the past three or four weeks will, if permitted to go on unchallenged and unabated, lead to far more serious conditions and may interfere with the due exercise of our duties upon this floor as representatives of the States and the people.

A Senator yesterday who rose to protest against an undue demonstration was hissed from the galleries. A few days ago the Senator from Mississippi [Mr. WILLIAMS], rising to reply to some remarks of the Senator from Massachusetts [Mr. LODGE], was hissed from the galleries. That is not a very pleasant demonstration for a man to encounter either in or out of the Senate; and if such manifestations are permitted one can readily imagine that they will be amplified by other and more robust expressions of disapproval.

The history of the French Assembly is somewhat illuminating upon this subject. There the galleries began by demonstrations of approval and ended by dictating the action of the assembly. I can readily imagine how, if the purpose is, as it may ultimately grow to be, to influence senatorial action from the galleries, that they will be occupied by individuals intent upon that purpose, and will manifest their requirements in no uncertain way, and may not always content themselves by merely interrupting the proceedings with disorderly remarks or other noisy expressions of disapprobation.

I hope that the rule will be reasonably enforced, and I hope that our guests in the galleries will appreciate the importance of conforming to those requirements and conditions which we impose, for their own benefit and ours, upon them as guests of the Senate. I do not want to see a repetition of such conduct as we witnessed yesterday. Perhaps the best thing to have done in the circumstances was done by the Senator from Massachusetts [Mr. LODGE], who promptly moved that the Senate adjourn; but the conduct to which I refer is discreditable and wrong, and I think the rebuke of the Senator from Arizona [Mr. ASHURST] yesterday was timely and was justified.

Mr. SMITH of South Carolina. Mr. President, the Senator said he did not object to a reasonable amount of discretion being allowed the Chair. Does not the Senator recognize the fact that it would be more onerous on the presiding officer than it is at present to determine just what should be allowed and what should not be allowed? Would it not be better to have a rule, and enforce it strictly, that no demonstration whatever from the galleries, either of approbation or of disapprobation, should be permitted? It is one of those difficulties that we find in all legislation—trying to take care of exceptions. You have to

have a rule, and obey the rule strictly, without regard to what exceptions may arise.

Mr. THOMAS. I have already said that I think the rule should either be enforced or it should be repealed. What I meant by a reasonable relaxation of its requirements can perhaps be illustrated by many incidents with which the Senator is familiar and which occurred prior to the more recent and more noisy manifestations.

Now, I do not want to pose here as a Pharisee. I have started two applauses upon this floor myself.

Mr. SMITH of South Carolina. The Senator should not have done it.

Mr. THOMAS. I know I should not have done it, but I did it involuntarily; and I can understand how, in the enthusiasm of a given moment, the occupants of the galleries may act similarly. One of them occurred when my friend the Senator from Wisconsin [Mr. LA FOLLETTE] cast his vote for the Underwood bill. I was sitting over here, and his action was so pleasing to me that before I knew it I was clapping my hands; and I may add that I was called down for it very thoroughly and very vigorously by the late lamented Senator from Georgia, Mr. Bacon, who, in the cloakroom, told me in no uncertain tones what he thought of my conduct, and how grossly I had offended the dignity and propriety of the United States Senate.

Mr. MCLEAN. Mr. President, I rise to a point of order.

Mr. THOMAS. The Senator need not make it. I will yield the floor.

The PRESIDENT pro tempore. The Senator from Connecticut will state his point of order.

Mr. MCLEAN. I dislike very much to abbreviate the remarks of the Senator from Colorado—

Mr. THOMAS. I was through, anyway.

Mr. MCLEAN. But I objected to the consideration of this resolution this morning, and I understand that it goes over until to-morrow.

The PRESIDENT pro tempore. The point of order is sustained. The Chair understands that the Senator from Connecticut objected to the present consideration of the resolution, and it goes over until to-morrow. The morning business is closed.

#### ORDER OF BUSINESS.

Mr. MCLEAN. I move that the Senate proceed to the consideration of House bill 7478, Order of Business 126.

Mr. KENYON. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from Iowa will state it.

Mr. KENYON. On yesterday I introduced a resolution which went over under the rule. I ask if that is given any preference?

The PRESIDENT pro tempore. Under the ruling of the Vice President, as the Chair understands it, such resolutions are to be called up by Senators and are not automatically laid before the Senate. If, however, the Senator desires to call up the resolution it is his privilege to do so, and it will be laid before the Senate.

Mr. KENYON. Another parliamentary inquiry. In view of the motion of the Senator from Connecticut [Mr. MCLEAN], would a resolution coming over from yesterday have any parliamentary precedence of that motion?

The PRESIDENT pro tempore. The resolution which is first called up will be the resolution first laid before the Senate.

Mr. MCLEAN. Will that take precedence of my motion?

The PRESIDENT pro tempore. Will the Senator from Connecticut state his motion again?

Mr. MCLEAN. I move that the Senate proceed to the consideration of House bill 7478.

Mr. NORRIS. Mr. President, before the Chair rules—

The PRESIDENT pro tempore. The Chair is of the opinion that a suggestion to call up a resolution that went over under the rule yesterday takes precedence of a motion to proceed to the consideration of a bill on the calendar.

#### STRIKE OF STEEL MILLS EMPLOYEES.

Mr. KENYON. I ask, then, to take up Senate resolution 188, which went over yesterday under the rule.

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

The Secretary read Senate resolution 188, introduced by Mr. KENYON on the 22d instant, as follows:

Whereas a strike of the employees of the steel mills of the United States has been called; and  
Whereas such strike adds to the troublesome conditions already existing and becoming a question of great public moment; and  
Whereas it is the duty of Congress to investigate the causes and purposes of said strike and see if the situation can in any way be relieved by Federal action: Now, therefore, be it

*Resolved*, That the Committee on Education and Labor of the United States Senate is hereby instructed to immediately investigate said strike and report to the Senate within the shortest possible time the causes and reason therefor.

Mr. KENYON. Mr. President, I want to say just a word. I do not introduce the resolution in behalf of either side of this controversy. I introduce the resolution because of the great third party to every strike, the party that is not represented, and that is the public. This strike seems to be the commencement of trouble. Industry is in rather a ticklish situation in the country and it needs every kind of steady force. With these facts before the people, as there are now nearly 300,000 men on strike in an industry that reaches into every part of our industrial life and touches every family in the country, it seems to me that the Congress can not sit idly by and do nothing whatever in the matter.

Certain demands have been made by the union, apparently, according to the newspapers. Congress is not familiar with what those demands are on the part of the strikers. Certain positions have been taken by the employers. One is that the strike is really caused by aliens. That is a matter we ought to know about, for it is a very important matter. The whole situation will be helped by the publicity that an investigation by the Senate will give to it.

I know there is a general feeling—and I share in it, too—that such investigations do not amount to very much; but I remember full well when the Paint Creek and the Cabin Creek strike was taking place in West Virginia. A great deal of property had been destroyed before Congress acted. Many people were killed. It was veritably a civil war in West Virginia. A committee was appointed by the Senate that went to West Virginia, under the chairmanship of the able Senator from Virginia [Mr. SWANSON], and I shall always feel that his work as chairman of that committee had much to do with quieting that situation. The strike was stopped, property was saved, lives were saved, and there has not been a strike in that region since. I pay tribute to the Senator from Virginia for the way he handled that matter.

So, Mr. President, it seems to me that these men who are striking, who are the leaders of the strike, can be brought before a Senate committee, and it can find out what is the matter; and the owners of the property likewise can be brought before the Senate committee, and it can find out what is the matter. The day has gone by, I believe, in this country when either capital or labor has the right to precipitate upon the country conditions that are destructive of our industrial life. It is the purpose of my resolution to have a representative of the great third party to these strikes, the people of the United States.

We have no War Labor Board now. That is, it is not functioning and can not act. I do not know just the condition of the Mediation and Conciliation Board in the Department of Labor. Out of this may come some legislation, with larger powers of conciliation and mediation. I do not mean by that compulsory arbitration. I do not believe that can come in this country. But the point I am making is that this great strike seems to be the first skirmish in an industrial warfare in this country, and we may as well face it. There is no use putting our heads in the sand, ostrich like, and saying it does not amount to anything. It does. Let us face it, find out the facts, give it all publicity, and see if there is anything the American Congress can do.

Mr. SMITH of South Carolina. Mr. President, I should like to ask the Senator a question before he takes his seat. When the facts are determined, does he contemplate that the Congress then should attempt to remedy the condition by any legislation?

Mr. KENYON. If the Congress can. I do not know until we know the facts. I think the Senator must be rather disturbed, and as I think we all must be, about industrial conditions in this country. We at least ought to know the facts, and then determine whether we can do anything.

Mr. SMITH of South Carolina. I am greatly disturbed at the tendency that seems to be prevalent throughout the country, that the Congress of the United States shall be the place where the relations in the great industrial world are to be determined. I think the common sense of the people at large in their own private affairs should be tested out to the very last before we begin what in my mind seems to be a tendency toward socialism.

Mr. KENYON. Does the Senator think an investigation of a great strike that enters into all our industrial relationships is socialism?

Mr. SMITH of South Carolina. If we are looking toward legislation that is to regulate all our industrial affairs. It seems to me that the causes are now more or less known. They have not been kept secret. The public are very well advised as to what are the causes.

Mr. KENYON. Is the Senator advised as to the causes of the strike?

Mr. SMITH of South Carolina. I think they have been very assiduously published. If there is any other matter inside, while, as a matter of course, the public are vitally interested when it touches the great industries upon which we are all dependent, it seems to me that it is a case where it would be better to suffer some ill and preserve our Government as it is, and let such disease work themselves out as between man and man, rather than attempt to cure them by a worse disease.

Mr. KENYON. I am simply seeking for the facts. I have no remedy to offer as yet.

Mr. KNOX. Mr. President, I should like to make an inquiry of the Senator from Iowa, and if he will allow me I will precede my inquiry by a word.

I am not ordinarily in favor of miscellaneous investigations, and where conditions are as they have been suggested by the Senator from South Carolina, I think it is just as well, if they are localized and are definite and specific, to let them work themselves out. But it seems to me if what we see in the press is true there are issues upon which a development of facts in this case bears that are much broader than mere remedial legislation which might be passed to regulate strikes. I read in this morning's paper that in certain of the larger and older and better established mills in the city of Pittsburgh and in its vicinity, where now practically 100 per cent of American labor is employed, there is no strike. I saw it also stated that the principal difficulty was with the Slavs and other foreigners, for whom we have been pouring out blood and treasure in the last year and a half. I do not vouch for the truth of these statements, but suppose it is true that the Americans want to work and that the foreigners, for whom we have done so much and for whom we are being asked to do so much more, are striking. Why should we not ascertain the fact as a basis for a policy that the Government should pursue?

Mr. KENYON. I do not know that the Senator heard me. I suggested that that complaint had been made.

Mr. KNOX. I did not hear the Senator.

Mr. KENYON. And I said the facts we ought to know, and that is one of the reasons why I have been stimulated to introduce the resolution. Certainly knowing all the facts in the matter on both sides of the controversy can not do any harm and may result in good. I have nothing more to say on this question. Action, not words, is now needed.

Mr. OWEN. Mr. President, I feel a very warm sympathy for the suggestion made by the Senator from Iowa [Mr. KENYON] to examine into this matter. There are more things involved in this particular controversy by far than either the capital or the labor. All those who use steel products are face to face with a denial of those things which are essential and necessary in their lines of industry. The whole of the American people are concerned in this controversy, and there are direct conflicts of statement made with regard to the merits of the controversy itself. I think the United States Government may very properly, on behalf of the people of the United States, make an inquiry into it and ascertain what the truth is, so that a national policy may be based upon what may be found to be the truth in this very serious and widely extended matter. It goes into many States. It affects the whole country. I am altogether in favor of the resolution.

Mr. BRANDEGEE. Mr. President, I have not the resolution of the Senator from Iowa before me, and I ask him whether there is a provision in it for sitting in other places than the District of Columbia, and for the expenditure of the necessary money?

Mr. KENYON. I will say to the Senator that the resolution does not provide for the committee to sit outside of the District of Columbia, because it is perfectly apparent that Senators could not leave the city now. The idea was to bring a number of men here before the committee. I think it would not involve any expense, and if it does I shall ask for the adoption of a further resolution.

Mr. THOMAS. I understand the Senator from Iowa asks for the immediate consideration of the resolution?

Mr. KENYON. I do. It went over yesterday under the rule, and I think immediate consideration should be had.

Mr. THOMAS. I introduced a resolution relating to the same subject this morning. I am not prepared to discuss it at present. Personally I have no particular objection to the investigation, but I am not at all confident that it will result in any substantial advantage. We are given to investigating in the Senate very nearly everything now that occurs out of the usual order of things. If a controversy of this sort, extending, as the Senator from Oklahoma [Mr. OWEN] says, over a number of States, is to be investigated it will take the rest of the time of the Sixty-sixth Congress. I have no doubt all the time of the

committee will be occupied, and by the time its labors are through the strike will be over one way or the other, and we will have our trouble and expense for our pains.

I do not pretend, Mr. President, to be a judge of the causes of this strike, beyond the fact that it was announced, if the papers are reliable, a number of months ago that a war—I think that was the term used—or a contest for the unionization of the United States Steel Co.'s shops was determined upon, and would be prosecuted accordingly. I also know, from the publications of Sunday morning, that among other things the alleged cause of the strike is the refusal by Mr. Gary to confer with the heads of certain organizations, a refusal which I think was unwise and unjustified, because nothing can ever result injuriously from a conference over any matter which people who differ want to consider, and consider mutually.

I realize the gravity of this strike, I think, as keenly as any man in the United States, and I am not only troubled about it, but I apprehend that it is one of those constantly developing conditions which will put the institutions of the United States to their supreme test unless some changes occur within the near future, and it was because I have been so depressed with the gravity of the situation that I felt justified in announcing that I would say something about it to-morrow.

I shall not oppose this resolution. I merely wish to warn the Senate that it means a large expenditure and no substantial result will flow from it. The situation is too critical to admit of an extended investigation, because the investigation would last longer than the strike. However, if the Senate is of a different opinion, I shall yield very readily to its view.

Mr. NORRIS. Mr. President, no man can tell, I believe, now just what the result of this investigation will be, but I believe all will agree that there is disagreement now in the country as to just what is at issue in this strike. There always is in a strike of this magnitude.

The resolution of investigation does not propose any remedy. It may be that the investigation will develop the desirability of some remedy or some legislation, and it may be it will not. It will at least do two things, in my judgment—it will place before the country an authoritative statement as to just what the issue is in the controversy, and, second, it will give publicity to the facts that are involved.

After all, Mr. President, a fair, honest statement of the controversy, given publicity from a source in which the people had confidence, would probably do more to cure the evil, whatever it may be found to be, than would legislation.

It may develop, as the Senator from Colorado [Mr. THOMAS] has suggested, that some expense will be necessary. Under the resolution as it now stands the committee can not go to any expense. It may be that when they investigate they will find it necessary to spend some money and go out from Washington to get some of the facts. If they do, they can come back to the Senate and place the matter before the Senate, and the Senate can act on the question as to whether there shall be any money expended in a further investigation. It will be necessary for the committee to do that before it can expend public funds.

But, Mr. President, if the resolution is passed as it now stands, this investigation will come under the supervision of the committee named, of which the junior Senator from Iowa [Mr. KENYON] is chairman, and not only everybody in the Senate but everybody in the country knows that a determination of the facts by a committee headed by that Senator will be received by all honest-thinking men as true. It will have the confidence and the respect not only of this body but of the country at large. That kind of an investigation, made judicially and fairly, with a view of getting the truth and sifting out the error and the wrong, in my judgment, will do a great deal of good. If the employers are coercing the employees, or if the employees are demanding something that is not right or fair, I think this investigation will disclose the truth and will throw the light of publicity upon it, and around and behind that kind of a finding there will be the public sentiment of the country, which, after all, in the last analysis, is stronger than any law that can be passed.

There is a condition confronting the country that may bring evil. This strike, reaching into every State, into every community, or, I might say, into every home, is bearing upon a product that we all use in all lines of business. The manufacturer in his millionaire plant and the farmer between the plow handles are affected by it. Everybody has an interest in it. If there is an honest way by which it can be avoided or the evil effect of it diminished by giving to the country publicity as to the real facts, the Senate ought not to hesitate to do it. It is different from some local affair. It is a national thing, Mr. President. As I said, the entire country is interested in it. It may not be necessary to do anything further

than to give publicity to the truth, first finding out what the truth is. The people of the country ought to know that. It seems to me they are entitled to know it.

If there were any other tribunal that could do the work better or as well, I would not have any hesitancy to let that tribunal take it in charge. It may be the investigation could be conducted by some existing commission or body that exists as a matter of law. If that can be suggested, all well and good. Personally I do not know of any other instrumentality that is better equipped to do this particular work than is the committee named in the resolution.

Of course, it may be that the strike can not be stopped. If it can not, even if it goes on to the limit, the people of the country ought to know what the truth is in regard to it. They ought to know the claims of both sides and why those claims are made, so that every intelligent man for himself will be able to analyze and see where the evil is.

It may not be that any law on this particular subject will result from this resolution, but the information gained, as suggested by the Senator from Pennsylvania [Mr. KNOX], may be valuable even in a law that might propose to change our immigration law. There are a hundred things that might develop. I do not know that they will. I do not profess to know what the truth is. I only see the claims that we all see in the newspapers, and they do not agree. I do not know who is right. It may be that both sides are partially wrong. It may be that there is some evil which publicity will cure. It seems to me that we can not better perform a duty to the entire country, to all classes of our people, than to set this committee to work.

I have felt so much that this subject ought to be taken up that while, as between the Senator from Iowa [Mr. KENYON] and myself, I probably would have had the right of way under a resolution that I was going to take up yesterday and that went over until to-day, I was very glad to put it over again in order to take up this resolution and have it disposed of at once. The time is now. The investigation ought to begin to-day. There ought to be no delay. It seems to me when we have a question in which all the people of our country are so vitally interested, and which may bring such dire results, which may mean evil, the time to commence work is now, and I believe this is the committee that ought to commence it.

The PRESIDENT pro tempore. The question is on agreeing to the resolution offered by the Senator from Iowa [Mr. KENYON].

The resolution was agreed to.

#### BILLS OF EXCHANGE.

Mr. McLEAN. Mr. President, I move that the Senate proceed to the consideration of the bill (H. R. 7478) to amend sections 5200 and 5202 of the Revised Statutes of the United States as amended by act of June 22, 1906, and September 24, 1918.

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

The PRESIDENT pro tempore. The Secretary will call the roll.

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

Ashurst	Harrison	Newberry	Smith, Ga.
Ball	Henderson	Norris	Smith, Md.
Beckham	Hitchcock	Nugent	Smith, S. C.
Borah	Johnson, S. Dak.	Overman	Smoot
Brandegee	Jones, N. Mex.	Owen	Spencer
Capper	Jones, Wash.	Page	Stanley
Chamberlain	Kellogg	Penrose	Sterling
Colt	Kendrick	Phelan	Sutherland
Cummins	Kenyon	Phipps	Swanson
Curtis	Keyes	Pittman	Thomas
Dial	Kirby	Poindexter	Townsend
Dillingham	La Follette	Pomerene	Trammell
Elkins	Lenroot	Ransdell	Underwood
Fernald	Lodge	Reed	Wadsworth
Fletcher	McCumber	Robinson	Walsh, Mass.
Gay	McKellar	Shepard	Walsh, Mont.
Gronna	McLean	Sherman	Warren
Hale	McNary	Shields	Watson
Harding	Nelson	Simmons	Williams
Harris	New	Smith, Ariz.	Wolcott

Mr. MCKELLAR. The Senator from Oklahoma [Mr. GORE] is detained from the Senate by illness. The Senator from Rhode Island [Mr. GERRY] and the Senator from Montana [Mr. MYERS] are detained from the Senate on official business.

The PRESIDING OFFICER (Mr. ASHURST in the chair). Eighty Senators have answered to their names. There is a quorum of the Senate present.

Mr. McLEAN. Mr. President, I will ask the Senator from Ohio if he is willing to withdraw his amendment while I offer two or three formal amendments to correct the phraseology of the bill?

Mr. POMERENE. Before that is done I desire to say that I think the Senate has not as yet agreed to take up this bill.

Mr. MCLEAN. I thought the Senate had already done so.

The PRESIDING OFFICER. The question is on the motion of the Senator from Connecticut that the Senate proceed to the consideration of House bill 7478.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 7478) to amend sections 5200 and 5202 of the Revised Statutes of the United States as amended by acts of June 22, 1906, and September 24, 1918.

Mr. LENROOT. Mr. President, I make the point of order that this bill is not properly before the Senate and is improperly upon the Senate Calendar, because it has never been acted upon by the committee to which it was referred. I make the point of order upon the statements made by various members of the committee the other day when the bill was up for consideration. I would not ordinarily make such a point of order, because upon bills of local importance it is a common practice to poll members of the committee without a formal meeting of the committee.

The PRESIDING OFFICER. The present temporary occupant of the chair has never before had occasion to pass upon this identical question, and will therefore ask the Senator from Wisconsin to be so kind as to point the Chair to the rule under which he makes the point of order.

Mr. LENROOT. The Chair will find it on page 257 of Jefferson's Manual. There is no specific rule upon the question, for it is so elementary that it has not been contemplated that it would ever be necessary to incorporate it as a part of the rules. I will read the clause from Jefferson's Manual:

A committee meet when and where they please, if the House has not ordered time and place for them, but they can only act when together, and not by separate consultation and consent—nothing being the report of the committee but what has been agreed to in committee actually assembled.

It was repeatedly stated upon the floor the other day that what had been done with regard to this bill was to take a poll of the committee; that there had never been any formal action upon the bill by the committee. Of course, if I am mistaken in that, my point of order does not lie. I make the point of order solely upon the strength of the statements which were made by various members of the committee the other day. If it be true that the bill was reported upon a poll of the members of the committee and that the committee never took any formal action—and I call the attention of the Chair to the fact that there is no printed report on the bill—if that be true, of course the bill is not before the Senate at all.

Mr. MCLEAN. Mr. President, in the first place, the Senator from Wisconsin is mistaken in regard to there not being a printed report on the bill. The Senator from Vermont [Mr. PAGE] reported the bill and filed with it a printed report, which is on the calendar.

Mr. LENROOT. I do not question that, but it does not happen to be upon my calendar.

Mr. MCLEAN. I do not understand that the rule from Jefferson's Manual which the Senator from Wisconsin has read has ever before been applied to the procedure of the Senate.

Mr. LENROOT. Will the Senator from Connecticut yield to me?

Mr. MCLEAN. Yes.

Mr. LENROOT. It has been applied since I have been a Member of this body, which has only been a year and a half.

Mr. MCLEAN. I have been here nearly nine years, and I do not remember of its ever having been invoked. Of course, every Senator knows that the polling of committees is a custom which is frequently followed. I was absent from the city at the time the bill was reported, but I understand from the Senator from Vermont [Mr. PAGE], who is not in the Chamber at present, that a majority of the committee signed or approved the report, and I think that is the fact. If that is not a proper proceeding, I call the attention of the Senate to the fact that the Committee on Banking and Currency held a meeting last Saturday with regard to this bill, at which the bill was discussed, and while a majority of the committee were not present, I do not understand that the fact that a majority of the committee approve this bill is questioned by any Senator.

If the bill is to be recommitted to the committee, it will be only for the purpose of killing time. I think if the Senate establishes this precedent it will find itself in a very uncomfortable position, because we all know that it is very difficult to secure a full majority of committees at this time. Members of the Senate are engaged in matters pending before so many committees that it is almost impossible to attend all the committee meetings, and I am very firm in the conviction that if we are to legislate—and I think Congress ought to enact some

legislation and not spend all its time investigating matters—it will be necessary to pursue the usual practice.

This is an important bill; it has passed the other House, where it originated at the suggestion of the Federal Reserve Board. I understand that board is unanimously in favor of the bill. It seems to me that the point of the Senator from Wisconsin is purely for the purpose of delaying action upon the bill.

Mr. POMERENE. Mr. President, it is not my purpose now to delay, and I think I can fairly state that I have never pursued the practice of delaying the consideration of bills; but the learned chairman of the committee has just referred to an informal meeting of the Banking and Currency Committee which was held on Saturday. I believe that there were four members of the committee present at that time. We did have an informal conference, and I think it was very instructive to everyone who was there.

The Senator from Connecticut has said that he understands that the Federal Reserve Board is unanimously in favor of this bill. Gov. Harding, of that board, was before the committee informally. He is in favor of this bill, but I wish Senators here on the floor could have heard his argument in favor of it. I have the very highest opinion of Gov. Harding; I think he is one of the highest-class men in the public service, but I say—and I say it with all due respect—that to my mind his statement of the reasons for the bill in its present shape were anything but convincing, and I should like to have had the entire committee hear the statement.

Perhaps I am wrong about the position I have taken upon this subject; I do not think I am; and my belief is that if the question were left to the consideration of the depositors in the banks or the stockholders in the banks, they would not favor this bill as it is at present drawn. My belief is that they would favor the amendments which I intend to propose. I may be mistaken in that belief, but I think it is only just that the Senate should have this brief statement. If the Chair sees fit to overrule the point of order, very well; but I understand the point of order raised by the Senator from Wisconsin has been invoked on several occasions on the floor of the Senate. I remember it having been invoked very distinctly; but I do not have the exact case in mind.

Mr. FLETCHER. Mr. President, I was not in the Chamber when the Senator from Wisconsin pointed out the particular rule to which he appealed in connection with his point of order.

Mr. LENROOT. Jefferson's Manual, page 257.

Mr. FLETCHER. Then, it is something in Jefferson's Manual and not in the rules of the Senate? As I understand, the record shows that this bill came to the Senate regularly; that it was referred to the proper committee, the Committee on Banking and Currency, and that the committee reported it back to the Senate.

As to the procedure in the committee, that is a matter for the committee itself to regulate. There is no question raised by any member of the committee that the committee's procedure was irregular or that it did not properly consider the bill. As I understand, the committee proceeded in a manner that has grown to be quite the common practice. When a meeting is held, a quorum is not present, and it is important to dispose of matters before the committee, the clerk or some member of the committee who has charge of the measure polls the committee and reports the bill, if a majority favor it.

It is not necessary that there should be any written report on the subject; that is not required by any rule of the Senate. It is not necessary that there should be any formal procedure in order that the bill may come back to the Senate, except that the committee shall report it. The committee has reported the bill; it is regularly on the calendar, and it is a matter to be taken up at the option of the Senate.

Now the motion is made to proceed to the consideration of the bill. It is regularly here and regularly on the calendar. Of course, when it comes to the merits of the question—

The PRESIDING OFFICER. The Chair is ready to rule, if no Senator desires to be heard.

Mr. LENROOT. I am sure that the Chair will remember that this identical question has been before the Senate on other occasions, and there has never been any question raised as to the rule that the committee must have a formal meeting before reporting a bill to the Senate. A poll of the committee is not sufficient to give the Senate jurisdiction.

Mr. SMOOT obtained the floor.

Mr. SMITH of South Carolina. Mr. President, I should like to ask a question in connection with this matter.

Mr. SMOOT. I yield.

Mr. SMITH of South Carolina. I should like to inquire if there is a case in point where the polling of a committee rather

than a formal meeting caused the matter in question to be recommitted to the committee?

The PRESIDING OFFICER. The Chair is ready to rule, but of course it is his duty to hear any Senator who desires to speak.

Mr. SMITH of South Carolina. I am merely asking the question if there is any record of a case where the polling of a committee was not considered a legal procedure under the rule?

Mr. ROBINSON. Mr. President, in partial reply to the inquiry of the Senator from South Carolina, with the permission of the Chair, I will state that I know of no such decision. In the body at the other end of the Capitol the rule is uniform that after a report has been received and consideration of the bill reported has begun a point of order that the bill was not properly reported by the committee does not lie. That is the status of this case. So far as I know, although I have had no opportunity to investigate the authorities, there is no decision of the Senate that would authorize the Chair to determine that a bill on the calendar had been improperly reported. In the House I think that when a question of that kind is raised the matter is sometimes submitted to the body. If the Chair is in doubt as to the propriety of this report, upon the point of order being raised, I think the question should be submitted to the Senate rather than that the Chair should decide it after the consideration of the bill has proceeded for some days. I have nothing further to say.

Mr. SMITH of South Carolina. Mr. President, I should like to call the attention of the Chair to the fact of which I have been reminded that the telegraph and telephone control bill, of which I was in charge, was recommitted to the committee, but that action was taken because it was shown that a majority of the committee had not reported it. We had what was called a working majority, which the committee decided was sufficient to report the bill out, but the Senate decided that an actual numerical majority of the committee was essential properly to report the bill; and it was on that ground that the Senate decided that the bill was not properly before the Senate, because a majority of the committee had not signed the report. But I think even if the point had been raised to which the Senator from Arkansas now calls the attention of the Senate, possibly the point of order would not have been sustained, because, according to the precedents established, once a bill is reported and received as coming from a committee, the rule is that it is considered as being before the body.

Mr. LODGE. Mr. President, I think there can be no doubt of the fact that Jefferson's Manual, under endless decisions, I was going to say—but under many decisions—has been treated as authority in this body, although we have never made it part of the rules, as I think the House has; but under the practice in this body, if there has been no meeting of a committee, and objection is made on that ground, I think the precedents will be found to show that the bill has always been sent back under the rule of Jefferson's Manual. I do not know; I have not had time to look and see whether the question of the stage of the bill has any bearing upon it; but I should like to ask this question of the Senator from Arkansas, if he will allow me:

Is it not the case that where a bill is reported from a committee by a mere poll of the committee, without a meeting, if objection is made when it is attempted to take up the bill the bill always goes back?

Mr. ROBINSON. I think it is undoubtedly true, if the objection is made at the time the report is submitted. That is the rule in the House of Representatives.

Mr. LODGE. That is precisely the point. The Senator had the books before him?

Mr. ROBINSON. Yes.

Mr. LODGE. I think there is no question about that. Whether the objection can be made at a later stage I have not looked up, and I am not prepared to say.

Mr. LENROOT. Mr. President, will the Senator yield to me at that point? The Senate rule is specific upon that question:

A question of order may be raised at any stage of the proceedings, except when the Senate is dividing, and, unless submitted to the Senate, shall be decided by the Presiding Officer without debate.

And that has been repeatedly ruled in the Senate—that the point of order can be raised at any time during any stage of the proceedings; but the rule is different in the House, of course.

Mr. LODGE. I did not have the book before me, but of course a point of order can be made at any stage. This is a point of order. It certainly is the practice that if the point of order is made before action is taken it is effective, and under the Senate rule it seems to me it is clear that it must be effective at any stage. I think that has been the practice, but I do not dare to speak of it without looking up the precedents.

Mr. SMITH of Georgia. Mr. President, I should like to make just one suggestion. It does seem to me that to construe our rules to hold that a bill can be taken up by the Senate on a report of a committee and debated and debated and debated, and then, after days of work upon it, the point can be made that the committee's report was not as formal as it should have been, would put us in a rather awkward position.

Mr. LODGE. Mr. President, does not the Senator consider that nothing could be more dangerous than to permit some members of a committee, or perhaps even a bare majority, to have the right to sign a bill here while walking about the Senate Chamber and then report it without any meeting of the committee?

Mr. SMITH of Georgia. But, Mr. President, if anybody objects to what they did, if it was not a unanimous conclusion of the committee, the time to make the point, it seems to me, was when the matter first came before the Senate.

Mr. LODGE. Our rules say that the point of order is good at any time.

Mr. SMITH of Georgia. I do not think that is the kind of point of order which was referred to.

Mr. LODGE. If this is not a point of order, what is it?

Mr. SMITH of Georgia. It is an objection to a report of a committee.

Mr. LODGE. But it is a point of order, of course. It can not be anything else.

Mr. SMITH of Georgia. I do not think so. I do not think it is the kind of point of order that the rule has in view.

Mr. SMOOT. Mr. President, this only demonstrates the dangers that come from reporting bills by polling committees. I have been in the Senate over 16 years, and I have never signed a bill to be reported to the Senate in the way of a poll. I made up my mind when I first came to the Senate that it was wrong in principle. I never expect to do it, no matter how much longer I may serve in the Senate; and I should like to see the time come when no bill will ever be reported to this body unless it comes from a committee meeting, and at that meeting a majority of the committee, or at least a working majority of that committee, report it out favorably.

I have always understood that Jefferson's Manual was made a part of our rules. Of course, it has not been adopted by the Senate, as it has in the House; I am perfectly aware of that; but I have always understood that it was a part of the rules on the decision of any question. It seems to me that the Senator from Massachusetts has stated the case exactly as it is.

Mr. ROBINSON. Mr. President, as illustrative of the fact that the rule cited by the Senator from Wisconsin does not apply to all points of order, let me point out the fact that some of the decisions sustain that contention. For instance:

If point of order is not made against an amendment to an appropriation bill in Committee of the Whole, it is too late to make it in the Senate, the question having been submitted if a point of order can not at any time be raised when the Senate wishes.

Now, there is a case exactly in point upon the general principle asserted by the Senator from Wisconsin. The very question raised then was as to the meaning of this rule cited by the Senator from Wisconsin, and whether a point of order could affect the matter when made at any time; and the decision, in a large number of cases, was to the effect that the point of order could not be made under those circumstances, notwithstanding the rule which provides that a point of order may be made at any time; and the reason in that case applies with greater force in this case.

Here is an instance where the Senate has taken consideration of a bill and has discussed it for several days, has amended it, and is almost ready to determine the matter. Now the question is raised as to whether the Senate has jurisdiction of the subject matter, whether the committee has actually made a report. I think it is worthy at least of consideration whether the Senate did not waive the right to insist upon a formal meeting of the committee when it took jurisdiction of the subject and proceeded to act upon the committee report, just as it did in the cases to which I have referred.

I have nothing further to submit.

Mr. LENROOT. Mr. President, will the Senator yield to me for a question?

Mr. ROBINSON. Certainly.

Mr. LENROOT. The Senator remembers, does he not, that within the last 60 days this very question has been before the Senate? The Chair rules that the point of order could be made at any stage of the proceedings, and the Senator from Mississippi [Mr. HARRISON], who raised the point, now has, I believe, a proposed amendment to the rules so that the point of order must be made at the beginning of the proceedings.

Mr. ROBINSON. I do not have in mind the precedent to which the Senator refers. I was not present when that question arose, but I do submit that the Senate, having received the report of a committee and having assumed to act upon it and to consider the bill, at this stage of the proceedings the Chair ought not to determine that the Senate has not jurisdiction of it. The Senate, of course, can itself send the bill back to the committee and the question can be determined in that way by a vote of the Senate; but we all know that for years the custom has prevailed in the Senate of obtaining committee reports by the process of polling Members. Now the Senator from Utah [Mr. SMOOT] has denounced that process, and it may be that he is right about it; but, nevertheless, it is the practice of the Senate, as the Senator from Utah will concede.

Mr. SMOOT. There is no doubt of it.

Mr. ROBINSON. It has occurred in a great many instances; and I say that, so far as my experience goes, there never has been an instance where the Senate waived any question of a formal meeting of the committee, accepted the report made by the chairman of the committee on the basis of a poll, proceeded to the consideration of the bill, continued that consideration for a very long period, and then, upon a point of order, sent the bill back to the committee.

Mr. SMITH of Georgia. And took away from the Senate the subject which it was considering. The Senate, of course, can send it back if it wants to. The Senate has perfect power to send it back.

Mr. ROBINSON. Certainly; it can recommit the bill.

Mr. SMITH of Georgia. But, after the Senate has taken the bill and worked upon it and worked upon it, surely the point comes too late.

Mr. LENROOT. Mr. President—

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

Mr. SMOOT. Yes; I yield.

Mr. LENROOT. Just a word with reference to this matter of waiver. In the first place, it is very clear that there can be no waiver; but I want to call the attention of the Chair to the fact that, while this bill has been before the Senate on a number of occasions, it was not until the last time the bill was before the Senate that it developed that there never had been a meeting of the Senate committee. It was just before we concluded the consideration of the bill that it was stated upon this floor that there never had been a meeting of the committee, and nothing but a poll; and this is the first opportunity I have had to raise the point of order.

Mr. SMOOT. Mr. President, just one word.

The case cited by the Senator from Arkansas [Mr. ROBINSON] has reference only to appropriation bills; and the Chair will remember, and no doubt knows, that there are certain rules applying to appropriation bills that apply to no other bills before this body. That comes about because of the fact that in the closing days of a session if all the rules applying to other bills were applied to appropriation bills, perhaps we never could get an appropriation bill through. Not only that, but it applies to appropriation bills only after the bill has gone out from Committee of the Whole into the Senate. A point of order can be made against any item, even in an appropriation bill, as long as the bill is in Committee of the Whole, but after an appropriation bill passes from the Committee of the Whole into the Senate no point of order can be made against it, unless reserved. That is the only difference between a bill of this character and an appropriation bill.

The PRESIDING OFFICER. The present temporary occupant of the chair has a high regard for the opinions of all the Senators who have spoken on this question, but he does not deem it necessary at this time to pass on some of the questions that have been raised.

The reports of committees, both the reports of standing committees and the reports of conference committees, were analogous and in pari materia up to the time of the adoption of paragraph 2 of Rule XXVII. Until that time and for many years prior thereto the remedy in the Senate was to move to recommit the subject matter to the committee of conference or to the standing committee whenever a committee exceeded its jurisdiction. In the Sixty-fifth Congress the Senate saw fit to change the rule as to reports from conference committees, and did adopt a rule, which is now the rule of the Senate, to wit, that when the conferees exceed their authority a point of order would lie against the report, but the Senate did not treat or deal with reports of standing committees. Hence the rule *exprimis unius est exclusio alterius* would apply—"the expression of one is the exclusion of the other." The Senate saw fit to change the rule regarding the reports of conference committees, but not the rule as to the reports of standing committees, hence the

Chair overrules the point of order. The Chair will say to the Senator from Wisconsin that, in the opinion of the Chair, the remedy is to move to recommit the bill.

Mr. LENROOT. Mr. President, I respectfully appeal from the decision of the Chair, and I do so not because of any interest in this bill, but because I think the Senate ought to clearly understand the position that it would take and the precedent that it would create in sustaining the decision of the Chair upon this ruling. If the decision of the Chair on this ruling is sustained, it means that any committee of the Senate need hold no formal meeting whatever upon any bill that is referred to it, but that the signatures of a majority of the committee may be procured and the bill reported to the Senate. Thus the Senate, acting upon the belief that the committee has acted formally and has considered the matter formally, as the rules require, are misled, and the rules have been violated, because there never has been any action by the committee upon the bill.

Mr. President, upon the peace treaty that is now before us, if the decision of the Chair should be sustained, the majority of the members of the Foreign Relations Committee might never have called a meeting of the committee. A majority of them might have signed the report, giving the minority no opportunity to meet in committee or propose amendments. And yet, under the ruling of the Chair, the Senate would have jurisdiction and the only remedy would be a motion to recommit, the minority having no opportunity whatever to present the matter in committee, or be heard in the report.

That is what the Senate would bring itself to if this ruling were sustained. No further meetings of a committee will be necessary upon any bill, Mr. President, under the ruling that the Chair has made. The mere signatures upon the back of a bill, however important it may be, will be sufficient to give the Senate jurisdiction of that bill. If the Senate desires to make that kind of a precedent, well and good; but I can not permit it to go without an appeal.

The PRESIDING OFFICER. The Chair, of course, can not argue, but wishes to say he may not go de-hors the record. The Chair is bound by the record. On the calendar which is printed for us this morning we find Calendar No. 126—this bill. The calendar prepared by the Secretary under the authority of the Senate gives the bill as having been reported without amendment. The Chair on its own ipse dixit can not, of course, refer the bill back to the committee.

Mr. LENROOT. Mr. President, permit me one observation. The chairman of the committee this morning has informed the Chair that there never was a formal meeting of the committee upon the bill, and that the bill was reported upon a poll. So the Chair is in *fui* possession of all the facts.

Mr. SMITH of Georgia. Mr. President, I desire to say just a word in support of the ruling of the Chair. This bill was reported weeks ago. It stayed on the calendar. It was called up in the Senate. It has been considered by the Senate. It has been considered a number of times by the Senate and has been amended by the Senate.

Mr. President, the serious danger that the Senator from Wisconsin has conjured up is not as serious as he has described it. If the time ever comes when a bill has been reported to the Senate in this way and members of the committee desire the bill to go back, that there may be a hearing on it, the Senate always has control of it. The Senate can send the bill back to the committee for consideration, though it is in the Senate. The Senate has control of it. No harm, no danger, could come from the situation which the Senator from Wisconsin [Mr. LENROOT] has described.

I submit that the decision of the Chair was right. This bill having been before the Senate day after day for consideration, it would indicate certainly a condition of our rules that was almost foolish if the Senate could not, if it desired to do so, proceed with the consideration of the bill.

Mr. ROBINSON. Mr. President, I move to lay the appeal of the Senator from Wisconsin on the table.

Mr. POMERENE. Mr. President, I wish to be heard just a moment.

Mr. ROBINSON. I withdraw the motion, that the Senator from Ohio may be heard.

Mr. POMERENE. Mr. President, I should regret exceedingly if the ruling of the Chair were to continue as a rule of this body. I say that with all due respect for one who I know is usually right. But why do we have committees? We have these committees so that Senators can get together and counsel together, so that objections may be raised and considered in the committee; so that they may have the benefit of hearings if, in the judgment of members of the committee, it is so desired.

Mr. MCLEAN. Mr. President, may I interrupt the Senator from Ohio?

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Connecticut?

Mr. POMERENE. I yield.

Mr. MCLEAN. The Senator knows that on Thursday last the chairman of the committee wrote a letter to each member of the committee inclosing a copy of this bill and requesting a full attendance of the committee for the purpose of considering the bill. That meeting was held on Saturday last, and I think it hardly lies in the voice of the Senator from Ohio to suggest that opportunity was not given to any member of the committee to appear in committee and oppose the bill if he saw fit.

Mr. POMERENE. Mr. President, if my good friend the Senator from Connecticut will possess his soul in peace he will not find any fault with what I am going to say. I am arguing the parliamentary question now, and not the question as to what was done as to this particular bill. I am calling attention to the reasons which prevail for committee hearings. If we are not supposed to have hearings, if it is a proper practice to go about and poll a committee—and I have done it, as other Senators have when there were matters of minor importance pending—why refer bills to a committee at all? Why not do it right in the open Senate? We know that that would be bad practice; that it would lead to most vicious legislation.

For that reason it seems to me that we must sustain what the practice of the Senate is, when the question is raised, so that the Senate may have the benefit of the views of the committee, whether they are later approved by the Senate or not.

What is the situation? A bill comes before the Senate. It is true that I was visited by the clerk of the committee in my office and asked to approve it, as he said, by the direction of the chairman of the committee. I read it over, and said I could not approve it. Later on the bill was presented here in the Senate. It developed, as was stated by the Senator from Wisconsin, I think on the last day that the bill was under discussion, that there was no meeting of the committee. This matter was brought up in the Senate, and without its being referred back to the committee—and, of course, that is a technical point that I do not seek to take any advantage of at all—the chairman of the committee did, on Thursday probably, send to me—at least I received it—a notice that he was going to call his committee together on Saturday for a hearing. I went there at the appointed hour. The distinguished chairman was there, and during the course of the meeting I think two other members of the committee, the junior Senator from Michigan [Mr. NEWBERRY], the Senator from Florida [Mr. FLETCHER], and after one or the other of them went out the Senator from Vermont [Mr. PAGE] came in. They sent then for the governor of the Federal Reserve Board, and while the governor was there I think there were four Senators present at least a part of the time.

Mr. FLETCHER. If the Senator will allow me, I was present the whole time, from beginning to end.

Mr. POMERENE. I think that is correct. I accept the Senator's statement, in any event.

Mr. FLETCHER. And the Senator from Vermont [Mr. PAGE] and the Senator from Connecticut [Mr. MCLEAN] were present.

Mr. POMERENE. Here is the situation. We have this very important bill, which deals with the amount of money that a single borrower can get out of a bank. It has not been heard and considered by the full committee, and I have such confidence in the committee as to justify me in saying that I would attach greater importance to the judgment of the committee when they were all together and exchanging their views, than when they indorse a bill as they may be polled from time to time.

The question here is a point of order merely. An appeal has been taken from the ruling of the Chair. To sustain the ruling means substantially that it is not necessary, under the rules of the Senate, to have a committee at all, but all that it is necessary to do is to have your committee polled. I am not willing, for one, to have that precedent established.

Mr. ROBINSON. Mr. President, I move that the appeal of the Senator from Wisconsin [Mr. LENROOT] be laid upon the table.

Mr. LENROOT. On that motion I ask for the yeas and nays. The yeas and nays were ordered.

Mr. JONES of Washington. Mr. President, I suggest the absence of a quorum.

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

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

Ashurst	Capper	Cummins	Elkins
Ball	Chamberlain	Curtis	Fall
Beckham	Colt	Dial	Fletcher
Brandegee	Culberson	Dillingham	France

Gay	Lodge	Poindexter	Sutherland
Hale	McCumber	Pomerene	Swanson
Harris	McKellar	Robinson	Thomas
Harrison	McLean	Sheppard	Trammell
Henderson	New	Simmons	Underwood
Hitchcock	Newberry	Smith, Ariz.	Wadsworth
Johnson, S. Dak.	Norris	Smith, Ga.	Wa. & Miss.
Jones, Wash.	Nugent	Smith, Md.	Walsh, Mont.
Kellogg	Overman	Smith, S. C.	Williams
Kendrick	Page	Smoot	Wolcott
Keyes	Penrose	Spencer	
Kirby	Phelan	Stanley	
Lenroot	Phipps	Sterling	

Mr. MCKELLAR. The Senator from Oklahoma [Mr. GORE] is detained from the Senate by illness. The Senator from Alabama [Mr. BANKHEAD], the Senator from Rhode Island [Mr. GERRY], the Senator from Tennessee [Mr. SHIELDS], the Senator from Missouri [Mr. REED], the Senator from Nevada [Mr. PITTMAN], and the Senator from Louisiana [Mr. RANSBELL] are detained from the Senate on official business.

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

Mr. LODGE. Mr. President, I move that the Senate proceed to the consideration of executive business in open session.

The motion was agreed to.

Mr. FLETCHER. Mr. President, I desire to raise the question that there was an appeal from the decision of the Chair pending and the yeas and nays were ordered on that appeal, and I submit that that pending business ought to be disposed of.

Mr. LODGE. The only proceeding of the Senate that can not be interrupted is a call of the roll and that had not been begun. We do not necessarily have to have the yeas and nays immediately when ordered. I have known the yeas and nays to be ordered and carried over for 10 days or two weeks. There is nothing privileged in that situation, and I made a privileged motion.

Mr. SMITH of Georgia. What we meant to do was to appeal to the Senator from Massachusetts to withhold his motion until we can have this vote and get through with the question that is before the Senate, at least that is what I had hoped to do.

Mr. LENROOT. I wish to suggest to the Chair that the unfinished business would be placed before the Senate at 2 o'clock, and a privileged motion occupies exactly the same status.

The PRESIDENT pro tempore. Without respect to the merits of the point of order, it comes too late. The motion of the Senator from Massachusetts had been made and agreed to.

Mr. SMITH of Georgia. We were not making a point of order. We are merely asking to get rid of the matter that was before the Senate. I have no doubt the motion to proceed to executive business in open session was in order.

Mr. LENROOT. I call for the regular order.

Mr. LODGE. Of course, I shall be glad to grant the request, but the question of order now before the Senate and still open to debate is a very serious question, I am told. I do not know but that it may lead to a good deal of debate.

Mr. ROBINSON. Will the Senator from Massachusetts yield to me?

Mr. LODGE. Certainly.

Mr. ROBINSON. I point out the fact that under the present parliamentary status the question is not open to debate. The question is on the motion to lay the appeal on the table.

Mr. LODGE. I was not aware of the parliamentary status.

Mr. ROBINSON. The parliamentary status is that yeas and nays were ordered on the motion of the Senator from Arkansas to lay on the table the appeal of the Senator from Wisconsin [Mr. LENROOT], from the decision of the Chair, and of course the motion of the Senator from Arkansas is not debatable.

Mr. LODGE. I have made the motion, and it has been agreed to, and we are in open executive session. The regular order, of course, is to proceed with the treaty.

The PRESIDENT pro tempore. The Chair is of the opinion that it will be necessary to reconsider the motion of the Senator from Massachusetts.

Mr. FLETCHER. I will state to the Senator from Massachusetts that I rose and addressed the Chair before his motion was put and did my best to get recognition in order to present this matter at the time. It is not our fault.

Mr. LODGE. Of course, if the Senate desires to return to legislative session, that can be done.

Mr. SMITH of Georgia. Mr. President, I move that we reconsider the action just had, solely for the purpose—

Mr. LODGE. All the Senator needs to do is to move to return to legislative session.

Mr. SMITH of Georgia. I make that motion, Mr. President, solely for the purpose stated. If the Senate holds that the bill is not here in regular order it ought to be sent back to the committee at once, and we ought to get it into shape to bring it before the Senate.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Georgia [Mr. SMITH], that the Senate resume legislative session.

The motion was agreed to, and the Senate resumed legislative business.

The PRESIDENT pro tempore. The yeas and nays have been ordered, and the Secretary will call the roll on the motion of the Senator from Arkansas [Mr. ROBINSON] to lay on the table the appeal by the Senator from Wisconsin [Mr. LENROOT] from the ruling of the Chair.

Mr. ASHURST. Mr. President, I ask unanimous consent to be excused from voting on this question.

The PRESIDENT pro tempore. Without objection, the Senator from Arizona will be excused from voting. The Chair hears no objection, and the Senator from Arizona is excused. The Secretary will call the roll.

The Secretary proceeded to call the roll.

The VICE PRESIDENT resumed the chair.

Mr. WALSH of Montana (when his name was called). I have a pair with the Senator from New Jersey [Mr. FRELINGHUYSEN]. I am unable to secure a transfer, and in his absence I refrain from voting. If I were at liberty to vote, I would vote "yea."

The roll call was concluded.

Mr. HARRIS. I have a pair with the Senator from New York [Mr. CALDER]. I transfer that pair to the Senator from Rhode Island [Mr. GERRY] and vote "yea."

Mr. HENDERSON. I have a pair with the Senator from Illinois [Mr. MCCORMICK]. In his absence I withhold my vote. If at liberty to vote, I would vote "yea."

Mr. DILLINGHAM (after having voted in the negative). I observe that the senior Senator from Maryland [Mr. SMITH], with whom I have a general pair, is not in the Senate Chamber. I transfer my pair to the Senator from Illinois [Mr. SHERMAN] and allow my vote to stand.

Mr. OWEN. I have a pair with the Senator from New Jersey [Mr. EDGE]. I transfer that pair to my colleague the Senator from Oklahoma [Mr. GORE] and vote "yea."

Mr. WALSH of Montana. I transfer my pair with the Senator from New Jersey [Mr. FRELINGHUYSEN] to the Senator from Alabama [Mr. BANKHEAD] and vote "yea."

Mr. HENDERSON. I transfer my general pair with the junior Senator from Illinois [Mr. MCCORMICK] to the senior Senator from Nevada [Mr. PITTMAN] and vote "yea."

Mr. SMITH of South Carolina (after having voted in the affirmative). I inquire if the Senator from South Dakota [Mr. STERLING] has voted?

The VICE PRESIDENT. He has not.

Mr. SMITH of South Carolina. I have a general pair with that Senator, which I transfer to the Senator from Utah [Mr. KING] and allow my vote to stand.

Mr. CURTIS. I wish to announce that the Senator from California [Mr. JOHNSON] is paired with the Senator from Virginia [Mr. MARTIN].

The result was announced—yeas 35, nays 37, as follows:

YEAS—35.

Beckham	Hitchcock	Ransdell	Swanson
Chamberlain	Jones, N. Mex.	Robinson	Thomas
Culberson	Kendrick	Sheppard	Trammell
Dial	McKellar	Shields	Underwood
Fletcher	McLean	Simmons	Walsh, Mass.
Gay	Myers	Smith, Ariz.	Walsh, Mont.
Harris	Owen	Smith, Ga.	Williams
Harrison	Page	Smith, S. C.	Wolcott
Henderson	Phelan	Stanley	

NAYS—37.

Ball	Harding	McNary	Smoot
Capper	Johnson, S. Dak.	Moses	Spencer
Colt	Jones, Wash.	New	Sutherland
Curtis	Kellogg	Newberry	Townsend
Dillingham	Kenyon	Norris	Wadsworth
Elkins	Keyes	Nugent	Warren
Fernald	La Follette	Penrose	Watson
France	Lenroot	Phipps	
Gronna	Lodge	Pondexter	
Hale	McCumber	Pomerene	*

NOT VOTING—24.

Ashurst	Edge	King	Overman
Bankhead	Fall	Kirby	Pittman
Borah	Frelinghuysen	Knox	Reed
Brandegee	Gerry	McCormick	Sherman
Calder	Gore	Martin	Smith, Md.
Cummins	Johnson, Calif.	Nelson	Sterling

So the Senate refused to lay on the table Mr. LENROOT's appeal from the decision of the Chair.

The VICE PRESIDENT. The question recurs, Shall the ruling of the Chair stand as the decision of the Senate?

Mr. LODGE. Mr. President, I was not in the Chamber while this debate was proceeding except for a moment at the beginning, but I am glad it has been reopened, for I think the decision is a very dangerous one, indeed. There can be no doubt about

the principle laid down in Jefferson's Manual. The only point, as I understand, that is made is that if any action has been taken on a bill reported simply by a poll of some members of the committee, it is then removed from liability to the point of order.

Mr. SMITH of Georgia. Mr. President, will the Senator yield to me for a moment?

Mr. LODGE. Yes.

Mr. SMITH of Georgia. I thought we could dispose of the matter at once on the motion to lay on the table; but that having been lost, I do not ask the further indulgence of the Senate to avoid the executive session.

Mr. LODGE. Mr. President, I should like to complete what I have to say on this subject.

Mr. SMITH of Georgia. I only wanted that understood, if the Senator will allow me.

Mr. LODGE. I do not propose to take any time. The question is not yet decided.

Mr. SMITH of Georgia. I understand that.

Mr. LODGE. All the Senate has done is to refuse to lay the appeal upon the table.

Mr. SMITH of Georgia. I understand that.

Mr. LODGE. And as the Senate has refused to lay it on the table, I desire to state my opinion that it is a very dangerous thing to permit the consideration of a bill by the Senate if the point of order is raised that the bill has not been considered by the committee, but has been reported here on a poll. I think that opens a very dangerous situation.

The principle of Jefferson's Manual is a perfectly correct one. Committees are appointed to consider measures. Sometimes it is necessary, and on unimportant bills it is not uncommon to poll a committee, and if no objection is made, that is all right; but if objection is made and if a Senator feels that a bill has not had the proper consideration of the committee, I think the principle laid down in Jefferson's Manual ought to be observed. We may get a bill in here on the poll of a bare majority of a committee, and if there is one day's discussion about it or if an amendment is offered to it, it is beyond the reach of the point of order, according to the decision, as I understand. I earnestly hope the Senate will consider well before it alters what I think has been the general practice heretofore.

Mr. MCLEAN and Mr. UNDERWOOD addressed the Chair.

The VICE PRESIDENT. The Senator from Connecticut.

Mr. MCLEAN. I ask unanimous consent to move that the bill be recommitted to the committee.

Mr. UNDERWOOD. I ask the Senator from Connecticut to withhold that request for a moment in order that I may address myself briefly to the pending question. I do not wish to object to his request.

Mr. President, I think the decision of the question now pending before the Senate is of vast importance to the orderly transaction of the business of the Senate. I know that Mr. Jefferson in his manual, which has been followed in the main by the two Houses of Congress, holds that a committee is not organized to act unless it acts together; and clearly that is logical and true. Jefferson's Manual, though, has never been adopted by the Senate as a part of its rules, as it has been by the House of Representatives. Therefore it is only binding on the Senate so far as the reasoning is concerned, and not so far as the rule is concerned.

But admitting that the proper action for a committee is to assemble in the room assigned to it, discuss the question of the bill pending before it, and decide by majority vote what shall be done—admitting that that is the logical way to work out the disposition of a bill, yet I think under the rules of the Senate it is impossible to transact the public business in that way.

I was little surprised when I first came to the Senate to find that a vast number of bills were reported to the Senate by the members of the committees giving their consent, either verbally or in writing, to the report of a bill. I felt some opposition to that practice when I first came here, because I had been trained in a different school; but I afterwards realized that the conditions in the Senate compelled the committees or the chairmen of the committees to follow that precedent.

The Senate is so organized and its committees are so large that a Senator has to serve on a number of committees; and, having to serve on a number of committees, there is continual conflict between meetings of the committees. The situation is familiar to us all. In many instances a committee has to secure the presence of a quorum over the telephone, because Members of the Senate who belong to the particular committee which desires to act are at the same time transacting their legislative business before some other committee of which they are members. Of course, if the Senate would change its rules and reduce the size of the committee to a limit that would be commensurate with the size of the Senate, and limit a Sena-

tor to membership on one or two committees, then we could transact business in an orderly way.

My objection to establishing an order against what has been the practice of the Senate for many years in allowing bills to be reported by giving consent is not in reference to the big bills or matters of great importance to the country. As a general rule a majority of the committee can be had at most of the hearings and at the time action is taken on such measures; but if by this vote we wipe out the precedent that a bill may be reported to the Senate, although there has not been an actual meeting of the committee, where a majority of the members of the committee, understanding what the bill is and being in favor of it, have given their consent in writing to its being reported, then we send to the wastebasket all the smaller or less important bills that come before this body if there is one Senator who desires to raise the point of order. Other Senators know as well as I do, in view of the manner in which the committees of the Senate are organized, that the bills of less importance to the country—I might say of less general interest to the country, because some of the bills not of great general interest are of vast importance to the people who are interested in them—that if we establish a precedent of that kind by the vote of the Senate to-day, we are sending to the discard minor bills that come before the Senate for consideration.

I do not contend against the logic of the argument; I do not contend against the principle laid down by Mr. Jefferson in his manual. That is the logical and proper way to handle business; but the way the Senate is organized it is the impossible way to handle business, and until we reform the Senate by cutting down the number of committees and the memberships of the committees so that the men who are on the committees can attend to public business, I think we had better follow this precedent, so that bills can come before the Senate promptly for consideration.

Mr. LODGE. Mr. President, I do not think there is any purpose of laying down the rule that no bill shall be reported in that way on a poll of the committee. I am not aware of that.

Mr. UNDERWOOD. But the Senator will agree that if this precedent is adopted, then any other bill reported in this way will be subject to a point of order.

Mr. LODGE. It ought to be subject to a point of order.

Mr. UNDERWOOD. That is where I differ with the Senator.

Mr. LODGE. It is a very dangerous privilege to give and one easily abused. Now, I appreciate about the committees just as much as the Senator from Alabama. I know they are large; I know how hard it is to get a quorum; but most of the committees, or many of them, certainly have a quorum for the transaction of certain business, and it is always possible for a Member who can not be present at a committee meeting to authorize his vote to be cast or to be called at the time and have the vote taken. I think taking away the right to make a point of order, and allowing bills to come here that never have been before a committee, without any check upon it, is a very dangerous step to take.

Mr. UNDERWOOD. If the Senator will allow me to interrupt him, the Senator says that it is a subterfuge to report a bill by a majority of the committee signing their names to it and approving it. It seems to me far more of a subterfuge to call a man over the telephone and ask him to be noted as present, when he does not even know what is going on. I would much prefer to have a bill reported by a majority of the committee with their names signed to a paper approving of the bill than to have a fictitious committee meeting when a majority was not present, and men were voted and counted present over the telephone; and that is what is done.

Now, I am not criticizing the situation. I am not criticizing the chairman of the committee. The whole fault and error lies in the Senate rules, in attempting to put on Senators more of the business of these committees than they can attend to.

Mr. LODGE. I think the privilege of doing that ought to be guarded by preserving the right on the part of Members of the Senate to make the point of order. As a matter of fact, it is rarely raised. Most of the bills that come here on polls are unobjectionable bills, and there is no trouble about it.

Mr. ROBINSON. Mr. President, will the Senator yield to me to set forth a matter that has been called to my attention? Our rule expressly provides for a case like this, and the requirement is that no report of a committee shall be made except by the concurrence of more than one-half of a majority of its entire membership. That is part of a rule adopted April 12, 1912, if I remember correctly, and was introduced in the Senate by the former Senator from Arkansas, Mr. Clarke, for the express purpose of meeting such a case as this.

I do not desire to object to the request made by the chairman, because in my opinion, a re-reference of the bill to the commit-

tee will facilitate the action of the Senate upon the bill; but I do not want the occasion to pass without affirming, as the Senator from Alabama has affirmed, that if the Senate takes this step it only denies itself the privilege of considering the great majority of bills that are introduced here and which may be of importance either in a local or in some other less-than-general way; and I think it may well be understood that the rules of the Senate do authorize a committee of the Senate, when that committee is satisfied that the Senate should have a chance to consider a bill by the concurrence of a majority of the membership of that committee, to pass the consideration of the subject to the Senate.

In partial reply to the statement made by the Senator from Massachusetts that the precedent is a dangerous one, I assert that it is in the interest of prompt and wholesome legislation, for at last the committees of the Senate are but the agencies and instruments of that body. They are designed to bring to the Senate legislation for the consideration of that body; and when, as in a case of this character, a majority of a committee having jurisdiction of a bill make a report in favor of it, and the Senate, without objection, and with a full knowledge of the way in which the report was made, takes jurisdiction of the bill, considers it for several days, and amends it, it is not in the interest of legislation, it is not to preserve the dignity of the Senate, that a point of order should be made depriving the Senate—which is supreme over its committees—of the power to determine the questions involved. No harm can come to the United States if the Senate considers measures that are introduced and reported by polling the committee and passes or defeats them, for the Senate, and not the committee, is the body primarily responsible for the exercise of the power of legislation.

Take this case as an illustration of what might occur should the precedent contended for by the Senator from Wisconsin and the Senator from Massachusetts prevail.

The statement was made a week or more ago on the floor of the Senate that this bill had been reported by the concurrence of a majority of the members of the Committee on Banking and Currency without a formal meeting of the committee. Any Senator might then have made the point of order, and the time of the Senate would have been conserved by doing so; but we proceeded to debate this bill on two or three occasions by vote of the Senate to proceed to its consideration. We resumed consideration of the measure. We adopted, if I remember correctly, some amendments to the bill. In the meantime, as stated by the Senator from Connecticut, the committee was called together. Every member of the committee, including the Senator from Ohio, was invited and urged to attend a formal meeting of the committee. The committee met and heard a discussion of this bill and adhered to its action.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. ROBINSON. I yield to the Senator.

Mr. LENROOT. Is the statement correct that there were only four members present?

Mr. SMITH of Georgia. No.

Mr. ROBINSON. No; I am informed that it is not correct; but I was not present and I would not undertake to state what the proceedings of the committee were, except as stated by the chairman of the committee, the Senator from Connecticut. I make this point, however, that after the chairman of the committee had exerted himself to secure the attendance of Senators on the committee for the express purpose of considering this bill, notwithstanding the fact that the Senate had been discussing it for several days and had amended it, and notwithstanding the further fact that no point of order had been made against the committee report, after the Senator from Connecticut had done his best to secure the attendance of Senators who belonged to the committee, some of the very Senators, including the Senator from Ohio [Mr. POMERENE], found themselves unable to attend the meeting of the committee. There was no effort made, so far as I am informed, in the meeting that was formally called to reverse the action taken by a majority of the members of the committee. Nobody proposed in the committee to recommit the bill. The committee, by every rule of reason and justice, in every way that it can be, is committed to the report on this bill.

A majority of the members of the committee, in pursuance of the clause adopted in April, 1912, to meet just such a case as this, signed a favorable report on this bill. The Senate took it up and discussed it for days. The statement was made on the floor that the committee had not had a formal meeting, and the chairman of the committee did his best to get a formal meeting. He sent a copy of the bill to every Senator on the committee and urged him to attend. What more could he do? The Senators who did attend made no effort to reverse the

action taken through the concurrence of a majority of the committee. Now, after the Senate, which is master of its committees—I dare you to assert a contrary doctrine—has again resumed the consideration of the matter we are asked to say that in the interest of fair legislation, in the interest of justice, this time which the Senate has devoted to the bill must be counted as wasted and the committee and the chairman of the committee must suffer the reflection which would result from the proposed action.

Mr. SMITH of Georgia. Mr. President, may I ask the Senator what becomes of the amendments that the Senate has already made to this bill?

Mr. ROBINSON. There is not a Senator in this Chamber who can answer that question. The Senate has already acted in part upon the bill, and the bill now goes to the committee, if it goes at all, with amendments adopted by the Senate; so if you want to test the sense of the Senate on the subject you ought to make a motion to recommit the bill.

As before stated, I shall not object to the request of the Senator from Connecticut; but I merely want to assert that instead of—

Mr. MCLEAN. Mr. President—

Mr. ROBINSON. I yield to the Senator.

Mr. MCLEAN. I made the motion, or asked permission to make the motion, because I think it is unfortunate that this should be made a party matter. I am interested in the bill, and I think it is a wise, sound piece of legislation, and it is for that reason that I made the motion. I think it will expedite the progress of the bill if it is recommitted to the committee.

Mr. ROBINSON. I concur in all that the Senator from Connecticut has said, and as an evidence of that fact, and as conclusive proof of that, I conclude what I have to say on the subject.

Mr. LENROOT. Mr. President, I want to say just a word on the construction of the rule suggested by the Senator from Arkansas which he now invokes as authorizing reports of committees, and I do it only because I do not think the record should stand as he has made it. He referred to subdivision 3 of Rule XXV; but, unfortunately for him, he read only the last paragraph of the rule. If the Senator had read all of the rule he would have seen that instead of being in his favor the rule is conclusive against him. Let me read that rule. It reads:

That the several standing committees of the Senate having a membership of more than three Senators are hereby respectively authorized to fix, each for itself, the number of its members who shall constitute a quorum thereof for the transaction of such business as may be considered by said committee; but in no case shall a committee, acting under authority of this resolution, fix as a quorum thereof any number less than one-third of its entire membership, nor shall any report be made to the Senate that is not authorized by the concurrence of more than one-half of a majority of such entire membership.

It was only the last phrase that the Senator read; but he will see that it was dealing with a rule of the Senate that would permit committees to act with less than a majority of its members present to constitute a quorum. The very purpose of the rule was to meet the difficulty suggested by the Senator from Alabama [Mr. UNDERWOOD]. It provides that committees may act with less than a majority; that they may act with one-third of the membership constituting a quorum; but then comes the provision the Senator from Arkansas invokes, that in such cases, nevertheless, they must have a majority of a majority concurring in that one-third quorum. That was the purpose of it. Otherwise a majority of one-third of the committee could report a bill. So in providing for a quorum as low as one-third of the membership it was provided that, nevertheless, it must take one-fourth of the entire membership to order the report of a bill. So this rule, if there were any question about it before, settles conclusively that a committee can not act, except by assembling and meeting formally together; and provision is made that in such a case one-third of the entire membership may constitute a quorum, but there must be an affirmative vote in such case of at least half a majority of the entire membership.

Mr. NORRIS. Mr. President, I would not take up the time of the Senate now if I did not feel that the settlement of this question is very material and almost vital and that it ought to be determined properly in order that the Senate may properly consider legislation.

Mr. FLETCHER. May I interrupt the Senator?

Mr. NORRIS. I yield to the Senator from Florida.

Mr. FLETCHER. I wish to suggest that the settlement of the question on the motion pending is limited; that it simply decides whether the bill shall be recommitted. It leaves the record in this shape: A point of order was raised by the Senator from

Wisconsin [Mr. LENROOT] to the consideration of the bill for the reasons stated. The Chair overruled the point of order, and an appeal was taken from the decision of the Chair. The pending question is the appeal. If the bill is recommitted, that is the end of the whole situation.

Mr. NORRIS. Is the Senator from Florida asking me a question?

Mr. FLETCHER. That is the end of the whole matter. The bill would be recommitted.

Mr. NORRIS. If the Senator had permitted me to get my second sentence delivered to the Senate, he would have ascertained that I am not in favor of the motion to recommit the bill. I want this appeal decided, so that we may determine now, I hope once for all, the question that is at issue. I understand the parliamentary situation, I think. At least, I understand it the same as the Senator from Florida has explained it. The Senator from Connecticut [Mr. MCLEAN], I understand, did not make a motion. He attempted to get recognition, and said he wanted to ask unanimous consent. If that unanimous consent is requested, I am going to object. I hope the Senate will vote on this appeal, and let us decide now whether it is proper for a committee report to come into the Senate on a simple poll of the members of the committee, without any meeting of the committee.

Mr. President, that kind of a procedure would be revolutionary. It absolutely disregards every principle of parliamentary procedure, either in the committee or in the Senate. A committee is not a committee unless it meets as a committee. You might just as well say that when a bill is introduced here we could take that bill and go around and have every Member of the Senate, or a majority of the Senate, sign on the back of it a statement that "I am in favor of it," and then by such signatures have the Secretary certify to the House that the Senate had passed the bill. That would be on all fours with what we have before us now.

The point is made, and made well, that if the proper rule were enforced it would sometimes be difficult on account of the many committees on which each individual Senator holds membership. That is true, and the condition which confronts us now only brings us face to face with a proposition that has often been called to the attention of the Senate, that Members of the Senate are on too many committees. The committees ought to be cut down in membership, and Senators ought not to be allowed to serve on a lot of committees. We are all on too many committees. A man can not meet with three or four committees when they all meet at the same time. So if we are going to adopt a rule such as the gentlemen on the other side would like to have us construe this rule, that you can get a bill reported to the Senate by a simple poll of the committee to which it was referred, without ever having the committee meet, then we might as well disregard all committees; there should be none.

The Senator from Alabama [Mr. UNDERWOOD] says "this will not be urged against an important bill." Who is going to decide whether they are big bills or little bills? This is considered to be a big bill by a good many, and by some of us a small bill. If we adopt this precedent, then it would be possible, in the case of a tariff bill, to have the Finance Committee polled, and in the case of a political bill like that, as it has always been, you could get a majority of the committee to sign their names on the back of a tariff bill and have a report made the next day.

The theory of having a committee act on a bill is to give some information to the body to which the committee reports. They are to have hearings, they are to give it consideration, they are to consider amendments, and take everything into consideration that has any possible bearing upon the subject under consideration.

Mr. WADSWORTH. Mr. President, is it not also exceedingly important that the minority of a committee shall have a chance to attend a meeting and express their opinions before a report is made?

Mr. NORRIS. Certainly it is; and it has happened nine times out of ten that when a bill is brought up for consideration in a committee the minority, those who oppose, as well as those who favor, get their minds working together, and there will be amendments agreed on. You never would have such a thing as a committee amendment if this precedent became the established law of the Senate.

Mr. WADSWORTH. I simply desire to interject the observation that if this procedure were adopted permanently by the Senate there could not be contrived a better means of stifling the voice of the minority.

Mr. NORRIS. Absolutely not. We would get all kinds of jokers in legislation. It would be the easiest thing in the world to get undesirable legislation before the Senate, and the result would be that the Senate would have bills up for consideration that had never received any consideration from a committee. What we ought to do to meet the legitimate objections that are made is to cut down the membership of the committees. Make it impossible for any one Member of the Senate to be a member of a half dozen great committees of the Senate and you would not have the difficulty that you have now in getting quorums at the meetings of the committees.

Therefore, Mr. President, believing that this is vital, almost revolutionary, in the procedure of the Senate, if the Senator from Connecticut [Mr. McLEAN] makes a request for unanimous consent, I want to object to it. I want the appeal voted on. We ought to have a roll call on it and settle this matter once for all.

## MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the Speaker of the House had signed the enrolled bill (H. R. 7709) to authorize the incorporated town of Petersburg, Alaska, to issue bonds in any sum, not exceeding \$75,000, for the purpose of constructing and installing a municipal electric light and power plant, and for the construction of a public-school building, and it was thereupon signed by the Vice President.

## PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had approved and signed the following acts and joint resolution:

On September 16, 1919:

S. 1362. An act to authorize Hiram I. Sage, a citizen of Baldwin County, Ala., to construct and maintain a bridge across the Perdido River at or near Nunez Ferry.

On September 17, 1919:

S. 2395. An act amending section 25 of the act approved December 23, 1913, known as the Federal reserve act, as amended by the act approved September 7, 1916;

S. 2622. An act to provide necessary commissioned personnel for the Army until June 30, 1920; and

S. 2700. An act granting the consent of Congress to the D. E. Hewitt Co. to construct and maintain a bridge across Tug River, connecting Martin County, Ky., and Mingo County, W. Va.

On September 15, 1919:

S. J. Res. 100. Joint resolution making Wednesday, September 17, 1919, a legal holiday in the District of Columbia.

REV. E. M. MOWRY AND REV. E. BELL (S. DOC. NO. 107).

THE VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations and ordered to be printed:

To the Senate:

In response to the resolution adopted by the Senate on July 18, 1919, requesting the President, if not incompatible with the public interests, to transmit to the Senate the records in the cases and all papers in possession of the State Department connected with the legal proceedings against the Rev. E. M. Malory (should be Mowry), charged with harboring criminals, and the Rev. Eugene Bell, charged with involuntary homicide, they being citizens of the United States and residents at the time in Korea, I transmit herewith a report by the Secretary of State on the above-mentioned subjects.

The report of the Secretary of State has my approval.

WOODROW WILSON.

THE WHITE HOUSE,

Washington, August 29, 1919.

## TREATY OF PEACE WITH GERMANY.

MR. HITCHCOCK. Mr. President, I move that the Senate proceed to the consideration of executive business in open session.

The motion was agreed to.

MR. LODGE. Mr. President, before beginning the reading of the treaty, I ask to have printed the appeal for funds put out by the League to Enforce Peace. It has already been printed in the RECORD, but I should like to have it printed with the comment of the New York Sun in regard to it. I will not ask to have it read again.

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

From New York Sun, Sept. 21, 1919.]

"PRO-LEAGUERS SEEK BIG FUND—TELEGRAMS SENT TO HUNDRED MEN ASKING EACH FOR \$1,000 DONATION—NEED CALLED URGENT—MONEY WILL BE USED FOR PROPAGANDA TO HASTEN RATIFICATION."

"One hundred financially and politically qualified citizens distributed over the eastern part of the country received the following 'very urgent' call yesterday from the League to Enforce Peace, with offices at 130 West Forty-second Street:

"Crisis at hand will determine whether America joins league of nations or forsakes allies and negotiates separate peace with Germany. Vote for any reservations may require resubmission and endanger treaty. Will you join 99 others in giving \$1,000 each to League to Enforce Peace, William H. Taft, president, for immediate use in arousing the country to demand prompt ratification in form that will not send treaty back for further negotiations and delay world pacification? Matter very urgent.

"GEORGE W. WICKERSHAM,

"CLEVELAND H. DODGE,

"OSCAR S. STRAUS,

"VANCE McCORMICK,

"HERBERT S. HOUSTON,

"Finance Committee, League to Enforce Peace."

"It is assumed that many of the 100 will respond because the names were selected from a card index conveniently noting the pecuniary ability and equally important detail of the political tendency of the 100 chosen citizens to dig down for the desired cash.

"Excepting Mr. Straus none of the five who signed the telegram could be reached yesterday, but he made it clear that Mr. McCormick had not evolved this idea. It had sprung into being spontaneously in the league's office when the full significance of 'the situation' was comprehended.

"'Publicity costs money,' observed Mr. Straus. 'There has been much misstatement about the league. The money is for publicity, for clarification in the minds of the public.'

"At the league office it was said telegrams were used not so much because this was an SOS to rescue the disputed and precarious document, but because one of the very first rules of all the latest volumes on salesmanship says that 'telegrams get results.'

"The results up to last night were not announced, however."

MR. LODGE. I also ask to have printed this invitation, dated September 16, 1919, which was widely circulated by the League to Enforce Peace. It reads:

(Personal and confidential.)

"LEAGUE TO ENFORCE PEACE,

"New York, September 16, 1919.

"DEAR FELLOW COVENANTER: Nearly everybody, except political trimmers and self-seekers, wants the peace treaty and covenant ratified without further delay. Humanity, commerce, industry, labor, the whole social order need ratification now."

As that was written it would mean that humanity, commerce, industry, labor, the whole social order needed ratification. I know what they mean, of course. It continues:

"We urge that you immediately write, telephone, telegraph, or visit Senators and demand prompt and unqualified ratification, and that you get other persons of influence who can bring pressure to do so. No matter if you have done this; do it again and in a positive and conclusive manner. Don't wait on others; strike straight from the shoulder now, and put all your might behind the blow.

"Faithfully yours,

"W. R. BOYD, Jr.,

"National Campaign Manager.

"I. T. JONES,

"Assistant National Campaign Manager."

The first circular that I put in is an appeal for money, in order to bring pressure upon the Senate. This is an appeal to all the best emotions of the human heart to bring pressure on the Senate. I am glad to read it and have it printed, because I think there is a certain unconscious humor in it, and also because it shows that the writers have not gotten beyond the point of considering that everyone who happens to differ from them must be a "political trimmer and self-seeker." I can only say to them by way of advice that machine-made pressure is perfectly obvious to those who have served in the House or the Senate. They know when a letter is real; they know when a telegram is real. They also know when they are machine made.

Now, in the reading of the treaty I believe the Secretary stopped at the beginning of part 2.

The Senate, as in Committee of the Whole, and in open executive session, resumed the consideration of the treaty of peace with Germany.

The VICE PRESIDENT. The reading of the treaty will be proceeded with.

The Secretary read as follows:

"PART II.

"BOUNDRARIES OF GERMANY.

"Article 27.

"The boundaries of Germany will be determined as follows:

"1. With Belgium:

"From the point common to the three frontiers of Belgium, Holland and Germany and in a southerly direction:

"the north-eastern boundary of the former territory of *neutral Moresnet*, then the eastern boundary of the *Kreis* of Eupen, then the frontier between Belgium and the *Kreis* of Montjoie, then the north-eastern and eastern boundary of the *Kreis* of Malmédy to its junction with the frontier of Luxembourg.

"2. With Luxembourg:

"The frontier of August 3, 1914, to its junction with the frontier of France of the 18th July, 1870.

"3. With France:

"The frontier of July 18, 1870, from Luxembourg to Switzerland with the reservations made in Article 48 of Section IV (Saar Basin) of Part III.

"4. With Switzerland:

"The present frontier.

"5. With Austria:

"The frontier of August 3, 1914, from Switzerland to Czechoslovakia as hereinafter defined.

"6. With Czechoslovakia:

"The frontier of August 3, 1914, between Germany and Austria from its junction with the old administrative boundary separating Bohemia and the province of Upper Austria to the point north of the salient of the old province of Austrian Silesia situated at about 8 kilometres east of Neustadt.

"7. With Poland:

"From the point defined above to a point to be fixed on the ground about 2 kilometres east of Lorzendorf:

"the frontier as it will be fixed in accordance with Article 88 of the present Treaty;

"thence in a northerly direction to the point where the administrative boundary of Posnania crosses the river Bartsch:

"a line to be fixed on the ground leaving the following places in Poland: Skorischau, Reichthal, Trembachau, Kunzendorf, Schleise, Gross Kosel, Schreibersdorf, Rippin, Fürstlich-Nieffken, Pawelau, Tscheschen, Konradau, Johannisdorf, Modzenowa, Bogdaj, and in Germany: Lorzendorf, Kaulwitz, Glausche, Dalbersdorf, Reesewitz, Stradam, Gross Wartenberg, Kraschen, Neu Mittelwalde, Domaslawitz, Wedelsdorf, Tscheschen Hammer.

"thence the administrative boundary of Posnania north-westwards to the point where it cuts the Rawitsch-Herrnstadt railway;

"thence to the point where the administrative boundary of Posnania cuts the Reisen-Tschirnau road:

"a line to be fixed on the ground passing west of Triebusch and Gabel and east of Saborwitz;

"thence the administrative boundary of Posnania to its junction with the eastern administrative boundary of the *Kreis* of Fraustadt;

"thence in a north-westerly direction to a point to be chosen on the road between the villages of Unruhstadt and Kopnitz:

"a line to be fixed on the ground passing west of Geyersdorf, Brenno, Fehlen, Altkloster, Klebel, and east of Ulbersdorf, Buchwald, Ilgen, Weine, Lupitze, Schwenten;

"thence in a northerly direction to the northernmost point of Lake Chlop:

"a line to be fixed on the ground following the median line of the lakes; the town and the station of Bentschen however (including the junction of the lines Schwiebus-Bentschen and Züllichau-Bentschen) remaining in Polish territory;

"thence in a north-easterly direction to the point of junction of the boundaries of the *Kreise* of Schwerin, Birnbaum and Meseritz;

"a line to be fixed on the ground passing east of Betsche;

"thence in a northerly direction the boundary separating the *Kreise* of Schwerin and Birnbaum, then in an easterly direction the northern boundary of Posnania to the point where it cuts the river Netze;

"thence upstream to its confluence with the Küddow;

"the course of the Netze;

"thence upstream to a point to be chosen about 6 kilometres south-east of Schneidemühl:

"the course of the Küddow;

"thence north-eastwards to the most southern point of the reentrant of the northern boundary of Posnania about 5 kilometres west of Stahren;

"a line to be fixed on the ground leaving the Schneidemühl-Konitz railway in this area entirely in German territory;

"thence the boundary of Posnania north-eastwards to the point of the salient it makes about 15 kilometres east of Flatow;

"thence north-eastwards to the point where the river Kamioka meets the southern boundary of the *Kreis* of Konitz about 3 kilometres north-east of Grunau;

"a line to be fixed on the ground leaving the following places to Poland: Jasdrowo, Gr. Lutau, Kl. Lutau, Wittkau, and to Germany: Gr. Butzig, Cziskowo, Battrow, Böck, Grunau;

"thence in a northerly direction the boundary between the *Kreise* of Konitz and Schlochau to the point where this boundary cuts the river Brahe;

"thence to a point on the boundary of Pomerania 15 kilometres east of Rummelsburg;

"a line to be fixed on the ground leaving the following places in Poland: Konarzin, Kelpin, Adl. Briesen, and in Germany: Sampohl, Neuguth, Steinfort, Gr. Peterkau;

"then the boundary of Pomerania in an easterly direction to its junction with the boundary between the *Kreise* of Konitz and Schlochau;

"thence northwards the boundary between Pomerania and West Prussia to the point on the river Rheda about 3 kilometres northwest of Gohra where that river is joined by a tributary from the north-west;

"thence to a point to be selected in the bend of the Piasnitz river about 1½ kilometres north-west of Warschau;

"a line to be fixed on the ground;

"thence this river downstream, then the median line of Lake Zarnowitz, then the old boundary of West Prussia to the Baltic Sea.

"8. With Denmark:

"The frontier as it will be fixed in accordance with Articles 109 to 111 of Part III, Section XII (Schleswig).

"Article 28.

"The boundaries of East Prussia, with the reservations made in Section IX (East Prussia) of Part III, will be determined as follows:

"from a point on the coast of the Baltic Sea about 1½ kilometres north of Pröbberna church in a direction of about 159° East from true North;

"a line to be fixed on the ground for about 2 kilometres;

"thence in a straight line to the left at the bend of the Elbing Channel in approximately latitude 54° 19' North, longitude 19° 26' East of Greenwich;

"thence to the easternmost mouth of the Nogat River at a bearing of approximately 209° East from true North;

"thence up the course of the Nogat River to the point where the latter leaves the Vistula (Weichsel);

"thence up the principal channel of navigation of the Vistula, then the southern boundary of the *Kreis* of Marienwerder, then that of the *Kreis* of Rosenberg eastwards to the point where it meets the old boundary of East Prussia.

"thence the old boundary between East and West Prussia, then the boundary between the *Kreise* of Osterode and Neidenburg, then the course of the river Skottau downstream, then the course of the Neide upstream to a point situated about 5 kilometres west of Bialutten being the nearest point to the old frontier of Russia;

"thence in an easterly direction to a point immediately south of the intersection of the road Neidenburg-Mlava with the old frontier of Russia:

"a line to be fixed on the ground passing north of Bialutten;

"thence the old frontier of Russia to a point east of Schmallenkingen, then the principal channel of navigation of the Niemen (Memel) downstream, then the Skierwieth arm of the delta to the Kurisches Haff;

"thence a straight line to the point where the eastern shore of the Kurische Nehrung meets the administrative boundary about 4 kilometres south-west of Nidden;

"thence this administrative boundary to the western shore of the Kurische Nehrung.

"Article 29.

"The boundaries as described above are drawn in red on a one-in-a-million map which is annexed to the present Treaty (Map No. 1).

"In the case of any discrepancies between the text of the Treaty and this map or any other map which may be annexed, the text will be final.

"Article 30.

"In the case of boundaries which are defined by a waterway, the terms 'course' and 'channel' used in the present Treaty signify: in the case of non-navigable rivers, the median line of

the waterway or of its principal arm, and, in the case of navigable rivers, the median line of the principal channel of navigation. It will rest with the Boundary Commissions provided by the present Treaty to specify in each case whether the frontier line shall follow any changes of the course or channel which may take place or whether it shall be definitely fixed by the position of the course or channel at the time when the present Treaty comes into force."

Mr. WATSON. Mr. President, before we proceed further with the reading of the treaty, I should like to ask the Senator from Massachusetts [Mr. LODGE] whether he has any large maps to be hung on the wall to display these two boundary lines? We have the whole map of Europe practically rewritten, with many new nations created, and I think we would all be pretty much interested in knowing as much about the boundary lines as it has been possible for the members of the committee to know. Those of us not on the committee are not familiar with the boundary lines, and I think we would all be interested in knowing more about the geography of the new Europe, if there is any way we can get at it.

Mr. LODGE. Mr. President, I am sorry to say that I have no large maps. I suppose they could be prepared. Every Senator has the volume with maps in it, but to follow the boundary lines as the treaty is read is practically an impossibility. It can not be done with the small maps. I think there ought to be some large maps made showing the boundaries that are established for the different countries. I suppose that could be done, and if that is the desire of Senators I will take steps to have it done. I suppose it can be done on the request of the committee. I realize that perhaps the committee has been negligent in not attending to it before. It did not occur to me, I confess, until I heard the boundaries read here, how impossible it is for anybody to follow them or know just what the treaty provides for. I shall take advantage of the suggestion of the Senator from Indiana and see if we can not have some outline maps made which will show the boundaries of Germany—the old boundaries and the new boundaries—and to what other countries portions of Germany have been assigned.

Mr. SMOOT. I suggest to the Senator from Massachusetts that perhaps he will find such maps already prepared in the State Department. I have been informed that they have maps showing the new boundaries in Europe as agreed upon at Paris.

Mr. LODGE. Does the Senator mean large wall maps?

Mr. SMOOT. Yes; large wall maps. I have not seen one of them, I will say to the Senator, nor have I seen any maps with the exception of those contained in the volume to which he refers; but I think they are already prepared, and it would be a very good thing to have one here.

Mr. LODGE. If the State Department has them, that will expedite matters very much. I shall make inquiry at once and see if the State Department has large maps which will show the boundaries, new and old.

The VICE PRESIDENT. The Secretary will continue the reading.

The Secretary read as follows:

"PART III.

"POLITICAL CLAUSES FOR EUROPE.

"Section I.

"BELGIUM.

"Article 31.

"Germany, recognizing that the Treaties of April 19, 1839, which established the status of Belgium before the war, no longer conform to the requirements of the situation, consents to the abrogation of the said Treaties and undertakes immediately to recognize and to observe whatever conventions may be entered into by the Principal Allied and Associated Powers, or by any of them, in concert with the Governments of Belgium and of the Netherlands, to replace the said Treaties of 1839. If her formal adhesion should be required to such conventions or to any of their stipulations, Germany undertakes immediately to give it.

"Article 32.

"Germany recognizes the full sovereignty of Belgium over the whole of the contested territory of Moresnet (called *Moresnet neutre*).

Mr. MOSES. Mr. President, I desire to ask the Senator in charge of the treaty whether the territory referred to in article 32 is that over which the newspaper dispatches inform us Belgium and Holland have come to disagreement and have ruptured diplomatic relations?

Mr. LODGE. I do not think that is the territory. However, I should have to look at the map and examine it carefully to answer with any authority. The territory in contest between Holland and Belgium, I understand, is chiefly with reference

to what was the Duchy of Lemberg and the navigation of the Scheldt, the ownership of Holland, with which the Senator is familiar, on the southwestern side of the Scheldt, giving Holland control of the waters of the Scheldt. About this there are many treaties in existence, as the Senator from New Hampshire is no doubt aware; but what the Moresnet neutre is I do not pretend to know. I have not looked it up on the map, and I do not know exactly what it is. The Senator can probably find it in one of the maps printed with the treaty.

The VICE PRESIDENT. The Secretary will continue reading.

The Secretary read as follows:

"Article 33.

"Germany renounces in favour of Belgium all rights and title over the territory of Prussian Moresnet situated on the west of the road from Liège to Aix-la-Chapelle; the road will belong to Belgium where it bounds this territory."

Mr. LODGE. Mr. President, I think that confirms what I said to the Senator. I think the Dutch and Belgian differences are in regard to territory farther to the westward; that is my impression, because the line in article 33, as the Senator will notice, runs from Liège to Aix-la-Chapelle, and that, as I remember—I am speaking from memory—is in the eastern part of Belgium.

The reading of the treaty was resumed, as follows:

"Article 34.

"Germany renounces in favour of Belgium all rights and title over the territory comprising the whole of the *Kreis* of Eupen and of Malmédy.

"During the six months after the coming into force of this Treaty, registers will be opened by the Belgian authority at Eupen and Malmédy in which the inhabitants of the above territory will be entitled to record in writing a desire to see the whole or part of it remain under German sovereignty.

"The results of this public expression of opinion will be communicated by the Belgian Government to the League of Nations, and Belgium undertakes to accept the decision of the League."

Mr. MOSES. Mr. President, in the course of the reading of this article of the treaty before the Committee on Foreign Relations an amendment was offered which was afterwards withdrawn, and which does not happen, therefore, to be before the Senate at the present time; but it is worth while to call the attention of the Senate in connection with this article to the fact that the disposition of the sovereignty of the *Kreis* of Eupen and of Malmédy is made in an entirely different manner from other dispositions of sovereignty for which the treaty provides. Here a register is opened and the inhabitants record their desires in writing, with none of the safeguards which the treaty is supposed to throw about the rights of self-determination and with absolutely no interposition of the strong arm of the indispensable instrumentality of which we have heard so much in the last few months.

I merely wish to call the attention of the Senate to this fact in emphasis of the loosely drawn manner in which this treaty was put together and of the skill with which our European associates who sat with us at the council table at Versailles permitted themselves to leave us out of all problems with which they felt entirely confident to deal to their own satisfaction, and the care with which they equally tied us strongly into every problem where they required a goat upon whom they could wish the subsequent results.

The reading of the treaty was resumed, as follows:

"Article 35.

"A Commission of seven persons, five of whom will be appointed by the Principal Allied and Associated Powers, one by Germany and one by Belgium, will be set up fifteen days after the coming into force of the present Treaty to settle on the spot the new frontier line between Belgium and Germany, taking into account the economic factors and the means of communication.

"Decisions will be taken by a majority and will be binding on the parties concerned."

The next amendment of the Committee on Foreign Relations was, on page 57, article 35, line 2, before the word "Powers," to strike out the words "and Associated."

Mr. LODGE. Mr. President, this amendment is one of 34, all of which, with two exceptions, are similar or alike; and it makes no difference which one is discussed, because the same principle applies to all of them. Unless the Senator from New Mexico [Mr. FALL] particularly desires to go on this afternoon with those amendments, I suggest that we pass them for the present until he is ready to proceed, and that we continue the reading of the treaty. I think it will facilitate the reading if we treat these amendments as one.

Mr. FALL. Mr. President, the series of amendments to which the Senator from Massachusetts refers is composed altogether of some 30 amendments, and while I should personally very much prefer to adopt the course suggested by the Senator who is in charge of the treaty, I do not care to say that I am not physically able to discuss these amendments at the present time. I would very much prefer, however, to allow the discussion to go over while the amendments are read. I believe the last of these particular amendments is on page 163 of the treaty. The purpose of the amendments is simply to eliminate the United States from the different commissions which are to be provided for in the treaty itself, allowing the allied powers to appoint their own commissions to carry out the purposes expressed in the treaty.

I desire to discuss the matter a little more at length, and I do not think any time will be lost by pursuing the course suggested by the Senator from Massachusetts, as the amendments can all be discussed at one time.

Mr. MOSES. Mr. President—

Mr. FALL. I yield to the Senator from New Hampshire.

Mr. MOSES. The Senator, of course, in suggesting that the entire series of amendments which have come to be known as the Fall amendments are the same, simply means that they are the same in principle. There chances to be, as the Senator well knows, considerable variation in the form and application of the various commissions set up, as, for example, the one under article 35, comprising seven persons, will have not only the membership selected by the principal allied and associated powers, but it will also have the German and Belgium delegates, whereas in many of the other commissions set up under the treaty the stipulations call merely for five delegates or commissioners to be named by the principal allied and associated powers. It is possible, if I may suggest it to the Senator, that it will simplify the debate upon the whole series of amendments of this character if we have them all read before any are debated, inasmuch as there are these variations in form and function.

Mr. FALL. The Senator is entirely correct. It would very much simplify the discussion. Otherwise, in attempting to discuss the series of amendments it would be necessary to anticipate the reading of the treaty, while after the reading is concluded, at least in so far as this series of amendments is concerned, having it behind us, having some understanding of it, the Senate can discuss exactly the differences to which the Senator from New Hampshire has called attention. For instance, I call the attention of the Senate now, on page 77, to this language:

The governing commission—

This is in reference to the Saar Basin—

provided for by paragraph 16, shall consist of five members chosen by the council of the league of nations, and will include one citizen of France, one native inhabitant of the Saar Basin not a citizen of France, and three members belonging to three countries other than France or Germany.

The amendment there is to exclude the United States. So it does not affect the United States, as in the series generally, by simply striking out the words "and associated."

Mr. MOSES. The Senator need not leap so far in the text of the treaty to find differentiations such as those to which I have alluded, because, on page 61, with reference to certain international arrangements relating to the Grand Duchy of Luxembourg the Senator will find that the allied and associated powers are included.

Mr. FALL. I hope the Senate will pursue the course suggested by the Senator in charge of the treaty. There were several questions which were asked the President of the United States with reference to these amendments, and at the proper time I shall call attention to those questions and answers.

Mr. HITCHCOCK. Mr. President, it was my understanding that after passing over the first two amendments we would consider and vote upon each separate amendment as it was reached; and I feel constrained to object to passing this and other amendments over indefinitely. I would be willing to pass over until to-morrow those that may be reached in the reading to-day so as to give the Senator from New Mexico time to prepare his remarks, if that will be agreeable.

Mr. FALL. I am not assuming to set the time; and, so far as I am personally concerned, I will say to the Senator that that will be perfectly agreeable to me.

Mr. HITCHCOCK. Then we can proceed with the reading as far as we may to-day and take these amendments up to-morrow.

Mr. FALL. I think, as a matter of fact, that if we now proceed without discussion we would get to page 163 possibly, which would cover this series of amendments.

Mr. HITCHCOCK. I should not like to pass these amendments over in that way.

Mr. FALL. I am asking nothing whatsoever, but I will say to the Senator that we will not get a vote if we proceed with the discussion this afternoon. I have no earthly desire to delay, but it will simply be easier to discuss the amendments and to point out the differences between them, their purpose, and how they affect the treaty after they have all been read rather than to undertake to anticipate them by discussing them beforehand. The Senator can see that; but, so far as I am personally concerned, I have no objection to his suggestion.

Mr. HITCHCOCK. Is the Senator ready to proceed now with his argument?

Mr. FALL. No; I prefer not to do so.

Mr. LODGE. Mr. President, this presents a somewhat unusual case. Here is a series of amendments extending over a number of pages. The Senator who offered the amendments, which were adopted by the committee, desires to discuss those amendments in a group and dispose of them all at once. The treaty must be read, and it seems to me to make very little difference, so far as time goes, whether it is read now or read at some other time; but this desire to inconvenience a Senator and undertake to say when a Senator must speak on amendments is something I have never seen attempted heretofore in the Senate.

Mr. FALL. Mr. President, I do not care to discuss each amendment as we come to it; the principle involved in each is the same, although the reasons for the amendments are not exactly the same. They can all be disposed of, however, at one time, in my judgment; at least, I am willing to endeavor to discuss them together as intelligently as I may be able to do; but if that course is not pursued, then it will be necessary for me to explain each individual amendment of the thirty odd. So it seems to me that time would be saved by proceeding as suggested by the Senator from Massachusetts. I assure the Senator from Nebraska that so far as I am concerned there is no purpose of delay at all.

Mr. HITCHCOCK. Mr. President, we are ready to proceed this afternoon. I think the course I have suggested is a proper one; but if the Senator prefers to make his remarks to-morrow or begin to-morrow I would be willing to pass over the amendments until to-morrow for that purpose.

Mr. FALL. That is perfectly satisfactory to me.

Mr. LODGE. Mr. President, we might as well understand that the amendments will be passed over or taken up according to the will of the Senate; and I ask now—I move, if it is necessary for me to make a motion, that amendment No. 3 be passed over temporarily.

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

The VICE PRESIDENT. The Secretary will call the roll.

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

Ashurst	Harrison	McNary	Simmons
Ball	Henderson	Moses	Smith, Ariz.
Beckham	Hitchcock	Myers	Smith, Ga.
Brandegee	Johnson, Calif.	Nelson	Smith, Md.
Capper	Johnson, S. Dak.	New	Smith, S. C.
Colt	Jones, N. Mex.	Newberry	Smoot
Culberson	Jones, Wash.	Norris	Spencer
Curtis	Kendrick	Nugent	Sutherland
Dial	Kenyon	Overman	Swanson
Dillingham	Keyes	Page	Thomas
Fall	Kirby	Penrose	Townsend
Fernald	Knox	Phelan	Trammell
Fletcher	Lenroot	Phipps	Walsh, Mass.
Gay	Lodge	Pittman	Walsh, Mont.
Gerry	McCumber	Poindexter	Watson
Harding	McKellar	Randsell	Williams
Harris	McLean	Sheppard	

The VICE PRESIDENT. Sixty-seven Senators have answered to the roll call. There is a quorum present.

Mr. LODGE. Mr. President, now that the Senators have returned, I should like to explain, before we vote, the point that has arisen.

We have reached, on page 57, the third amendment, "and associated powers." That is one of a series of 32 amendments offered by the Senator from New Mexico [Mr. FALL] in the committee, all directed to one purpose, and based on one principle. The Senator from New Mexico desires to discuss those amendments of his en bloc, and the proposition was that this one should be passed over until all of his amendments have been read, because he does not wish to make the same discussion thirty times, once on each amendment. It would save time to do it in that way, and it would enable the Senator from New Mexico to discuss all of his amendments together. If we are obliged to take them up one by one it will greatly protract the debate. The suggestion I made was that we should pass it over temporarily; and, if it is necessary, I move to pass it over temporarily.

**THE VICE PRESIDENT.** Is there objection to passing over the amendment?

**MR. HITCHCOCK.** Mr. President, I made an objection to that, and I will state in doing so that I was perfectly willing to have a unanimous-consent agreement to pass over the amendment until to-morrow if the Senator from New Mexico desired a better occasion or better opportunity on which to present his case; but I do object to the indefinite postponement or to the passing over of the amendment in that way. If the Senator from Massachusetts is willing to arrive at a definite time at which this and other amendments of a similar sort may be considered, that can be easily arranged.

**MR. LODGE.** I am making no agreements and giving no assurances which I have no power to give. We came to this amendment in the regular course of business. I have explained why this courtesy should be extended to a Senator, which I have never known to be refused before. As there seems to be objection to it I move that we pass over this third amendment temporarily.

**MR. HITCHCOCK.** Mr. President, to that I make the point of order that we are operating under a unanimous-consent agreement for the reading of this treaty for committee amendments, and that no amendment can be passed over indefinitely without unanimous consent.

**MR. LODGE.** Mr. President, we are not proceeding under a unanimous-consent agreement. We are proceeding under the rule, which is very explicit; and I take it that it is within the power of the Senate to decide when it will take up any one amendment.

**THE VICE PRESIDENT.** We are proceeding under this rule:

When a treaty is reported from a committee with or without amendment, it shall, unless the Senate unanimously otherwise direct, lie one day for consideration, after which it may be read a second time and considered as in Committee of the Whole, when it shall be proceeded with by articles, and the amendments reported by the committee shall be first acted upon, after which other amendments may be proposed; and when through with, the proceedings had as in Committee of the Whole shall be reported to the Senate.

That is far enough to read. We are in Committee of the Whole now in consideration of this treaty. It must be considered in accordance with the rule that applies to the consideration of any other question in the Committee of the Whole. We have reached a pending amendment, and the rules of the Senate provide that—

When a question is pending, no motion shall be received but—  
To adjourn.

To adjourn to a day certain, or that when the Senate adjourn it shall be to a day certain.

To take a recess.

To proceed to the consideration of executive business.

To lay on the table.

To postpone indefinitely.

To postpone to a day certain.

To commit.

To amend.

If this be a motion simply to pass the amendment over, the Chair sustains the point of order.

**MR. HITCHCOCK.** Now I will say to the Senator from New Mexico that I shall be perfectly willing, on behalf of this side of the Chamber, to agree to take up the amendment to-morrow, and to give him every opportunity to present his case on all the amendments of the same kind. I do not intend any discourtesy to the Senator from New Mexico; and I understand from him that it is entirely acceptable to him to carry out that program, and that it will meet with his convenience.

**MR. LODGE.** Mr. President, I did not see anything in the rule which prevented laying aside an amendment. The limitation of the rule is that the committee amendments shall be considered first. It does not prescribe any order in which they shall be considered. I take it that the committee has the right to call up any of its amendments before anyone else can offer one, and that is all.

**THE VICE PRESIDENT.** The Chair is simply ruling in accordance with the invariable rule in the Committee of the Whole, and that is when there is a pending question—and there is one here—

**MR. LODGE.** What is the question?

**THE VICE PRESIDENT.** The question is on agreeing to this amendment.

**MR. LODGE.** The amendment has not been read.

**THE VICE PRESIDENT.** It has been read.

**MR. LODGE.** If the amendment has been read, then it is a pending amendment.

**THE VICE PRESIDENT.** It is a pending amendment and the pending question.

**MR. LODGE.** And the Chair rules that it can not be laid aside by the vote of the Senate?

**THE VICE PRESIDENT.** The Chair rules that it can not be laid aside by the Senate. The Chair rules that it can be postponed to a definite time, or you can indefinitely postpone it if you so move.

**MR. LODGE.** Mr. President, if that is the ruling of the Chair, I move that this amendment be postponed until this day week.

**MR. HITCHCOCK.** On that I demand the yeas and nays.

**THE VICE PRESIDENT.** The question is on the motion of the Senator from Massachusetts to postpone the consideration of this amendment for one week. On that motion the yeas and nays are requested. Is the request seconded?

The yeas and nays were ordered.

**THE VICE PRESIDENT.** The Secretary will call the roll. The Secretary proceeded to call the roll.

**MR. JOHNSON** of California (when his name was called). I have a pair with the senior Senator from Virginia [Mr. MARTIN], and in his absence I withhold my vote. If permitted to vote, I would vote "yea."

**MR. WALSH** of Montana (when his name was called). I have a pair with the senior Senator from New Jersey [Mr. FRELINGHUYSEN], which I transfer to the Senator from Alabama [Mr. BANKHEAD] and vote "nay."

The roll call was concluded.

**MR. HARRIS.** I have a pair with the junior Senator from New York [MR. CALDER]. I transfer that pair to the senior Senator from Colorado [MR. THOMAS] and vote "nay."

**MR. CURTIS.** I wish to announce that the Senator from New Jersey [MR. EDGE] is paired with the Senator from Oklahoma [MR. OWEN] and the Senator from Illinois [MR. McCORMICK] is paired with the Senator from Nevada [MR. HENDERSON].

**MR. GERRY.** The senior Senator from Oklahoma [MR. GORE] is detained from the Senate by illness. The Senator from Nevada [MR. HENDERSON], the Senator from Colorado [MR. THOMAS], the junior Senator from Oklahoma [MR. OWEN], and the Senator from Tennessee [MR. SHIELDS] are detained from the Senate on public business.

The result was announced—yeas 43, nays 40, as follows:

YEAS—43.

Ball	France	McLean	Reed
Borah	Gronna	McNary	Sherman
Brandegee	Hale	Moses	Smoot
Capper	Harding	Nelson	Spencer
Colt	Kellogg	New	Sterling
Cummins	Kenyon	Newberry	Sutherland
Curtis	Keyes	Norris	Townsend
Dillingham	Knox	Page	Wadsworth
Elkins	La Follette	Penrose	Warren
Fall	Lenroot	Phelps	Watson
Fernald	Lodge	Poindexter	

NAYS—40.

Ashurst	Hitchcock	Overman	Smith, Md.
Beckham	Johnson, S. Dak.	Phelan	Smith, S. C.
Chamberlain	Jones, N. Mex.	Pittman	Stanley
Culberson	Jones, Wash.	Pomerene	Swanson
Dial	Kendrick	Randall	Trammell
Fletcher	Kirby	Robinson	Underwood
Gay	McCumber	Sheppard	Walsh, Mass.
Gerry	McKellar	Simmons	Walsh, Mont.
Harris	Myers	Smith, Ariz.	Williams
Harrison	Nugent	Smith, Ga.	Wolcott

NOT VOTING—13.

Bankhead	Gore	McCormick	Thomas
Calder	Henderson	Martin	
Edge	Johnson, Calif.	Owen	
Frelinghuysen	King	Shields	

So Mr. LODGE's motion was agreed to.

**MR. LODGE.** Mr. President, in my motion I named a time entirely at random. I have no desire to put it at an unreasonable distance, and I ask unanimous consent to change the time from one week to three days hence, and let it apply to all these amendments.

**THE VICE PRESIDENT.** That is, to Friday of this week, the 26th?

**MR. LODGE.** Friday of this week.

**THE VICE PRESIDENT.** Is there objection? The Chair hears none, and it is unanimously agreed to.

The Secretary resumed the reading of the treaty at the top of page 57, article 35, and read as follows:

"Article 35.

"A Commission of seven persons, five of whom will be appointed by the Principal Allied and Associated Powers, one by Germany and one by Belgium, will be set up fifteen days after the coming into force of the present Treaty to settle on the spot the new frontier line between Belgium and Germany, taking into account the economic factors and the means of communication.

"Decisions will be taken by a majority and will be binding on the parties concerned."

The next amendment of the Committee on Foreign Relations was, after the word "Allied," in line 2 of article 35, page 57, to strike out the words "and Associated."

THE VICE PRESIDENT. The amendment will be passed over until Friday.

The reading was continued, as follows:

*"Article 36."*

"When the transfer of the sovereignty over the territories referred to above has become definite, German nationals habitually resident in the territories will definitively acquire Belgian nationality *ipso facto*, and will lose their German nationality.

"Nevertheless, German nationals who became resident in the territories after August 1, 1914, shall not obtain Belgian nationality without a permit from the Belgian Government.

*"Article 37."*

"Within the two years following the definitive transfer of the sovereignty over the territories assigned to Belgium under the present Treaty, German nationals over 18 years of age habitually resident in those territories will be entitled to opt for German nationality.

"Option by a husband will cover his wife, and option by parents will cover their children under 18 years of age.

"Persons who have exercised the above right to opt must within the ensuing twelve months transfer their place of residence to Germany.

"They will be entitled to retain their immovable property in the territories acquired by Belgium. They may carry with them their movable property of every description. No export or import duties may be imposed upon them in connection with the removal of such property.

*"Article 38."*

"The German Government will hand over without delay to the Belgian Government the archives, registers, plans, title deeds and documents of every kind concerning the civil, military, financial, judicial or other administrations in the territory transferred to Belgian sovereignty.

"The German Government will likewise restore to the Belgian Government the archives and documents of every kind carried off during the war by the German authorities from the Belgian public administrations, in particular from the Ministry of Foreign Affairs at Brussels.

*"Article 39."*

"The proportion and nature of the financial liabilities of Germany and of Prussia which Belgium will have to bear on account of the territories ceded to her shall be fixed in conformity with Articles 254 and 256 of Part IX (Financial Clauses) of the present Treaty.

*"Section II."*

*"LUXEMBURG."*

*"Article 40."*

"With regard to the Grand Duchy of Luxembourg, Germany renounces the benefit of all the provisions inserted in her favour in the Treaties of February 8, 1842, April 2, 1847, October 20-25, 1865, August 18, 1866, February 21 and May 11, 1867, May 10, 1871, June 11, 1872, and November 11, 1902, and in all Conventions consequent upon such Treaties.

"Germany recognizes that the Grand Duchy of Luxembourg ceased to form part of the German Zollverein as from January 1, 1919, renounces all rights to the exploitation of the railways, adheres to the termination of the régime of neutrality of the Grand Duchy, and accepts in advance all international arrangements which may be concluded by the Allied and Associated Powers relating to the Grand Duchy."

The next amendment of the Committee on Foreign Relations was, in article 40, on page 61, after the word "Allied," to strike out the words "and Associated."

THE VICE PRESIDENT. The amendment will be passed over until Friday.

The Secretary continued the reading as follows:

*"Article 41."*

"Germany undertakes to grant to the Grand Duchy of Luxembourg, when a demand to that effect is made to her by the Principal Allied and Associated Powers, the rights and advantages stipulated in favour of such Powers or their nationals in the present Treaty with regard to economic questions, to questions relative to transport and to aerial navigation."

The next amendment of the Committee on Foreign Relations was, on page 61, in article 41, line 2, after the word "Allied," to strike out the words "and Associated."

THE VICE PRESIDENT. The amendment will be passed over until Friday.

The Secretary continued reading as follows:

*"Section III."*

*"LEFT BANK OF THE RHINE."*

*"Article 42."*

"Germany is forbidden to maintain or construct any fortifications either on the left bank of the Rhine or on the right bank to the west of a line drawn 50 kilometres to the East of the Rhine.

*"Article 43."*

"In the area defined above the maintenance and the assembly of armed forces, either permanently or temporarily, and military manœuvres of any kind, as well as the upkeep of all permanent works for mobilization, are in the same way forbidden.

*"Article 44."*

"In case Germany violates in any manner whatever the provisions of Articles 42 and 43, she shall be regarded as committing a hostile act against the Powers signatory of the present Treaty and as calculated to disturb the peace of the world.

*"Section IV."*

*"SAAR BASIN."*

*"Article 45."*

"As compensation for the destruction of the coal-mines in the north of France and as part payment towards the total reparation due from Germany for the damage resulting from the war, Germany cedes to France in full and absolute possession, with exclusive rights of exploitation, unencumbered and free from all debts and charges of any kind, the coal-mines situated in the Saar Basin as defined in Article 48.

*"Article 46."*

"In order to assure the rights and welfare of the population and to guarantee to France complete freedom in working the mines, Germany agrees to the provisions of Chapters I and II of the Annex hereto.

*"Article 47."*

"In order to make in due time permanent provision for the government of the Saar Basin in accordance with the wishes of the populations, France and Germany agree to the provisions of Chapter III of the Annex hereto.

*"Article 48."*

"The boundaries of the territory of the Saar Basin, as dealt with in the present stipulations, will be fixed as follows:

*"On the south and south-west:* by the frontier of France as fixed by the present Treaty.

*"On the north-west and north:* by a line following the northern administrative boundary of the *Kreis* of Merzig from the point where it leaves the French frontier to the point where it meets the administrative boundary separating the commune of Saarhölzbach from the commune of Britten; following this communal boundary southwards and reaching the administrative boundary of the canton of Merzig so as to include in the territory of the Saar Basin the canton of Mettlach, with the exception of the commune of Britten; following successively the northern administrative boundaries of the cantons of Merzig and Haustadt, which are incorporated in the aforesaid Saar Basin, then successively the administrative boundaries separating the *Kreise* of Sarrelouis, Ottweiler and Saint-Wendel from the *Kreise* of Merzig, Trèves (Trier) and the Principality of Birkenfeld as far as a point situated about 500 metres north of the village of Furschweiler (viz., the highest point of the Metzelberg).

*"On the north-east and east:* from the last point defined above to a point about 3½ kilometres east-north-east of Saint-Wendel:

"a line to be fixed on the ground passing east of Furschweiler, west of Roschberg, east of points 418, 329 (south of Roschberg), west of Leitersweiler, north-east of point 404, and following the line of the crest southwards to its junction with the administrative boundary of the *Kreis* of Kusel;

"thence in a southerly direction the boundary of the *Kreis* of Kusel, then the boundary of the *Kreis* of Homburg towards the south-south-east to a point situated about 1000 metres west of Dunzweiler;

"thence to a point about 1 kilometre south of Hornbach:

"a line to be fixed on the ground passing through point 424 (about 1000 metres south-east of Dunzweiler), point 363 (Fuchsberg), point 322 (south-west of Waldmohr), then east of Jügersburg and Erbach, then encircling Homburg, passing through the points 361 (about 2½ kilometres north-east by east of that town), 342 (about 2 kilometres south-east of that town), 347 (Schreiners-Berg), 356, 350 (about 1½ kilometres south-east of Schwarzenbach), then passing east of Einöd, south-east of points 322 and 333, about 2 kilometres east of Webenheim, about 2

kilometres east of Mimbach, passing east of the plateau which is traversed by the road from Mimbach to Böckweiler (so as to include this road in the territory of the Saar Basin), passing immediately north of the junction of the roads from Böckweiler and Altheim situated about 2 kilometres north of Altheim, then passing south of Ringweilerhof and north of point 322, rejoining the frontier of France at the angle which it makes about 1 kilometre south of Hornbach (see Map No. 2 scale 1/100,000 annexed to the present Treaty).

“A Commission composed of five members, one appointed by France, one by Germany, and three by the Council of the League of Nations, which will select nationals of other Powers, will be constituted within fifteen days from the coming into force of the present Treaty, to trace on the spot the frontier line described above.

“In those parts of the preceding line which do not coincide with administrative boundaries, the Commission will endeavour to keep to the line indicated, while taking into consideration, so far as is possible, local economic interests and existing communal boundaries.

“The decisions of this Commission will be taken by a majority, and will be binding on the parties concerned.

*Article 49.*

“Germany renounces in favour of the League of Nations, in the capacity of trustee, the government of the territory defined above.

“At the end of fifteen years from the coming into force of the present Treaty the inhabitants of the said territory shall be called upon to indicate the sovereignty under which they desire to be placed.”

Mr. BRANDEGEE. Mr. President, in reference to the last sentence read, while it calls upon the inhabitants of the territory to indicate the sovereignty under which they desire to be placed, there is no provision that they shall be placed where they say they wish to be placed. That seems to me to be a very curious omission in the treaty. With a considerable appearance of magnanimity, the commission appointed by the council, after having exercised sovereignty over the Saar Basin for 15 years, is to call upon the inhabitants to say to what sovereignty they desire to be annexed. Apparently they can pocket the returns and “nothing doing.” I suppose it would be sacrilege to offer any amendment to this sacred instrument, and if it were proper it would not be in order at this time, as committee amendments are to be first considered. It seems to me to be a curious omission in the treaty. That is all I have to say about it at the present time.

The Secretary continued the reading, as follows:

*Article 50.*

“The stipulations under which the cession of the mines in the Saar Basin shall be carried out, together with the measures intended to guarantee the rights and the well-being of the inhabitant and the government of the territory, as well as the conditions in accordance with which the plebiscite hereinbefore provided for is to be made, are laid down in the Annex hereto. This Annex shall be considered as an integral part of the present Treaty, and Germany declares her adherence to it.

*ANNEX.*

“In accordance with the provisions of Articles 45 to 50 of the present Treaty, the stipulations under which the cession by Germany to France of the mines of the Saar Basin will be effected, as well as the measures intended to ensure respect for the rights and well-being of the population and the government of the territory, and the conditions in which the inhabitants will be called upon to indicate the sovereignty under which they may wish to be placed, have been laid down as follows:

*CHAPTER I.*

*CESSION AND EXPLOITATION OF MINING PROPERTY.*

*1.*

“From the date of the coming into force of the present Treaty, all the deposits of coal situated within the Saar Basin as defined in Article 48 of the said Treaty, become the complete and absolute property of the French State.

“The French State will have the right of working or not working the said mines, or of transferring to a third party the right of working them, without having to obtain any previous authorisation or to fulfil any formalities.

“The French State may always require that the German mining laws and regulations referred to below shall be applied in order to ensure the determination of its rights.

*2.*

“The right of ownership of the French State will apply not only to the deposits which are free and for which concessions have not yet been granted, but also to the deposits for which

concessions have already been granted, whoever may be the present proprietors, irrespective of whether they belong to the Prussian State, to the Bavarian State, to other States or bodies, to companies or to individuals, whether they have been worked or not, or whether a right of exploitation distinct from the right of the owners of the surface of the soil has or has not been recognized.

“As far as concerns the mines which are being worked, the transfer of the ownership to the French State will apply to all the accessories and subsidiaries of the said mines, in particular to their plant and equipment both on and below the surface, to their extracting machinery, their plants for transforming coal into electric power, coke and by-products, their workshops, means of communication, electric lines, plant for catching and distributing water, land, buildings such as offices, managers', employees' and workmen's dwellings, schools, hospitals and dispensaries, their stocks and supplies of every description, their archives and plans, and in general everything which those who own or exploit the mines possess or enjoy for the purpose of exploiting the mines and their accessories and subsidiaries.

“The transfer will apply also to the debts owing for products delivered before the entry into possession by the French State, and after the signature of the present Treaty, and to deposits of money made by customers, whose rights will be guaranteed by the French State.

*4.*

“The French State will acquire the property free and clear of all debts and charges. Nevertheless, the rights acquired, or in course of being acquired, by the employees of the mines and their accessories and subsidiaries at the date of the coming into force of the present Treaty, in connection with pensions for old age or disability, will not be affected. In return, Germany must pay over to the French State a sum representing the actuarial amounts to which the said employees are entitled.

*5.*

“The value of the property thus ceded to the French State will be determined by the Reparation Commission referred to in Article 233 of Part VIII (Reparation) of the present Treaty.

“This value shall be credited to Germany in part payment of the amount due for reparation.

“It will be for Germany to indemnify the proprietors or parties concerned, whoever they may be.

*6.*

“No tariff shall be established on the German railways and canals which may directly or indirectly discriminate to the prejudice of the transport of the personnel or products of the mines and their accessories or subsidiaries, or of the material necessary to their exploitation. Such transport shall enjoy all the rights and privileges which any international railway conventions may guarantee to similar products of French origin.

*7.*

“The equipment and personnel necessary to ensure the despatch and transport of the products of the mines and their accessories and subsidiaries, as well as the carriage of workmen and employees, will be provided by the local railway administration of the Basin.

*8.*

“No obstacle shall be placed in the way of such improvements of railways or waterways as the French State may judge necessary to assure the despatch and the transport of the products of the mines and their accessories and subsidiaries, such as double trackage, enlargement of stations, and construction of yards and appurtenances. The distribution of expenses will, in the event of disagreement, be submitted to arbitration.

“The French State may also establish any new means of communication, such as roads, electric lines and telephone connections which it may consider necessary for the exploitation of the mines.

“It may exploit freely and without any restrictions the means of communication of which it may become the owner, particularly those connecting the mines and their accessories and subsidiaries with the means of communication situated in French territory.

*9.*

“The French State shall always be entitled to demand the application of the German mining laws and regulations in force on November 11, 1918, excepting provisions adopted exclusively, in view of the state of war, with a view to the acquisition of such land as it may judge necessary for the exploitation of the mines and their accessories and subsidiaries.

“The payment for damage caused to immovable property by the working of the said mines and their accessories and subsidiaries shall be made in accordance with the German mining laws and regulations above referred to.

" 10.

" Every person whom the French State may substitute for itself as regards the whole or part of its rights to the exploitation of the mines and their accessories and subsidiaries shall enjoy the benefit of the privileges provided in this Annex.

" 11.

" The mines and other immovable property which become the property of the French State may never be made the subject of measures of forfeiture, forced sale, expropriation or requisition, nor of any other measure affecting the right of property.

" The personnel and the plant connected with the exploitation of these mines or their accessories and subsidiaries, as well as the product extracted from the mines or manufactured in their accessories and subsidiaries, may not at any time be made the subject of any measures of requisition.

" 12.

" The exploitation of the mines and their accessories and subsidiaries, which become the property of the French State, will continue, subject to the provisions of paragraph 23 below, to be subject to the régime established by the German laws and regulations in force on November 11, 1918, excepting provisions adopted exclusively in view of the state of war.

" The rights of the workmen shall similarly be maintained, subject to the provisions of the said paragraph 23, as established on November 11, 1918, by the German laws and regulations above referred to.

" No impediment shall be placed in the way of the introduction or employment in the mines and their accessories and subsidiaries of workmen from without the Basin.

" The employees and workmen of French nationality shall have the right to belong to French labour unions.

" 13.

" The amount contributed by the mines and their accessories and subsidiaries, either to the local budget of the territory of the Saar Basin or to the communal funds, shall be fixed with due regard to the ratio of the value of the mines to the total taxable wealth of the Basin.

" 14.

" The French State shall always have the right of establishing and maintaining, as incidental to the mines, primary or technical schools for its employees and their children, and of causing instruction therein to be given in the French language, in accordance with such curriculum and by such teachers as it may select.

" It shall also have the right to establish and maintain hospitals, dispensaries, workmen's houses and gardens and other charitable and social institutions.

" 15.

" The French State shall enjoy complete liberty with respect to the distribution, dispatch and sale prices of the products of the mines and their accessories and subsidiaries.

" Nevertheless, whatever may be the total product of the mines, the French Government undertakes that the requirements of local consumption for industrial and domestic purposes shall always be satisfied in the proportion existing in 1913 between the amount consumed locally and the total output of the Saar Basin.

## CHAPTER II.

## " GOVERNMENT OF THE TERRITORY OF THE SAAR BASIN.

" 16.

" The Government of the territory of the Saar Basin shall be entrusted to a Commission representing the League of Nations. This Commission shall sit in the territory of the Saar Basin.

" 17.

" The Governing Commission provided for by paragraph 16 shall consist of five members chosen by the Council of the League of Nations, and will include one citizen of France, one native inhabitant of the Saar Basin, not a citizen of France, and three members belonging to three countries other than France or Germany.

" The members of the Governing Commission shall be appointed for one year and may be re-appointed. They can be removed by the Council of the League of Nations, which will provide for their replacement.

" The members of the Governing Commission will be entitled to a salary which will be fixed by the Council of the League of Nations, and charged on the local revenues."

The next amendment of the Committee on Foreign Relations was, on page 77, chapter 2, paragraph 17, line 6, after the name "Germany," to insert "or the United States of America."

Mr. SMOOT. That is one of the amendments of the Senator from New Mexico [Mr. FALL], which it has been agreed should be passed over.

The PRESIDING OFFICER (MR. GAY in the chair). The amendment will be passed over until Friday.

The reading of the treaty was resumed, as follows:

" 18.

" The Chairman of the Governing Commission shall be appointed for one year from among the members of the Commission by the Council of the League of Nations and may be re-appointed.

" The Chairman will act as the executive of the Commission.

" 19.

" Within the territory of the Saar Basin the Governing Commission shall have all the powers of government hitherto belonging to the German Empire, Prussia, or Bavaria, including the appointment and dismissal of officials, and the creation of such administrative and representative bodies as it may deem necessary.

" It shall have full powers to administer and operate the railways, canals and the different public services.

" Its decisions shall be taken by a majority.

" 20.

" Germany will place at the disposal of the Governing Commission all official documents and archives under the control of Germany, of any German State, or of any local authority, which relate to the territory of the Saar Basin or to the rights of the inhabitants thereof.

" 21.

" It will be the duty of the Governing Commission to ensure, by such means and under such conditions as it may deem suitable, the protection abroad of the interests of the inhabitants of the territory of the Saar Basin.

" 22.

" The Governing Commission shall have the full right of user of all property, other than mines, belonging, either in public or in private domain, to the Government of the German Empire, or to the Government of any German State, in the territory of the Saar Basin.

" As regards the railways an equitable apportionment of rolling stock shall be made by a mixed Commission on which the Government of the territory of the Saar Basin and the German railways will be represented.

" Persons, goods, vessels, carriages, wagons and mails coming from or going to the Saar Basin shall enjoy all the rights and privileges relating to transit and transport which are specified in the provisions of Part XII (Ports, Waterways and Railways) of the present Treaty."

Mr. BRANDEGEE. Mr. President, a moment ago the Senator from Utah called attention to one of the amendments which were passed over. I wish to make sure that the amendments proposed by the Senator from New Mexico, to wit, striking out the words "and associated" before the word "powers," and appearing on preceding pages, should be noted in the Record as having been read by the Secretary. As the Secretary read, he did not state those proposed committee amendments, I presume on the theory that they had been passed over. I simply wish the CONGRESSIONAL RECORD to show that they are proposed. The Secretary did read the last amendment, to which the Senator from Utah called attention, but he did not read the previous ones—for instance, those on page 61, amendments numbered 4 and 5, where the words "and associated" are proposed to be stricken out. I simply want the amendments to appear in the CONGRESSIONAL RECORD as having been read.

Mr. HITCHCOCK. That is entirely correct, Mr. President.

The VICE PRESIDENT. The RECORD will show that the amendments have been read and passed over until Friday.

The reading of the treaty was resumed, as follows:

" 23.

" The laws and regulations in force on November 11, 1918, in the territory of the Saar Basin (except those enacted in consequence of the state of war) shall continue to apply.

" If, for general reasons or to bring these laws and regulations into accord with the provisions of the present Treaty, it is necessary to introduce modifications, these shall be decided on, and put into effect by the Governing Commission, after consultation with the elected representatives of the inhabitants in such a manner as the Commission may determine.

" No modification may be made in the legal régime for the exploitation of the mines, provided for in paragraph 12, without the French State being previously consulted, unless such modification results from a general regulation respecting labour adopted by the League of Nations.

"In fixing the conditions and hours of labour for men, women and children, the Governing Commission is to take into consideration the wishes expressed by the local labour organisations, as well as the principles adopted by the League of Nations.

"24.

"Subject to the provisions of paragraph 4, no rights of the inhabitants of the Saar Basin acquired or in process of acquisition at the date of the coming into force of this Treaty, in respect of any insurance system of Germany or in respect of any pension of any kind, are affected by any of the provisions of the present Treaty.

"Germany and the Government of the territory of the Saar Basin will preserve and continue all of the aforesaid rights.

"25.

"The civil and criminal courts existing in the territory of the Saar Basin shall continue.

"A civil and criminal court will be established by the Governing Commission to hear appeals from the decisions of the said courts and to decide matters for which these courts are not competent.

"The Governing Commission will be responsible for settling the organisation and jurisdiction of the said court.

"Justice will be rendered in the name of the Governing Commission.

"26.

"The Governing Commission will alone have the power of levying taxes and dues in the territory of Saar Basin.

"These taxes and dues will be exclusively applied to the needs of the territory.

"The fiscal system existing on November 11, 1918, will be maintained as far as possible, and no new tax except customs duties may be imposed without previously consulting the elected representatives of the inhabitants.

"27.

"The present stipulations will not affect the existing nationality of the inhabitants of the territory of the Saar Basin.

"No hindrance shall be placed in the way of those who wish to acquire a different nationality, but in such case the acquisition of the new nationality will involve the loss of any other.

"28.

"Under the control of the Governing Commission the inhabitants will retain their local assemblies, their religious liberties, their schools, and their language.

"The right of voting will not be exercised for any assemblies other than the local assemblies, and will belong to every inhabitant over the age of twenty years, without distinction of sex.

"29.

"Any of the inhabitants of the Saar Basin who may desire to leave the territory will have full liberty to retain in it their immovable property or to sell it at fair prices, and to remove their movable property free of any charges.

"30.

"There will be no military service, whether compulsory or voluntary, in the territory of the Saar Basin, and the construction of fortifications therein is forbidden.

"Only a local gendarmerie for the maintenance of order may be established.

"It will be the duty of the Governing Commission to provide in all cases for the protection of persons and property in the Saar Basin.

"31.

"The territory of the Saar Basin as defined by Article 48 of the present Treaty shall be subjected to the French customs régime. The receipts from the customs duties on goods intended for local consumption shall be included in the budget of the said territory after deduction of all costs of collection.

"No export tax shall be imposed upon metallurgical products or coal exported from the said territory to Germany, nor upon German exports for the use of the industries of the territory of the Saar Basin.

"Natural or manufactured products originating in the Basin in transit over German territory and, similarly, German products in transit over the territory of the Basin shall be free of all customs duties.

"Products which both originate in and pass from the Basin into Germany shall be free of import duties for a period of five years from the date of the coming into force of the present Treaty, and during the same period articles imported from Germany into the territory of the Basin for local consumption shall likewise be free of import duties.

"During these five years the French Government reserves to itself the right of limiting to the annual average of the quan-

tities imported into Alsace-Lorraine and France in the years 1911 to 1913 the quantities which may be sent into France of all articles coming from the Basin which include raw materials and semi-manufactured goods imported duty free from Germany. Such average shall be determined after reference to all available official information and statistics.

"32.

"No prohibition or restriction shall be imposed upon the circulation of French money in the territory of the Saar Basin.

"The French State shall have the right to use French money in all purchases, payments and contracts connected with the exploitation of the mines or their accessories and subsidiaries.

"33.

"The Governing Commission shall have power to decide all questions arising from the interpretation of the preceding provisions.

"France and Germany agree that any dispute involving a difference of opinion as to the interpretation of the said provisions shall in the same way be submitted to the Governing Commission, and the decision of a majority of the Commission shall be binding on both countries.

### CHAPTER III.

#### PLEBISCITE.

"34.

"At the termination of a period of fifteen years from the coming into force of the present Treaty, the population of the territory of the Saar Basin will be called upon to indicate their desires in the following manner:

"A vote will take place by communes or districts, on the three following alternatives: (a) maintenance of the régime established by the present Treaty and by this Annex; (b) union with France; (c) union with Germany.

"All persons without distinction of sex, more than twenty years old at the date of the voting, resident in the territory at the date of the signature of the present Treaty, will have the right to vote.

"The other conditions, methods and the date of the voting shall be fixed by the Council of the League of Nations in such a way as to secure the freedom, secrecy and trustworthiness of the voting.

"35.

"The League of Nations shall decide on the sovereignty under which the territory is to be placed, taking into account the wishes of the inhabitants as expressed by the voting:

"(a) If, for the whole or part of the territory, the League of Nations decides in favour of the maintenance of the régime established by the present Treaty and this Annex, Germany hereby agrees to make such renunciation of her sovereignty in favour of the League of Nations as the latter shall deem necessary. It will be the duty of the League of Nations to take appropriate steps to adapt the régime definitely adopted to the permanent welfare of the territory and the general interest;

"(b) If, for the whole or part of the territory, the League of Nations decides in favour of union with France, Germany hereby agrees to cede to France in accordance with the decision of the League of Nations all rights and title over the territory specified by the League;

"(c) If, for the whole or part of the territory, the League of Nations decides in favour of union with Germany, it will be the duty of the League of Nations to cause the German Government to be reestablished in the government of the territory specified by the League.

"36.

"If the League of Nations decides in favour of the union of the whole or part of the territory of the Saar Basin with Germany, France's rights of ownership in the mines situated in such part of the territory will be repurchased by Germany in their entirety at a price payable in gold. The price to be paid will be fixed by three experts, one nominated by Germany, one by France, and one, who shall be neither a Frenchman nor a German, by the Council of the League of Nations; the decision of the experts will be given by a majority.

"The obligation of Germany to make such payment shall be taken into account by the Reparation Commission, and for the purpose of this payment Germany may create a prior charge upon her assets or revenues upon such detailed terms as shall be agreed to by the Reparation Commission.

"If, nevertheless, Germany after a period of one year from the date on which the payment becomes due shall not have effected the said payment, the Reparation Commission shall do so in accordance with such instructions as may be given by

the League of Nations, and, if necessary, by liquidating that part of the mines which is in question.

"37.

"If, in consequence of the repurchase provided for in paragraph 36, the ownership of the mines or any part of them is transferred to Germany, the French State and French nationals shall have the right to purchase such amount of coal of the Saar Basin as their industrial and domestic needs are found at that time to require. An equitable arrangement regarding amounts of coal, duration of contract, and prices will be fixed in due time by the Council of the League of Nations.

"38.

"It is understood that France and Germany may, by special agreements concluded before the time fixed for the payment of the price for the repurchase of the mines, modify the provisions of paragraphs 36 and 37.

"39.

"The Council of the League of Nations shall make such provisions as may be necessary for the establishment of the régime which is to take effect after the decisions of the League of Nations mentioned in paragraph 35 have become operative, including an equitable apportionment of any obligations of the Government of the territory of the Saar Basin arising from loans raised by the Commission or from other causes.

"From the coming into force of the new régime, the powers of the Governing Commission will terminate, except in the case provided for in paragraph 35 (a).

"40.

"In all matters dealt with in the present Annex, the decisions of the Council of the League of Nations will be taken by a majority.

*Section V.*

*ALSACE-LORRAINE.*

"The HIGH CONTRACTING PARTIES, recognising the moral obligation to redress the wrong done by Germany in 1871 both to the rights of France and to the wishes of the population of Alsace and Lorraine, which were separated from their country in spite of the solemn protest of their representatives at the Assembly of Bordeaux,

"Agree upon the following Articles:

"Article 51.

"The territories which were ceded to Germany in accordance with the Preliminaries of Peace signed at Versailles on February 26, 1871, and the Treaty of Frankfort of May 10, 1871, are restored to French sovereignty as from the date of the Armistice of November 11, 1918.

"The provisions of the Treaties establishing the delimitation of the frontiers before 1871 shall be restored.

"Article 52.

"The German Government shall hand over without delay to the French Government all archives, registers, plans, titles and documents of every kind concerning the civil, military, financial, judicial or other administrations of the territories restored to French sovereignty. If any of these documents, archives, registers, titles or plans have been misplaced, they will be restored by the German Government on the demand of the French Government.

"Article 53.

"Separate agreements shall be made between France and Germany dealing with the interests of the inhabitants of the territories referred to in Article 51, particularly as regards their civil rights, their business and the exercise of their professions, it being understood that Germany undertakes as from the present date to recognise and accept the regulations laid down in the Annex hereto regarding the nationality of the inhabitants or natives of the said territories, not to claim at any time or in any place whatsoever as German nationals those who shall have been declared on any ground to be French, to receive all others in her territory, and to conform, as regards the property of German nationals in the territories indicated in Article 51, with the provisions of Article 297 and the Annex to Section IV of Part X (Economic Clauses) of the present Treaty.

"Those German nationals who without acquiring French nationality shall receive permission from the French Government to reside in the said territories shall not be subjected to the provisions of the said Article.

"Article 54.

"Those persons who have regained French nationality in virtue of paragraph 1 of the Annex hereto will be held to be Alsace-Lorrainers for the purposes of the present Section.

"The persons referred to in paragraph 2 of the said Annex will from the day on which they have claimed French nationality be held to be Alsace-Lorrainers with retroactive effect as from November 11, 1918. For those whose application is rejected, the privilege will terminate at the date of the refusal.

"Such juridical persons will also have the status of Alsace-Lorrainers as shall have been recognised as possessing this quality, whether by the French administrative authorities or by a judicial decision.

"Article 55.

"The territories referred to in Article 51 shall return to France free and quit of all public debts under the conditions laid down in Article 255 of Part IX (Financial Clauses) of the present Treaty.

"Article 56.

"In conformity with the provisions of Article 256 of Part IX (Financial Clauses) of the present Treaty, France shall enter into possession of all property and estate, within the territories referred to in Article 51, which belong to the German Empire or German States, without any payment or credit on this account to any of the States ceding the territories.

"This provision applies to all movable or immovable property of public or private domain together with all rights whatsoever belonging to the German Empire or German States or to their administrative areas.

"Crown property and the property of the former Emperor or other German sovereigns shall be assimilated to property of the public domain.

"Article 57.

"Germany shall not take any action, either by means of stamping or by any other legal or administrative measures not applying equally to the rest of her territory, which may be to the detriment of the legal value or redeemability of German monetary instruments or monies which, at the date of the signature of the present Treaty, are legally current, and at that date are in the possession of the French Government.

"Article 58.

"A special Convention will determine the conditions for repayment in marks of the exceptional war expenditure advanced during the course of the war by Alsace-Lorraine or by the public bodies in Alsace-Lorraine on account of the Empire in accordance with German law, such as payment to the families of persons mobilised, requisitions, billeting of troops, and assistance to persons who have been evacuated.

"In fixing the amount of these sums Germany shall be credited with that portion which Alsace-Lorraine would have contributed to the Empire to meet the expenses resulting from these payments, this contribution being calculated according to the proportion of the Imperial revenues derived from Alsace-Lorraine in 1913.

"Article 59.

"The French Government will collect for its own account the Imperial taxes, duties and dues of every kind leviable in the territories referred to in Article 51 and not collected at the time of the Armistice of November 11, 1918.

"Article 60.

"The German Government shall without delay restore to Alsace-Lorrainers (individuals, juridical persons and public institutions) all property, rights and interests belonging to them on November 11, 1918, in so far as these are situated in German territory.

"Article 61.

"The German Government undertakes to continue and complete without delay the execution of the financial clauses regarding Alsace-Lorraine contained in the Armistice Conventions.

"Article 62.

"The German Government undertakes to bear the expense of all civil and military pensions which had been earned in Alsace-Lorraine on date of November 11, 1918, and the maintenance of which was a charge on the budget of the German Empire.

"The German Government shall furnish each year the funds necessary for the payment in francs, at the average rate of exchange for that year, of the sums in marks to which persons resident in Alsace-Lorraine would have been entitled if Alsace-Lorraine had remained under German jurisdiction.

"Article 63.

"For the purposes of the obligation assumed by Germany in Part VIII (Reparation) of the present Treaty to give compensation for damages caused to the civil populations of the Allied and Associated countries in the form of fines, the inhabitants

of the territories referred to in Article 51 shall be assimilated to the above-mentioned populations.

*“Article 64.*

“The regulations concerning the control of the Rhine and of the Moselle are laid down in Part XII (Ports, Waterways and Railways) of the present Treaty.

*“Article 65.*

“Within a period of three weeks after the coming into force of the present Treaty, the port of Strasburg and the port of Kehl shall be constituted, for a period of seven years, a single unit from the point of view of exploitation.

“The administration of this single unit will be carried on by a manager named by the Central Rhine Commission, which shall also have power to remove him.

“This manager shall be of French nationality.

“He will reside in Strasburg and will be subject to the supervision of the Central Rhine Commission.

“There will be established in the two ports free zones in conformity with Part XII (Ports, Waterways and Railways) of the present Treaty.

“A special Convention between France and Germany, which shall be submitted to the approval of the Central Rhine Commission, will fix the details of this organisation, particularly as regards finance.

“It is understood that for the purpose of the present Article the port of Kehl includes the whole of the area necessary for the movements of the port and the trains which serve it, including the harbour, quays and railroads, platforms, cranes, sheds and warehouses, silos, elevators and hydro-electric plants, which make up the equipment of the port.

“The German Government undertakes to carry out all measures which shall be required of it in order to assure that all the making-up and switching of trains arriving at or departing from Kehl, whether for the right bank or the left bank of the Rhine, shall be carried on in the best conditions possible.

“All property rights shall be safeguarded. In particular the administration of the ports shall not prejudice any property rights of the French or Baden railroads.

“Equality of treatment as respects traffic shall be assured in both ports to the nationals, vessels and goods of every country.

“In case at the end of the sixth year France shall consider that the progress made in the improvement of the port of Strasburg still requires a prolongation of this temporary régime, she may ask for such prolongation from the Central Rhine Commission, which may grant an extension for a period not exceeding three years.

“Throughout the whole period of any such extension the free zones above provided for shall be maintained.

“Pending appointment of the first manager by the Central Rhine Commission a provisional manager who shall be of French nationality may be appointed by the Principal Allied and Associated Powers subject to the foregoing provisions.

“For all purposes of the present Article the Central Rhine Commission will decide by a majority of votes.”

The SECRETARY. In article 65, in the eighth line, on page 103, after the words “principal allied,” it is proposed to strike out the words “and associated.”

The VICE PRESIDENT. That amendment will go over until Friday.

The reading was continued, as follows:

*“Article 66.*

“The railway and other bridges across the Rhine now existing within the limits of Alsace-Lorraine shall, as to all their parts and their whole length, be the property of the French State, which shall ensure their upkeep.

*“Article 67.*

“The French Government is substituted in all the rights of the German Empire over all the railways which were administered by the Imperial railway administration and which are actually working or under construction.

“The same shall apply to the rights of the Empire with regard to railway and tramway concessions within the territories referred to in Article 51.

“This substitution shall not entail any payment of the part of the French State.

“The frontier railway stations shall be established by a subsequent agreement, it being stipulated in advance that on the Rhine frontier they shall be situated on the right bank.

*“Article 68.*

“In accordance with the provisions of Article 268 of Chapter I of Section I of Part X (Economic Clauses) of the present Treaty, for a period of five years from the coming into force of the present Treaty, natural or manufactured products originating in and coming from the territories referred to in Article 51

shall, on importation into German customs territory, be exempt from all customs duty.

“The French Government may fix each year, by decree communicated to the German Government, the nature and amount of the products which shall enjoy this exemption.

“The amount of each product which may be thus sent annually into Germany shall not exceed the average of the amounts sent annually in the years 1911-1913.

“Further, during the period of five years above mentioned, the German Government shall allow the free export from Germany and the free reimportation into Germany, exempt from all customs duties and other charges (including internal charges), of yarns, tissues, and other textile materials or textile products of any kind and in any condition, sent from Germany into the territories referred to in Article 51, to be subjected there to any finishing process, such as bleaching, dyeing, printing, mercerization, gassing, twisting or dressing.

*“Article 69.*

“During a period of ten years from the coming into force of the present Treaty, central electric supply works situated in German territory and formerly furnishing electric power to the territories referred to in Article 51 or to any establishment the working of which passes permanently or temporarily from Germany to France, shall be required to continue such supply up to the amount of consumption corresponding to the undertakings and contracts current on November 11, 1918.

“Such supply shall be furnished according to the contracts in force and at a rate which shall not be higher than that paid to the said works by German nationals.

*“Article 70.*

“It is understood that the French Government preserves its right to prohibit in the future in the territories referred to in Article 51 all new German participation:

“(1) In the management or exploitation of the public domain and of public services, such as railways, navigable waterways, water works, gas works, electric power, etc.;

“(2) In the ownership of mines and quarries of every kind and in enterprises connected therewith;

“(3) In metallurgical establishments, even though their working may not be connected with that of any mine.

*“Article 71.*

“As regards the territories referred to in Article 51, Germany renounces on behalf of herself and her nationals as from November 11, 1918, all rights under the law of May 25, 1910, regarding the trade in potash salts, and generally under any stipulations for the intervention of German organisations in the working of the potash mines. Similarly, she renounces on behalf of herself and her nationals all rights under any agreements, stipulations or laws which may exist to her benefit with regard to other products of the aforesaid territories.

*“Article 72.*

“The settlement of the questions relating to debts contracted before November 11, 1918, between the German Empire and the German States or their nationals residing in Germany on the one part and Alsace-Lorrainers residing in Alsace-Lorraine on the other part shall be effected in accordance with the provisions of Section III of Part X (Economic Clauses) of the present treaty, the expression ‘before the war’ therein being replaced by the expression ‘before November 11, 1918.’ The rate of exchange applicable in the case of such settlement shall be the average rate quoted on the Geneva Exchange during the month preceding November 11, 1918.

“There may be established in the territories referred to in Article 51, for the settlement of the aforesaid debts under the conditions laid down in Section III of Part X (Economic Clauses) of the present Treaty, a special clearing office, it being understood that this office shall be regarded as a ‘central office’ under the provisions of paragraph 1 of the Annex to the said Section.

*“Article 73.*

“The private property, rights and interests of Alsace-Lorrainers in Germany will be regulated by the stipulations of Section IV of Part X (Economic Clauses) of the present Treaty.”

EXECUTIVE SESSION.

Mr. LODGE. Mr. President, there are some nominations to be disposed of, and I move that the Senate proceed to the consideration of executive business with closed doors.

The motion was agreed to, and the Senate proceeded to the consideration of executive business with closed doors.

After 10 minutes spent in executive session the doors were reopened, and (at 5 o'clock and 10 minutes p. m.) the Senate, as in legislative session, adjourned until to-morrow, Wednesday, September 24, 1919, at 12 o'clock meridian.

## NOMINATIONS.

*Executive nominations received by the Senate September 23, 1919.*

## MEMBER OF THE FEDERAL TRADE COMMISSION.

Houston Thompson, of Colorado, to be a member of the Federal Trade Commission for a term of seven years. (A reappointment.)

## REGISTER OF THE LAND OFFICE.

Ira J. Briscoe, of Tucumcari, N. Mex., to be register of the land office at Tucumcari, N. Mex., vice Rome P. Donohoo, term expired.

## RECEIVER OF PUBLIC MONEYS.

Felipe Sanchez y Baca, of New Mexico, to be receiver of public moneys at Tucumcari, N. Mex., his term having expired. (Reappointment.)

## UNITED STATES COAST AND GEODETIC SURVEY.

Ernest E. Reese, of New York, to be hydrographic and geodetic engineer (by promotion from junior hydrographic and geodetic engineer) in the United States Coast and Geodetic Survey, Department of Commerce.

## PROVISIONAL APPOINTMENT, BY PROMOTION, IN THE REGULAR ARMY.

## INFANTRY.

*To be first lieutenants.*

Second Lieut. John C. R. Hall, Infantry, from August 2, 1919.  
Second Lieut. Robert A. Case, Infantry, from August 2, 1919.  
Second Lieut. Ray W. Harris, Infantry, from August 3, 1919.  
Second Lieut. Elbert W. Lockwood, Infantry, from August 3, 1919.

Second Lieut. Charles F. Frizzell, jr., Infantry, from August 6, 1919.

Second Lieut. William B. Oliver, jr., Infantry, from August 7, 1919.

Second Lieut. Robinson E. Duff, Infantry, from August 7, 1919.

Second Lieut. Leon W. Hilliard, Infantry, from August 7, 1919.

Second Lieut. Walter C. Blalock, Infantry, from August 8, 1919.

Second Lieut. Hamilton Johnston, Infantry, from August 8, 1919.

Second Lieut. Raymond G. Lehman, Infantry, from August 9, 1919.

Second Lieut. Irvine C. Scudder, Infantry, from August 9, 1919.

Second Lieut. John R. Deane, Infantry, from August 9, 1919.

Second Lieut. Richard Z. Crane, Infantry, from August 9, 1919.

Second Lieut. Hilliard V. MacGowan, Infantry, from August 10, 1919.

Second Lieut. James J. Roach, Infantry, from August 10, 1919.

Second Lieut. Guy S. Williams, Infantry, from August 10, 1919.

Second Lieut. William C. Briggs, Infantry, from August 10, 1919.

Second Lieut. William C. Price, jr., Infantry, from August 12, 1919.

## APPOINTMENT, BY TRANSFER, IN THE REGULAR ARMY.

## COAST ARTILLERY CORPS.

Second Lieut. David B. Latimer, Infantry, to be second lieutenant in the Coast Artillery Corps with rank from November 1, 1918.

## INFANTRY.

Second Lieut. Ulric L. Fomby, Coast Artillery Corps, to be second lieutenant of Infantry with rank from November 1, 1918.

## PROMOTIONS IN THE REGULAR ARMY.

## FIELD ARTILLERY.

*To be colonel.*

Lieut. Col. Fox Conner, Field Artillery, from August 22, 1919.

*To be lieutenant colonels.*

Maj. Albert U. Faulkner, Field Artillery, from August 22, 1919.

Maj. George M. Apple, Field Artillery, from August 22, 1919.

*To be majors.*

Capt. Emery T. Smith, Field Artillery, from August 22, 1919.

Capt. Creed F. Cox, Field Artillery, from August 22, 1919.

Capt. Robert M. Danford, Field Artillery, from August 22, 1919.

Capt. Leo P. Quinn, Field Artillery, from August 22, 1919.

Capt. Walter H. Smith, Field Artillery, from August 22, 1919.

## COAST ARTILLERY CORPS.

*To be colonels with rank from August 22, 1919.*

Lieut. Col. George H. McManus, Coast Artillery Corps.  
Lieut. Col. Edward J. Timberlake, Coast Artillery Corps.

## CONFIRMATIONS.

*Executive nominations confirmed by the Senate September 23, 1919.*

## ENVOYS EXTRAORDINARY AND MINISTERS PLENIPOTENTIARY.

Benton McMillin to be envoy extraordinary and minister plenipotentiary to Guatemala.

S. Abbot Maginnis to be envoy extraordinary and minister plenipotentiary to Bolivia.

## SECRETARY OF EMBASSY OR LEGATION.

## CLASS 4.

Christian A. Herter to be a secretary of embassy or legation of class 4.

## MEMBER OF THE FEDERAL RESERVE BOARD.

Henry A. Moehlenpah to be a member of the Federal Reserve Board.

## REGISTER OF THE LAND OFFICE.

Frank P. Wheeler to be register of the land office at Eureka, Calif.

## RECEIVER OF PUBLIC MONEYS.

Miss Florence M. West to be receiver of public moneys at Pueblo, Colo.

## POSTMASTERS.

## COLORADO.

Catherine E. Melis, Aurora.  
Edward Slates, Walsenburg.

## FLORIDA.

James A. Douglas, Chipley.

## NEBRASKA.

Olive C. Messler, Antioch.  
Mary L. Hoyt, Bloomfield.  
Arnold J. Fiala, Brainard.  
John L. Delong, Bushnell.  
Elbert M. Vaught, Genoa.  
Charles A. Currie, Havelock.  
John F. Buehner, Morrill.  
Adda G. Newsom, North Bend.  
Peter H. Petersen, Plainview.  
Ralph E. Oliver, Superior.  
Eutis Quinn, Sutherland.  
Lew D. Holston, Trenton.  
Joseph A. McGowan, Wilcox.

## OHIO.

Julius C. E. Jacot, Apple Creek.  
William O. Wallace, Columbiana.  
Lewis B. Shaw, Gallipolis.  
Wilson S. Potts, Lisbon.  
Charles B. Chilcote, Mount Gilead.  
Mary E. Gillespie, Rayland.  
Richard S. Ryan, St. Clairsville.  
William W. Rider, Spencerville.  
Charles W. Miller, Versailles.  
Michael M. Mowls, Waynesburg.

## WISCONSIN.

Leon G. Schaar, Nekoosa.

## REJECTION.

*Executive nomination rejected by the Senate September 23, 1919.*

## POSTMASTER.

Charles F. Butts to be postmaster at Willis, Tex.

## HOUSE OF REPRESENTATIVES.

TUESDAY, September 23, 1919.

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

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

O Thou Infinite Source of life and light, through whose boundless love we live and move and have our being, strengthen our arm of faith, brighten our star of hope, and fill our souls with high and glorious aspirations; that thus being in touch with Thee, we may walk worthy of the vocation wherewith we are called and merit at least the well done, good and faithful servant, enter Thou into the joy of Thy Lord; and songs of praises we will ever give to Thee. In the spirit of the Master. Amen.

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

## REVISED STATUTES.

Mr. WALSH. Mr. Speaker, I rise to a question of privilege of the House.

The SPEAKER. The gentleman will state it.

Mr. WALSH. It appears that on September 20 H. R. 9389, a bill to consolidate, codify, revise, and reenact the general and permanent laws of the United States in force March 4, 1919, was introduced by the gentleman from Kansas [Mr. LITTLE]. The bill as printed does not conform either to the rules of the House or to the law, it being printed in fine type, in double columns upon the page, consisting of some 43 pages, 555 sections. I have not had an opportunity to confer with the gentleman from Kansas [Mr. LITTLE], but I can not understand why such a measure was printed in such shape, when the law requires bills to be printed in the ordinary bill form, with the lines numbered and of the usual size. If this is intended for a report, of course there can be no objection to it. It does not appear to be a bill, because, while it has a title, it contains no enacting clause. It does, however, upon its title-page contain the note that it will be amended so that it will include all general and permanent laws in force March 4, 1919.

Clearly it would be extremely difficult for the committee or the House to amend such a measure, and, as it relates to revising and reenacting the general and permanent laws of the United States, it is almost certain that amendments will be made either in the committee or by the House. It seems to me that in its present form it is not such a measure as the committee has authority to consider; and the gentleman from Kansas [Mr. LITTLE], who, I assume, is chairman of the Committee on Revision of the Laws, which is an important committee, should have a reprint made in the usual form, to conform to the law, before consideration of the bill is begun.

Mr. LITTLE. Mr. Speaker, this character of legislation has not been attended to by the House for 45 years, and it is not surprising that the gentleman from Massachusetts [Mr. WALSH], learned as he is in the methods of the House, is not familiar with it. I presume the last time it was done was probably before the gentleman was born. The last time the statutes of the United States were revised and reenacted was in the Revised Statutes in 1874. We are pursuing the exact method that they pursued at that time. The gentleman states that there is no enacting clause, but if he will turn to the first page of the bill he will find it begins "Be it enacted," just as every other similar law does. It also is the method pursued in every State in the Union in which they have issued such a book. The gentleman will find the enacting clause there. Forty-five years ago the committee introduced just such a bill. The gentleman suggests that it will be amended. This bill will consist, probably, of 10,000 sections and about 1,500 pages or more. If it is amended it will never be passed at all. If I anticipated that it was to be the subject of debate and amendment, I would not ask the House to pass on it, because it would take 18 months to work with it at all. That is the reason that for 45 years the lawyers, the bench, and the litigants of this country have been wholly without any real facilities for finding out what the Federal statutes are. At present, in order to find out what the Federal law is you must read the Revised Statutes of 1874, or their second edition in 1878, which is the same thing in effect, and 23 Public Statutes at Large and 10 Private Statutes at Large. You have to read 34 books. I have from the United States attorneys and the Federal judges of this country a very universal and insistent demand that such a book be printed. There is not any other way to print it. We have introduced it just as it was introduced before, pursuing the same method. This was done after a long conference with the superintendent of work down there as to the best method of doing it, and was adopted at his suggestion. We also conferred with the chairman of the House Committee on Printing. I sent for Mr. Morgan, of the Government Printing Office, and secured his ideas. This bill as introduced here is merely a preliminary step in the nature of a report, as the gentleman from Massachusetts suggests, so that the House will have an opportunity to analyze it and go over it and suggest whatever it has to suggest to the committee. It will require to complete the bill probably a year. The Members will now have that time to examine it.

Mr. WALSH. Will the gentleman yield?

Mr. LITTLE. Certainly.

Mr. WALSH. Why was it not printed in the usual form?

Mr. LITTLE. I talked that over with Mr. Morgan, and he said to me that in the last few years there have been thousands of dollars wasted by reports such as the gentleman suggests, and bills and things of that kind printed in the other form, and he suggested that we had a right to print it in this

form if it were so desired; that the law, the rules, and the custom would permit it, and it was at his immediate suggestion that I adopted this form. The bill is in bill form.

Mr. GARD. Will the gentleman pardon an interruption?

Mr. LITTLE. Yes.

Mr. GARD. This, I suspect, is merely a sample and a part of what the gentleman will introduce as his bill.

Mr. LITTLE. Yes; it will take about a year to get this bill ready.

Mr. GARD. And is it his purpose finally to introduce a completed bill so that the House may pass on it?

Mr. LITTLE. Yes; in about a year.

Mr. GARD. This part in connection with the parts to follow?

Mr. LITTLE. Yes.

Mr. GARD. And the gentleman is adopting this plan merely to advise the House of the first or preliminary steps?

Mr. LITTLE. Yes; that is the idea exactly. I am glad the gentleman from Massachusetts brought this up, because it gives me a little opportunity to put it before the House. However, I am not fully prepared to present the matter at this time, but at some time I will ask the House for time to explain it fully so that it may have time to consider it. It will take about a year to get the bill together. Probably we will not introduce any more now, but will have it in shape so that the House can examine it.

I have a letter from the Public Printer in which he states that the printing of the bill in the ordinary form would cost over \$34,000, and to print it in this shape, when done, would cost \$11,000. The reason we printed it this way is that we will save \$23,000; and the gentleman from Massachusetts [Mr. WALSH] has done so much along that line that I think he will appreciate that.

If it should be the pleasure of the House and the Senate to pass the legislation when finally presented to them, it will be ready in a shape that will commend itself to the Committee on Printing as the best way to be printed, and will get it into a more compact form. Mr. Morgan states, after he went over it with me for three or four hours, that this is the type of the CONGRESSIONAL RECORD and the page of the CONGRESSIONAL RECORD, and the pages can be used with less expense than any other method of printing. There will be no change in machinery or type, and it can be run off immediately.

Also, the committee has decided, after reviewing the law back all of these years, that it is the most readable way for a lawyer to get at it, and combines cheapness and compactness for reading purposes and all those requisites. As I say, the superintendent of work said that it would save \$23,000 in printing. When we get it done we will have a bill which can be run right off. They will take the type, make the casts from it, and be ready immediately to run off the book. There will be no additional expense to it, and it will save a great many thousand dollars and greatly expedite the work. Form of a bill is a legal matter; refers to legal forms, title, and enacting clause, for example, not to the way a printer sets it up.

Mr. WALSH. Well, Mr. Speaker, while it may be true that 45 years ago this matter was done in this way, the gentleman from Kansas realizes that sometimes we pass laws in a period of 45 years, and as it happened, we passed one of these laws within the 45 years relative to printing of bills for the consideration by the House of Representatives. We passed a law in 1905, and while we are very glad to have the views of the gentleman down at the Printing Office and to know that he is anxious to cooperate in saving money, yet under the law and the rules of this House this bill is not in proper form to be considered by the House, and until it is in proper form I submit that the committee has no authority to consider it in committee; because when a bill is introduced the law provides how it shall be prepared and introduced. I appreciate that the saving in printing the bill is considerable, but the House can not consider this bill in its present shape with any expedition. The lines are not numbered. If an amendment were to be offered, it would be confusing in view of the general practice which has been followed in the House, and under the rules of the House, to attempt to perfect a bill, or even correct errors that might appear in it.

It would seem to me that before the House can proceed to consider this bill it will have to be printed in the usual bill form. I submit to gentlemen that it would be better, even as important as this subject is, that it be printed in the usual way. I simply bring this to the attention of the House and to the Speaker. I am glad the gentleman from Kansas was present. I can appreciate that this measure in this form is in excellent form for the report from a committee, but it is not in the form for consideration by the committee and by the

House. I submit that in this form the committee is without jurisdiction to proceed and consider it.

Mr. LITTLE. Mr. Speaker, in view of the gentleman's suggestion that it ought to be printed in the other form for the House to take up and consider it, I will suggest that if the House proposes to consider this bill in the manner suggested the committee will quit right here. It can not be done. For 45 years committees have been shying away from the job, taking up a little now and then, but not getting anywhere. The bill of 1874 went through the United States Senate in 40 minutes. Mr. Roscoe Conkling was the chairman of the committee; he was asked if there were any mistakes in it, and he said possibly there were mistakes as there were mistakes in all things human, but if they undertook to discuss it they would never pass it. Up to that time there had been no general code of the United States. The only way to get the bill through is to have no discussion of the character which the gentleman mentions and no amendments. It would take more than two years, the whole life of a Congress, to consider it after such fashion in either branch. It is impossible. The only method that is possible at all is to take the method that was adopted before, and that is for the House to follow the method that was pursued 45 years ago. I have a long list of letters from United States attorneys and Federal judges insisting that this legislation be enacted.

Judge Hough, for example, of the Circuit Court of New York City, conceded, I believe, the equal of any lawyer who has had any practice in the Federal courts, says this is the way of getting at this, and that is to present this bill now, to present it to the House from time to time and give the membership of the House an opportunity to do what the gentleman from Massachusetts has now, of making any suggestion, and any suggestion which anyone desires to make the committee will be glad to have. We will make any correction of anything to which attention is called, in the years during which we will be at work upon it, and our hope is by that time the House shall know enough about it so that it will feel disposed to do what it did 45 years ago, when Benjamin F. Butler, of Massachusetts, a very learned lawyer, perhaps as good as Massachusetts has produced—and the gentleman coming from Massachusetts knows what an able lawyer Gen. Butler was—presented it to the House. When they had up the bill under consideration he described it as a codification of the laws of the United States. The House did lose some time in preliminary work then, but finally passed it when it got ready in a very short time without any general discussion. It then went to the Senate and they passed it in about 40 minutes. They had great lawyers over there, Morton, Conkling, Edmunds were on the committee; ex-Senator Poland, of Vermont, was chairman of the committee of this House when it finally went through; Butler was chairman when it was prepared. Those people finally decided that there was only one way of getting this kind of a bill passed to get a general code of the United States. We could have waited until the last minute and could have thrown it in here in great bulk, but we thought it was fair to the House and the lawyers of the country to take the preliminary step now. This bill does not violate any law I know of.

Mr. WALSH. Will the gentleman yield?

Mr. LITTLE. Yes.

Mr. WALSH. The gentleman is chairman of the great Committee on Revision of the Laws, and he certainly holding that position—

Mr. LITTLE. This is entirely within the spirit and purpose of the law.

Mr. WALSH (continuing). Ought to know that in 1905 we did pass a law saying how bills should be printed before they could be considered by the House.

Mr. LITTLE. I feel this is entirely within the spirit and purpose of that law.

Mr. WALSH. Mr. Speaker, we are very glad to know that there is one committee of our distinguished body that says unless they can have their own way they will quit; in other words, they are above the law. We are also glad to know that the House of Representatives has a matter pending before it or about to be pending before it that must be passed without amendment or reservation. The coordinate branch, I believe, is wrestling with a similar document or a similar problem which it is insisted must be passed without reservation or amendment. Now, if this codification of the laws must come before this House and be passed without amendment or change it would seem to me, if that is the attitude of the committee, that it must be done that way; that unless it can be considered in accordance with the rules of the House and the law that possibly public interest might not suffer if the committee did quit. But I submit, sir, that there is nothing affecting this problem

of revising and codifying the laws that takes it out of the general rules and customs. Therefore I make the point of order, to bring the matter to a head, that the bill, H. R. 9389, as introduced and referred to the Committee on the Revision of the Laws, is not in proper form and therefore the committee has no jurisdiction to consider it.

Mr. LITTLE. Mr. Speaker, the gentleman has not quoted me fairly. I did not say the committee was going to quit because it could not have its own way. What I said was that to follow the system the gentleman suggested would make it impossible to complete the text in two years or in two Congresses; that for any Congress to take this up and consider it in the way he suggests is quite impossible. In the course of nature and in the experience of the bar, and of the Congress, it could not take this up in the method he suggests and ever get it finished. If the gentleman wants to lay the burden and expense upon this committee of going through all this work when we have the experience of a hundred years, why the gentleman can make his point of order, if there is such a point of order.

Mr. WALSH. Before the gentleman leaves that point.

Mr. LITTLE. Yes.

Mr. WALSH. If I understand the gentleman, he contends that to print this with numbered lines would make a great many more pages, and that because of the number of pages and volume of the work the committee would not be able to complete its consideration, whereas if it is printed in this form they could go through it expeditiously?

Mr. LITTLE. No. The point I had in mind was—the gentleman's statement is all right as far as it goes—if it was printed in the form he suggests, it would cost a vast amount of money and make a tremendous book. As soon as the consideration is terminated, it would be destroyed and thrown aside; it would have to be; and the expense would be tremendous. That suggestion I got from the superintendent of work. If we should undertake to take this up section by section and handle it in the way the gentleman suggests, we would never get done in the world.

Mr. WALSH. Will the gentleman yield?

Mr. LITTLE. Certainly.

Mr. WALSH. Of course, the matter of consideration by the House is a matter that could be determined later, and that probably would be considered under a special rule. But does not the gentleman think it ought to be in the usual shape?

Mr. LITTLE. It ought to be, but we can not do it.

The SPEAKER. The Chair is disposed to think that the technical point made by the gentleman from Massachusetts is correct. The law specifically provides that all legislation shall be first printed in bill form, which the Chair understands is in the form which we have always used, printed with lines numbered, and this obviously does not conform to that practice. Therefore the Chair at first blush would think that it does not conform to the law. Neither does it seem to conform to the law in the enacting clause. The gentleman from Kansas [Mr. LITTLE] states strong reasons for his action, but it seems to the Chair that that would have to be done by a joint resolution.

Mr. LITTLE. I think, Mr. Speaker, we are following the spirit and the purpose of the law, myself.

The SPEAKER. It may be that the spirit and the purpose of the law is economy, but the law specifically provides that all bills and resolutions shall be printed in bill form. The Chair does not see how this conforms to that provision.

Mr. LITTLE. I will make this request, then, that the gentleman from Massachusetts will withhold for the present his point of order. I think an examination will demonstrate that our position is correct.

Mr. WALSH. I reserve the point of order.

Mr. GARD. Mr. Speaker, I ask unanimous consent that the Committee on Revision of the Laws may consider the bill H. R. 9389 in its present form.

Mr. WALSH. I object, Mr. Speaker.

The SPEAKER. Does the gentleman from Massachusetts [Mr. WALSH] reserve the point of order?

Mr. WALSH. Yes.

The SPEAKER. By a special order of the House to-day the gentleman from Ohio [Mr. COOPER] has leave to address the House for 30 minutes. [Applause.]

Mr. LANKFORD. Mr. Speaker, the gentleman is to discuss an important subject, and I suggest the absence of a quorum.

Mr. COOPER. I would prefer that the gentleman would not do so, because I do not want to take up 30 minutes of the time of the House in calling the roll.

Mr. LANKFORD. I withdraw the point if the gentleman requests it.

Mr. COOPER. Yes.

Mr. LANKFORD. All right.

Mr. COOPER. Mr. Speaker and gentlemen of the House, during the month of August, 1914, there was a message flashed across the Atlantic Ocean to the American people that all of the great nations of Europe were at war. To our people it was like a bolt of lightning coming from a clear sky. But, nevertheless, it was true, and from that day on and until more than four years thereafter there raged in Europe the most terrible, bloody, and inhuman struggle that has ever been recorded in the history of the world. Countries were torn asunder by shot and shell, homes were destroyed, churches and cathedrals demolished, and the lifeblood of millions of young men of our own and of the European nations was shed upon the battle field.

When we received that fateful message little did we think that the day would come when we would be called upon to take a part in that gigantic struggle. We steadfastly did all in our power to preserve peace. For three years we suffered insult after insult. Our ships were destroyed upon the high seas, our citizens—men, defenseless women, and young children—were murdered in cold blood. But the time came when our patience ceased to be a virtue, and we decided to strike back at this despotic monster that was eating at the very heartstrings of civilization and undermining the foundations of Christianity.

It would be sacrilegious for me to say that Almighty God decreed that that great war should take place, but I do believe that at that critical hour, in 1917, when it seemed as if civilization was lost, when it seemed as if the church and the religion of Jesus Christ was tottering and falling, aye, when it seemed as if the whole world was soaked and drenched in human blood—I do believe that at that critical hour God Almighty called upon us as a Christian Nation and people to draw the sword and strike.

It is not my intention to try to tell you what part we had in the war, only to say that when we did go into the struggle our Nation, young and strong, rich in man power, money, and resources, threw her whole heart and soul into that fight. [Applause.] And our soldier boys, God bless them, our boys, who hesitated not when the war came, were ready to sacrifice their all in order that Christian civilization and righteousness might be saved.

Nowhere in the history of the world can be found a more glorious achievement than that which crowned the American soldier at Chateau Thierry, St. Mihiel, and the Argonne Forest. We all thank God that the war is over and that autocracy never again shall come to the nations of the earth to kill and devastate, and we feel proud of the part we had in this great fight for a Christian civilization and for righteousness.

But, my fellow Members, I trust we will not forget that the work is not done yet. To-day we face the great problems of reconstruction. It was not to be expected that at the end of four years of awful war and bloodshed, which brought so much sorrow and misery and suffering to the world, that we could immediately adjust ourselves to normal peace-time conditions again.

Mr. Speaker and Members of the House, I speak seriously, and I measure well my words when I say that I believe that we as a Nation to-day face more serious questions and more difficult problems than we did at any time during the war period.

The great question we face at this hour is not fighting for our lives and institutions against a foreign foe. The great problem which confronts us at this time is how are we going to get back to normal conditions again and bring back to our people that feeling of content and happiness we have enjoyed in the past in this country. [Applause.]

All over our land to-day we see and hear of the feeling of unrest. Discontent and dissatisfaction seem to be prevalent wherever we go. As we read our newspapers we get reports of the very disturbed conditions among the working classes employed in our industries and mines. We read of strike after strike, until it seems as if our wheels of industry have stopped. We read of some members of labor organizations who refuse to obey the mandates of their officials and defy their orders and strike after their officers have ordered them not to cease work. One of the best evidences of this condition is that in the last two or three months the officials of some of our railroad brotherhoods have expelled many men from their organizations for disobeying official orders.

I am one of those who believe that many of our great labor leaders are loyal American citizens who are interested not only in the welfare of the members of their own organizations but also in the welfare of all the people of our Nation. But I do not hesitate to say that it appears as if these conservative labor leaders may be pushed aside in order to let a more radical element take their places. I have the highest respect for Mr. Samuel Gompers, and the work he did during the war, and his efforts to maintain the American Federation of Labor

as a conservative force. I believe he did all in his power to at least delay this steel strike. But I speak for a few minutes to-day to try to warn the American laboring man not to be led astray by these radical, so-called labor leaders, who would overthrow our form of Government and destroy the sacred institutions which in the past have been near and dear to the hearts of the American people. [Applause.]

There was started on Monday throughout all of the great steel industries of our country what is probably the greatest and the most serious strike that the American people have ever experienced, and if press reports are true, many of the plants of this great industry are closed to-day, and something like 284,000 men have ceased work.

Outside the Pittsburgh district the Mahoning Valley district of Ohio, which I have the honor to represent in Congress, is the largest steel district in the country. Therefore, as the representative of this district I am very much concerned about the situation, as is every good citizen of the community. We all wish this great strike could have been avoided. And how I wish that Mr. Gary, the head of the United States Steel Corporation, could have met his men and considered this great question. [Applause.]

Mr. Speaker, I fully realize what it may mean to me, coming from our great industrial district, to speak on this vital question, and possibly what I say here to-day may be misconstrued. In the limited time that I have I can not go into the important issues pending between the management of the steel industries and their employees. Most of the Members of Congress know what these issues are. I have now and always have had a warm feeling in my heart for the working classes, and I stand ready to assist them at any time in efforts to better their conditions. I believe in the eight-hour day, and I also believe that the time has come when men who work with their hands should have a fairer portion of the profits that industry earns. I further believe in the right of collective bargaining, and I trust that the day will soon come when there will be closer, more friendly cooperation between managers and men. From my own personal experience I think I know the feeling of the great army of employees who work by the hour and the day in the industries of our country.

But I want to solemnly warn the workers that at this time there are many agitators who are pushing themselves to places of prominence and leadership. Many of these men have not done an honest day's work in their lives [applause], and if reports are true they are stirring up a class hatred which will widen the gap between employer and employee instead of bringing them closer together.

I believe that our country needs a revival of that good old-time American spirit, and that we should not pay so much attention to foreign sentiment. [Applause.] If newspaper accounts are true, especially those contained in this morning's Washington Post, these agitators are a menacing danger. The fact was brought to my attention last week in my district that these agitators, when they held their meetings, threatened these foreign-born people and told them if they went out to work next Monday they would burn their homes down and kill their children.

These extremists are appealing especially to men of foreign birth who have little or no conception of American ideals and institutions, and it is to one of these men that I want to call the attention of Congress and the country. I hold here in my hand a book or a pamphlet entitled "Syndicalism." One of the authors and publishers of this book is a man named William Z. Foster. You have seen his name in the papers quite frequently in the last two or three weeks. I want you to know who William Z. Foster is. At the present time he is secretary-treasurer of the national committee which has had charge of organizing the steel workers throughout the country. I charge that Mr. Foster's own words in this book show his unfitness as a labor leader. [Applause.] They disqualify him from the name of an American citizen and the protection of that flag. [Applause.] I want to quote some of the things that Mr. Foster says and believes in. In his book on syndicalism, in referring to a general strike, he says:

In his choice of weapons to fight his capitalist enemies the syndicalist is no more careful to select those that are "fair," "just," or "civilized" than is a householder attacked in the night by a burglar. He knows he is engaged in a life and death struggle with an absolutely lawless and unscrupulous enemy, and considers his tactics only from the standpoint of their effectiveness. With him the end justifies the means. Whether his tactics be "legal" and "moral" or not does not concern him, so long as they are effective. He knows that the laws, as well as the current code of morals, are made by his mortal enemies, and considers himself about as much bound by them as a householder would himself by regulations regarding burglary adopted by an association of housebreakers. Consequently he ignores them (the laws and the current code of morals) in so far as he is able and it suits his purpose. He proposes to develop, regardless of capitalist conceptions of "legality," "fairness," "right," etc., a greater power than his capi-

talist enemies have, and then to wrest from them by force the industries they have stolen from him by force and duplicity and so to put an end forever to the wages system. He proposes to bring about the revolution by the general strike.

Again, touching on the general strike and referring to armed forces, he says:

Once the general strike is in active operation, the greatest obstacle to its success will be the armed forces of capitalism—soldiers, police, detectives, etc. This formidable force will be used energetically by the capitalists to break the general strike. The syndicalists have given much study to the problem presented by this force and have found the solution for it. Their proposed tactics are very different from those used by rebels in former revolutions. They are not going to mass themselves and allow themselves to be slaughtered by capital's trained murderers in the orthodox way. Theirs is a safer, more effective, and more modern method. They are going to defeat the armed forces by disorganizing and demoralizing them.

Oh, men, it seems to me these words in some respects are coming home to us now. [Applause.]

Again he says:

Syndicalists in every country are already actively preparing this disorganization of the armed forces by carrying on a double educational campaign amongst the workers. On the one hand, they are destroying their illusions about the sacredness of capitalist property and encouraging them to seize this property wherever they have the opportunity. On the other, they are teaching working class soldiers not to shoot their brothers and sisters who are in revolt, but, if need be, to shoot their own officers and to desert the Army when the crucial moment arrives. This double propaganda of contempt for capitalist property "rights," and antimilitarism, are inseparable from the propaganda of the general strike.

Here is what he says about bloodshed:

Another favorite objection of ultralegal and peaceful socialists is that the general strike would cause bloodshed.

This is probably true, as every great strike is accompanied by violence. Every forward pace humanity has taken has been gained at the cost of untold suffering and loss of life, and the accomplishment of the revolution will probably be no exception. But the prospect of bloodshed does not frighten the syndicalist worker, as it does the parlor socialist. He is too much accustomed to risking himself in the murderous industries and on the hellish battle fields in the niggardly service of his masters—to set much value on his life. He will gladly risk it once, if necessary, in his own behalf. He has no sentimental regards for what may happen to his enemies during the general strike. He leaves them to worry over that detail.

Again Mr. Foster said:

The syndicalist is as "unscrupulous" in his choice of weapons to fight his every-day battles as for his final struggle with capitalism. He allows no considerations of "legality," "religion," "patriotism," "honor," "duty," etc., to stand in the way of his adoption of effective tactics. The only sentiment he knows is loyalty to the interests of the working class. He is in utter revolt against capitalism in all its phases. His lawless course often lands him in jail, but he is so fired by revolutionary enthusiasm that jails, or even death, have no terrors for him. He glories in martyrdom, consoling himself with the knowledge that he is a terror to his enemies, and that his movement, to-day sending chills along the spine of international capitalism, to-morrow will put an end to this monstrosity.

Now, friends, listen to this, and I will read only one more quotation from his book:

The syndicalist is a radical antipatriot. He is a true internationalist, knowing no country. He opposes patriotism, because it creates feelings of nationalism among the workers of the various countries and prevents cooperation between them, and, also, because of the militarism it inevitably breeds.

Ah, my friends, those are some of the teachings that Mr. William Z. Foster has been preaching to the workingmen of this country.

Mr. BLANTON. Mr. Speaker, will the gentleman yield for a question?

Mr. COOPER. I would rather the gentleman would not interrupt me just now. I have only 10 minutes more.

I also have here a copy of the Labor World, a paper which is published in Pittsburgh and is devoted to the interests of the working classes. In it are reproduced photographic proof of Foster's I. W. W.ism. Foster was one of the writers for the paper Solidarity, the eastern organ of the I. W. W. Here are photographic copies of his signatures, "Yours for the I. W. W., William Z. Foster"; "Yours for the revolution, William Z. Foster." This paper was published in New Castle, Pa., only a few miles from my home in Youngstown, Ohio.

Mr. Speaker, can it be possible that in this critical time of our Nation's history such men as William Z. Foster are spokesmen for the working classes of the country?

I appeal to the workingmen to wake up and not be led astray by such agitators as this man is. [Applause.] And I am wondering why the American Federation of Labor, most of whose members are honest, law-abiding citizens, permits such a man as Foster to take such a prominent part in organizing the steel workers when the federation itself has officially condemned him for the revolutionary agitator that he is. [Applause.]

I have in my possession the report of the thirty-first annual convention of the American Federation of Labor, held in Atlanta, Ga., November 13, 1911. In the proceedings of this convention appears the report of James Duncan, then and now vice president of the American Federation of Labor, the chief

delegate of the federation at the international labor conference held in Budapest, Hungary, earlier in that year. A large part of Mr. Duncan's report consisted in a most illuminating statement of the activities of Foster as an American I. W. W. representative in Europe at that time. It appears that Foster was a bitter enemy of the Federation of Labor at that time. Mr. Duncan said in part:

The French delegation interposed an inquiry, which after some informal discussion was formally and definitely offered in substance, as follows: "Can a delegate to this meeting be required to answer a question as to whether he belongs to any political or civic organization outside of the trade center he represents?"

As the discussion progressed, I discovered that the inquiry, in a veiled manner, was directed against my credentials as representing organized labor of North America. A misguided man named Foster, from Chicago, Ill., claiming to represent an alleged organization of labor in America, called the International Workers of the World, had been for some time in Paris, and had succeeded in convincing the French delegates that he represented a labor organization in America, and was entitled to be recognized by the secretariat, instead of the American Federation of Labor.

During the discussion on the motion misguided Foster lost control of his temper and gave the convention ocular demonstration of what an I. W. W. really is. His language was foul, vulgar, and vehement. He even threatened assault, and subsided only to prevent expulsion from the room. He spoke in English, and I had his language interpreted to the delegates, but his actions were equally detrimental to the purpose he had in mind, as was the interpretation. The Frenchmen were not dismayed at their tricolor being smudged with I. W. W. mire. They suggested that if the Foster aggregation were not admitted that the American Federation of Labor should be kept out of the international secretariat until both organizations became reconciled to a uniform policy.

After general discussion Foster was given an opportunity to tell his own story in his own way. \* \* \* He claimed that in America the I. W. W. was the only body that organized unskilled workers; that 85 per cent of their skilled members were also in the American Federation of Labor unions; that those unions would not admit Socialists and revolutionary foreigners into membership; that the people he represented were 100 per cent Socialists and revolutionists, who were preparing for the international strike, which would strike terror into the hearts of capitalism, including the American Federation of Labor. The climax in his harangue was that he understood that other trade-union officials and I had been known to sit and eat at the same table with a President of the United States, with Bishop Potter, and with Archbishop Corrigan, of New York, and that, therefore, we were not qualified to represent the working class.

Again, after Mr. Duncan had read the portion of the report in reference to Mr. Foster he said:

During the proceedings a letter received by this man from Chicago was passed around among the delegates. As only a few of the delegates could read the letter, which was in English, I had it interpreted for the others. The letter is as follows:

INDUSTRIAL WORKERS OF THE WORLD,  
518 CAMBRIDGE BUILDING,  
Chicago, Ill., July 21, 1911.

VINCENT ST. JOHN,  
General Secretary-Treasurer.

W. E. TRAUTMAN,  
Assistant Secretary and General Organizer.

Mr. W. Z. FOSTER,  
Care Mr. Fritz Kater,  
C-54 Alte Schonhausen Strasse 20, Berlin, Germany.

FELLOW WORKER: Am mailing you by registered mail this date, general delivery, Budapest, Hungary, dope that we have on hand to date. If we are successful in getting additional dope, will send it on as fast as we get hold of it.

If suggestions are in order and this letter reaches you in time, I would suggest that you get into Budapest as early as possible, look up Basch, and hold down the town. Basch may also have some dope that will be of assistance to you.

Have had documents marked so as to help you out in getting at the matter, without having to search through the papers. The bound volume of Socialist Review has index marked. Try and take good care of all these documents, as they will come in handy in the future, no doubt.

With best wishes, I am,  
Yours for industrial freedom,  
(Signed) VINCENT ST. JOHN,  
General Secretary.

He was the general secretary of the Industrial Workers of the World.

I read further from the report:

Vice President DUNCAN. All I have to say in addition to the letter is that I am somewhat fearful the "dope" had effect, because soon after the fracas to which I have referred in my official report took place Mr. Foster came to grief in Budapest. The following day a Hungarian, who had been in this country and could speak some English, came to me and said a subscription was being passed around to get Foster out of jail and enable him to return to Berlin. He had been arrested the night before because of some trouble he had with a streetcar conductor for not paying his fare. I told my friend that since the Roman occupation of that part of the country the roads had been in excellent condition, that pedestrianism was good for the health, and I would therefore refrain from interfering with Mr. Foster's opportunity to benefit his health by walking back to Berlin.

My friends, I have read the report of James Duncan, the first vice president of the American Federation of Labor, as to Mr. Foster and his Industrial Workers of the World activities and Bolshevik attitude at Budapest, Hungary. I am wondering why the great American Federation of Labor, which, I believe, has the interest of the working classes at heart, should allow this man to now take a prominent part as secretary-

treasurer of a great committee that has been organizing the steel workers in our country.

In conclusion, I would raise my voice most strongly against those who talk so freely about revolution in this country. [Applause.] Let the agitators and those whom they may mislead remember that in the United States of America every man has a vote, and before long every woman will have one. [Applause.] The citizens of this country have it in their power to determine who shall make and execute our laws. Under such conditions it is insane to talk about a revolution by violence and riot, and those who suggest it should be dealt with as enemies and traitors to society. [Applause.]

Government by the majority is not to the liking of the agitators, who think they see in the popular dissatisfaction against conditions a chance for a short cut to power and loot. This element would be glad to see our police and then our soldiers alienated from their sworn duty. Then would come their opportunity to fall upon a defenseless populace, and then they think they could get control of government. It was only when the soldiers deserted their Government that the French Revolution and its orgy of terror became possible, and it was only when Kerensky failed to maintain the discipline and loyalty of the Russian Army that the Bolsheviks came into power. We all only have to recall what happened in Boston a few days ago to know what always takes place when the forces of law and order give way.

Of course our Government and our country is not perfect, for it is composed of human beings. But I am firm in my belief that it is the best Government and the best country in the world to-day [applause]; that the poor man, the working-man, has more freedom and greater privileges and opportunities here than in any other country on the face of the earth. [Applause.] Let those bloody agitators, anarchists, Bolsheviks, and syndicalists point to some other land which is freer and fairer than ours, and then if they think there is such a country let them rid us of their presence and retire to that Utopia. [Applause.] I still agree with the immortal Lincoln that this is a "Government of the people, by the people, for the people," and that it "will not perish from the earth." [Prolonged applause.]

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed bills and joint resolution of the following titles, in which the concurrence of the House of Representatives was requested:

S. 1479. An act for the relief of the estate of Moses M. Bane; 631. An act repealing certain provisions contained in the urgent deficiency act approved December 22, 1911;

S. 2259. An act for the relief of Edward S. Farrow;

S. 861. An act for the relief of Edward W. Whitaker;

S. 2497. An act to provide for the payment of six months' pay to the widow, children, or other designated dependent relative of any officer or enlisted man of the Regular Army whose death results from wounds or disease not the result of his own misconduct;

S. 3016. An act to authorize the disposition of certain grazing lands in the State of Utah, and for other purposes; and

S. J. Res. 79. Joint resolution exempting the Dixie Highway from the prohibition contained in the act approved July 11, 1919.

#### CAMP A. A. HUMPHREYS, VA.

Mr. ANTHONY. Mr. Speaker, I ask unanimous consent for the present consideration of House joint resolution 208, making an appropriation for Camp Humphreys, Va.

The SPEAKER. The gentleman from Kansas asks unanimous consent for the present consideration of a resolution, which the Clerk will report.

The Clerk read as follows:

House joint resolution 208, authorizing the Secretary of War to expend certain sums appropriated for the support of the Army for the fiscal years ending June 30, 1919, and June 30, 1920, at Camp A. A. Humphreys, Va.

*Resolved*, etc., That the Secretary of War be, and hereby is, authorized to expend the following sums appropriated for the support of the Army for the fiscal year ending June 30, 1919, at Camp A. A. Humphreys, Va., for the completion of bungalow quarters, now partially constructed, including gravel roads, walks, sidewalks, sewers, electric-light lines, heating, water lines, painting, clearing, brushing, grading, sodding, and alteration of existing buildings and miscellaneous incidental construction incident thereto, \$116,000.

SEC. 2. That the Secretary of War be, and hereby is, authorized to expend from sums already appropriated for the support of the Army for the year ending June 30, 1920, such maintenance and repair funds as may be necessary for maintenance and repair work, storage of material, and clearing up debris at Camp A. A. Humphreys, Va.

The SPEAKER. Is there objection?

Mr. WALSH. Reserving the right to object, what is the urgency for the present consideration of this measure?

Mr. ANTHONY. I will say that the Military Committee asked me to secure, if possible, the consideration of this resolution at this time because of the urgent necessity for the appropriation of this money to enable the officers and men on duty at Camp Humphreys to go into winter quarters properly protected and properly housed. There are a number of incomplete bungalows there in various stages of completion—from 10 to 90 per cent. The principal need is to finish the structures which will house 100 officers and families and enable the continuance of the engineer school at that camp during the winter. Otherwise they will be forced to abandon the school. The amount has been cut down from \$580,000 to \$116,000.

Mr. WALSH. Was not this carried in the military appropriation bill?

Mr. ANTHONY. It was not. The House by restrictive action cut off all expenditure of money at Army camps and cantonments. The War Department asked for \$580,000, but after investigation by the Committee on Military Affairs it was found that \$116,000 will permit them to go through the winter.

Mr. CANNON. Will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. CANNON. Is this the same bill that was before the House a few days ago?

Mr. ANTHONY. This is the same bill that was called up under the Unanimous Consent Calendar and objected to. But the matter is so urgent that the committee would like to get it through as soon as possible.

Mr. CANNON. This is the camp for which they asked over half a million dollars, which sum the committee has now cut down to more than \$100,000 to complete officers' quarters so that they can get over the winter?

Mr. ANTHONY. That is the idea.

Mr. CANNON. That means, if it means anything—and I hope the gentleman, if he can, will disabuse my mind—that this is to be an engineer school in perpetuity.

Mr. ANTHONY. I will say to the gentleman from Illinois that the Committee on Military Affairs believes that the engineers should have the advantage of summer field operations on this Camp Humphreys tract; but I believe it undoubtedly to be the sentiment of our committee that under no circumstances will we ever recommend the appropriation of a dollar for the creation of a permanent engineer school at Camp Humphreys. It is simply a business proposition. Here are about 70 buildings. On the average they are, I would say, about 80 per cent complete. If we do not complete them they will be very badly damaged this winter, deterioration will set in, and if completed they will be a valuable asset to the Government.

Mr. CANNON. Did the committee consider the proposition that the officers' quarters down here on the Potomac that were formerly occupied might perhaps be restored to their former use?

Mr. ANTHONY. We hope so.

Mr. CANNON. We could do it by an act of Congress, could we not, or by a joint resolution? If I recollect rightly, the action of the powers that be was condemned when they were driven out of those quarters.

Mr. ANTHONY. Let me say to the gentleman from Illinois that the War Department has moved an immense amount of heavy machinery from the site of Washington Barracks out to Camp Humphreys, in the hope that the permanent school would be there. The school is now using that machinery, and an enormous amount of it. It can not be moved back this winter in time for the students to utilize it, and if we do not let them go ahead there, at least this winter, with the plant which they have installed without securing the approval of Congress, they will have no engineer school.

Mr. CANNON. How far is it from the city down to this camp?

Mr. ANTHONY. About 20 miles.

Mr. CANNON. And the railroads run down near to it?

Mr. ANTHONY. I think within about 3 or 5 miles, but the Government has constructed a branch railroad into the camp. There is a very fine macadamized highway to Washington.

Mr. CANNON. So that there is good transportation. Did the committee consider how much it would cost the Government in a good apartment house or at a hotel to pay the expenses of the families of these officers?

Mr. ANTHONY. I think it would be almost impossible at this time to make provision for the housing of the officers and their families which now occupy these quarters at Washington Barracks. There is no available room in Washington, as the gentleman knows, that can be secured at this time. We can, however, construct suitable apartment quarters for these families, if given another year in which to do it, which will take care of the officers stationed at the War College, and we hope to have the entire plant of the engineer school back at Washington Barracks by another year.

Mr. CANNON. Will the gentleman submit to an amendment to this joint resolution which he asks unanimous consent to now consider, that the school shall be transferred back to the former quarters?

Mr. ANTHONY. I will say to the gentleman that it would meet with my hearty approval, if it would be possible to put such an amendment on.

Mr. CANNON. It can be done by unanimous consent, if the gentleman will offer the amendment that he speaks of now as part of this joint resolution. If he does so, I should not be inclined to object to its consideration, although to pay over \$100,000 for officers' temporary quarters for three months upon a reservation that is to be abandoned seems to me to be poor business.

Mr. ANTHONY. I would say to the gentleman that it is not contemplated that the Humphreys reservation be abandoned. It will be retained for field operations and engineer training in the field.

Mr. CANNON. How many acres are there down there?

Mr. ANTHONY. About 6,000.

Mr. CANNON. Only 6,000?

Mr. ANTHONY. Yes. The Government owns it all, and it is admirably adapted for this purpose. Before the war the Government owned the Belvoir Peninsula there, containing about 1,600 acres, to which the Engineer Corps used to resort for this field training.

Mr. CANNON. Will the gentleman prepare and offer such an amendment?

Mr. ANTHONY. I would be very glad to do that, or I would yield to the gentleman from Illinois for that purpose.

Mr. CANNON. I am not on the Military Committee, and what I do not know about military would make a library.

Mr. ANTHONY. Mr. Speaker, I ask unanimous consent that the resolution be amended—

Mr. GARD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARD. Unanimous consent has not yet been given for its consideration, has it?

The SPEAKER. That must first be granted.

Mr. CANNON. Will the gentleman give the House opportunity to consider the amendment? I wish the gentleman would read the proposed amendment.

Mr. ANTHONY. The proposed amendment that the gentleman from Illinois suggests should read about as follows:

At the end of bill add the following:

“Provided, That the engineer school shall be returned to its former location at Washington Barracks at the first available opportunity.”

Mr. CANNON. Oh, no; fix a time.

Mr. BUTLER. That might mean a thousand years.

Mr. ANTHONY. At the earliest practical time.

Mr. CANNON. The 1st of June next.

Mr. ANTHONY. Before the end of the present fiscal year, if that will satisfy the gentleman. It would take about that time to bring about the changes necessary.

Mr. CANNON. Will the gentleman submit the matter for unanimous consent, with that amendment which he has just repeated to be a part of the joint resolution?

Mr. ANTHONY. I will submit the amendment by unanimous consent as soon as we get unanimous consent for consideration of the resolution.

Mr. GARD. Mr. Speaker, further reserving the right to object for the purpose of asking the gentleman in charge of the proposed measure what is the intention of the Committee on Military Affairs, or those who have charge of this reservation, concerning the bill in a larger amount for some permanent improvement for Camp Humphreys which is pending on the Calendar for Unanimous Consent?

Mr. ANTHONY. The subcommittee to which it was referred cut the amount from \$580,000 provided in the bill to which the gentleman from Ohio refers down to \$116,000, as provided in this resolution, which we deem will amply take care of the existing partially completed construction.

Mr. GARD. The other bill was on the Calendar for Unanimous Consent and is still before the House—

Mr. ANTHONY. And was objected to.

Mr. GARD. It is still pending for disposition. What is to be done with that?

Mr. ANTHONY. I presume that will die a natural death if this resolution be passed.

Mr. GARD. Will the gentleman take some action so that the bill be not brought forward but lie upon the table?

Mr. CAMPBELL of Kansas. I suggest at the conclusion of the consideration of this resolution that the gentleman ask that that bill lie upon the table.

Mr. GARD. It should if this bill is considered. But if the Committee on Military Affairs says that this amount is suffi-

cient, the other bill should not come before the House or any committee of the House.

Mr. CAMPBELL of Kansas. Certainly.

Mr. GARD. With that understanding, I shall not object.

Mr. CANNON. With the understanding also—

Mr. WALSH. Mr. Speaker, reserving the right to object, I desire to ask a further question. Do I understand it is not the purpose of making a permanent engineer school at Camp Humphreys?

Mr. ANTHONY. It is emphatically not. I would not appropriate a five-cent piece to build a permanent school there.

Mr. WALSH. Then the buildings that are to be completed will have to be scrapped eventually?

Mr. ANTHONY. No. They will be utilized for the same purpose they are now being utilized for, as quarters during these summer training periods. The school will be moved there during the summer for field practice, summer training, the digging of trenches, the operation of pontoons, the construction of mines, field entanglements, defenses, and so forth. It means Camp Humphreys will be the summer quarters of the engineer school, and they can occupy it with the buildings they have now if we let them complete these officers' quarters, which are nearly finished. It means the winter quarters will be moved back in the winter to Washington Barracks.

Mr. WALSH. How many are they going to have at this school?

Mr. ANTHONY. They propose to have 200 students there this winter. There are about 110 there now. There are a little over 100 married officers who have to be accommodated there or we have to provide commutation for quarters for them here in Washington. This will make an amount greater than the interest on this \$116,000 by far.

Mr. WALSH. Well, Mr. Speaker, in view of the information which is not contained in the report but which has been given by the gentleman from Kansas and because he has expressed the sentiment that he would be willing to have this properly restricted, I shall not object, but it does not seem to me that this is the proper way to take up appropriations for military purposes by unanimous consent. I have no objection.

Mr. HULINGS. Mr. Speaker, I rise to reserve the right to object to ask a question. I would like to know if this proposition is part of the Secretary of War's scheme for an army of 576,000 men?

Mr. ANTHONY. I do not think so. The instruction of our engineer officers has always been a permanent part of the education of our Army, and undoubtedly will be required to an even greater extent in the next few years because of the fact particularly that we have graduated two classes from West Point of half-baked officers, many of them engineer officers, and there are about 120 of them who really need completion of their engineer instruction at this school down here before they are fully competent to become engineer officers.

Mr. HULINGS. I believe we have accommodations at our cantonments, and so forth, for about 2,000,000 troops, have we not?

Mr. ANTHONY. We have.

Mr. HULINGS. What, in the name of goodness, do we want now to expend \$116,000 more money for making quarters for a lot of officers?

Mr. ANTHONY. I will say to the gentleman that at these cantonments there were no provisions made whatever for the accommodation of the family of an Army officer. In time of peace we must take care of the family of the officer of the United States Army. If we do not provide quarters, the law provides that we shall give them commutation in cash. We have got to do one or the other.

Mr. HULINGS. The gentleman has seen the accommodations provided for officers in some of these cantonments?

Mr. ANTHONY. They are utterly unfit to put a family in.

Mr. HULINGS. I do not know. I have lived in a great deal worse places with a family.

Mr. ANTHONY. Oh, I do not know; I think many day laborers have more comfortable homes than these old quarters would provide at the temporary cantonments.

Mr. BUTLER. When do you propose to abandon this school?

Mr. ANTHONY. We do not propose to abandon it.

Mr. BUTLER. You propose to keep it up?

Mr. ANTHONY. It is proposed to be kept as a training ground.

Mr. BUTLER. I understand the gentleman has modified his joint resolution with an amendment, or proposes to do it?

Mr. ANTHONY. Proposing to return the engineer school.

Mr. BUTLER. To take the engineer school away. Is it necessary to spend \$116,000 down there to keep that school a year?

Mr. ANTHONY. No, I will say to the gentleman. I have explained it several times. There are 70 officers' quarters there, perhaps 85 per cent complete. This \$116,000 provides for their completion. The school has been moved there without the consent of Congress. If we are to permit it to operate this winter, we must complete those quarters and heat them; and if we do not expend this \$116,000, at the advent of cold weather there will be no engineer school at any place.

Mr. BUTLER. The \$116,000 is to complete the engineer school?

Mr. ANTHONY. No; to complete the temporary quarters that will permit them to use Camp Humphreys for that purpose this winter.

Mr. HULINGS. I object, Mr. Speaker.

The SPEAKER. Objection is heard. Unanimous consent is asked by the gentleman from Pennsylvania [Mr. MOORE] to address the House for one minute. Is there objection? [After a pause.] The Chair hears none. [Applause.] The gentleman from Pennsylvania is recognized. [Loud applause, the Members rising.]

Mr. MOORE of Pennsylvania. Mr. Speaker and my friends of the House, nothing in my public life so affected me as the tribute paid by my colleagues here when you gave me a five weeks' absence "to attend to important business" in Philadelphia. I was speechless on that day—so speechless that I could not respond to what my heart prompted me to say. I went away almost regretful that I had asked the leave. But I have come back—less speechless during the five weeks than I was then—to find that that same fine spirit of good will and camaraderie you manifested then has not departed from you nor from this House.

Until my dying day I shall regard what you did then and what you have done in receiving me to-day as the finest tribute ever paid to me or to those who hold me dear. [Applause.]

Mr. Speaker and Members of the House, this is all I wanted to say. It is the "Thank you" that comes from the heart. [Applause.]

CAMP A. A. HUMPHREYS, VA.—SPECIAL RULE.

Mr. CAMPBELL of Kansas. Mr. Speaker, I submit a privileged report from the Committee on Rules.

The SPEAKER. The gentleman from Kansas, from the Committee on Rules, submits a privileged report, which the Clerk will read:

The Clerk read as follows:

The Committee on Rules, to which was referred H. Res. 307, submit a privileged report on said resolution with the recommendation that it be agreed to, as follows:

House resolution 307.

*Resolved.* That immediately upon the adoption of this resolution the House shall resolve itself into the Committee of the Whole House on the state of the Union, for the consideration of H. J. Res. 208, the same being a "Joint resolution authorizing the Secretary of War to expend certain sums appropriated for the support of the Army for the fiscal years ending June 30, 1919, and June 30, 1920, at Camp Humphreys, Va." That there shall be 30 minutes of general debate, one-half of the time to be used by those favoring the resolution and one-half by those opposing. That at the conclusion of the general debate the resolution shall be read for amendments, whereupon the resolution shall be reported to the House with amendments, if any. That the previous question shall be considered as ordered on the resolution and amendments to final passage without intervening motion, except one motion to recommit.

Mr. CAMPBELL of Kansas. Mr. Speaker, this resolution brings before the House for consideration the bill to which consideration has just been refused by unanimous consent. The condition as it has been brought to the Committee on Rules with respect to this matter is about this: During the fiscal year just closed the engineering school, without authority from Congress, but on the sole initiative of the War Department, was moved from the home established for it by Congress to Camp Humphreys. The winter is coming on, and the school if conducted there during the winter will be without heated quarters, and the school will have to close. The question is up to Congress at this moment whether or not it shall appropriate the amount of money necessary to complete the houses in which the men are to live with their families during the winter or whether the school shall be compelled to close. The Committee on Military Affairs by unanimous action reported the bill which the resolution I have just offered makes in order. So the bill comes as the unanimous report from the Committee on Military Affairs, as I have said, and the resolution making it in order comes as the unanimous report from the Committee on Rules. We were confronted with a condition that we could not dodge or avoid. The simple question was as to whether or not we should maintain during the ensuing winter an engineering school in connection with the War Department. And the present condition has been made necessary by the unwarranted ac-

tion of the War Department in moving the school from the quarters created for it by Congress.

Mr. GARD. Will the gentleman yield?

Mr. CAMPBELL of Kansas. I yield for a question.

Mr. GARD. I think I remember that when the report was read there was no designation by number. It was read with the number left blank.

Mr. CAMPBELL of Kansas. That was the number of the resolution I submitted. It will be numbered by the Clerk.

Mr. BUTLER. Mr. Speaker, when was the camp moved down to Virginia?

Mr. CAMPBELL of Kansas. During the last year.

Mr. BUTLER. And it was moved there without warrant?

Mr. CAMPBELL of Kansas. Without warrant of law.

Mr. BUTLER. Why not bring it back to the place where it has existed, then? They will spend \$116,000. That is an awful lot of money.

Mr. CAMPBELL of Kansas. The buildings are filled up with material, reports, and so forth, and are also occupied by officers of the General Staff. As a matter of fact, the General Staff has crowded the engineering school out of Washington Barracks with the intention of making that a home for the General Staff.

Mr. BUTLER. There is only \$116,000 involved, and the people will not care much about that—only for a few minutes.

Mr. KNUTSON. Does not the gentleman think, as long as we continue to make appropriations for these things that have been done without warrant of Congress, that the Congress will continue to be treated with contempt by the various departments and will not be consulted?

Mr. CAMPBELL of Kansas. That kind of thing can not go on more than a year and five months longer.

Mr. HULINGS. Will the gentleman yield for a question?

Mr. CAMPBELL of Kansas. I yield.

Mr. HULINGS. I would like to ask the gentleman if Congress is to go out and condone these continual, unjustified, and illegal acts of the War Department? What is the idea of permitting these things? Where the Military Committees of the House and Senate refuse to make appropriations for the building of a camp down there in Georgia the Secretary of War went right along and made a contract and put the Government in for paying the price, and instead of a proceeding for the condemnation of the land moved the people off the land, and then came to Congress and said that all of that had been done and that there was nothing to do but to pay. How long is Congress going to permit that sort of thing?

Mr. CAMPBELL of Kansas. Well, we are in exactly the same position that a parent or a guardian would be in whose ward or son violated the law. It is up to the parent or the guardian to get the boy out of it the best he can. That is what we are trying to do.

Mr. ROSE. Mr. Speaker, will the gentleman yield to me?

Mr. CAMPBELL of Kansas. I yield to the gentleman for a question.

Mr. ROSE. I submit that the resolution now under consideration presents an entirely different feature from that suggested by the gentleman from Pennsylvania [Mr. HULINGS] and one worthy of our support. Along with a number of members of the Committee on Military Affairs I visited Camp Humphreys recently, and I found a condition there that leads me to believe that it is the duty of this Congress to appropriate the sum of money carried by the pending resolution in order to continue the school at Camp Humphreys. We visited a number of the buildings wherein the school has been moved and met with some of the students. Among other places that we visited were the officers' quarters, that are now nearly completed and are not fit for occupation during the coming winter. There is not a building there now occupied by the officers that is provided with a heating plant nor with sewerage.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. ROSE. Yes; I yield to the gentleman from Massachusetts.

Mr. WALSH. How did the officers live there last winter, when they had all those troops there?

Mr. HULINGS. And had their wives with them.

Mr. ROSE. They were heated by open fireplaces. We learned that from the officials while we were there. Oftentimes they were uncomfortable.

One thing further. I was not satisfied with the prices mentioned to me for the construction of these buildings. I am not a builder, but I am of the opinion that the prices paid for the buildings used by the officers were entirely unwarranted and that money was lavishly wasted.

But there is another consideration that should be borne in mind, and that is good roads have been built from Alexandria

down to Camp Humphreys at enormous cost, and if we abandon the school at this time I think it would be a useless waste of the public money; and in order to save it, since the school has been moved there on account of the crowded condition of the departments in Washington, it is our duty to care for these people during the winter months to come. Since the school has been moved there, it is the duty of Congress, as I view the situation, to appropriate the money asked for, in order that the officers now required to stay there may be comfortably quartered. For that reason I am in favor of the resolution.

Mr. CAMPBELL of Kansas. Mr. Speaker, I will yield time to any gentleman desiring it.

Mr. BLANTON. Mr. Speaker, will the gentleman yield for a question?

Mr. CAMPBELL of Kansas. I yield.

Mr. BLANTON. The gentleman from Kansas stated that if we did not spend this \$116,000 to build these quarters, the alternative would be to furnish commutation to 100 officers. Now, commutation to 100 officers for these few coming winter months would be much less than \$116,000, would it not?

Mr. CAMPBELL of Kansas. I am not sure as to that.

Mr. BLANTON. It would be over \$1,000 to the officer.

Mr. CAMPBELL of Kansas. It is also stated in that connection that if these houses are completed they will need more than the mere heating plant to complete them. They will be there for the summer, to be used by the school when the field operations of the engineer school are in activity.

Mr. BUTLER. Mr. Speaker, will the gentleman yield?

Mr. CAMPBELL of Kansas. Yes.

Mr. BUTLER. The gentleman's resolution provides for walks, sidewalks, paving, and a lot of other expenditures of money that might be avoided. It is said that it will be for the accommodation of these officers. I want them to be heated, but I have had so much to do with providing walks and sidewalks and trees and shrubbery, and so on, for the navy yards that this kind of thing makes one sick.

Mr. CAMPBELL of Kansas. This can be taken care of.

Mr. BUTLER. I know that they can get along without sidewalks and roads for the winter.

Mr. ANTHONY. Will the gentleman yield?

Mr. CAMPBELL of Kansas. Yes; I yield to my colleague.

Mr. ANTHONY. I want to say to the gentleman from Pennsylvania [Mr. BUTLER] as to some things making him sick that I am getting a little bit tired of the kind of talk he indulges in. I am one member of the Committee on Military Affairs who has investigated this matter very thoroughly, and I assert that the opinion I have come to is my calm, deliberate judgment of what the business sense of this House is to-day. We have passed millions of dollars of appropriations which the gentleman's committee has brought in here without the batting of an eye, some of which no doubt on examination might be found subject to the same criticism as that which the gentleman has indulged in.

Mr. BUTLER. I have been quite safe in voting and recommending what I have voted and recommended.

Mr. ANTHONY. And down there if we do not provide a gravel walk the people will have to walk through a foot or two of Virginia mud or clay. Any man with an ounce of sense would know that it is necessary to build walks around these houses. If the gentleman from Pennsylvania has an honest criticism to present, I hope he will present it.

Mr. BUTLER. I have an honest criticism to make.

Mr. MONDELL. Mr. Speaker, will the gentleman from Kansas yield a few minutes to me?

Mr. CAMPBELL of Kansas. I yield to the gentleman three minutes.

Mr. MONDELL. Mr. Speaker, during the war Camp Humphreys was established. The War Department was acting within its authority in establishing the camp. The question of whether it is to be the headquarters of the engineering school is one for Congress to determine. It can not be determined at this time. The Committee on Military Affairs ought to consider it and legislate on it, if necessary. Camp Humphreys at the time of the signing of the armistice was in the unfinished condition of practically all the camps. Congress said that no further work, no further expenditure, should be made on these camps, but in doing that Congress realized that eventually, in order to salvage what we had and save the investment we had made and make proper provision for the Army, it would be necessary to make some expenditure at some of the camps.

Now, when it came to the question of Camp Humphreys the Committee on Military Affairs thought we were justified in spending nearly \$500,000. There were some of us who did not think we were justified in spending that amount. The matter was reexamined, whereupon it was decided that about \$116,000 was the sum that would enable us to so complete arrangements

and construction there as to make it possible properly to utilize for a useful purpose the large investment we have at Camp Humphreys. The committee has made a very conservative estimate of what is needed for the completion of a temporary establishment for present use. We must either expend that amount of money or practically lose all the benefit of the very great expenditure at Camp Humphreys, and there ought to be no question about the passage of this bill.

Mr. KEARNS. May I have three minutes?

Mr. CAMPBELL of Kansas. I yield three minutes to the gentleman from Ohio.

Mr. KEARNS. Mr. Speaker, a few days ago some five or six members of the Committee on Military Affairs went down to Camp Humphreys to inspect these alleged bungalows that are in process of building. I was one of the party. There are some bungalows of a similar character there that are already completed. We were told that those that are fully completed cost \$6,400 each to the Government; that the contractor who had the contract to build these bungalows had charged the Government that sum of money for their completion. It seems to me that, in the opinion of any man competent to judge, these bungalows are worth about \$2,500 apiece in their completed stage. It should be remembered that in their construction the Government furnished free to the contractor all the weatherboarding and the roofing, that there is practically nothing in them that cost any considerable sum of money except the flooring. The weatherboarding and roofing are no part of the \$6,400. The flooring is the only part of the bungalows that is worth mentioning. There is no question that the Government has been greatly defrauded in the construction of these bungalows at Camp Humphreys. There is no further question, however, that in order to house these officers for the winter this additional expenditure should be made. Let us bear in mind in this connection the facts that controlled the Military Affairs Committee in recommending this sum of \$116,000 for the completion of this work. The Secretary of War, under a Democratic Congress, spent \$10,000,000 at this camp. The same authority asked the present Military Affairs Committee for \$580,000 for a further temporary activity at that place, but we have pruned that amount to \$116,000, thereby making a saving to the Government of nearly one-half million dollars. A very handsome sum in one item, and let it further be remembered that \$116,000 is very ample to complete this work now sought to be done.

Mr. LONGWORTH. Will the gentleman yield?

Mr. KEARNS. Yes.

Mr. LONGWORTH. Out of what appropriation were these sums paid to these contractors?

Mr. KEARNS. I do not know.

Mr. LONGWORTH. Was the payment made in the hope that Congress would in the future appropriate something for it, or was there an appropriation?

Mr. KEARNS. I think my colleague has hit the nail on the head, to use a homely expression, when he makes that suggestion. But, however that may be, there are officers with their families at Camp Humphreys, and they must be taken care of this winter, and it seems to me that it would be a greater expense to the Government if we should refuse to do this, although I can not help thinking that this Congress is not justified in allowing such reckless expenditure of money as has been expended at Camp Humphreys upon this entirely temporary work. [Applause.] It is just this kind of outrage and looting of public funds that is now being viewed with dismay by the men and women of this country who are called upon to pay the bills so unwisely and oftentimes criminally contracted.

Mr. HICKS. The gentleman was making a statement a moment ago that I would like to inquire about. What would be the difference in cost between the amount to be appropriated here and the expense if we commuted those officers' quarters?

Mr. KEARNS. I can not answer that with a degree of certainty. I have no figures at hand upon which to premise an accurate answer, but the difference would be slight. I can not see, however, how that camp can be retained with the officer personnel unless we make provision for the expenditure of this additional sum of money. You must remember that the Military Affairs Committee has cut down the request from half a million dollars and over to \$116,000, and we think in the completion of these so-called bungalows at Camp Humphreys we are going to save the Government the difference between \$116,000 and \$580,000, and thereby avoid to this extent the wasteful extravagance that has been committed at Camp Humphreys in the past.

Mr. KNUTSON. The gentleman stated a moment ago that Congress had allowed this reckless waste. I assume that the gentleman meant the Sixty-fifth Congress. I should like to

have the gentleman explain to this House what Congress has got to do with the expenditure of money.

Mr. KEARNS. Congress appropriates for the expenditure of money, and therefore I think Congress should hold itself responsible when men are allowed to run riot with Government funds.

As I said before, there is not a completed bungalow there that any Member of this Congress, if he were building for himself, would think of paying over \$3,000 for, and that would include the ground that it stands on. This price would include roofing and weatherboarding all of good quality.

Mr. KNUTSON. What did they cost?

Mr. KEARNS. They cost \$6,400 each, so we were told when there, and the Government furnished to the contractor the weatherboarding and the roofing, and there is not a single square foot of plastering in one of those buildings. There is nothing that would cost any considerable amount of money in their construction except the flooring.

Mr. LAYTON. Is the flooring finished hardwood?

Mr. KEARNS. Yes.

Mr. KNUTSON. Who was the contractor?

Mr. KEARNS. I can not tell the gentleman.

Mr. Speaker, in conclusion let me say these bungalows, if indeed they should be so dignified, are frame structures of, I think, five rooms, kitchen, and bath. With the exception of flooring they are constructed of the very cheapest material. In size I should think the rooms would average about 14 by 16 feet. There is no plastering in any of them and none have cellar or basement. In lieu of plastering the very cheapest of cardboard has been clumsily nailed to the joist. Each, I believe, has a porch. None of them has been painted either inside or out. Each one represents a monumental and disgraceful fraud upon the taxpayers of this Nation. I will vote for this additional sum in order that we can save a part of the \$10,000,000 already spent.

Mr. CAMPBELL of Kansas. Mr. Speaker, I move the previous question on the adoption of the resolution.

The SPEAKER. The question is on ordering the previous question.

The question being taken, on a division (demanded by Mr. YOUNG of North Dakota), there were—ayes 85, noes 14.

Accordingly the previous question was ordered.

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

The resolution was agreed to.

The SPEAKER. According to the terms of the resolution the House resolves itself into the Committee of the Whole House on the state of the Union for the consideration of the joint resolution, and the gentleman from Pennsylvania [Mr. MOORE] will take the chair. [Applause.]

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of H. J. Res. 208, which the Clerk will report.

The Clerk read the joint resolution (H. J. Res. 208) authorizing the Secretary of War to expend certain sums appropriated for the support of the Army for the fiscal years ending June 30, 1919, and June 30, 1920, at Camp A. A. Humphreys, Va., as follows:

*Resolved*, etc., That the Secretary of War be, and hereby is, authorized to expend the following sums appropriated for the support of the Army for the fiscal year ending June 30, 1919, at Camp A. A. Humphreys, Va., for the completion of bungalow quarters, now partially constructed, including gravel roads, walks, sidewalks, sewers, electric light lines, heating, water lines, painting, clearing, brushing, grading, sodding, and alteration of existing buildings and miscellaneous incidental construction incident thereto, \$116,000.

Sec. 2. That the Secretary of War be, and hereby is, authorized to expend from sums already appropriated for the support of the Army for the year ending June 30, 1920, such maintenance and repair funds as may be necessary for maintenance and repair work, storage of material and clearing up debris at Camp A. A. Humphreys, Va.

The CHAIRMAN. Under the rule there are 30 minutes allowed for general debate, to be equally divided.

Mr. ANTHONY. Mr. Chairman, I will say that I have no requests for time to debate this matter. I understand the gentleman from Illinois [Mr. CANNON] has an amendment that he desires to offer.

The CHAIRMAN. Is there anyone opposed to the bill?

Mr. WINGO. I am opposed to the bill, and I ask for recognition.

Mr. LONGWORTH. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LONGWORTH. What was the Chairman's final majority? [Laughter and applause.]

The CHAIRMAN. That is hardly a parliamentary inquiry. The Chair has no objection to stating it privately.

[Mr. WINGO addressed the committee. See Appendix.]

Mr. ANTHONY. Mr. Chairman, I have listened with a great deal of interest to the indictment by the gentleman from Arkansas of his own administration, and particularly of his bitter criticism of the Secretary of War. Now, I want to say that all he said as to the waste and extravagance with which the money which Congress appropriated for the conduct of the war has been expended is all true, and no one condemns the waste and extravagance which is found on every hand in every branch of the military service more than this side of this Chamber.

One word more in regard to the pending bill. The Secretary of War asked Congress for over \$500,000 to complete the temporary engineer project at Camp Humphreys. The Committee on Military Affairs, after patient and careful consideration, has cut that amount down to \$116,000. We have practiced what we think is real economy, and we have presented our economical conclusion to the House, and we are going to ask you to ratify it.

Mr. MOORE of Virginia. May I have two or three minutes?

Mr. ANTHONY. I yield for a question.

Mr. MOORE of Virginia. I would like about two or three minutes.

Mr. ANTHONY. Before that I shall have to yield to the gentleman from Wyoming [Mr. MONDELL] five minutes.

Mr. SNYDER. Will the gentleman yield for a question before he sits down?

Mr. ANTHONY. I will yield.

Mr. SNYDER. Is the gentleman able to tell the committee how much money the War Department has already spent at Camp Humphreys?

Mr. ANTHONY. Oh, I imagine eight or ten million dollars, offhand.

Mr. SNYDER. Has the gentleman visited the camp recently?

Mr. ANTHONY. Yes; within the last week.

Mr. SNYDER. He must have seen a great deal of material that has been pulled down and lies in piles on the ground.

Mr. ANTHONY. There is an immense amount of building material there.

Mr. SNYDER. But what is the purpose of this appropriation now? How much of the camp do they propose to keep by reason of the expenditure of \$116,000?

Mr. ANTHONY. As I have explained, this only completes certain officers' quarters which are now over 80 per cent completed and makes them habitable.

Mr. SNYDER. If the gentleman will yield for a further question, the capacity of the camp as a running plant is about 75,000 men?

Mr. ANTHONY. I had an idea it was about forty or fifty thousand. I think it is nearer 40,000.

Mr. SNYDER. My understanding is it was about 75,000. How many men do they propose to keep at this camp now if this money is appropriated?

Mr. ANTHONY. Between one or two thousand enlisted men, not over a regiment of Engineers, depending upon its strength, and about 200 officers under instruction.

Mr. SNYDER. The last time I was down there it was claimed there were about 11,000 men in the camp, and you could shoot a gatling gun through there and not hit one.

Mr. ANTHONY. These men had been demobilized, except about 750, when I was there the other day.

Mr. SNYDER. It seems to me, if you are going to attempt to keep that camp in operation, you are going to need a good deal more than \$116,000. It looks nearer \$116,000,000 would be needed.

Mr. ANTHONY. As a camp, it will not be kept in operation.

Mr. SNYDER. I should not think it should be. There is camp enough there for any army that this country ought to have in peace times.

Mr. ANTHONY. Mr. Chairman, I yield five minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Chairman, I rise primarily for the purpose of reassuring the fearful soul of my friend from Arkansas [Mr. WINGO] relative to railway legislation. Everyone knows—that is, everyone who is sufficiently interested to have kept track of the proceedings—that the Committee on Interstate and Foreign Commerce of the House is now and has been in almost continuous session since the beginning of this session of Congress, studying the many and important questions involved in the problem of the future of the railways of the country.

Mr. WINGO. Will the gentleman yield for a question?

Mr. MONDELL. And it is hoped and confidently expected that that committee will report their findings and conclusions to this session of the Congress. I am sure that no one anywhere has attempted to delay the work of that committee unless it may be some who desire a method of procedure not approved by

the great majority of the people. I am sure we all desire to pass upon the important questions involved as speedily as is consistent with thorough consideration.

Mr. WINGO. Will the gentleman yield for a question?

Mr. MONDELL. I yield.

Mr. WINGO. The gentleman says it is intended to report at this session. That is the rumor I heard, but rumor also says it will be held over until the next session. Will the gentleman promise it will be considered at this session?

Mr. MONDELL. The gentleman now speaking can make no promises, as he is not a member of the committee. I have stated it is hoped and confidently expected that the committee will be able to conclude its consideration of the matter and report during this session of the Congress, and the subject will be taken up and considered in the House as soon as it is possible to do so. I believe it highly important that reasonably early action be had.

Now, Mr. Chairman, with regard to Camp Humphreys. We spent, as I understand it and as I am informed—I desire to be corrected if I am misinformed—in the neighborhood of \$10,000,000 at Camp Humphreys. We have a property there that ought to be of some value to the Government. In the last military appropriation bill we prohibited the Secretary of War from making any further expenditures on camps and cantonments without authority by Congress. I doubt if the gentleman from Arkansas [Mr. WINGO], who is now so anxious to have economy practiced, favored that legislation.

Mr. WINGO. On what does the gentleman base that?

Mr. MONDELL. At least there was opposition to it on that side of the Chamber. Gentlemen on that side did not seem disposed to restrict the Secretary of War in his expenditures. Nevertheless, Congress did restrict expenditures on these camps, but Congress did not do it with any fool notion that there would be no expenditure required anywhere on these camps. The effort of the Congress was to prevent the same kind of extravagance and unnecessary expenditure that had been going on. The administration has evidenced what it would have done at this particular camp if it had not been prohibited, by asking for \$580,000, probably much less than the Secretary would have spent if we had left him free to make expenditures without coming to Congress for authority so to do. The Committee on Military Affairs has reduced the estimate of the department from \$580,000 to \$116,000, or approximately 1 per cent of our outlay at Camp Humphreys. We are proposing to spend approximately 1 per cent for the purpose of making available for use property secured at an enormous expenditure.

Now, I do not know whether this camp should be a permanent Engineers school or not. My own notion is that there are some very good arguments in favor of that being done, but that is a matter for the Military Committee to determine. At any rate, we must make this expenditure in order to make available for immediate use the buildings and the equipment we now have.

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. ANTHONY. Mr. Chairman, how much time remains?

The CHAIRMAN. There are four minutes remaining.

Mr. ANTHONY. Mr. Chairman, I yield two minutes to the gentleman from Virginia [Mr. MOORE].

Mr. MOORE of Virginia. Mr. Chairman, I am not in sympathy with my friend from Arkansas [Mr. WINGO] in his criticism of the Committee on Interstate and Foreign Commerce. I know something about the railroad problem and am satisfied that it exceeds in importance and complexity almost any other great subject that is being considered by Congress. And my own conviction is that the committee would make a capital mistake in bringing a bill in here disposing of that problem except after the very fullest and most careful consideration. [Applause.]

Now, so far as the particular matter under discussion is concerned, the fact is that several members of the Committee on Military Affairs—I think some seven of them—visited Camp Humphreys and, after looking into the situation there, reached a conclusion which they bring to the House, as expressed in this resolution. That conclusion is opposed by my friend from Arkansas [Mr. WINGO], who admits that he speaks without the intimate knowledge which the Committee on Military Affairs, of course, possesses. In view of the very confident way in which, nevertheless, he states his position, the remark that Charles Lamb made about some one, of whom he said that "The twilight of dubiety never seems to fall upon him," might be applied to my distinguished friend.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. MOORE of Virginia. I am very sorry, Mr. Chairman. Mr. ANTHONY. I yield one minute more to the gentleman. Mr. MOORE of Virginia. In one minute there is little opportunity.

The committee has investigated, and what do they find as the specific facts? Let us see: There has been an expenditure at Camp Humphreys which may have been wasteful or otherwise. There was a great school established there for the instruction of engineers, where engineers were instructed, may of whom, I understand, were sent to Europe during the war. There is no other camp in proximity to Washington where the physical conditions are such that an engineering school can be maintained for the present. The school can not be maintained at Humphreys without completing quarters for the officers. Those quarters are in process of being completed, and the question for us to determine is whether we will abandon Camp Humphreys as an engineering school or complete the quarters and allow that school to continue in operation for the present. That is, I think, a fair summary of the facts.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. MOORE of Virginia. One minute further, if I may be allowed.

The CHAIRMAN. The gentleman's time has expired.

Mr. MOORE of Virginia. Well, if I have no more time I will at least say that I am very glad that the Chairman of the Committee of the Whole, who has just returned to us from Philadelphia, had a very successful trip. [Applause.]

The CHAIRMAN. The gentleman from Kansas [Mr. ANTHONY] has one minute remaining.

Mr. ANTHONY. Mr. Chairman, I yield that one minute to the gentleman from Virginia [Mr. HARRISON].

The CHAIRMAN. The gentleman from Virginia is recognized for one minute.

Mr. HARRISON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HARRISON. I would like to ask unanimous consent for five minutes outside of the rule, without taking anybody's time.

The CHAIRMAN. That can not be done under the rule.

Mr. CAMPBELL of Kansas. The gentleman can get time under the five-minute rule.

Mr. HARRISON. Then I shall not take time now.

The CHAIRMAN. All time has expired. The Clerk will read the resolution for amendment.

The Clerk read as follows:

*Resolved, etc.*, That the Secretary of War be, and hereby is, authorized to expend the following sums appropriated for the support of the Army for the fiscal year ending June 30, 1919, at Camp A. A. Humphreys, Va., for the completion of bungalow quarters, now partially constructed, including gravel roads, walks, sidewalks, sewers, electric-light lines, heating, water lines, painting, clearing, brushing, grading, sodding, and alteration of existing buildings and miscellaneous incidental construction incident thereto, \$116,000.

Mr. HARRISON. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Virginia moves to strike out the last word.

Mr. HARRISON. Mr. Chairman and gentlemen of the committee, before the war the engineering school existed at the Washington Barracks. During the war the engineering troops were trained at Camp Humphreys, and some ten millions of dollars were spent on the place. At the conclusion of the hostilities the school, which originally had only 30 students, had increased to 110 students. In addition to this, there were about 180 of the West Point cadets, who had been graduated ahead of time, assigned to this place for the completion of their instruction. This makes a temporary condition at the camp which the Washington Barracks is wholly inadequate to meet. There is no room down at the Washington Barracks for the 110 additional students, and there is no room for the 180 West Point cadets.

The retention of the engineering school at the camp was not accomplished in the dark. The Military Affairs Committee was fully advised of the purpose of the War Department and deliberately and after full consideration so changed the phraseology found in former appropriation bills as to confer this authority on the War Department. And the bill reported by the Military Affairs Committee was enacted into law without amendment in this respect by the preceding Congress. Under this authority the War Department was proceeding with the necessary construction work when the legislation in the last appropriation bill put an end to all construction work. They had, I believe, about 70 buildings under contract. About 30 of them were nearly completed. Some of them have not yet been begun. The War Department asked an appropriation

of something like \$500,000 to complete all the buildings which the officers required, which, as I have stated, were about 70. The Military Affairs Committee favorably reported the bill, but owing to the opposition in the House a great deal of delay has ensued. It is doubtful if the 70 buildings could be constructed now before winter. A subcommittee visited the camp and have agreed that all that would be necessary to do at the present time would be to complete those quarters for the officers which were now under construction, and therefore the appropriation has been reduced to \$116,000, instead of \$500,000 which the original bill contemplated. The change, therefore, takes care of quarters for 30 officers and the others will be given commutation. The constructions are of the bungalow type and are very plain and simple.

Now, if that is not done there will be a great loss on these bungalows, which are very nearly completed in some cases and in other cases just begun, a loss which could be saved by the completion of the bungalows. The Army must have an engineer school; I do not care what size of an Army we finally determine upon; and I want to insist here, as I have insisted before, that I am thoroughly opposed to this war program of having a great standing army, but all are in favor of the adequate training of those officers we must have in the essential branches of the service. I do not care how large or how small the Army is to be, the Army is obliged to have an engineer school somewhere. If we do not go ahead and complete the quarters for these officers at Camp Humphreys, we must build them somewhere else.

Mr. BUTLER. Mr. Chairman, will the gentleman yield?

Mr. HARRISON. Yes.

Mr. BUTLER. Does the gentleman contemplate this to be retained permanently as an engineer school? I understood certain gentlemen to say that it was not so contemplated.

Mr. HARRISON. This appropriation does not contemplate that at all. It is simply to make temporary quarters for the officers until a final scheme can be concluded. I do not care where you go, gentlemen, whether you go to Camp Humphreys or elsewhere, you must incur this expense or pay commutation. Washington Barracks is no longer an adequate place for 110 students, and, at least temporarily, quarters must be found elsewhere.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. HARRISON. Mr. Chairman, may I have five minutes more?

The CHAIRMAN. The gentleman from Virginia asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. LAYTON. Mr. Chairman, will the gentleman yield?

Mr. HARRISON. Yes.

Mr. LAYTON. The gentleman seems to be very familiar with the necessities of the Government in respect to engineering matters.

Mr. HARRISON. I do not say that.

Mr. LAYTON. Do you know whether or not, with all the millions and billions we have spent all over the United States, there are already buildings in some camps that will house these people?

Mr. HARRISON. No; there is no place adequate—

Mr. LAYTON. Except this?

Mr. HARRISON. There is no place that is adequate for the training of engineers. You are going to wake up some day and find that this idea that you have got large housing facilities for officers and troops is a gross fallacy. There are only permanent quarters for 5,000 officers now and 73,000 soldiers. These cantonments are buildings that are rapidly going into decay. They have never been painted, and when we come to establish an Army you will find that there will be a big appropriation asked for construction work to make permanent quarters for both men and officers.

Mr. ANDREWS of Nebraska. Mr. Chairman, will the gentleman yield for a question?

Mr. HARRISON. Yes.

Mr. ANDREWS of Nebraska. How many officers are to be accommodated in these quarters?

Mr. HARRISON. I think about a hundred and some.

Mr. ANDREWS of Nebraska. Now, what would be the amount required for commutation in cash for these officers if these quarters were not furnished?

Mr. HARRISON. It would be a very expensive proposition. It is much cheaper to build these quarters than to pay commutation. I was coming to that in a minute.

Mr. ANDREWS of Nebraska. That was the point of comparison I had in mind. We pay out commutation, and the money is gone, and you have nothing to show for it.

Mr. HARRISON. You will find commutation is 10 per cent on \$10,000. That is my recollection. I would not vouch for it offhand. Of course it depends on whether a man is married and has children and what family he has.

Mr. KEARNS. Mr. Chairman, will the gentleman yield?

Mr. HARRISON. Yes.

Mr. KEARNS. These bungalows, if completed, are only for the married officers?

Mr. HARRISON. Yes; and the estimated cost of these bungalows for these quarters is about \$6,200 each. To make alterations in the cantonment buildings, owing to the flimsy construction of these buildings, would cost almost as much and the quarters provided would be most undesirable. Whenever we establish this permanent school of engineering we have got to provide officers' quarters, and this will not be money thrown away on a temporary project, because when you come to create the permanent project it will be years before you can get these permanent quarters finally constructed, and in the meantime these temporary quarters will serve the necessary purpose. I believe the time will come when it will be found that Camp Humphreys is so adequate for all the uses of an engineering school that it will be finally selected as a permanent camp; and if it is, the money that we spend down there now for these temporary quarters will not be wasted, because they will be necessary to house the officers until permanent quarters are finished. [Applause.]

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. CANNON. Mr. Chairman, I move to strike out the last word for the purpose of asking a question. Section 1 of this joint resolution authorizes an expenditure from an appropriation of several million dollars already made, as I understand it, which appropriation was a lump sum?

Mr. ANTHONY. Yes.

Mr. CANNON. It provides—

That the Secretary of War be, and hereby is, authorized to expend—  
And so forth.

Would the gentleman have any objection to inserting the words "not exceeding"?

Mr. ANTHONY. I think that would be an improvement.

Mr. CANNON. Very well, then. I will move to amend by inserting after the word "expend," in line 4, the words "not exceeding," so that he will be authorized to expend not exceeding the following sums.

Mr. ANTHONY. I suggest to the gentleman that perhaps the words "not exceeding" ought to go in just preceding the figures "\$116,000," in line 11.

Mr. CANNON. I will adopt the gentleman's suggestion, and move to insert the words "not exceeding" after the word "thereto," in line 11.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CANNON: Page 1, line 11, after the word "thereto," insert the words "not exceeding."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois [Mr. CANNON].

The amendment was agreed to.

Mr. CANNON. Mr. Chairman, one word further. The Clerk has at the desk an amendment which I wish to offer when the proper place in the bill is reached. In my five minutes I will ask the Clerk to report that amendment.

The CHAIRMAN. The Clerk will report the amendment for information only.

The Clerk read as follows:

Page 2, line 6, after the word "Virginia," insert:

"Provided, That the Engineer school shall be returned to its former location at Washington Barracks by the end of the present fiscal year."

Mr. CANNON. I will offer that as an amendment to section 2.

Mr. HARRISON. I reserve a point of order on that amendment.

The CHAIRMAN. It is not offered now. It is simply read for information. It is to come in as an amendment to section 2.

Mr. GARD. A parliamentary inquiry. Has section 2 been read?

The CHAIRMAN. No; the amendment was read in the time of the gentleman from Illinois, for information.

Mr. CANNON. Before the Clerk reads section 2 I will move to strike out the figures in line 11, page 1, "\$116,000," and will move to amend by inserting the figures "\$115,000," with the proviso which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Illinois.

The Clerk read as follows:

Amendment offered by Mr. CANNON: Page 1, line 11, strike out "\$116,000" and insert in lieu thereof "\$115,900: *Provided*, That the Engineer school shall be returned to its former location at Washington Barracks by the end of the present fiscal year."

Mr. CALDWELL. Mr. Chairman, I make a point of order against the amendment, on the ground that it is not germane to the subject matter of the joint resolution. Part of the amendment is germane in that it reduces the amount, but the remainder of the amendment is not germane, and part of it not being germane, the whole of it is out of order.

The CHAIRMAN. Does the gentleman from Illinois desire to be heard?

Mr. CANNON. I think the amendment is germane. It reduces expenditures, and under the Holman rule I think it is in order.

The CHAIRMAN. The Chair will say to the gentleman from Illinois that this is not a general appropriation bill.

Mr. CANNON. I know it is not, and yet it is tolerably general. [Laughter.]

Mr. ANTHONY. Mr. Chairman, I want to suggest that the amendment of the gentleman from Illinois would undoubtedly be in order under the Holman rule, because of the fact that the plans of the War Department provide for the ultimate erection of a permanent school at Camp Humphreys, at a cost of \$32,000,000, and the gentleman's amendment to move the engineering school back to Washington Barracks would ultimately save the Government \$32,000,000.

Mr. CALDWELL. But this is not a question of the ultimate project. This is only for temporary construction on a piece of property that the United States Government owns. It is nothing about the engineering school, or any ultimate project to build a new school. The question now is whether you are going to give these officers a place to sleep in the wintertime, or whether you are going to stick them out in a tent.

Mr. SAUNDERS of Virginia. I wish to say a word or two with respect to the suggestion of the gentleman from Kansas [Mr. ANTHONY] that this amendment would come under the Holman rule. The statement of fact that he makes relates to a situation that is entirely outside of the record. Hence this body can not say whether the amendment would, or would not operate to reduce expenditures, since the House has no knowledge that the expenditures referred to by the gentleman are to be undertaken. The mere fact that the War Department has in mind, if authorized, to make large expenditures at Camp Humphreys does not operate to bring the amendment within the Holman rule, for the manifest reason that this scheme of the department may, or may not be carried into effect. Hence in that view, how can it be definitely said that this amendment of its own force, will serve to reduce expenditures?

Mr. ANTHONY. I will say to the gentleman that the information has been officially brought to the attention of a committee of Congress.

Mr. SAUNDERS of Virginia. Even if the department contemplates such a scheme still that scheme has not taken any definite form. It has not received the sanction of Congress. The amendment is not in order merely because it will reduce something that is in the mind of the War Department. This would be an extraordinary application of the Holman rule.

Mr. CANNON. This does reduce the amount.

Mr. SAUNDERS of Virginia. Yes, the amendment proposes a reduction, but the legislation proposed will not effect that reduction. It is always competent on motion to reduce the amount of an appropriation, but it is not in order, merely by proposing to reduce the amount of an appropriation, to hang on to it legislation that is not connected with the reduction, and which in itself does not operate to make that reduction. This proposition has been before the House many times. Plainly, the legislation proposed by the gentleman from Illinois will not in itself make the reduction. The reduction may be made without the aid of the balance of the amendment. At any time an amount in an appropriation bill may be reduced to any extent approved by the House. But I repeat that the legislation proposed will not operate to effect the reduction suggested. Hence it is not related, or germane, to the reducing part of the amendment. For that reason the entire amendment is out of order.

Mr. BLANTON. Mr. Chairman, the only law authorizing the removal of the engineer school even temporarily, as proposed, from the Washington Barracks to Camp Humphreys is in the resolution under consideration. Certainly if this resolution indirectly provides for the temporary removal of the engineer school from the Washington Barracks to Camp Humphreys, an amendment providing for the return of the engineer school to its original home would be germane and therefore would be

in order. I submit that clearly, though not expressly provided therein, it is the sole purpose of this resolution to temporarily remove the engineer school, and why should not this amendment be in order when it provides that the school shall be brought back by a time certain?

Mr. SAUNDERS of Virginia. There is nothing of that sort in the resolution.

Mr. BLANTON. That is the purpose.

Mr. SAUNDERS of Virginia. The resolution simply makes an appropriation.

Mr. BLANTON. The Military Affairs Committee comes on the floor with the avowed purpose of providing for the temporary removal of the engineer school from Washington Barracks to Camp Humphreys. Most of this discussion since Congress convened to-day has revolved around this question of removal.

Mr. SAUNDERS of Virginia. The resolution does not move the engineer school. It contemplates the appropriation of a sum of money pure and simple.

Mr. BEE. Mr. Chairman, I am not going to argue the point of order, except to this extent: I see nothing in the resolution that says anything about the Washington Barracks. All the House can go by is the business before it. If gentlemen insert extraneous matter in order to make a proposition germane, it ought not to affect the rule, and the House has nothing to do with it. There is no mention of Washington Barracks in this resolution; it is merely a question of whether they will appropriate money for Camp Humphreys.

Mr. CALDWELL. Mr. Chairman, I will say in addition that the claim that this is for the purpose of moving the school does not fit the facts. The school is already at Camp Humphreys, and this is only for the purpose of giving temporary quarters to the Army engineers and their families assigned to duty at that place. All this talk about the removal of the engineer school is not germane, the amendment is not germane, and I ask the Chair to rule.

The CHAIRMAN. The bill provides that the Secretary of War is authorized to expend a certain sum of money for the completion of bungalow quarters, now partially constructed, including gravel roads, walks, sidewalks, sewers, electric-light lines, heating, water lines, painting, clearing, brushing, grading, sodding, and alteration of existing buildings and miscellaneous incidental construction incident thereto, \$116,000.

The amendment proposes to reduce the appropriation to \$115,900, with the following proviso:

That the engineer school shall be returned to its former location at Washington Barracks by the end of the present fiscal year.

The Holman rule applies only to general appropriation bills. It can not be invoked as to this bill. So far as the question of germaneness is concerned, it is clear to the Chair that under section 7 of Rule XVI, which reads as follows:

And no motion or proposition on a subject different from that under consideration shall be admitted under color of amendment—the amendment is not germane. The point of order is sustained, and the Clerk will read.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. CAMPBELL of Kansas having taken the chair as Speaker pro tempore, a message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had, on September 16, 1919, approved and signed bill of the following title:

H. R. 6808. An act to incorporate the American Legion.

CAMP A. A. HUMPHREYS, VA.

The committee resumed its session.

The Clerk read as follows:

Sec. 2. That the Secretary of War be, and hereby is, authorized to expend from sums already appropriated for the support of the Army for the year ending June 30, 1920, such maintenance and repair funds as may be necessary for maintenance and repair work, storage of material, and clearing up débris at Camp A. A. Humphreys, Va.

Mr. CANNON. Mr. Chairman, I move to amend, on line 2, page 2, after the word "expend," by inserting the words "not exceeding \$10,000."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 2, after the word "expend," insert the words "not exceeding \$10,000."

Mr. CALDWELL. Will the gentleman yield?

Mr. CANNON. Yes.

Mr. CALDWELL. Is the gentleman sure that \$10,000 will be sufficient to clean up all the débris and machinery around Camp Humphreys?

Mr. CANNON. This money comes from a many million dollars lump sum. Is the gentleman aware that they could spend hundreds of thousands of dollars in this way?

Mr. CALDWELL. I was going to ask the gentleman if he would not agree to make it \$20,000 instead of \$10,000, so as to be sure to have enough.

Mr. ANTHONY. I would state for the information of the gentleman that Congress appropriates large lump sums for the maintenance of barracks and quarters at all the posts, and the Secretary of War allots that generally at the beginning of the fiscal year, apportioning it to the different posts. He can use all of it probably at one place for the purpose of maintenance, but it is not probable, the committee thought, if we gave them authority to maintain the buildings at this camp, to repair them, that the authorities there would use any more than is absolutely necessary for that purpose. At the same time I agree with the gentleman from New York [Mr. CALDWELL] that it would perhaps be safer to make the amount \$20,000 for the maintenance of such tremendous property as exists there.

Mr. CANNON. Very well; I will modify the amendment to make it read \$20,000 instead of \$10,000.

The CHAIRMAN. The Clerk will report the amendment as modified.

The Clerk read as follows:

Modified amendment by Mr. CANNON:

Page 2, line 2, after the word "expend" insert the words "not exceeding \$20,000."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois.

The amendment was agreed to.

Mr. ANTHONY. Mr. Chairman, I move that the committee do now rise and report the joint resolution to the House with the amendments, with the recommendation that the amendments be agreed to and that the joint resolution as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. Moore of Pennsylvania, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration H. J. Res. 208, authorizing the Secretary of War to expend certain sums appropriated for the support of the Army for the fiscal years ending June 30, 1919, and June 30, 1920, at Camp A. A. Humphreys, Va., and had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and the resolution as amended do pass.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them in gross. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question now is on the engrossment and third reading of the joint resolution as amended.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

Mr. ANTHONY. Mr. Speaker, I move to reconsider the vote by which the joint resolution was passed and lay that motion on the table.

Mr. GARD. Mr. Speaker, pending that, will the gentleman yield for a question?

Mr. ANTHONY. I yield.

Mr. GARD. Is it the purpose of the gentleman to ask that House joint resolution 161 lie on the table?

Mr. ANTHONY. Mr. Speaker, I ask unanimous consent that House joint resolution 161, which covers the very same question, do lie upon the table.

The SPEAKER. The gentleman from Kansas moves to reconsider the vote by which the joint resolution was passed and to lay that motion on the table.

The motion was agreed to.

The SPEAKER. The gentleman from Kansas asks unanimous consent that House joint resolution 161 do lie on the table. Is there objection?

There was no objection.

Mr. KEARNS. Mr. Speaker, I ask unanimous consent to extend and revise my remarks on the bill which has just been passed.

The SPEAKER. Is there objection?

There was no objection.

#### COAL-TAR PRODUCTS.

Mr. FORDNEY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 8078) to regulate the importation of coal-tar products, to promote the establishment of the manufacture thereof in the United States, and, as incident thereto, to amend the act of September 8, 1916,

entitled "An act to increase the revenue, and for other purposes." Pending that motion I ask unanimous consent that we be allowed an additional hour for general debate. There have been many more requests for time in general debate than we expected. The gentleman from Pennsylvania [Mr. Moore] has returned and will occupy an hour of time. It was not expected that he would be present. The chairman, therefore, would not have any time. I would like to have a little time in which to discuss the bill. I therefore ask unanimous consent that we may have one more hour of general debate, to be controlled by myself.

The SPEAKER. The gentleman from Michigan asks unanimous consent that the time of general debate be extended for one hour, to be controlled by himself. Is there objection?

Mr. KITCHIN. Mr. Speaker, reserving the right to object, does the gentleman expect to give the gentleman from Pennsylvania [Mr. Moore] any part of his time?

Mr. FORDNEY. I understood that the gentleman from North Carolina [Mr. KITCHIN] was going to give the gentleman from Pennsylvania a portion of his time. I would like to have three-quarters of an hour. I have only 20 minutes remaining, and the gentleman from North Dakota [Mr. YOUNG], a member of the committee, wants 30 minutes. I would be glad if the gentleman from North Carolina would yield some of his time to Mr. Moore.

Mr. KITCHIN. Since the gentleman from Pennsylvania [Mr. Moore] is right on some of the provisions in the bill, I will yield him an hour of my time.

Mr. FORDNEY. I know the gentleman is always fair, when he sees the light.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The SPEAKER. The question is on the motion of the gentleman from Michigan that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 8078.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 8078, with Mr. TOWNER in the chair.

The Clerk reported the title of the bill.

Mr. KITCHIN. Mr. Chairman, I yield five minutes to the gentleman from Texas [Mr. BEE].

Mr. BEE. Mr. Chairman and gentlemen of the committee, I am not going to undertake to discuss the bill under consideration, but will avail myself of the few minutes allotted to me to touch briefly upon a disaster that has almost destroyed the major portion of the district which I have the honor to represent. You probably have read in the newspapers of the storm upon the Texas coast. Over three-fourths of the devastated area is embraced within the fourteenth congressional district. I feel it would be improper for me to let this occasion pass without a word of appreciation not only to my colleagues in Congress but to the departments of the Government and the citizenship of the Union generally for their sympathy and aid and the universal response that has been made to the appeals that have gone out from the brave stricken people of that section. That response has come from every portion of the United States, and but illustrates the truth of the statement that "one touch of nature makes the whole world akin." The area devastated by this unusual storm is the fairest in the land. It nestles along the Texas coast, by the Gulf of Mexico, and in the numerous bays and inlets that dot it. It is the garden spot of the world. Not more than a week ago it held a happy, prosperous, and contented people. They had their crops, their herds, their fruit, semitropical in character, and almost without warning all has been swept away. Approximately \$20,000,000 worth of property has been destroyed and not less than 500 men, women, and children have gone to their graves. Thousands of people are homeless, made so overnight, and left without even the ordinary wearing apparel. It is a situation that appeals to the sympathetic heart of this Nation, which has never failed to respond to the cry of distress, and has not this day failed.

In time they will rebuild, because the courage with which American people always meet misfortune will assert itself with them. I bring for them this message to the Congress, and say that in the midst of this terrific disaster, when darkness has fallen like the heavy pall of night over their happiness and their homes and the sea is giving up its dead, they are meeting their disaster with courage and their trials with that high mindedness of purpose and fidelity to life that gives us the hope in the years to come. I will close this tribute by saying to you in the language of the poet that the people, these now under

the pall of affliction and whom the heavy hand of death and misfortune has overwhelmed but not destroyed, can truthfully say:

In the fell clutch of circumstances they have not winced nor cried aloud,  
Under the bludgeonings of chance their heads are bloody but unbowed.

Gentlemen, I thank you. [Applause.]

Mr. KITCHIN. Mr. Chairman, I yield five minutes to the gentleman from Pennsylvania [Mr. HULINGS].

Mr. HULINGS. Mr. Chairman, I have always believed in a protective tariff. Perhaps I have been rather radical in the opinion that the importation of foreign manufactures of goods that we can produce in this country simply displaces that much American labor.

I need make no argument in regard to this matter. Abraham Lincoln put the whole argument into a nutshell. Said he, "If we buy our steel rails from England, we get the rails and England gets the money; but if we make our own rails, we get the rails and we keep the money."

So I am thoroughly in favor of the provisions of this bill that seeks by a tariff to protect American industry in the manufacture of dyestuffs.

I am confident that American skill and brains, if protected by an adequate tariff while the business is in its infancy, will do for dyestuffs practically what American skill and brains did for tin. We were producing no tin in this country. Somebody—and I think it was William McKinley—suggested a tariff on tin, which was jeered at; but a tariff was imposed which fostered the tin industry. It was not long until we were supplying ourselves with tin at prices about half that we had formerly paid to Wales, and now I understand we are the greatest exporters of tin in the world.

But I regard with grave doubt the wisdom of constructing an organization that shall have power to say who shall be authorized or licensed to import foreign dyes.

The Alien Property Custodian seized about 4,500 German patents for manufacturing dyes and sold them to a number of gentlemen who incorporated themselves under the laws of Delaware as the Chemical Foundation (Inc.), for the sum of \$250,000.

Germany led the world in the science of dye making, and naturally all her most valuable discoveries in this art were protected by filing her patents with this Government, and it is hardly to be expected that she would go to the trouble and expense in filing patents with the American Patent Office that were worthless patents or that covered but a small proportion of the methods under which she had established a monopoly of the dye-making business in this country.

Presumably the Chemical Foundation did not pay more than these patents were worth, and presumably the Chemical Foundation Co. is composed of people who are interested in the dye business, and as owners of patents that cover the most valuable methods of making dyes that science has discovered the Chemical Foundation Co. has it within its power to retain the use of these patents for itself or for its constituent members or to make the terms upon which it will allow any competitor to use these patents.

And, if I am right about this, the Government in making sale of these patents, which, of course, conveys to the purchasers the exclusive right to use them, has already handed out a complete, obnoxious, rock-ribbed monopoly for the manufacture of American dyestuffs, which monopoly at the will of the Chemical Foundation will exist at least until new processes shall be invented which may be equal to or superior to the German patents.

That is the situation as regards American manufacture of dyestuffs.

But there are some dyes that we do not yet or perhaps can not make in America, and on the plea that we must still get certain kinds of foreign dyes this bill would give certain licensees permission to import such quantities of such dyes on such terms as the licensing commission created by this bill might choose to give.

There is a grave suspicion that there is a community of interest between the licensing commission and the owners of the German patents, and if there is not yet such community of interest, in the very nature of things there soon will be.

Assuming—and it is a most natural assumption—that the German patents cover the most recent and up-to-date methods that Germany in its laboratories has been able to discover, and with all these patents under the absolute control of the Chemical Foundation, its control of American manufacture of dyestuffs naturally follows.

It will naturally farm out these patents to its constituent dye manufacturers and thus insure within the circle of its favor a monopoly of the American-made dyes.

And now, on the top of this, when you create a licensing commission by this bill which shall have the right to say who shall

buy foreign dyes, you have created a monopoly which no independent concern can ever hope to break down.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HULINGS. May I have five minutes more?

Mr. KITCHIN. I yield the gentleman two minutes more.

Mr. HULINGS. Can not the gentleman make it five minutes? I will say four minutes.

Mr. KITCHIN. Let us divide; say, two and a half minutes. I yield three minutes additional to the gentleman.

Mr. HULINGS. I thank the gentleman.

Mr. LONGWORTH. Will the gentleman yield? I desire to correct the gentleman's statement. The gentleman in speaking has used the word "monopoly."

Mr. HULINGS. Yes.

Mr. LONGWORTH. Is the gentleman aware that the German patents control less than one-fifth of the dyes that are now made in the American market?

Mr. HULINGS. That may be.

Mr. LONGWORTH. But the gentleman speaks of a monopoly. Those patents only apply to less than one-fifth of the American product of dyes.

Mr. HULINGS. The Germans did monopolize the German dyestuffs in this country before the war.

Mr. LONGWORTH. But not due to patents in this country.

Mr. HULINGS. Through their patents.

Mr. LONGWORTH. The gentleman is entirely mistaken.

Mr. HULINGS. Perhaps I may be entirely mistaken, but I give it for what it is worth.

It seems entirely incredible that Germany would go to the trouble and expense of filing 4,500 patents and that those patents should only apply to less than one-fifth of the German product of dyes, as stated by the gentleman from Ohio.

Mr. Chairman, as stated in the outset, I am in favor of imposing a tariff to protect American manufacturers of dyestuffs, and instead of proceeding any further with this paternalism of Government and the creation of bureaus and licensing commissions, as we have done during the stress of war, I think the Government should begin condemnation proceedings to reacquire these patents and throw them open to the use of every citizen seeking to make dyes, and then pass a tariff law which will protect such industries against foreign competition, making the tariff high enough to stop the importation of such dyes as we already make and high enough on the kind of dyes that we do not yet make so as to create and develop the making of all kinds of dyes. [Applause.]

The CHAIRMAN. The time of the gentleman has again expired. The Chair recognizes the gentleman from North Carolina [Mr. KITCHIN].

Mr. KITCHIN. Mr. Chairman, I yield five minutes to the gentleman from Texas [Mr. MANSFIELD].

Mr. MANSFIELD. Mr. Chairman and gentlemen of the committee, I appear only for the purpose of correcting an erroneous impression created by the gentleman from Indiana, my good friend, Mr. Wood, on August 21, while discussing the tariff bill. I will ask that the Clerk read the extract from the gentleman's speech on that occasion in my time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

And I wish to call the attention of some of you southern gentlemen to the situation existing in your own country, where protection is needed for development more than in any other section of the United States. Before we got into this war a number of gentlemen, Members of this House, while in the State of Texas discovered that in all that country where previously there had been a great many sugar mills running only a few years ago when the protective tariff was upon the sugar industry, sufficient to warrant the manufacture of sugar, and when rice hullers were seen upon every side, every one of those sugar refineries was idle except one, every one of those rice hullers was idle. Why was it? You had only to ask the men who had raised cane and rice and they would tell you that it was due to the damning influence of the Underwood bill which had destroyed those industries.

In all of the country round about the one factory that was running at Sugar Land, in the State of Texas, they did not raise cane sufficient to satisfy one mill and they were importing it from Cuba.

Mr. MANSFIELD. Gentlemen, the question of growing cane in Texas has never been attempted by free labor. It has been grown and handled exclusively by convict labor. No man in Texas under the climatic conditions there would attempt to grow cane for making sugar with free labor, for the reason that the cane can not be harvested until late in the fall, until frost comes, because it is not profitable until then. It does not contain the properties for making sugar until cold weather strikes it. After that period arrives it must be cut and gathered in before a freeze comes, for the reason that the freeze ruins it entirely. The consequence is that a cane crop in Texas must be cut and gathered within a period of about three or four weeks ordinarily. The frost does not come in southern Texas until about the 1st of December. Then the cane must all be cut and wind-

rowed and protected from the freeze before the freeze strikes it, which is usually in the latter part of the month of December.

If you are to handle a crop of some five or six thousand acres of cane it will require several thousand men to do it within that short period of time. Up to about six years ago it was handled exclusively by convict labor. At that time the Legislature of Texas, under the administration of Gov. Colquitt, passed a law prohibiting the use of convict labor for that purpose and prohibiting the hiring of convicts to anyone for any purpose. The consequence was that every sugar mill in Texas that was not prepared to import its raw sugar from Cuba or from some other country went out of business. In fact, we had only two sugar mills—one, the Imperial, located at Sugar Land, as referred to by the gentleman from Indiana, my good friend, Mr. Wood, and the other at Eagle Lake, known as the Lakeside.

Knowing this must be the condition, I telegraphed to the manager of the Imperial refinery, and I will ask the Clerk to read the telegram which I received from him in reply.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SUGAR LAND, TEX., September 2, 1919.

Hon. J. J. MANSFIELD, M. C.,  
Washington, D. C.:

Replying to your wire of this date, you are informed that our output of refined sugar now exceeds that of former years, when growing our own cane, by many millions of pounds per annum. Our only reason for importing from Cuba is on account of labor conditions, and not on account of the tariff. Eldridge, sr., now en route New York.

W. T. ELDRIDGE, Jr.  
General Manager Imperial Sugar Refinery.

Mr. MANSFIELD. Mr. Chairman, the question of farm labor has been a serious question in Texas in recent years. Mexican labor has now to be imported for the purpose of gathering the cotton crop, and it would be quite impossible to secure enough labor from any source to gather a crop of sugar cane. When convicts were available for that purpose the sugar grower could procure them in sufficient numbers to cut and windrow the cane within the short period of time in which that work could be done. I am not criticizing the legislature for prohibiting the hiring of convicts. That is not my purpose. My only reason for mentioning the fact is to correct the impression made by the gentleman from Indiana [Mr. Wood].

After the enactment of the law prohibiting the use of convict labor by sugar growers, the Imperial, one of the largest refineries in the world, began to utilize its lands for other crops and to import raw sugar from Cuba, it having its own railway and steamship lines to use in connection with the refinery.

As a matter of fact, there has been no diminution in the output of the Imperial refinery, but, as shown by the telegram of Manager Eldridge, there has been a great increase in the quantity of sugar refined. This is conclusive evidence that the tariff had nothing to do with the question, for if the tariff was the cause, as stated by the gentleman from Indiana [Mr. Wood], the result would have been a decrease in the quantity of sugar refined instead of a decrease in the quantity of sugar cane grown.

The Imperial refinery is in full operation and prospering as it never prospered before. Its capacity has been greatly enlarged since commencing its great importations of raw sugar from Cuba, and Col. Eldridge, the president of the Sugar Land Railroad, which is operated in connection with the refinery, informed me a few days ago that no protective tariff was desired by the Imperial. This "infant" is able to stand alone, and is not asking for any subsidy at the hands of the taxpayers.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HULINGS. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD on this bill.

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

Mr. HULINGS. I wish to also ask permission to speak about something that is not in this bill.

The CHAIRMAN. The gentleman asks leave also to extend his remarks with regard—

Mr. HULINGS. To the labor question. I was not here the other day when that bill was up.

The CHAIRMAN. Does the gentleman ask to do that in connection with these remarks?

Mr. HULINGS. Yes.

The CHAIRMAN. The gentleman from Pennsylvania asks leave also to extend his remarks to include the consideration of the labor situation. Is there objection? [After a pause.] The Chair hears none.

The gentleman from Michigan [Mr. FORDNEY] is recognized.

Mr. FORDNEY. Mr. Chairman and gentlemen, this bill in my opinion relates to a matter of very great importance to our people. Before the war there was produced in the world, in round numbers, \$100,000,000 worth of dyestuffs. Seventy-five per cent of the world's production was produced in Germany, the other 25 per cent by many nations, chiefly England and Russia. The people of the United States consumed of that total world's production annually about 15 per cent. We have in this country all the raw material for the manufacture of dyestuffs for the entire world—coal tars and salt brine. We have the money and we have the labor and the skill, and the desire to produce the dyestuffs for our own people, for our entire consumption. And the only reason why we may not in the future produce all our dyestuffs is because of lack of adequate laws to protect the people engaged in their manufacture, in the wage scale paid to labor in this country, which is the highest paid labor in the world.

Whatever competition we had before the war from Europe, and which has disappeared because of this war, has sprung up in the Orient, and to-day China and Japan are the competitors of American manufacturers of dyestuffs, and a more keen competition may be expected from the Orient in the future than we ever had between this country and Europe, for the reason that the wages paid to labor in Japan and in China are much below the wage scale heretofore paid in Europe and that will be paid in the future. Our wage scale in this country to-day is between \$4 and \$5 per day on an average in the dyestuff industry, while the wage scale in Japan is from 15 to 30 cents a day for an 11½-hour day, while our labor is employed at 8 hours, though, in some instances, 10 hours. Therefore, gentlemen, it behoves the Congress of the United States to enact adequate laws to sustain that industry in the United States—an industry of such great importance not only to the dye manufacturers of this country, but to many other industries of greater importance, with more capital invested than that invested in the dye industry, and especially in time of war. We found ourselves during this last war lacking in explosives and chemicals of all kinds. A dyestuff institution, as shown by the testimony presented to the Committee on Ways and Means, can be very quickly and cheaply converted into an institution for the manufacture of explosives, and vice versa. At a very nominal cost the institution can be changed to the production of either one, dyestuffs or explosives.

This bill has my approval, with the single exception of one feature; and if it is the wisdom of the House that that feature shall remain in the bill and be enacted into law, I will acquiesce and vote for the bill. I will stand by the majority of my party at all times. That feature is the licensing feature. There is a provision in this bill that creates by law a commission, which is given power to control the importation of dyestuffs, and for fear that commission might be political, if appointed by the administration, the committee has provided a paragraph in the bill naming the associations which may appoint the members of that commission.

If we are to have this commission and it is found to be constitutional, I want to see that provision remain in this bill. The bill gives the power to the users of dyestuffs, together with the manufacturers of dyestuffs, to name that commission, and of the 11 men provided for as members of that commission, 6 are to be representatives of the industries that use dyestuffs.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. FORDNEY. I will.

Mr. FESS. That feature of the bill has been very disturbing to me. To whom will this commission be responsible?

Mr. FORDNEY. The gentleman has asked a question that is very hard for me to answer.

Mr. FESS. It troubles me very much.

Mr. FORDNEY. I am opposed to the commission, I will say, in answer to the gentleman. But let me say that I believe by the adoption or the enactment into law of rates of duty sufficient to offset the difference between our cost of production and of that abroad, together with an adequate antidumping law, we will have given adequate protection to American institutions to enable them to continue.

Let me say for the benefit of the House that I have put in much time upon, and I have not yet quite concluded, a bill which I shall introduce in the very near future providing for an antidumping law.

Mr. YOUNG of North Dakota. Mr. Chairman, will the gentleman yield?

Mr. FORDNEY. Yes; I yield.

Mr. YOUNG of North Dakota. Does the gentleman expect to have that bill discussed and passed at this session?

Mr. FORDNEY. Yes; I do. I hope to have that bill before the committee within the next 10 days. I will say to gentlemen of the House that it is a matter of very great importance in the drafting of that bill to have it constitutional, to have it stand the test of the challenge which will certainly be brought forward immediately by the importer who pays an *ad valorem* duty. It is intended to regulate the dishonest importer who will undervalue the products that he brings into this country in order to evade the payment of the just and equitable duties of the Treasury Department.

Only yesterday the Secretary of the Treasury very kindly directed three members of the board of appraisers at New York to come over here on Thursday of this week to help me frame that bill, or at least to discuss it and enable me to get their views and their judgment upon the legality of the proposed act. They are the men to whom those matters would be referred for decision if we had such a law upon our statute books.

With that antidumping clause in the law, let me repeat, together with a reasonable amount of duty imposed upon the imports, I believe our institutions can in the future be adequately protected against erroneous, unjust, and unlawful competition from abroad. [Applause.]

Mr. WELLING. Mr. Chairman, will the gentleman yield?

Mr. FORDNEY Yes.

Mr. WELLING. You stated in your preliminary statement that the wages in Japan were about 20 cents a day?

Mr. FORDNEY. From 15 to 30 cents.

Mr. WELLING. And the wages here \$4 a day?

Mr. FORDNEY. Yes.

Mr. WELLING. Would any tariff that we can levy here protect the American workman against a wage scale one-twentieth of ours?

Mr. FORDNEY. It would be difficult, for under our international laws we can not make a duty on imports coming from Japan different from the duty on imports coming from Europe, and there is where the difficulty comes in in framing a law that will protect us against all the world, for the reason that if the rates of duty in a law are high enough to protect us against Japanese labor, then those rates will be prohibitive to Europe, and if the rate only offsets the difference between our cost of production and the cost in Europe, it is not sufficiently high to give adequate protection to American labor against oriental labor. There is the difficulty, my friends, in framing a tariff law to make it equitable and just to all our people as against all the outside world.

Mr. WELLING. Would not that difficulty and necessity warrant a provision in this bill for a licensing board?

Mr. FORDNEY. No. The licensing board has nothing to do with the rates of duty. The licensing board would be legally or in justice bound to issue to you a license to bring into this country dyestuffs that you can not procure in this country, no matter from what country you wished to import. That is the fundamental authority of this licensing board. But, my good friends, there are many gentlemen on the Democratic side who do not agree with me as to a protective tariff. I do not criticize them, although they differ in their opinions from mine. They claim that a protective tariff creates a monopoly. I deny the correctness of that statement. I do not believe that a tariff law ever created a monopoly. But is there any question under the sun that the creation of this licensing board is a monopoly? You are enacting into law, without any question, a monopoly.

Let me tell you why, my good friends. First of all, at the beginning of this war it was found that the Germans held patents for the manufacture of chemicals in this country to the number of 4,500 patents. Our Alien Property Custodian took over those patents and sold them, in my opinion, in the wrong way. The law provided that property should be sold at public auction. But by Executive order those patents were sold at private sale to a corporation known under the title of the Chemical Foundation. The assistant custodian, Mr. Garvan, was made the president of the Chemical Foundation Corporation, which purchased these patents for \$250,000. I have been reliably informed that one manufacturer states that he will give \$50,000 a year for the use of one of those patents. Now, whether that is true or not I do not know, but my information comes from a Member of the House. If that be true, then those patents were in all probability sold for less money than they are worth. Whether that is true or not, I do not care. I am not arguing that question. But the Chemical Foundation controls 4,500 patents. Many of them are valueless, of course. But it is within their power to issue a license to whomsoever they choose for the manufacture of chemicals under

those patents, and I have been informed already by one of the most reliable institutions of this country, a chemical manufacturer—I do not care to present his name, because he is one of the stockholders of the Chemical Foundation—that he has been refused a license to manufacture certain chemicals under those patents, although he is a stockholder of the corporation.

Therefore, my good friends, those licenses will be issued by the Chemical Foundation to their favorites, without any question. On the other hand, suppose that this licensing commission that will have control of the importations of dyestuffs meet with a number of gentlemen, say, 50 in number, who want licenses to import dyestuffs. Do you believe they will issue a license to the whole 50, to all applicants? If so, what is the necessity for a license? Why not let everybody import? If they do not grant permission to all who come and ask for it, then certainly they will select their friends. Let me give you an illustration under existing conditions. Our War Trade Board now have the authority to issue licenses. Importations of dyestuffs can not come into this country now except under licenses issued by the War Trade Board. I have a statement here from a member of an association that made application to the War Trade Board in April last to import dyestuffs, which they badly needed and claimed they could not secure in this country, and they were put off from time to time and could not get a hearing before that War Trade Board until August. Then, when they did get a hearing before a subcommittee, the War Trade Board said: "We admit that you need these dyestuffs and we are going to give you permission to import them, and we will give you a decided answer within 48 hours." I have a complete statement of the entire proceedings here, but I have not time to read it all to you. I am only stating the substance of it. The War Trade Board said: "We are going to permit you to import a six months' supply of these dyestuffs, but we are going to send our own man to Europe to get them." That man has not reported yet. Think of it. Manufacturers of cotton and woolen goods in April last wanting dyestuffs appealed to the War Trade Board, the only power on earth to give them relief, and here it is the 23d day of September and they have heard nothing from them yet and received no dyestuffs. They, the War Trade Board, sent Dr. Herty, whom I know, a most estimable gentleman, over to Switzerland to purchase those dyestuffs. Dr. Herty has not been heard from. When he will be heard from God only knows. Do you believe it is practicable for men with large investments in the manufacture of goods in this country to take orders from abroad or from the people at home to supply millions of dollars' worth of goods, and fool along 5 or 6 months and possibly 10 months with the War Trade Board, or any licensing board, in order to get their raw material? Of course not. That is not practicable. That is not business. If we create this licensing board, you may expect from them the same sort of expedition that we are receiving at the present time from the War Trade Board, which board now has the exclusive power to issue licenses for the importation of dyestuffs.

Mr. WATSON of Pennsylvania. Will the gentleman yield?

Mr. FORDNEY. I yield to the gentleman.

Mr. WATSON of Pennsylvania. Has the gentleman statistics to show whether there are enough dyestuffs in Germany to meet the American demand?

Mr. FORDNEY. There are about 900 varieties of essential dyestuffs made in the world. Some 300 of these are the really essential dyestuffs. I have here a statement from the Tariff Board which is a little old, but which is to the point, and it will answer the gentleman's question. The act of September 8, 1916, divided the coal-tar chemicals into three groups:

Group 1, crudes, on the free list.

Group 2, intermediates, dutiable at 15 per cent *ad valorem* and 2½ cents per pound.

Group 3, finished products, dutiable at 30 per cent *ad valorem* and 5 cents per pound.

The act of 1916 provided that the duties it imposed should be reduced 20 per cent per year for five years beginning five years from the date of that act.

The bill now before the House retains the three classifications or groups, but proposes an increase of duty on the second group, intermediates, to 40 per cent *ad valorem* and 6 cents per pound; and on group 3 proposes to increase the duty to 45 per cent *ad valorem* and 7 cents per pound, and the provision for the reduction of the duty 20 per cent a year for five years is repealed.

According to information from the Tariff Commission, 215 firms, not including coke ovens and gas houses and plants engaged exclusively in manufacture of explosives, reported the

production of chemicals derived from coal tar, and the total value of the product is given as follows for the year 1918:

Group 1, crudes.....	\$22,474,000
Group 2, intermediates.....	123,817,000
Group 3, finished products.....	83,095,000
Total.....	229,386,000

Let me say, gentlemen of the committee, that I wired to many of the factories—all that I knew of that are producing dyestuffs—and asked them for the amount of their annual product being turned out and the capital invested. The capital invested is about \$135,000,000 to \$150,000,000 in the United States. I received replies from 20 out of 34 to whom I telegraphed, showing that their production was \$91,782,000. Now, by looking over the record of imports and exports for the fiscal year I find that we imported \$8,550,000 worth of dyestuffs the last fiscal year and we exported \$16,822,000 worth, very largely to Canada. This exportation of dyestuffs is due very largely to the World War. None could be secured from Germany or Austria-Hungary, nor could many of these dyestuffs be secured from France or Great Britain. The essential varieties of dyestuffs are now made in this country. There are a great many varieties of very high grade dyestuffs used in very limited quantities in this country that we do not make. It is true that because of the extraordinarily high price of dyestuffs during the war many of the dyestuffs that were turned out were of poor quality; but that we can make dyestuffs in this country as good as are made in the world, if you will give us a little time, is a matter about which there is no question, because we have the skill and we have the raw material and we have the money and we have the desire, and all that is necessary is for the Congress of the United States to protect that industry by an adequate import duty.

Mr. WELLING. Is the American manufacturer to-day operating under the German or under his own patents?

Mr. FORDNEY. The manufacturers of this country are operating under their own patents with the exception of those that are authorized to manufacture by the Chemical Foundation Co. That company, as before stated, owns 4,500 patents, and a few of the concerns of this country have been authorized to manufacture under those licenses. That is what I am told, but just how many I do not know.

But before the war the owners of those patents were not compelled to manufacture in this country and they would not let anyone here manufacture. While I am ready to admit that the Chemical Foundation Co. is a monopoly, it is composed of American people who own the patents and they are American citizens, and if we are to have a monopoly, the Lord knows that I would much rather have that monopoly here than to have it abroad. That is the difference between the ownership of these patents now and before the war. I am in favor of their owning them here. I am in favor of changing our patent laws so that if a foreigner obtains a patent in this country he must manufacture in the United States within a given time at least or annul his patent. That is the kind of law that exists in Germany and other European countries, or did before the war. No American could go over there and obtain a patent under their laws unless in a very short time he began to produce the article in that country that granted him the patent.

Now, my friends, according to the information from the Tariff Commission, 176 intermediates were produced in 1918, and 23 others were produced in smaller quantities for sale principally for experimental purposes.

The coal-tar industry has made remarkable progress. The testimony before the committee left no room for doubt as to its inestimable value to the industrial progress of our national welfare.

The industry is an asset to national defense. It is of great value to the textile and other industries and a great aid to medical science and to public health. Large numbers of research chemists are engaged, and the possibilities for discovery and progress seem to be without limit. We desire to aid the industry and hope that legislation to that end will be enacted. I believe an adequate tariff is the logical and only logical and effective means of establishing the industry in the United States.

We can not and should not be expected to accomplish in four years that we have engaged in this industry as much as the Germans have accomplished in 40 years' experience in manufacturing chemicals. It is not expected.

In the annual report of the Alien Property Custodian, Mr. Palmer, issued in January last, on page 25, you will there find a statement from him in which he shows the necessity for the protection of that industry in this country. He points out, in substance, as I now remember it, five chemical industries in this country, two of which have been in existence for some time and three started up as new industries. One chemical in par-

ticular they were making was oxalic acid, and it sold at 6 cents a pound. When the three new institutions with American capital began operations the price dropped to 4.4 cents a pound, and finally to 2.2 cents a pound. In due time the three new industries went to the wall and closed their doors.

One of the owners of these factories came before our committee and said he was obliged to buy in his own factory at a sheriff's sale. I am a little ahead of my story. When these three institutions closed their doors the price of oxalic acid went back to 7 cents a pound, 1 cent per pound above what it had been selling for before the three factories closed down. When the war broke out the three institutions began operating again, and the Alien Property Custodian then discovered that the two that had remained in operation were German-owned property, branch houses of a parent company in Germany. They had been operating by the support of their industry in Germany from what is known as the "yellow-dog" fund. They were making up their losses out of that fund until they put out of business the American capital invested in the three institutions, and then up went the price again to the American consumer above what it had been before. That was the unfair competition that we had before the war and will have in the future, no matter how high we put the tariff, unless we couple those tariff laws with a just and equitable antidumping law that will not permit them to sell in this country at a less price than they sell at home.

Let me give you another illustration. I have a letter in my office—I am sorry I have not got it here, but I will put it in the RECORD. The Dow Manufacturing Co., of Michigan, has its factory about 22 miles from my home. Mr. Dow is an estimable gentleman and is a dear friend of mine. He told me that he found that for one chemical he was producing from salt brine there was a much better market in Germany than he found in the United States. He sent some man over there, and in a little while he found a market for more than he could produce. He was selling in this country for 37 cents a pound, and he found a market there at 42 cents a pound, and he was making money. One day an old German gentleman came to his office and asked to see him privately. When they had retired to a room he—the German—said, "Mr. Dow, I represent the chemical institutions in Germany. You are selling," as I remember, "bromine in Germany, and I am here to tell you that we want you to get out of Germany or we will destroy you." Mr. Dow was a man of considerable resolution and said, "Go your limit, sir; I am with you." The man replied, "Mr. Dow, we have what we call a yellow-dog fund," and, as I now remember it, he stated that it was \$25,000,000. "One half of that money is appropriated by our Government and the other half by manufacturers of Germany, and when we want to turn our guns on an institution in this world and put it out of business, we have that \$25,000,000 yellow-dog fund back of us, and we will turn it on you." Mr. Dow said, "Go it, my good fellow, go it." He went away, and in a few days the price of that article in this country dropped from 37 cents a pound to 22 cents a pound. Mr. Dow said that he could not make it for less than 32 cents a pound. He paid no attention to the American market, but kept right on in Germany, and they fought him for three years and a half, and finally laid down their guns and put the price back in this country to 37 cents a pound. That is the kind of competition that undervaluation brings to American institutions, and nobody who is not a resolute man with plenty of capital and brains back of him can meet that kind of competition. This antidumping clause and the rates provided for import duties in this bill will protect our people against just such unfair competition, if we can enact it into law. I shall present this antidumping clause to you for your consideration in the very near future.

The demand of the day, as you well know, is to lessen the high cost of living which the late war has saddled upon our country. This proposed licensing system for the importation of dyes is a step in the opposite direction. And, in this connection, you must remember that this commission is not proposed for the purpose of causing competition, obviating hoarding, curbing and preventing unscrupulous and inordinate profits, and other unfair trade practices—the usual excuses advanced to justify the creation of commissions. On the other hand, this proposed dye-licensing commission will operate just the other way from this and will permit, if not actually encourage and stimulate, the existence of all these illegal, unwise, and uneconomic things while at the same time directly serving to unduly harass the business man in his daily transactions.

A second and just as crying a need of the times is the simplification of the American business man's way of doing business. We have already such a complication of laws, rules, ~~and~~, and commissions that literally no business man knows how he can do business legally and rightfully, and no fair-minded lawyer dares to presume to tell him what the law really is.

What we want now are laws that work equally and automatically, clear and well known to the ordinary business man, so that those who run may read and understand. Let us have no more bureaus, commissions, complexities, delays, and uncertainties, with opportunities for privileges and favoritism. Surely the Federal Trade Commission, the War Trade Board, the Departments of Labor and Commerce, together with the Clayton Act, the Sherman antitrust law, the Lever Act, and other laws are fully sufficient to take care of any situation which may hereafter arise.

There is real danger of a breakdown of our whole industrial and economic system, and chaos threatens, with all these uncertainties, rules, decisions, regulations, provisions, and whatnot, clashing and conflicting and hampering as they are, facing the American business man. Congress, in my humble judgment, should awaken to the situation and insist upon no law in the future which will add to the confusion, but concentrate upon laws which will serve to simplify, clarify, unravel, and condense.

This proposed commission, also, in its practical workings, can not well help but play favorites. It will be a hindrance and a menace to the small manufacturers and the man of little influence and wealth. It is puerile to say that its functions are ministerial. They are clearly discretionary, as shown by the language of the bill itself and the very idea of creating such a commission. The question naturally arises, if the office of the commission is not discretionary, why the necessity for the commission at all? Of course, the commission will act in its discretion in all these matters over which it is given power, and therein lies the great danger.

Mr. Joseph H. Choate, jr., counsel and representative of the Alien Property Custodian's office, in appearing before our committee and testifying on behalf of the establishment of this commission, admits—page 403 of the hearings—as the author of the bill, that the commission will act as a court; and, of course, as a court it will surround and hedge itself in with all the red tape, formalities, rules, and regulations of a court, with consequent uncertainties, delays, and expense inherent in and inseparable from a court.

Then, too, this commission, by the manner of its practice, application, and operation, must, it seems to me, indubitably tend to foster monopoly in the dyestuff industry. The commission may be beautifully and ideally designed and intended, but its effects must tend toward the monopolistic, just as any artificial agent which interferes with the great natural law of supply and demand tends in this direction.

In addition to all these reasons I might enlarge and call your attention again to what you already know, that the establishment of these commissions is an innovation in American institutions, in which there is bound to follow a train of great and increasing evils. Commissions at their best seem to be justified only in war times or some such national crisis. They should be distinctly frowned upon and avoided in normal times.

Gentlemen, in the hearings, on page 260, there are 179 firms protesting against the commission, and all are in favor of adequate protection. On page 327 there are 12 more of the large firms of this country protesting against the creation of this commission, but all are asking for adequate protection to that industry. None of them are manufacturers of dyestuffs. They are users of dyestuffs. The point I want to make is—that I will bow to the will of the majority of this House—that we ought to strike from this bill the licensing feature and adopt a bill with the rate of duties provided for in the bill as now framed and then enact an antidumping clause to protect fully and adequately all institutions engaged in the manufacture of dyestuffs as well as all others.

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. LONGWORTH. Does my friend still believe that we should have the licensing feature as applied to potash?

Mr. FORDNEY. I say to the gentleman from Ohio [Mr. LONGWORTH] here is the critical situation on potash: Potash can not be produced in this country as cheaply as it can be abroad. It is a matter of great importance to the agricultural interests of the country that we should have potash at the very lowest possible cost. I am willing to yield, I am willing to subordinate, my views on potash and put a most nominal rate of import duty on potash and place in the Agricultural Department the right to issue a license to import potash when in its judgment the price in this country has gone too high; but that is as far as I can go on the licensing commission.

Mr. LONGWORTH. The gentleman favors a licensing system to apply to potash but not to apply to dyestuffs?

Mr. FORDNEY. No; I do not favor it; but I accept it as an absolute necessity, in order to maintain that institution under

any kind of a proposition. I would much rather rely on a protective-tariff measure relating to potash-licensing features, but I do not believe we can pass it through this House without the licensing feature coupled with it, for potash can not stand a high tariff.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. FESS. Referring to the commission, if it has no power it would not mean anything to be in the law. If it has power, authority, it must get that power and authority from some source. Is that source the Government or is it the people who make the appointments?

Mr. FORDNEY. We have aimed in this bill to create that commission by law and to avoid the political effect of the thing.

Mr. FESS. But to whom are they responsible? That is what I want to know.

Mr. FORDNEY. That is a pretty hard question to answer, except to say that they are responsible to the people they represent, who are the manufacturers of dyestuffs and the users of dyestuffs, the great institutions that manufacture cotton, wool, and silk, who appoint them to this commission.

Mr. FESS. Who would have the power to remove them if that power existed?

Mr. FORDNEY. The Congress of the United States, I believe, is the only power. There may be other power in the law that I have overlooked, but the Congress could remove them.

Mr. FESS. Reverting now to the authority, the Constitution plainly states that Congress can confer upon the President the power to make appointments, or upon the heads of departments, but is there any provision whereby you can confer it upon some industrial institution?

Mr. FORDNEY. That brings up a constitutional question in relation to this bill. Not being a lawyer I feel quite incompetent to answer it, but the Congress of the United States in the past has created commissions. Whether those commissions were clothed with the same official power that this bill would confer upon this commission I am unable to state, but it may be possible that it is unconstitutional for the Congress to do this, except in the way provided by the Constitution, permitting the President to name, by and with the advice and consent of the Senate, the members of the various commissions; but this commission has something to do with affecting the revenues of the Government, and this very moment I have grave doubt that that provision of this bill is constitutional. I am unable to decide that question, however, not being a lawyer—

Mr. FESS. I do not think there is warrant for it in the Constitution.

Mr. FORDNEY. And not having discussed it with some legal talent.

Mr. BUTLER. Mr. Chairman, will the gentleman yield?

Mr. FORDNEY. Yes; but I have very little time.

Mr. BUTLER. Would the gentleman prefer to have me ask these questions under the five-minute rule? I have some questions that I want to ask at some time.

Mr. FORDNEY. How much time have I consumed, Mr. Chairman?

The CHAIRMAN. Fifty minutes.

Mr. FORDNEY. I can answer the gentleman's questions for two or three minutes.

Mr. BUTLER. I have constituents manufacturing wool, worsted goods, cotton goods, and silk, and they are all greatly interested, and some are greatly alarmed about the licensing provision in this bill.

I do not think them selfish in their opposition. There are heavy penalties imposed in this measure on anyone importing dyestuffs without a permit from this commission. But is it not a fact that the commission, if it sees fit, can give you a permit to import such dyestuffs in quantities as you please—

Mr. FORDNEY. Oh, undoubtedly it lies in their discretion.

Mr. BUTLER. And is it not within their discretion and power to decline to give it to me?

Mr. FORDNEY. Absolutely so.

Mr. BUTLER. Might I not be forced to go to you to buy my dyestuffs if I need them? Suppose the commission declines to license me and does license you. You import such products as you see fit, and that compels me to go to you to buy them?

Mr. FORDNEY. Absolutely; you go to the man importing it, and you can not get it from anybody else except you buy American made. You have no other way than to go to the man who has the license.

Mr. BUTLER. I understand it is mandatory upon the commission to license the importation of a product not made in this country.

Mr. FORDNEY. Oh, no; it is entirely discretionary with the commission.

Mr. BUTLER. I understand the language of this bill says that the commission shall issue the license.

Mr. FORDNEY. Let me answer that right there. I just stated to you the War Board has been shown it was absolutely necessary for the importation of those dyestuffs requested by a large number of shirt manufacturers and others who went before them on April last and they have not received the dyestuffs yet.

Mr. BUTLER. I know. But I can not import that dyestuff without a permit.

Mr. FORDNEY. No, sir.

Mr. BUTLER. Now, then, suppose the commission says the material that I wish to import is made in this country.

Mr. FORDNEY. Yes.

Mr. BUTLER. But I say it is not as good as I wish to import.

Mr. FORDNEY. That is just what happened in the case I have cited.

Mr. BUTLER. Therefore they have compelled me to use an article I do not desire to use. It lies in their discretion.

Mr. FORDNEY. Absolutely discretionary.

Mr. LONGWORTH. Will the gentleman yield, please?

Mr. FORDNEY. Maybe I am wrong; if I am, I would like to be corrected.

Mr. LONGWORTH. Does the chairman of the Ways and Means Committee mean to say it is discretionary under this bill for the board to refuse a permit to import dyestuffs which are not made in this country?

Mr. FORDNEY. I say it is absolutely discretionary with them whether they issue a license at all or not, and although the law may say that they shall issue the license for dyestuffs that may not be procured in this country they will do undoubtedly in many instances just what the War Board has done in the case I bring to your attention. The War Board said, "You can get these dyestuffs in this country," and the consumers of dyestuffs said, "We can not," and they went along from April to August before the War Board admitted the dyestuffs could not be obtained in this country. They then said they would issue the license, and they sent a man abroad and they have not gotten them yet, and nearly six months have gone by.

Mr. LONGWORTH. Will the gentleman yield further. Does the gentleman claim to mean that the powers of the present War board are the powers conferred on this commission by this bill?

Mr. FORDNEY. I do not know of any greater powers given to this commission than were given to the War Trade Board.

Mr. LONGWORTH. Are not considerable less powers given?

Mr. FORDNEY. Well, they are limited to dyestuffs, whereas the War Trade Board is not. That is the only difference.

Mr. LONGWORTH. Does the gentleman mean to say seriously, as the chairman of the Committee on Ways and Means, that this commission will have any discretion whatever in reference to the issuance of licenses?

Mr. FORDNEY. I do. I repeat: No matter what we write in the law your commission will have discretionary power to say to you you can get those dyes in this country when they know well you can not do it.

Mr. BUTLER. Will the gentleman yield for a question?

Mr. FORDNEY. I will.

Mr. BUTLER. I want to get down to something specific, because this may involve the use of a plant in my congressional district known as the Aberfoyle Manufacturing Co. Here they use a dyestuff called indanthrene, and they can not use any other dye, because they rely upon fast colors. Suppose they ask a permit to import this, and suppose the commission says that indanthrene is made in this country. My constituent says that it is not made here. The commission replies that it is made here. My constituent says that it is not good quality. The commission says that it is of a good quality, and thus compels my constituent to buy the home product. Have I got that statement down right?

Mr. FORDNEY. I have tried to explain that it is entirely discretionary with them. The War Trade Board said that a number of these articles of dyestuffs could be produced here when the users said they could not, and five months went by before the War Trade Board admitted that those dyestuffs could not be procured in this country. Then they said, "We will let you bring them in"; but they have not brought them in yet. Let me be frank with you, gentlemen. The man who dominated that committee on the War Trade Board was a representative of the Du Ponts, who have \$45,000,000 invested in the manufacture of American dyestuffs. He is the fellow who prevented the shirt manufacturers from getting dyestuffs when they asked for them. It makes me provoked when I think that men in the House of Representatives of common sense will listen to such things as that and then try to enact into law a

measure that permits that sort of a monopoly to cripple you and your constituents and may not permit you to do business unless you do it with them.

I do not say that because they are capitalists, but I do say, if I have time to read it, that I have evidence to that effect.

Mr. BUTLER. If the gentleman will permit, I do not know who is behind it; I will take the gentleman's statement; but I am interested for my constituent. I am interested because of the embarrassment that may occur in the use of his mill. He has apprehended that it will occur. I am somewhat of a tariff man myself. I inherited it from people who believed in it. I do not want you to write something in a tariff bill that I can not vote for.

Mr. FORDNEY. I did not write it in there.

Mr. BUTLER. Why did not my friend sign a minority report? It goes to the country that he approves of this.

Mr. FORDNEY. Will the gentleman just hold his temper? I voted—well, I will not give away information as to what occurred in committee.

Mr. BUTLER. Do not do it.

Mr. FORDNEY. Do you consider, from my statement, that I wrote it into the law?

Mr. BUTLER. No. I forgive the gentleman, who is my good friend and in whom I have always confided.

Mr. FORDNEY. Let me tell you who the man was that dominated that committee with reference to giving shirt manufacturers the opportunity to import dyestuffs. It was Mr. Poucher, who represented the Du Pont people. He was a German representative at one time, so I am told, now employed by these people who manufactured dyestuffs in this country. Are you going to permit our manufacturers of goods to be dominated by such a power? I am opposed to it. I do not know what the devil you are going to do about it. [Laughter.]

Mr. BUTLER. I wish to say that I represent a district that has many manufacturing institutions in it, and I am for a tariff, but I am not for any monopoly side show that is going to take care of any one product.

Mr. FORDNEY. Your factories will operate by the permission of the licensing board if put into this law.

Mr. WATSON of Pennsylvania. If A and B are manufacturers of cloth, Mr. A is enabled to get a foreign dye, and therefore makes his output secure. Mr. B applies to the commission and they say, "We can give you a wholly domestic article." Is that the proposition?

Mr. FORDNEY. Yes.

Mr. WATSON of Pennsylvania. Then there is favoritism as to American industries if your bill passes as it is now written?

Mr. FORDNEY. No matter what the law may say about what the duties of the commission may be, every man must admit their power is discretionary; and whatever they do, there is no power on earth to change, except the Congress of the United States. From the commission's decision there is no appeal, except to the courts.

Mr. LAYTON. Will the gentleman yield for a moment?

Mr. FORDNEY. Yes, sir.

Mr. LAYTON. I wish the gentleman would make it plain why it was that the E. I. du Pont de Nemours Co. objected to a shirt manufacturer having dyes. I never knew they were interested in textiles of any sort whatever. What would be the object, therefore, of that company putting an obstacle in the way of a textile manufacturing company having dyes?

Mr. FORDNEY. It was claimed by their representative that the dyestuffs applied for for import could be made in this country, and the users of dyestuffs insisted it could not be; and I say that after that sort of argument had gone on back and forth from April to August the board admitted the dyestuffs could not be secured in this country, and they have not been secured yet.

Mr. LAYTON. The explanation lies in this fact, that the E. I. du Pont de Nemours Co., being engaged in the manufacture of dyes, possibly wanted to give themselves an opportunity to see whether they could work the proposition out or not?

Mr. FORDNEY. I judged from the statement made by the gentleman who gave me this statement that Mr. Poucher was their representative; that they were confronted by Mr. Poucher instead of the War Board itself.

Mr. BYRNES of South Carolina. Is there evidence of the statement of Mr. Poucher in the hearings?

Mr. FORDNEY. No, sir; but I have that evidence here. I will let any gentleman read it. It is a very lengthy and complete statement about the proceedings of those gentlemen that appeared before the committee and asked for a hearing and could not get it, and finally when they did get it, they went to the room, and Mr. Poucher stepped in from the side door and took the floor and made a speech and said, "You do not need

the dyestuffs you are asking for." Whether it is correct or not I do not know, but one of the gentlemen who was in the room read this statement and said he would make an affidavit in regard to its correctness.

Mr. BYRNES of South Carolina. By whom was the statement made?

Mr. FORDNEY. I would rather not just mention that now. I want you to take it from me that it was a gentleman who was present in the room at the time, making the request for the dyestuffs. And that gentleman and his representatives are dependent now upon the War Trade Board for dyestuff. If it were known who that man is—the board—might crush him; he might be discriminated against by this board, just as any board might discriminate against the manufacturer if they were displeased with him. And sometimes competition makes people displeased with their neighbors.

I thank you, gentlemen. [Applause.]

Mr. KITCHIN. Mr. Chairman, I yield an hour to the gentleman from Pennsylvania [Mr. MOORE].

Mr. MOORE of Pennsylvania. Mr. Chairman, a more or less enforced absence of five weeks has caused me to overlook many of the details of the prolonged hearings of the Ways and Means Committee with regard to the Longworth dyestuffs bill. But the story is so interesting that perhaps it were better for a brief spell to talk without notes or without attempting to quote from the records.

Dyestuffs are fairly well protected now, so far as tariff duties are concerned. The bill before us proposes to put the rates so high that they will be practically prohibitive with respect to every one of the commodities referred to in section 500. There is very little that we use in the United States in the way of dyestuffs not comprehended in this bill. There may be some things the nomenclature of which does not come within our grasp. Dyestuff terms are peculiar, they are jaw breaking, but they are extremely important when it comes to specifying just what they are and what their effect is with regard to manufacturers, with regard to war munitions. During the hearings much was made of the importance of the dyestuff industry to war munitions.

Probably that was the crux of the argument of the proponents of the bill, that this country must keep itself prepared with large dyestuff plants in order to be ready at any time to manufacture war munitions and to put itself, if that were possible, upon a par with Germany, which has been in the lead of us all until recent years in the production of dyestuffs.

German chemistry appears to have been the terror of all those who had to contend with Germany throughout the war in the manufacture of gases, in the manufacture of high explosives. In these and other war munitions the German chemists seemed to have had a hold upon the situation. The German chemists had also gotten well into the industry in the United States, and, if the truth be known, the German chemist is very strong with all the dye manufacturers of the United States to-day.

The statement made by the gentleman from Michigan [Mr. FORDNEY] a few moments ago in reference to Mr. Poucher is true. Before he became the representative of the Du Ponts, before he became powerful in the organization of what has become known as the American Dyes Institute, a very small aggregation of men engaged in the manufacture of dyes, he was the representative here of one of the greatest of the German concerns, and had been so for many years, and through the instrumentality of that concern had helped to introduce high-grade dyestuffs into the textile industries of the United States.

An effort was made during the war to catch up with the German chemists, and it was more or less successful. Some of us who are older in the service here will recall in the discussion of the Payne bill and the various Underwood bills that much stress was laid upon the upbuilding of the dye industry in the United States and that much depended upon a concern conducted by the Schoelkopf Co. at Buffalo. The demand for a protective tariff was due very largely to a desire to encourage the Schoelkopf Co. There were other manufacturers in the United States, but they were not strong, relatively.

When the war broke out our former dependence upon the German dyestuffs was manifest. We had been importing dyestuffs from Switzerland. We had been importing them from other countries, but principally from Germany and from Switzerland. Germany was a great textile manufacturing country. It was our greatest competitor in the production of hosiery and underwear, although we had to contend very strongly with Great Britain, which was strong in textile manufactures, but not so strong in the manufacture of dyes entering into the textile trade. Many of our laws were intended to protect the manufacturer of the United States not only against the dyestuffs which were raw material entering into the fabric but against the textile product

itself, in clothing, in woolens, in worsteds, in cotton, in silk, and other fabrics, in shirtings, underwear, and hosiery. Our mills in the United States could not exist against the competition of Germany and Great Britain and France and Belgium and Italy without protective tariffs.

We endeavored to prove this when the Payne bill was passed. It was denied as a political proposition by those who did not agree with the Republicans in their economic beliefs, but the passage of the Underwood bills eventually proved that protection was necessary. Raw material would go from the United States—raw cotton, for example—into Europe, principally into Germany and Great Britain, and would there be manufactured and dyed and sent back to the United States. And it could be sent back and was sent back as finished product at a cost so far below that of the American cost, considering the higher wages paid here and the greater overhead charges, that it was absolutely necessary to maintain a protective tariff to preserve the industry in the United States.

Textile manufacturers generally depend very largely upon the demand of the people for the styles or colors which they bring out. What is popular this season is not popular next season. The color that is used this year is not popular next year. Preparations must be made months ahead for the distribution of the product of the mill. It may be that the taste of the good women who buy fabrics to work them up into dresses will run to blue or to gray or to polka dot or to any other color or style this year and that color or style will be utterly discarded next year. Color, which attracts the eye, enters very largely into the saleability of the article. Fast colors, of course, are more valuable and important than colors that run and that show up the cheapness of the garment. If you buy a necktie, you want one that holds its color, not one which when you get a little rain upon it or a little perspiration upon it will mark up the white shirt you wear. The Germans have had peculiar facility in preparing fast colors—colors that would hold, that would be just as good when the garment was thrown into the scrap heap, so far as the color itself was concerned, as it was when it first entered into the fabric.

England was not very well fortified in the manufacture of dyestuffs. England had been largely dependent upon the German chemists, just as we had been, but England had a lower wage scale than we had, and, as it was easier to obtain dyes from Germany than it was for the manufacturers of the United States, Great Britain had that advantage over the United States in the matter of overhead, and could make textiles cheaper than we could. On account of the long training and routine service of the workmen, she was able to turn out better goods, sometimes, than were turned out in the United States, because of the changing conditions here.

But the war proved up the necessity of establishing an independent dye output in England, and England proceeded at once after the war was declared in Europe to attempt at least to make herself independent of Germany in this respect. Large manufacturers in England, operating under the board of trade, which is substantially a Government department, were subsidized out of the British treasury and encouraged to establish dye works. It is said that England to-day is fairly independent of Germany, and can take care of her own necessities with reference to dyestuffs.

In the United States we were worse off; but our chemists were energetic. They were ambitious to outwit the Germans and do their part in a patriotic way. They were industrious, and they aided materially in the upbuilding of the industry in the United States. Their advancement in this regard can not be discounted.

The Alien Property Custodian, Francis P. Garvan, successor of A. Mitchell Palmer, the Attorney General, became one of the most active proponents of the dye industry in the United States, and allied himself early with many of the chemists who were encouraging the manufacturers here. I refer to him thus early in these remarks because he is the author of the statement that we had built up the dye industry in the United States during the war until \$400,000,000 was invested and until that \$400,000,000 capital in dyestuffs served \$3,000,000,000 worth of textile business. I shall refer to Mr. Garvan briefly a little later on.

The Schoelkopf concern was the nucleus for the development of such dye industries as grew up here during the war. There were several independent concerns around Newark, N. J. There was a Buffalo plant, and there was one plant down in Tennessee. They began to sell stock. Eventually there was a consolidation of most of those companies, including the Schoelkopf concern, and they enlisted under the banner of the National Aniline & Chemical Co. Then the Du Ponts, who were

large manufacturers of powder and high explosives, became interested in the manufacture of dyes, and I think they also began to dispose of stock. The stock of the National Aniline & Chemical Co. was on the market. I think some of it is still upon the market, and it may be that the stock issued by these consolidated companies has something to do with the Garvan estimate of \$400,000,000 actually invested in dye enterprises now in the United States. And \$400,000,000 invested in the United States, if it be invested, and is a legitimate investment, is about a stand-off for the total amount said to be invested in the chemical industry in Germany. Therefore if the statement of these gentlemen interested in the dye business be true with regard to assets, liabilities, and capital stock, and stock put upon the market, the United States to-day ought to be on even terms with the manufacturers of dyestuffs in Germany, subsidized though they may be, although I doubt if they are.

Now, those of us who are opposing the licensing feature in this bill have no objection whatever to the rates fixed in the Longworth bill, which are in excess of the rates fixed in the existing law, known as the Hill bill when it passed the House. We have no objection whatever to the rates. We believe that these rates are not only sufficiently high to protect everything that is manufactured in the United States in the way of dyestuffs, but that they are positively prohibitive.

Mr. BUTLER. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I yield to the gentleman from Pennsylvania.

Mr. BUTLER. The gentleman is very well acquainted with my constituency, and I want to convey to him the information they have sent to me, that while they fear this licensing provision for reasons that I will endeavor to give a little later on they are perfectly satisfied with the tariff rates suggested in the Longworth bill and ask to have them imposed.

Mr. MOORE of Pennsylvania. I will say to the gentleman that that is the consensus of the judgment of the textile industry of the United States, as I understand it. They do not object to the highest possible tariff rates being levied upon every one of these dyestuffs and these intermediates, but they do resent the notion that they must come to Washington every time they want to buy dyestuffs to get a permit to carry on their ordinary business.

Mr. BUTLER. Furthermore, Mr. Chairman, if the gentleman will permit, they wish me to state here that just as soon as Americans can produce this material that they use they are ready to buy the American dyestuffs, but up to this time they have not been able to get them and can not get them now, and can not get them for years to come.

Mr. MOORE of Pennsylvania. The gentleman's statement is correct. I have a number of constituents who are in exactly the same position as those represented by the gentleman. They can not obtain the particular fast colors that they have been accustomed to use, which are absolutely essential to hold the trade which they now have. In other words, they have designers, they have men who map out styles of garments they are going to put upon the market. They want the colors which they expect will cater to the public taste. They are specialists in their line, and upon their specialities they prosper; but the moment they can not obtain the dyestuffs that will permit them to make good to their customers, then their business leaves them.

Mr. BUTLER. They lose it through competition with others.

Mr. MOORE of Pennsylvania. They are unable to carry on their ordinary, normal lines of business.

Mr. MERRITT. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I yield to the gentleman from Connecticut.

Mr. MERRITT. Is the gentleman going to explain the relation of the Chemical Foundation to this before he gets through?

Mr. MOORE of Pennsylvania. I hope so. I hope I shall have time to do that. But with respect to the question asked me by the gentleman from Pennsylvania [Mr. BUTLER] as to whether with this boasted \$400,000,000 of capital in the United States we are able to produce dyestuffs here, I have already indicated that that \$400,000,000 is said to be about the amount that the Germans have invested in their great enterprises, and that this, if true, would put us on a par so far as capital is concerned.

Mr. LAYTON. Will the gentleman yield for a question?

Mr. MOORE of Pennsylvania. I yield to the gentleman from Delaware.

Mr. LAYTON. The gentleman doubtless has in his mind this fact: You might have \$1,000,000,000 invested in the manufacture of dyes, but if you have not got the brains, if you have not got the chemists, if you have not got the knowledge of occult

and secret processes, and of synthetic and analytical chemistry, it can only be developed by long years, and your dollars do not count.

Mr. MOORE of Pennsylvania. The gentleman does not abash me at all by that statement, because if, having that special knowledge and that occult discernment which the gentleman has indicated, I have built up my business and am entitled to have a return upon my business because I am versed in it I should not be compelled to go to a licensing commission in Washington and lay all my plans before it before I can do business, especially if the commission is made up of my competitors.

Mr. LAYTON. I am not saying that you should.

Mr. MOORE of Pennsylvania. I thought the gentleman was criticizing my statement.

Mr. LAYTON. Not at all.

Mr. MOORE of Pennsylvania. I want to protect the man who has the brains and original thought, and the man who has a business of his own, so that he may do business without having to go and lay all the details of it before a business rival, who may happen to be on a board here at Washington, to pass on the question whether he shall have the privilege of obtaining his raw materials. But with respect to the question asked by the gentleman from Pennsylvania [Mr. BUTLER], here is an extract from the prospectus of the National Aniline & Chemical Co. when it was putting its stock on the market, when it was rather boastful of what he could do after it had absorbed its competitors in the United States and put them into one big consolidated company, and when it so far succeeded that the Du Ponts were the only other large concern able to rival them in the United States. It said then—this was only within a year:

The Germans will enjoy no supply of raw materials or intermediates which the National Co. does not now possess. With the depreciated currency and the labor unrest in Germany, it is not to be expected that the labor costs of the German manufacturers in the future will be proportionately as low as in the past. With the protective tariff on dyestuffs and the exclusions steps taken by the Alien Property Custodian, the National Co. certainly has no cause to fear German competition for some time to come.

Under the tariff act of September 8, 1916, all finished dyes are taxed 30 per cent ad valorem and 5 cents a pound specific duty, with a reduction each year after 1921 in the specific duty of 1 cent a pound. Intermediates are taxed under that law 15 per cent ad valorem and 2½ cents a pound specific duty, with a reduction of one-half cent a pound per year after 1921. Raw materials are admitted free of duty. On dyes worth \$1 a pound, this duty would amount to 35 cents a pound.

The Chemical Foundation (Inc.) has been organized by the Alien Property Custodian with a capital stock of \$500,000, and has acquired title to about 4,500 patents on processes and products covering all kinds of dyes and other chemicals which were registered in the United States by Germans or other alien enemies. The Chemical Foundation (Inc.) will issue nonexclusive licenses to American manufacturers to use these patents on a moderate royalty basis, and will protect all holders of licenses under these patents from the manufacture in the United States or the importation into the United States of all dyes or other chemicals made in any other country in the world under processes which infringe on the patents to which the Chemical Foundation holds title.

Mr. EVANS of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. They were selling stock when that prospectus went out, and they were insisting that they had every secret that Germany had, and that with the protection of the Alien Property Custodian, concerning whom I shall speak later, they were prepared to meet all American demands. Yet in spite of that fact and the fact, according to Mr. Garvan, that they and others have \$400,000,000 invested, they will want to prevent men doing business in the United States in the ordinary, legitimate, and normal way unless such men come down here to a Government commission, which will be made up very largely of men who have stood for this law, before they can get a permit to go and do business.

Mr. BUTLER. A permit from their rivals in business.

Mr. MOORE of Pennsylvania. From their rivals in business. That has happened throughout this entire war, and is one of the curses of this commission system, which we can not too speedily abolish in the United States. If the President of the United States were to declare by proclamation, as he is authorized to do in a number of bills which this House has passed, that a state of war with Germany no longer exists, a proclamation he might well issue at the present time, we would not only save this country millions of dollars, but we would wipe out these annoying commissions that are hamstringing business in the United States to-day.

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield? Mr. MOORE of Pennsylvania. Yes.

Mr. LONGWORTH. Does the gentleman mean that doing business in a "legitimate way" means buying all of our dyes in Germany?

Mr. MOORE of Pennsylvania. Not at all. That has been another one of the recourses of those who have been advocating this bill—that any man, particularly any Member of the American Congress, who dares to say that an American monopoly will be fostered if you pass a law like this is un-American. It is far afield to suggest any such thing; it is too late to raise that question now. We are entering into competition with the world, and we are going to do business and have competition among ourselves.

Mr. EVANS of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. I yield.

Mr. EVANS of Nebraska. Were the statements read by the gentleman from Pennsylvania as to the aniline claims true in fact, or does the gentleman know?

Mr. MOORE of Pennsylvania. The company put them out. The company is responsible for the statements. But I say to the gentleman—he possibly may not have heard me—that I take that statement and a number of others from the dye propagandists with a grain of salt, as some of them were selling stock to the public. They claimed to be prepared to meet in business any possible German competition, because, as has been stated, with the shield of the Alien Property Custodian thrown around them they would be able to supply the American demands and thus snap their fingers at German competition.

Mr. BUTLER. What is the date of that prospectus?

Mr. MOORE of Pennsylvania. Because of coming down suddenly this morning, I am unable to locate it now. It was issued within the year, however.

Mr. BUTLER. My constituents say they positively can not buy this material from these people or anywhere else.

Mr. MOORE of Pennsylvania. Then those who issued this prospectus may have fallen down.

Mr. BUTLER. They have.

Mr. MOORE of Pennsylvania. And having fallen down in their promise to give American manufacturers dyestuffs, they now ask for a licensing commission which will enable them to check up every American manufacturer who wants to get any dyestuffs from abroad.

Mr. JUUL. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. JUUL. I would like to know from the gentleman what he thinks of the legality and the propriety of having a number of organizations outside of this Congress nominate and create the commission, binding American citizens in the transaction of their business.

Mr. MOORE of Pennsylvania. I am very much opposed to it, because it is partial, it is special; it is in the nature of a privilege which ought not to be. This Congress should not delegate powers to a number of voluntary associations to exercise administrative functions which properly belong to an officer of the Government.

Mr. JUUL. Has the gentleman any suggestion to offer how a commission might be created that would be proper, according to his notions?

Mr. MOORE of Pennsylvania. If we want a commission—and I am opposed to all commissions in this connection—you might delegate this power to the Department of Commerce or to one of its bureaus.

Mr. BUTLER. But not to your competitors in business.

Mr. MOORE of Pennsylvania. That is the objection to it. I say to the gentleman that this present scheme was an afterthought. This bill came before the Ways and Means Committee in more forms than one. It was proposed at first that this commission should have arbitrary power. It was to say whether your constituents coming down from Chester, Pa., seeking a certain license for a certain kind of dyestuff which could not be obtained in the United States should or should not have it. It was to determine rates and prices and quantities, and to have power for a long term of years. You were to be dependent upon it for the price you were going to pay. And that was important, for I suggest now that one of the real reasons for the passage of this bill is to enable those in the United States who have got or expect to get about \$10,000,000 worth of contracts for a certain kind of indigo blue to hold the price to 75 cents a pound when it could be had abroad at 13 cents a pound. Pretty good business that, when the commission is friendly.

Mr. BUTLER. Will the gentleman permit me?

Mr. MOORE of Pennsylvania. Yes.

Mr. BUTLER. My constituents say that it is pretended that every dollar of the stuff is made in the United States and can be sold as made in the United States. My constituents say that it is not the kind of material they can use, because they must guarantee the colors.

Mr. MOORE of Pennsylvania. The blues go into working-men's overalls. Suppose the gentleman votes to-day to create a licensing commission which is in favor of holding a particular dyestuff up to \$10 a pound in the United States when it can be had in copious quantities in foreign countries at \$1 a pound. Is not the gentleman voting against the interests of his constituents?

Mr. BUTLER. Yes; but I do not like to vote against a tariff bill.

Mr. MOORE of Pennsylvania. Then vote to strike out the licensing provision. Does not the gentleman see that a commission which has the power to say whether or not a man shall have a license would be somewhat influential if the foreign price is very low and the American price is inordinately and monopolistically high, and that they could put the gentleman's constituents out of business?

Mr. LONGWORTH. Will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. LONGWORTH. Does the gentleman believe that it is within the bounds of possibility that a commission of consumers of dyes would attempt to hold any dye as high as \$10 a pound, or at any such figure?

Mr. MOORE of Pennsylvania. I was using hypothetical figures, although I did in my original remarks, just prior to the question by the gentleman from Ohio, say that I had been informed that a certain indigo blue was being held at 75 cents a pound, whereas it could be secured abroad at 13 cents a pound. You can apply the proportions to higher grades.

Mr. LONGWORTH. The gentleman has not answered my question, which is, Does the gentleman believe that this would be a commission whose interest it would be to uphold the price of dyes, whereas, as a matter of fact, under the circumstances the majority of the commission would consist of dye users and not dye makers?

Mr. MOORE of Pennsylvania. I answer the gentleman in this way to best understand the question. It happened coming down on the train from Philadelphia this morning that a gentleman talked with me about another matter, not dyestuffs. He was very much concerned because he had purchased about \$15,000 worth of a certain raw material in England and wanted to dispose of it here. He had been told that he would have to come to Washington to get a license, and he presumed that he would have to go to the State Department to do that. I told him I thought that was so; that the War Trade Board, one of "the floating kidneys" of the war administration, had been transferred to the State Department. When I asked him about the material, it developed that it was a drug the output of which is controlled by three large concerns in the United States, which obtain for it \$9 an ounce, duty paid. I was informed it could be brought in from England, duty paid, at \$7 an ounce. It appeared that the American concerns were interested in the administration here under War Trade Board conditions, and that they also had an agent in England. But the independent buyer was expected to obtain a license to get his goods into this country from those who thus "commissioned" the output. That is substantially the situation with regard to dyestuffs.

Mr. LONGWORTH. The gentleman has not answered my question. Does the gentleman believe that any commission formed under this act, where six are consumers of dyes and only four manufacturers—that there would be a tendency in that commission to unduly enhance the price of dyes, if it had the power?

Mr. MOORE of Pennsylvania. It is possible.

Mr. LONGWORTH. Does the gentleman think that would be the tendency, to raise the price of dyes?

Mr. MOORE of Pennsylvania. Let me ask the gentleman this—3 of the 11 members of the commission are to come from the American Dyes Institute. How many members are there in the institute?

Mr. LONGWORTH. Fifty.

Mr. MOORE of Pennsylvania. Fifty members, and they have 3 out of the 11 members on this commission. I want the gentleman to hold that for a moment.

Mr. LONGWORTH. I am holding it.

Mr. MOORE of Pennsylvania. Let me ask the gentleman if the American Dyes Institute is not made up of men interested only in the manufacture of dyes?

Mr. LONGWORTH. Surely.

Mr. MOORE of Pennsylvania. And they are to get three members of this commission?

Mr. LONGWORTH. Yes.

Mr. MOORE of Pennsylvania. Is the gentleman familiar with the National Association of Hosiery and Underwear Manufacturers?

Mr. LONGWORTH. I know that.

Mr. MOORE of Pennsylvania. They have seven or eight hundred members, every one of them users of dyes, who must purchase from the 50 members of the American Dyes Institute, and their business amounts to three-quarters of a billion dollars at least.

Mr. LONGWORTH. But the gentleman is begging the question.

Mr. MOORE of Pennsylvania. They must buy from the members of the commission, who were authorized by the Government to say whether they shall get dyestuffs or not, and at what price, and in what quantity.

Mr. LONGWORTH. But the gentleman has not answered my question yet. The vote is six to four.

Mr. MOORE of Pennsylvania. Does the gentleman know whether the Carpet Association of America is on this commission?

Mr. LONGWORTH. It makes no difference.

Mr. MOORE of Pennsylvania. If the National Association of Hosiery and Underwear Manufacturers is not represented on this commission—

Mr. LONGWORTH. No. But the dye users have 6 out of 10 votes. Is it to the interest of the dye users generally to make the price of dyes as high as possible?

Mr. MOORE of Pennsylvania. It is not to the interest of the dye manufacturers to fix the price as high as possible.

Mr. LONGWORTH. Is it to the interest of the dye users to have—

Mr. MOORE of Pennsylvania. It is not to the interest of the dye user to make the price as high as possible, no.

Mr. LONGWORTH. That is the only question I asked.

Mr. MOORE of Pennsylvania. Will the gentleman answer this: In whose interest is this bill being pressed? In the interest of the manufacturer or the dye consumer?

Mr. LONGWORTH. In the interest of the dye manufacturer, of course, and it is to prevent the dye manufacturers of this country from being thrown out of business by German competition.

Mr. SMITH of Illinois. Who wants the commission, the consumer or the dye manufacturer?

Mr. MOORE of Pennsylvania. I will answer that point because it is the only thing the gentleman has to cling to. The same old fear, notwithstanding the boasts that the American chemist now is on a par with the German chemist, with the same amount of capital and business, that we have consolidated our companies, the same old argument to keep up prices in the United States in the interest of the small companies that are now consolidated or dominating the dye industry, is that there will be German competition. Is the gentleman sure that there will not be a fierce British competition in textile manufactures and German textiles because we have not got the dyes to compete with them?

Mr. LONGWORTH. There is this substantial difference, I will say to the gentleman, between the situation to-day and the competition between this country and Germany that there was some time before the war: Before the war we had one dye concern in this country as against the big six of Germany. To-day we have 77 or more different dye producers in this country as against 1 in Germany.

Mr. MOORE of Pennsylvania. And I will ask the gentleman this: He is admitting that the American Dyes Institute, a new concern, dominated almost exclusively by the gentleman to whom Mr. FORDNEY refers, Mr. Poucher, of Du Ponts, was organized solely in the interest of the dye producers, the dye makers, the men who sell to the rest of us. Suppose we grant the extravagant claims of the dye manufacturers that they have \$400,000,000 invested, which is questionable, and then we concede that Mr. Garvan, their particular friend, is right when he says the dye users in the United States represent \$3,000,000,000. Is it fair to give the 50 Dyes Institute members 3 members of the commission, and the \$3,000,000,000 of business only the remaining 7? Is that a fair proportion? I do not think the gentleman can answer that question successfully. That is too unfair a proportion, but that proportion represents the spirit of those who have been thrusting this bill upon the Congress, altering it from month to month, changing its features and its terms until they almost admit in the windup that those of us who oppose the licensing system are right, and that the licensing system is only in the interest of a monopoly and not in the

interest of protection to American industry. I ask the gentleman from Ohio whether it is not true that the tariff rates fixed in the Longworth bill, according to every witness who appeared before the Committee on Ways and Means, are sufficient in the way of protection?

Mr. LONGWORTH. They will be sufficient, in my judgment and in the judgment of most of the witnesses before the committee, if in the next two years we can prevent the destruction of the American chemical industry, but they would not be sufficient if multiplied by two, in my judgment, to prevent the present German dumping of dyes in order to put our dye manufacturers out of business.

Mr. MOORE of Pennsylvania. Well, is it not a fair inference that while these consolidated companies are disposing of their stock, while they are fighting to keep up their rates and retain a war strangle hold upon the manufacturer who is bound to use the dyes if he is going to have a successful business—is it not a fair inference that these men are willing that certain mills shall close and their operations shall cease for want of dyestuffs that American manufacturers do not produce rather than let go this license commission to which they are wedded? As I see it those who want this license system are perfectly willing to permit certain manufacturing establishments to close rather than let them get the raw materials they need to go on with their business. That is a kind of monopoly I do not stand for. I am a protectionist, a reasonably high protectionist, but I do not stand and hope never to stand for a protection which spells monopoly to beat out competition and make inordinate profits for a few.

Mr. LAYTON. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I yield to the gentleman.

Mr. LAYTON. If I apprehend this bill properly the object of it is to establish primarily the dye industry in the United States.

If that is the primary object, what was the object in putting the granting of licenses in the hands of the users of dyes? It seems to me that if you are going to protect the dye industry in the United States, to put the granting of licenses into the hands of those who use the dyes in order to enable them to import vast quantities of the foreign-made dyes, making it possible for them alone to say how much shall be brought in and how little shall be brought in, the licensing system defeats the primary object of the law you are about to enact, unless there is a "nigger in the woodpile."

Mr. MOORE of Pennsylvania. I really did not get the gentleman's question.

Mr. LONGWORTH. I will answer the question later. I do not want to take the time of the gentleman from Pennsylvania.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. CHINDBLOM. I find that the hearings relate to the bills H. R. 2706 and H. R. 6495. Is the present bill a substitute for those?

Mr. MOORE of Pennsylvania. The present bill is the residuum of a series of bills introduced from time to time. The original bills were much more drastic than this. In the Ways and Means Committee many of the provisions of the licensing system were cut down and cut out. But a skeleton remains, and we are trying to complete the job now by eliminating that skeleton. It ought not to be in the bill. Sufficient protection is permitted to the dyestuff industry and manufacturers in the preceding paragraph. The licensing feature is a brand new proposition, tacked upon a tariff bill, something unheard of in economic legislation in the United States except in war times.

Mr. CHINDBLOM. Have hearings been held specifically on the bill H. R. 8078?

Mr. MOORE of Pennsylvania. They were held as we ran along, but several different bills were introduced. And I will tell how some of these new bills came in.

The agitation for this licensing commission apparently did not originate with the distinguished gentleman from Ohio [Mr. LONGWORTH], whose name is attached to the bill. It seems to have generated in the office of the Alien Property Custodian. It was unthought of before. It came about substantially in this way: We gave power to the Alien Property Custodian to seize enemy-owned property in the United States. The President had appointed Mr. Palmer, now the Attorney General, to be the Alien Property Custodian. He undertook his work with gusto. He employed attorneys and experts and bookkeepers and investigators ad libitum. He seized German property wherever it was to be found. He seized some property that was not alien property, but belonged to citizens, some of them natives of the United States. There are suits pending with regard to some of these seizures now. He found that some of the properties he took over were tremendously val-

able. Indeed, the sum total of all his seizures amounted to approximately a billion dollars. He and his successor, Mr. Garvan, who was prime minister of his administration, laid great store upon the value of the dyestuff industry as it affected the textile industry, and laid heavier stress upon the fact that this dyestuff industry was indispensable for the purpose of prosecuting the war, being intensely patriotic on this subject all the time.

Finally it was discovered that over yonder in the Patent Office there were upward of 4,500 patents taken out by Germans in the regular way under our law, patents lawfully held by them. These the Alien Property Custodian seized. They were patents for the manufacture of about every kind of dyestuffs and intermediate known under the sun. If the Germans had superior knowledge on this subject, they had protected themselves by taking out patents in the United States, and the sum total of their knowledge was in that aggregation of patents over yonder which were protected by our American Patent Office trade-mark. We did not give Mr. Palmer power originally to dispose of property by private sale, but we did in a rider to one of our appropriation bills give him power to sell in certain instances, but to fortify himself he obtained from the President a very remarkable Executive order, which gave him the power to do almost anything he wanted to do, including the disposition of property at private sale, if he saw fit. And he began to sell at private sale. Some very large concerns were sold at private sale, some small ones were sold, both in this country and in our possessions. But when it came to these 4,500 patents over here, one of which alone, I have been informed, is worth a million dollars in royalties, the patent on salvarsan, a drug of very great use now in the Army and very important to the preservation of human life—as to those four thousand five hundred and odd patents, under the Executive order of the President, not signed by the President, but signed individually by Frank K. Polk, who probably had authorization from the President to make an Executive order, were sold at private sale to the Chemical Foundation (Inc.). Now, what was that?

It sounds big. It sounds like the Carnegie Foundation; like the Rockefeller Foundation; it sounds like some great, big philanthropic institution. But whence came this organization? It was born in the office of the Alien Property Custodian. The men who formed it were attached to the Alien Property Custodian's office, men who stood high in New York and other cities, some of them working for the Government for a dollar a year, but obtaining valuable information about alien property during the war as they went along. All patriotic; but they bought those patents for \$250,000 at private sale. Nobody else had a chance to bid for them. It was done at the instance of Mr. Palmer, the Alien Property Custodian, under the Executive order of the President, signed by Frank K. Polk. Francis P. Garvan, then the power behind Mr. Palmer and now the Alien Property Custodian, became the president of that corporation. Mr. Joseph H. Choate, an energetic attorney from New York, became general counsel. He had been attached to the Alien Property Custodian's office. And I take my hat off to the activities, to the propaganda work, done by Mr. Garvan and by Mr. Palmer and by Mr. Choate in getting their enterprise before the public. They appeared before manufacturing associations; they went to some of these associations that are named here in the Longworth bill. They made speeches; they talked of the desire to crush the Germans. They told of the terrific influence the German property had exercised in this country; they told how they had seized it; how they proposed to drive the owner of it out; but, with regard to these patents, they said that was a philanthropic proposition.

Mr. BUTLER. Let me ask the gentleman a question.

Mr. MOORE of Pennsylvania. They proposed to conduct that corporation almost as a charity. They proposed to utilize these patents and issue them upon royalties, and get their money back in that way, but they did not propose to make any profits, although they were getting 6 per cent on the investment.

I yield to the gentleman from Pennsylvania.

Mr. BUTLER. Is this concern of which the gentleman speaks to be represented on this commission?

Mr. MOORE of Pennsylvania. No; it is not named. But that voluntary association, the Chemical Foundation (Inc.), chartered under the laws of the State of Delaware, had a very close connection with the Federal Trade Commission, which had certain powers granted it by Congress and certain other powers granted to it by the President under Executive order, and they rather swapped their ability to negotiate these patents.

They had their technical and their lawful terms for doing things, but the fact was that the acting president of the Fed-

eral Trade Commission during our hearings issued a circular to those who had taken patents on royalty asking whether they preferred to take their leases from the Federal Trade Commission or from the Chemical Foundation (Inc.), under the laws of Delaware, thus offering to deliver this business over to this private corporation, which was not to be conducted for profit, except the 6 per cent.

Now, these gentlemen went broadcast. Mr. Choate was eloquent. If you will read his testimony in the hearings you will find it is more like oratory than it is like evidence. You will find that he is a very able man; but he ran up against a number of snags as he went about, and so did Mr. Garvan. Mr. Choate appeared before a meeting of manufacturers in my city, and he urged the importance of the passage of a law that would protect the American dye manufacturers against the invasion of the German horde, and they cheered, because they believed in that sort of thing, and they signed his petition. When they signed the petition, or found it published down here after it came back to Washington, they found that they had signed for the highest possible tariff rates, which was all right, but that they had also signed for a license commission to cut their own throats and to put themselves in the hands of the men who made the stuff and who would require them to pay the price and get the quantities that the commission would permit them to have. Then they rebelled.

These speeches and this propaganda were carried over New England, and petitions were signed up there, and then came statements and petitions repudiating these clauses in favor of a licensing commission.

I have here a petition signed by hundreds of the leading manufacturers of eastern Pennsylvania, men representing large concerns and vast industrial wealth. It reads:

JULY 3, 1919.

To the CHAIRMAN AND MEMBERS OF THE  
COMMITTEE ON WAYS AND MEANS,  
*House of Representatives, Washington, D. C.:*

The undersigned textile manufacturers and textile dyers desire to protest against any legislation having for its purpose the requirement of licenses for the import of dyestuffs. We earnestly desire the development of a complete and independent domestic dye-manufacturing industry, but we believe that can be more certainly and securely attained by a system of protective import duties, antidumping legislation, and the enforcement by the Federal Trade Commission of laws against unfair competition than by any system of restrictive licensing.

License requirements, we believe, will seriously interfere with the operation of domestic industries which require colors not yet produced in the United States, and which will probably not be produced in commercial quantities for some time to come.

A protective tariff will encourage the development of domestic manufacture of these needed dyes but will not prevent nor hamper their importation during the period through which we must wait for the realization of an adequate domestic supply.

Mr. FAIRFIELD. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. I will not read the names of all these concerns, but they include the biggest in my vicinity.

Mr. FAIRFIELD. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. FAIRFIELD. I would like to know if there are enough dyestuffs of the kind used in manufacturing to-day to do the coloring necessary?

Mr. MOORE of Pennsylvania. There are certain fast dyes that can not yet be produced in the United States.

Mr. FAIRFIELD. I mean such as it is. They could furnish dyestuff, but not the fast dyes?

Mr. MOORE of Pennsylvania. These gentlemen of the Chemical Foundation, Inc., who represent this philanthropic concern which took over these 4,500 patents for \$250,000 at private sale conducted by the Alien Property Custodian, have possession of the patents which produce the various fast colors that the people of this country want. But evidently they have not been produced here yet, or if produced here, by reason of the combination that has been formed, the price is so high as to be excessive.

Mr. FAIRFIELD. Then it will be that they can either furnish them or they will compel the use of inferior dyes?

Mr. MOORE of Pennsylvania. It may be.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE of Pennsylvania. I ask unanimous consent, Mr. Chairman, to extend and revise my remarks.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

Mr. BYRNES of South Carolina. Reserving the right to object, Mr. Chairman, will the gentleman tell the House whether he would vote for this bill if there is a license feature in it, or would he vote against it?

Mr. MOORE of Pennsylvania. I will not vote for the bill if the license feature is in it, because the license feature is an uncalled-for innovation, introduced on a tariff bill. It is a fungus that ought not to be there. Protection is provided in the bill itself to meet the requirements of the manufacturers of dyes in the United States, and, in addition, the War Trade Board, the Federal Trade Commission, and the President's war powers are all in force. They and the Allies' Supreme Council are sufficient to keep out unfair German dyes without creating a new commission to be paid for out of the United States Treasury. [Applause.]

Mr. Chairman, I submit herewith protests and resolutions against the licensing feature of the Longworth bill from the National Association of Hosiery and Underwear Manufacturers and from the Carpet Association of America:

PROTEST RESPECTFULLY ADDRESSED TO THE REPRESENTATIVES IN THE SIXTY-SIXTH CONGRESS BY THE NATIONAL ASSOCIATION OF HOSEIERY AND UNDERWEAR MANUFACTURERS.

THE LONGWORTH BILL (H. R. 8078).

PHILADELPHIA, PA., September 15, 1919.

The National Association of Hosiery and Underwear Manufacturers respectfully asks your attention to a measure now pending before the House of Representatives, known as the Longworth bill, being H. R. 8078, which will shortly come up for debate and vote, and desires to emphatically and unequivocally register its opposition and protest against the provision in said bill to create and set up a so-called dye licensing commission, and hereby requests you most respectfully to vote against this portion of the bill, conformably to resolutions regularly adopted, and which are herewith quoted:

"Resolved, That we, the officers, board of directors, and advisory board of the National Association of Hosiery and Underwear Manufacturers in meeting assembled in Atlantic City, N. J., this 26th day of July, 1919, recommend that adequate protection be given to the dyestuffs industry by a protective tariff, instead by a licensing system.

"Resolved, That we, the Pennsylvania Division of the National Association of Hosiery and Underwear Manufacturers, in meeting assembled this 9th day of August, 1919, in Hamburg, Pa., oppose the passage by Congress of House bill 8078 (the Longworth bill) unless the provision for the creation of a dye licensing commission be eliminated; and

"Resolved, That we recommend that adequate protection be given to the dye industry of the United States by protective tariff instead of a licensing commission."

The following was adopted at a meeting of southern knit goods manufacturers, duly called by the president of the National Association of Hosiery and Underwear Manufacturers, and held at Whittle Springs, near the city of Knoxville, Tenn., on September 9, 1919:

"Whereas industry to be permanent and stable must be free from all abnormal restrictions and governed by the natural law of supply and demand: Now, therefore, be it

"Resolved, That we oppose the proposed dye licensing commission as being opposed to all sound principles of business, and especially those principles of American independence in trade upon which our industries have traditionally grown and prospered."

NOTE.—Each of the meetings at which the action above expressed was taken was duly called and was truly representative, in personnel and numbers, of the knitting industry of the United States.

The National Association of Hosiery and Underwear Manufacturers is heartily in favor of giving full and proper protection to the American dye-manufacturing industry; but it believes that this is amply provided for by the tariff feature of this bill, without adding thereto the secondary and hitherto unheard-of plan of absolutely prohibiting the importation of any dyes into this country unless passed upon previously and allowed by a dye-licensing commission.

Such a commission would be an artificial and unjustifiable restraint upon legitimate business; would increase the cost of doing business; would serve to complicate the methods of doing business which already need simplification; would, it is believed, in its practical workings, lead to favoritism and privileges; be cumbersome, embarrassing, entangling, unsatisfactory, uncertain, disturbing, distressing, and burdensome; cause loss of time and loss of business, and engender business precariousness of various sorts; would open a way for the betrayal of trade secrets, wire pulling, unfair trade practices, the offering of shoddy goods to the public, and would be surrounded by red tape, restrictions, and hamperings of many kinds; would tend inevitably to a monopoly of the American dye industry, all resulting, so far as the user, consumer, and general public are concerned, in trade repression, depression, strangulation, contraction, and cessation. Besides, such a commission would be a decided innovation in normal American business life, without any good and compelling justification being shown theretofore, and the significance and importance of which, with its manifold and potential dangers, is far-reaching, and should not be underestimated.

The National Association of Hosiery and Underwear Manufacturers is composed of some 800 individuals, firms, and corporations, some engaged in manufacturing and marketing textile goods, such as hosiery, underwear, sweaters, gloves, shawls, etc., and others in making textile machinery. Its members engaged in the manufacture of knit goods employ operatives in factories scattered over the entire United States, having an aggregate capital of hundreds of millions of dollars and paying annually in salaries and wages many millions of dollars. The products of the knitting industry of the United States distributed annually have a value (at the source of production) of more than three-quarters of a billion dollars, and there is disbursed in salaries and wages in excess of \$196,500,000 annually.

Hosiery alone, amounting to 73,340,268 pairs, valued at \$20,034,064, was exported from the United States during the first seven months of the present year, and it is apparent that the demand for hosiery and all classes of knit goods for export will increase with the gradual restoration of normal markets throughout the world. But, unless the manufacturers in the United States shall be enabled to obtain such colors and shades of dyes as may be required by their customers in foreign markets and which are being offered to their competitors in other countries, they will be seriously interrupted in the expansion of their foreign trade, and will be threatened with disaster to their business if

for any reason the outlet for production in excess of domestic requirements suffer interference such as would be invited by the maintaining of a commission with discretionary power to limit importations of dyestuffs as to character or quantity.

If the knitted-goods manufacturers of the United States do not have free access to the colors and shades of dyes produced in other countries, knitted goods manufactured in such countries will be poured into the markets of the United States, in response to demands for dyeing known to be fast, and in colors which are not and for some years may not be obtainable from manufacturers in the United States, the knitting industry being thus threatened with competition at its very doors that would be difficult to meet. Unless a dye commission restricted importations of dyestuffs there would be no occasion for its creation. If it did, the knitting industry would suffer to a greater extent than would the dyestuffs industry were it to depend solely on adequate tariff for protection.

The National Association of Hosiery and Underwear Manufacturers has submitted its views as to the undesirability of having a dye-licensing commission, by special circular letter to possibly all of its members engaged in the manufacture of knitted goods, and, upon request, to persons, firms, and corporations comprising commercial dyers, and manufacturers of hats and paper and leather products, and other consumers of dyes, numbers of whom, of their own volition, since have filed with the association their disapproval of the proposal for a dye licensing commission, the signatures of protestants being affixed to cards of which the following is a copy:

"VOTE AGAINST COMMISSION INTERFERENCE WITH THE LEGITIMATE BUSINESS PURSUITS OF UNITED STATES TEXTILE MANUFACTURERS.

"I (or) we desire to be recorded as opposing any legislation for creating a dye licensing commission, as provided for in H. R. 8078 (the Longworth bill), believing that there ought to be no restrictions on the purchase of dyestuffs not available from manufacturers in the United States.

"I (or) we believe the United States dyestuff industry ought to be given adequate protection by a protective tariff such as would be designed to safeguard dyes manufactured in the United States from unprofitable competition with foreign-made dyes.

"(Signed) \_\_\_\_\_  
"(For) \_\_\_\_\_."

The names of approximately 300 reputable persons, firms, and corporations protesting through the National Association of Hosiery and Underwear Manufacturers against the establishing or creation of a dye-licensing commission are authorized by them to be hereto appended, and are made a part of this protest of the National Association of Hosiery and Underwear Manufacturers, together with an affidavit of the secretary that they are on file in the office of the association.

All of which is respectfully submitted.

C. B. CARTER, Secretary.

[The Carpet Association of America (Inc.), Madison Square Hotel, 37 Madison Avenue, 38 East Twenty-sixth Street, New York, an association of manufacturers, importers, and merchants engaged in the wholesale and retail floor-covering business of America.]

EXTRACT FROM THE MINUTES OF A MEETING OF THE BOARD OF GOVERNORS OF THE CARPET ASSOCIATION OF AMERICA HELD AT THE CITY OF NEW YORK, SEPTEMBER 8, 1919.

The president then directed the attention of the meeting to proposed legislation now pending before Congress relating to the importation of dyes and the protection of American manufacturers of dyestuffs, and recommended that some action be taken giving expression of the attitude of this association with respect to the proposed legislation embodied in House bill 8078.

This was followed by a full and free discussion of the dyestuff situation, and thereon the following resolution was proposed and unanimously approved and adopted:

"Resolved, That the board of governors of the Carpet Association of America hereby expresses its hearty appreciation of the remarkable progress recently made in the manufacture of dyestuffs in this country and its desire to cooperate with American manufacturers in the promotion and continuation of this industry, which has been developed with such laudable energy and skill during the war against Germany.

"Resolved further, That this board records its approval of liberal protective tariff rates upon imported dyes, whether in ad valorem or specific duties, so that this important and successful industry may be fully protected, promoted, and sustained in our country; and commends the protective features provided by the tariff rates in the Longworth bill now pending before Congress.

"Resolved further, That this board views with apprehension the injures which would undoubtedly result to the floor-covering industry from an enactment into law of those provisions in House bill 8078 which provides for an embargo against the importation from any country whatsoever of any foreign-made dyes except under a system of restrictive licensing to be controlled by a commission provided for in the bill; and accordingly briefly summarizes the reasons for its emphatic objections to such provisions as follows:

"1. A number of dyes required in floor-covering manufacture are not yet produced in the United States, and until they are produced in adequate amounts they must be imported.

"2. A licensing system must inevitably be attended by delays, complications, and uncertainties which would seriously impede and confuse the floor-covering manufacturers.

"3. Adequate protection to the American manufacturers of dyestuffs is apparently already provided for in the high tariff rates proposed. If they are not adequate, they could be increased.

"4. Under the terms of the peace treaty control of the prices of German products is given to a reparation commission.

"5. The proposed "antidumping" legislation, which is likely to be enacted at the present session of Congress, will provide additional barriers to foreign competition.

"Resolved further, That copies of these resolutions be forwarded to appropriate committees of Congress having consideration of the proposed legislation, and that members of this association be requested to communicate with their representatives in the House of Representatives and the Senate of the United States urging their assistance in eliminating from the Longworth bill the objectionable features above set forth."

Mr. GREEN of Iowa. Mr. Chairman, I yield the remainder of the time on this side to the gentleman from North Dakota [Mr. YOUNG].

The CHAIRMAN. The gentleman from North Dakota is recognized.

Mr. KITCHIN. Mr. Chairman, how much time has the gentleman been granted?

The CHAIRMAN. Thirty minutes.

Mr. KITCHIN. I yield him eight minutes.

The CHAIRMAN. That makes 38 minutes.

Mr. YOUNG of North Dakota. Mr. Chairman, I want to compliment the gentleman who introduced this bill, the gentleman from Ohio [Mr. LONGWORTH], for his very able and complete address yesterday covering this entire question.

I think it will be agreed that practically all of us favor a tariff duty upon dyestuffs, and we are also in favor, I think, of making that duty sufficiently high. We are in favor of a good, liberal duty. We are in favor of the duties carried in this bill. But some of us are opposed to the proposition of a licensing board. We are opposed to that on principle. This bill, I believe, has been carefully drawn, and if these particular paragraphs referring to the licensing board were eliminated, my impression is that the bill would receive very general support in this House.

The war is practically over now, and while licensing boards were tolerated during the war and could be defended during the war, now that we are entering a peace period I do not believe that any licensing board is justifiable. The gentleman from Michigan [Mr. FORDNEY] and the gentleman from Pennsylvania [Mr. MOORE] have told how the licensing boards worked during the war, and they have explained very thoroughly the great annoyance to business throughout the country occasioned by these various boards.

There is just one feature about these licensing boards which they have not mentioned, and that is the expense that small concerns were sometimes put to in order to present their matters to these boards in Washington. It is well known that in order to get action business concerns were compelled to employ lawyers, usually high-priced lawyers, to get results. Certain lawyers who were thought to have a drag, either with certain boards or otherwise, were employed to present the applications of business concerns. Now, to a big concern it was a trifling matter to hire a lawyer and pay him a good fee, but I have personal knowledge of cases where small concerns were compelled to pay out attorneys' fees that they could not at all afford to pay.

I think we shall all have to agree that the dye used in any garment is simply an incident, so far as cost goes. The question of the price, the value of the dyestuff that will be used in any garment that we are ever likely to buy will never amount to much, and the cost difference between one plan and any other plan would be trifling. But the quality is everything. I do not represent any manufacturers here, and so far as I know there is nobody in my congressional district manufacturing anything that dyes need to be used for. But like many of you sitting here, I represent the ultimate consumer. I represent the ordinary man and the ordinary woman who walk into a retail store to buy goods.

We all know that the prices of the various articles in the stores now are pretty high. It is a rare thing that anybody makes a speech here now when a reference is not made to the high cost of living. I think there are some gentlemen sitting here who wear suits of clothes that cost perhaps as much as \$100.

Mr. BUTLER. They ought not to be here.

Mr. YOUNG of North Dakota. I really think there are not many. The dye used in a suit of clothes costs very little. I do not think any of us will quibble on the amount of the protection. We are willing to let them have all the protection they need in order to establish this industry. The difference in the cost of any suit of clothes will amount to very little. But if my friend from Pennsylvania [Mr. BUTLER] goes down here and pays \$50 for a suit of clothes and finds that by reason of poor dyes the suit is no good, then it is a very serious matter.

Mr. BUTLER. Mr. Chairman, will it disturb the gentleman if I make a brief statement?

Mr. YOUNG of North Dakota. No. I yield to the gentleman.

Mr. BUTLER. The concern of my constituents is not as to the amount of duty. They are perfectly willing to pay the duty. Their concern is as to the quality of the dyestuffs which they can get.

Mr. YOUNG of North Dakota. My friend is no more concerned about the quality of the dyestuffs than are the farmers and the villagers in my State.

Mr. BUTLER. Is not everyone who wears any sort of material concerned in the stability of the colors, and is it not absolutely necessary that the colors should be fast?

Mr. YOUNG of North Dakota. Absolutely necessary. It is a tremendously serious proposition. When I say this to you, gentlemen, I am only telling you what you know already if you have been talking to your wife. I tell you that the prices being charged now for anything that you have to buy in a dry goods store are very high, and after paying a big price you very often, and practically in all cases, get something of little value.

Mr. HUSTED. Will the gentleman yield?

Mr. YOUNG of North Dakota. In just a minute I will. At our house we have a number of articles that Mrs. Young put aside and let me examine, and I brought them down to the committee room and let the members of the committee examine, stating the number of times they had been washed, and showing just exactly what washing did to them. One suit that I did not bring down to the committee room cost a good sum of money. It was purchased and made to order at one of the best stores in Washington, yet the dye ran so badly as to destroy the underwear, and after being worn now occasionally during the past three months, the garment itself from the outside shows that the dyes are not good, and in a short time it will have to be discarded or else the wearer of it will, when going down town, be ashamed of it. I could add to this list many other articles. I am simply mentioning this to show that the quality of the dyestuffs means just as much to a man living 20 miles from the railroad in North Dakota as it does to the man who wrote that letter that the gentleman [Mr. BUTLER] has in his hand.

Mr. BUTLER. And that is the manufacturer himself.

Mr. YOUNG of North Dakota. He can not keep his business if he puts out a poor product.

Mr. BUTLER. He can not.

Mr. YOUNG of North Dakota. A man may have been in business for a hundred years—

Mr. BUTLER. This concern has been established for more than 50 years, and in making this statement I am making it unselfishly. I never was in this mill, but I know where it stands. It has employed from 500 to 1,000 men and women and has always been running for the last 50 years. This man says unless he can get a certain kind of dye, made in a certain way and up to a certain standard, he can not operate his mill. He says that for several years the Americans have promised him dyestuffs, but he can not get them.

Mr. YOUNG of North Dakota. That simply means that a man may have been in business for 50 years, as this man has, or he may have succeeded his father who was in business before him, and his concern may have been running for 100 years and have built up a reputation based on the quality of goods that it has produced, goods that would stand up, which people, when they purchased, found would wear; and that concern, with a reputation which has grown and been built up during a century of good work, can lose that reputation in six months under this bill.

Mr. BUTLER. I do not think it is fair to my constituents to compel them to have to come down here to Washington and fondle and kiss and hug any member of any commission in order to be able to do business.

Mr. YOUNG of North Dakota. I do not think it is; and I want to say that the people of the United States may have to stand for this, because we may not have enough votes to amend the bill.

It may be that my constituents will have to buy goods dyed with inferior dyes, whether they are of any value or not. No matter how much money it costs, no matter how many suits are destroyed, no matter how many dresses are destroyed, no matter how much good hosiery is destroyed, by the use of poor dyes, it may be that they will have to stand it and these concerns will continue to sell to us, but they can not sell anything in South America in competition with similar goods made in Great Britain or other countries where they have access to good dyes.

It seems to me that this is a plain, everyday, ordinary business proposition and that we can not afford to build up one industry and at the same time destroy a great many others that have much more money invested and which mean more to the success and well-being of our own country.

Mr. LAYTON. Will the gentleman yield?

Mr. YOUNG of North Dakota. Yes.

Mr. LAYTON. I am an inquirer after knowledge. It seems to me that as far as this discussion has gone there is a dispute; one side claims that this commission would prevent the importation of dyes, and therefore prevent the manufacturer from getting what dyes he wants, while the other asserts that they, being manufacturers themselves engaged in the manufacturing business, will open the doors and let all sorts of importations into this country. Now, where is "the nigger in

the woodpile"? On the face of it I will admit that if you stand for a licensing system it looks good enough to me. When I see the national association, the American Association of Woolen Manufacturers, the silk associations, the American paper and pulp associations, and all these different concerns asking for it, it seems to me it is a pretty good proposition. Upon the face of it, if you are going to have a licensing system, it seems pretty well constituted, but how can there be this contention?

Mr. GREEN of Iowa. If the gentleman from North Dakota will permit me, I will say to the gentleman from Delaware that in the hearings before the committee—and I think my friend from North Dakota will agree—both the dye makers and the dye consumers were a unit on the idea that we ought to preserve and build up the industry. Of course the question arose of how it could best be done. The gentleman from Ohio advocates one way and the gentleman from North Dakota does not agree with him. But these parties that ordinarily assume or occupy opposite interests both agree on the idea that the industry ought to be built up because the dye consumers during the war had so much difficulty in getting dyes that they never want to have it occur again. They were willing to consent to the tariff duties, and others were in favor of the licensing system and others objected to it.

Mr. RAKER. Will the gentleman from North Dakota yield for a question?

Mr. YOUNG of North Dakota. Yes.

Mr. RAKER. Did these 4,500 patents that were sold to the American company provide for all the kinds and character of dyes which we have been importing from Germany?

Mr. YOUNG of North Dakota. I think so.

Mr. LAYTON. I think that is an assumption.

Mr. RAKER. The gentleman from North Dakota is on the committee and very clear and well informed on this subject. That being the condition, what is the matter with these manufacturers in this country getting all the dyes in sufficient quantities for their purposes?

Mr. YOUNG of North Dakota. I do not think there is any reason why they should not buy them where their best judgment indicates.

When we get to the discussion as to the amount of tariff needed we ought to keep in mind that the production costs in Europe have been greatly increased by this war. Every day the news dispatches show that the living cost, the wage cost, the cost of everything that goes into the production of articles abroad, has been increased. When you take that into account, and the increased duty we are proposing in this bill, and the antidumping bill of the gentleman from Michigan [Mr. FORDNEY], it seems to me that we should be able to keep out enough of the German dyes without resorting to the un-American licensing system.

Mr. RAKER. If the gentleman will yield, this is only providing a method and means whereby the dyes can be manufactured in our own country if the people have the patience and the desire to have it done.

Mr. YOUNG of North Dakota. That is the case. We think it is very dangerous to adopt in time of peace a licensing board. It will throttle and hamper and annoy all the business concerns in this country, and perhaps drive some of them out of business if they happen to be unlucky enough to have created the antagonism or jealousy of members of the board.

Mr. HUSTED. Will the gentleman yield?

Mr. YOUNG of North Dakota. Yes.

Mr. HUSTED. Right in that connection the gentleman says that you put in the hands of the licensing board the power to throttle industries in this country. The licensing commission is interested in the development of the dye industry. It does not seem reasonable that parties interested in the development of the dye industry would consent to throttle an industry that uses the dyes.

Mr. YOUNG of North Dakota. The gentleman knows that some men who came to Washington during the war were recognized as patriotic, broad-minded gentlemen and who ought not to be expected to let any personal prejudice or animosity or jealousy interfere with their action. Still we know that these things did interfere with their action. I do not believe an American citizen ought to be compelled to crawl in on his stomach and ask permission of any board or commission to do business in the United States. People ought to have the right to do a legitimate business without coming to Washington and asking the permission of anybody.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. YOUNG of North Dakota. Yes.

Mr. MOORE of Pennsylvania. Philadelphia is but three hours away from Washington. Boston is somewhat farther off,

but it is a large textile center. They are beginning to have large manufacturing industries in South Carolina and Mississippi. Under this licensing system would not the man near by have a decided advantage over the man who is far away?

Mr. YOUNG of North Dakota. Yes; if he lived in Philadelphia he could come to Washington and get back the same day. If he lived in Boston he could come one night and go back the next, and would be away from his business only one day. It would make quite a difference to those living at greater distances.

I want to say this, and I hope if gentlemen do not listen to anything else that I have said they will listen to this: I maintain that there is not a single store in Washington that will guarantee the color of a single article it is selling at this time. There is absolutely not a store of any kind selling anything with color in it that will guarantee it. Here is a card, which is only one of dozens, from Woodward & Lothrop's store, sometimes called the Boston Store, reputed to be one of the best in this city, which says: "We do not guarantee colors owing to the dye situation." And you will find the same thing at the other stores. That is a serious situation.

Mr. BURROUGHS. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of North Dakota. Yes.

Mr. BURROUGHS. Is it the gentleman's understanding that this licensing board in this bill will have discretionary power to say who shall receive these licenses?

Mr. YOUNG of North Dakota. If it does not have that discretion, what is the use of having the board at all? If the board has not any power, why do they ask for it? They say it is to keep dyestuffs from coming here from Germany. If that is what it is for, of course they must have discretion. If they have no discretion, then this bill does not do the thing its authors expected it to do.

Mr. BURROUGHS. If I want a license, and come down to the board and make an affidavit to the board that the particular dye I desire is not obtainable in this country, is it the gentleman's understanding that the board has the power to refuse to grant me that license on that showing?

Mr. YOUNG of North Dakota. I think so. I think they could say, "Mr. BURROUGHS, you can get that dye over here from Mr. Jones." You will say, "Yes; Jones does claim that he makes that same kind of dye, but I do not want to use it, because I have no confidence in it at all." Assuming that you have been in business for 50 years, you ought to know what you want to buy and what you do not want to buy. You do not think Jones has the dye, although Jones says that he has it, but he tips it off to the board, and I am on the board. Jones says to me, "I have got the very dye that BURROUGHS wants." The board has discretion, and can say, "Mr. BURROUGHS, you buy from Jones; you can not buy from anywhere outside of the United States."

Mr. BURROUGHS. More than all that, under this bill as it reads the board would have the further power to refuse me a license unless I could also show that that dye could not be obtained in this country at a reasonable price. I must show to the board that I can not obtain the dye in this country at a reasonable price in order to obtain a license. Is not that right?

Mr. YOUNG of North Dakota. I think it is up to the gentleman to make that showing, and it will be a matter of discretion with the board as to whether you have made out your case. The discretion rests with them. They can say that you have not made out your case or they can say that you have, and in any case you are at their mercy and there is no appeal.

Mr. BURROUGHS. Is there anything at all in the bill to define what the standard of reasonableness of price is? Is it not left entirely discretionary with the board to determine what is and what is not a reasonable price at which American dye can be obtained?

Mr. YOUNG of North Dakota. That is a matter of discretion with the board.

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of North Dakota. Yes.

Mr. LONGWORTH. The gentleman, I think, is a little confused when he says that it is anything more than a question of fact as to whether a certain dye may be produced in this country.

Mr. YOUNG of North Dakota. I think I made that statement plain. Here is a manufacturer. He says that he does make a particular kind of dye that Mr. BURROUGHS wants. Mr. BURROUGHS says, "I have examined those dyes that Jones makes and they do not suit me and I have no confidence in them, and while he claims they are just the quality of dye that I want, just the variety, I have absolutely no confidence in his goods, and I have been in business for 50 years and

can not afford to ruin my business by taking those dyes, and I want to get some elsewhere."

Mr. LONGWORTH. I know; but does the gentleman contend that a particular dye produced in Germany and the same dye produced in this country are chemically different?

Mr. YOUNG of North Dakota. When you come to that proposition, I do not think that a man who expects to buy dyes in this country is going to settle it by looking in a textbook to see what goes into this dye or that, to determine whether they are the same, because it may be that one concern using the same formula as another may not get the same results. There is an element of skill.

Mr. LONGWORTH. The same dye as finally produced must be chemically the same, whether produced here or somewhere else.

Mr. YOUNG of North Dakota. Well, personally I would not agree to that.

Mr. LONGWORTH. It must be; it has the same chemical substance.

Mr. YOUNG of North Dakota. I would not agree to that. Here is a manufacturer who says that he has got the precise thing that Mr. BURROUGHS wants, exactly the same thing being made in Germany, but we can not be sure that it is the same. I think the man who buys this stuff ought to be the final judge. That is the only American way.

Mr. BUTLER. Let me say right there that even the act itself speaks of domestic dye of equal quality.

Mr. LONGWORTH. If the gentleman will permit—

Mr. BUTLER. I did not mean to provoke discussion; but I would like very much if the gentleman from Ohio would make that clear to my mind. I do not ask him to do it now, but to make a memorandum of it, and I will thank him to explain it.

Mr. YOUNG of North Dakota. Now, I have used practically all of my time, so I can not yield for further interruptions. I think you will all agree there are factions in practically every organization in the United States, whether it is political or otherwise, and these various men who are selected by these different associations mentioned in the bill will be elected, perhaps, by a majority vote, and each will represent a certain faction, one from this concern and one from another, and when we come down to the three from the American Dyes Institute I know that there are factions in that concern, because I have letters from members of it on both sides of this proposition. So we are sure in getting a board to have it composed of men who do not see alike, who have been elected as representatives, perhaps, of certain cliques or certain factions, who have friends to reward and enemies to punish, and I do not think we can afford to assume that this board is always going to be impartial and prompt to pass on every question on its merits, and therefore I think the general public, which pays the bill—and the bill is pretty big now—has an immense stake in this proposition. A prohibitive tariff has never been a principle of the Republican Party, although its enemies have so claimed. It has never been the principle of any party, so far as I know, in the United States, and when you couple a license proposition with an ordinary tariff bill, such as is being done in this case, it becomes practically a prohibitive tariff. I do not think that the people of this country are going to stand for putting 11 men down at New York with baseball bats to hammer to death any man who tries to import goods into the United States even after paying a good stiff tariff on them. [Applause.]

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. FORDNEY. Mr. Chairman, I believe that ends debate to-day, and I was going to make the motion that the committee do now rise.

Mr. LONGWORTH. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LONGWORTH. How much more time is left for general debate?

The CHAIRMAN. The gentleman from North Carolina has one hour and 24 minutes.

Mr. FORDNEY. Mr. KITCHIN, I believe, wants to use that time another day.

The CHAIRMAN. Does the gentleman now desire to submit his motion that the committee rise?

Mr. FORDNEY. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. TOWNER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having under consideration the bill H. R. 8078, had come to no resolution thereon.

#### SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 1479. An act for the relief of the estate of Moses M. Bane; to the Committee on Claims.

S. 631. An act repealing certain provisions contained in the urgent deficiency act approved December 22, 1911; to the Committee on War Claims.

S. 861. An act for the relief of Edward W. Whitaker; to the Committee on Military Affairs.

S. 2259. An act for the relief of Edward S. Farrow; to the Committee on Military Affairs.

S. 2497. An act to provide for the payment of six months' pay to the widow, children, or other designated dependent relative of any officer or enlisted man of the Regular Army whose death results from wounds or disease not the result of his own misconduct; to the Committee on Military Affairs.

S. 3016. An act to authorize the disposition of certain grazing lands in the State of Utah, and for other purposes; to the Committee on the Public Lands.

S. J. Res. 79. Joint resolution exempting the Dixie Highway from the prohibition contained in the act approved July 11, 1919; to the Committee on Military Affairs.

#### ENROLLED BILL SIGNED.

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

H. R. 7709. An act to authorize the incorporated town of Petersburg, Alaska, to issue bonds in any sum not exceeding \$75,000 for the purpose of constructing and installing a municipal electric light and power plant, and for the construction of a public-school building.

#### WITHDRAWAL OF PAPERS.

By unanimous consent, Mr. WELTY was granted leave to withdraw from the files of the House, without leaving copies, the papers in the case of Central Building & Loan Co., of Lima, Ohio, filed in the Sixty-fifth and Sixty-sixth Congresses, no adverse report having been made thereon.

#### ADJOURNMENT.

Mr. FORDNEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 51 minutes p. m.) the House adjourned to meet to-morrow, Wednesday, September 24, 1919, at 12 o'clock noon.

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

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. KELLEY of Michigan, from the Committee on Naval Affairs, to which was referred the resolution (H. J. Res. 213) continuing temporarily certain allowances to officers of the Navy, reported the same without amendment, accompanied by a report (No. 331), which said resolution and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Michigan, from the Committee on Labor, to which was referred the resolution (S. Con. Res. 9) endorsing the plan of the President of the United States to call a conference of the representatives of labor, capital, and agriculture, reported the same with amendment, accompanied by a report (No. 333), which said resolution and report were referred to the House Calendar.

Mr. SINNOTT, from the Committee on the Public Lands, to which was referred the bill (H. R. 348) to add certain lands to the Ochoco National Forest, Oreg., reported the same without amendment, accompanied by a report (No. 335), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

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

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. FULLER of Illinois, from the Committee on Invalid Pensions, to which were referred sundry bills of the House, reported in lieu thereof the bill (H. R. 9448) 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, accompanied by a report (No. 334), which said bill and report were referred to the Private Calendar.

Mr. EDMONDS, from the Committee on Claims, to which was referred the bill (S. 1375) for the relief of Catherine Grace, reported the same with amendment, accompanied by a report (No. 336), which said bill and report were referred to the Private Calendar.

#### CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Claims was discharged from the consideration of the bill (H. R. 6454) for the relief of the estate of Henry E. Lawrence, and the same was referred to the Committee on War Claims.

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

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

By Mr. FULLER of Illinois: A bill (H. R. 9448) 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; to the Committee of the Whole House and ordered to be printed.

By Mr. CLARK of Florida: A bill (H. R. 9449) to require the Secretary of War to cause a survey to be made for a canal from Cumberland Sound through the St. Mary's River, thence to the Suwanee River, and through the Suwanee River to St. Marks, on the Gulf of Mexico; to the Committee on Railways and Canals.

#### PRIVATE BILLS AND RESOLUTIONS.

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

By Mr. ASHERROOK: A bill (H. R. 9450) granting an increase of pension to David Hahn; to the Committee on Invalid Pensions.

By Mr. BARBOUR: A bill (H. R. 9451) granting a pension to Jesse L. Benoit; to the Committee on Pensions.

Also, a bill (H. R. 9452) granting a pension to William H. Haughawout; to the Committee on Pensions.

Also, a bill (H. R. 9453) granting a pension to Henry H. Boren; to the Committee on Pensions.

Also, a bill (H. R. 9454) granting a pension to Walter J. Miller; to the Committee on Pensions.

By Mr. BRINSON: A bill (H. R. 9455) granting a pension to Zadok K. Basden; to the Committee on Pensions.

By Mr. COADY: A bill (H. R. 9456) granting a pension to William J. Fitzpatrick; to the Committee on Pensions.

By Mr. HUSTED: A bill (H. R. 9457) granting an increase of pension to William Riley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9458) for the relief of Charles W. Johnson; to the Committee on Military Affairs.

By Mr. KELLY of Pennsylvania: A bill (H. R. 9459) granting a pension to Catherine Weber; to the Committee on Invalid Pensions.

By Mr. LITTLE: A bill (H. R. 9460) granting a pension to Theodore L. Shaffer; to the Committee on Pensions.

Also, a bill (H. R. 9461) granting a pension to James H. Hook; to the Committee on Pensions.

By Mr. MACGREGOR: A bill (H. R. 9462) granting an increase of pension to William F. Emrich; to the Committee on Invalid Pensions.

By Mr. NEWTON of Minnesota: A bill (H. R. 9463) granting an increase of pension to Tony K. Wilson; to the Committee on Pensions.

By Mr. PURNELL: A bill (H. R. 9464) granting an increase of pension to John B. Yelton; to the Committee on Invalid Pensions.

By Mr. RICKETTS: A bill (H. R. 9465) granting an increase of pension to Charles W. Veach; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9466) granting an increase of pension to Peter Rider; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9467) granting a pension to Jane Jadwin; to the Committee on Invalid Pensions.

By Mr. ROGERS: A bill (H. R. 9468) for the relief of Arthur J. Bagshaw; to the Committee on Claims.

By Mr. ROMJUE: A bill (H. R. 9469) granting an increase of pension to Minnie Points; to the Committee on Invalid Pensions.

By Mr. SANDERS of Indiana: A bill (H. R. 9470) granting an increase of pension to Susan Sewell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9471) granting a pension to Nancy E. Hixson; to the Committee on Invalid Pensions.

By Mr. SMITH of Idaho: A bill (H. R. 9472) granting a pension to William Strawn; to the Committee on Pensions.

By Mr. SMITH of Michigan: A bill (H. R. 9473) granting an increase of pension to Nelson R. Masters; to the Committee on Invalid Pensions.

By Mr. STEDMAN: A bill (H. R. 9474) to place James K. Stockard on the retired list of the Army; to the Committee on Military Affairs.

By Mr. TAYLOR of Tennessee: A bill (H. R. 9475) to correct the military record of Jerry R. Fryar; to the Committee on Military Affairs.

Also, a bill (H. R. 9476) for the relief of Arthur Allen; to the Committee on Claims.

By Mr. TOWNER: A bill (H. R. 9477) granting an increase of pension to John Fasnacht; to the Committee on Invalid Pensions.

By Mr. VOIGT: A bill (H. R. 9478) granting an increase of pension to Rosetta M. J. Tischer; to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

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

By Mr. DOWELL: Petition of sundry citizens of the State of Iowa, praying for the return of their boys from Russia; to the Committee on Military Affairs.

By Mr. KELLY of Pennsylvania: Petition of sundry citizens of Pittsburgh, Pa., protesting against the passage of the Smith-Towner educational bill; to the Committee on Education.

By Mr. MACGREGOR: Petition of Contact Process Co., of Buffalo, N. Y., favoring the passage of House bills Nos. 5011, 5012, and 7010; to the Committee on Patents.

By Mr. MONTAGUE: Petition of George Wayne Anderson and others, of Richmond, Va., praying for the return of their sons' bodies from France to America before the coming winter; to the Committee on Military Affairs.

By Mr. O'CONNELL: Petition of Brooklyn Chamber of Commerce, of Brooklyn, N. Y., objecting to the passage of legislation which would place common carriers by water under the jurisdiction of the Interstate Commerce Commission; to the Committee on Interstate and Foreign Commerce.

Also, petition of Fifteenth Regiment Infantry, New York Guard, favoring the legislation favored by the National Guard Association; to the Committee on Military Affairs.

Also, petition of Mississippi Valley Association, favoring the water power development bill; to the Committee on Rivers and Harbors.

By Mr. RAKER: Petition of Henry Cowell Lime & Cement Co., Llewellyn Iron Works, Paraffine Companies (Inc.), Schmidt Lithograph Co., and Pasadena Ice Co., all of California, urging improvement in the United States Patent Office and indorsing House bills 5011, 5012, and 7010; to the Committee on Patents.

Also, letter from the Pacific American Steamship Association, San Francisco, Calif., indorsing House bill 5516, which provides for the permanent transfer of the Coast Guard to the Navy Department from the Treasury Department; to the Committee on Military Affairs.

Also, petition of Northern California Hotel Association, San Francisco, Calif., urging that self-determination be given to the people of Washington, D. C.; to the Committee on the Judiciary.

Also, letter from a committee appointed by the mayor of the city of San Francisco, Calif., urging support of legislation establishing free zone systems; to the Committee on the Post Office and Post Roads.

Also, report of the Arizona-California river regulation committee of the Los Angeles Chamber of Commerce on the all-American canal; to the Committee on Irrigation of Arid Lands.

Also, letter from Miss M. Ruth Guppy, hostess, War Camp Community Service, Hall of States, New York City, urging support of Senate bill 2535, introduced by Senator CHAMBERLAIN; to the Committee on Military Affairs.

Also, letter from the Fageol Motors Co., Oakland, Calif., protesting against the adoption of the Plumb plan for the control of the railroads; to the Committee on Interstate and Foreign Commerce.

Also, letter from the League to Enforce Peace, 130 West Forty-second Street, New York City, urging support of the immediate ratification of the peace treaty and the league of nations; to the Committee on Foreign Affairs.

By Mr. ROWAN: Petition of Harry A. Marks, of New York City, favoring the passage of the Sells bill, House bill No. 2; to the Committee on Pensions.

Also, petition of C. E. Kendl, of Cleveland, Ohio, protesting against the present Postal Service system; to the Committee on the Post Office and Post Roads.

Also, petition of the Valley Camp Coal Co., of Cleveland, Ohio, protesting against the passage of the Kenyon bill, Senate bill 2202; to the Committee on Interstate and Foreign Commerce.

Also, petition of Mrs. M. McAllister Smith, chairman Americanization committee, protesting against the proposed German opera in the city of New York, which is to be at the Lexington Avenue Opera House; to the Committee on the Judiciary.

Also, petition of A. L. Johnson, Modern Pen Co., favoring the passage of House bills Nos. 5011, 5012, and 7010; to the Committee on Patents.

By Mr. SMITH of Michigan: Petition of James Butler and 30 other citizens of Michigan, asking for allowance of \$50 per month to each soldier while in active service; to the Committee on Military Affairs.

By Mr. YATES: Petition of Alfred Gorham, Cambridge, Mass., urging that underground mail service by pneumatic tubes be restored in the large cities for economic reasons and to get the first-class mail out of the way of riots and strikes, and that the Burleson motor trucks be used on the rural free-delivery routes in the outlying country districts; to the Committee on the Post Office and Post Roads.

Also, petition of La Salle Cement Co., La Salle, Ill., urging the removal of the part of Senate explosives bill, No. 2896, which makes it necessary to license firms for the use of explosives; to the Committee on Ways and Means.

Also, petition of H. A. Clarke, Washington, D. C., urging the passage of House bill 8480; to the Committee on the Judiciary.

Also, petition of Crutchfield, Woolfolk & Clore, Chicago, Ill., protesting against Kenyon bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of Belden Manufacturing Co., Chicago, urging passage of House bills 5011, 5012, and 7010; to the Committee on Patents.

Also, petition of Illinois Agricultural Association, Chicago, concerning amendment of Senate bill 2775; to the Committee on Agriculture.

Also, petition of W. J. Biddle and others, of Chicago, urging passage of legislation placing all quartermaster clerks having not less than 12 years' continuous service on same footing with present authorized field clerks of the Quartermaster Corps; to the Committee on Military Affairs.

Also, petition of Brokaw-Eden Manufacturing Co., Alton, Ill., urging the passage of House bills 5011, 5012, and 7010; to the Committee on Patents.

Also, petition of American Seed Trade Association, Cleveland, Ohio, protesting against the inadequate postal appropriations; to the Committee on the Post Office and Post Roads.

Also, petitions of L. F. Strockbine, of Casey; E. E. Apker, H. S. Dillon, and A. T. Powers, of Chicago, Ill.; and the Railway Mail Association, by H. L. Rohe, chairman, urging the increase in the salaries of postal employees; to the Committee on the Post Office and Post Roads.

## SENATE.

WEDNESDAY, September 24, 1919.

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

Almighty God, look upon us with Thy favor to-day as we face the responsibilities that touch the life of so many people. We dare not face them alone. We cry to Thee asking for guidance, for direction, for wisdom, for grace, that that which we do may be acceptable in Thy sight and may work out Thy plan in us as a Nation. For Christ's sake. Amen.

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

Mr. CURTIS. Mr. President, I make the point of no quorum. The VICE PRESIDENT. The Secretary will call the roll.

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

Ball	Dial	Harding	Kenyon
Bankhead	Dillingham	Harris	Keyes
Beckham	Edge	Harrison	King
Brandegee	Elkins	Henderson	Knox
Calder	Fletcher	Hitchcock	La Follette
Chamberlain	France	Johnson, Calif.	Lenroot
Colt	Frelighuysen	Johnson, S. Dak.	Lodge
Culberson	Gay	Jones, N. Mex.	McKellar
Cummins	Gerry	Kellogg	McLean
Curtis	Hale	Kendrick	McNary

Moses	Phipps	Smith, Md.	Underwood
Nelson	Pittman	Smith, S. C.	Wadsworth
New	Poindexter	Smoot	Walsh, Mass.
Newberry	Pomerene	Spencer	Walsh, Mont.
Norris	Robinson	String	Warren
Nugent	Sheppard	Swanson	Watson
Overman	Sherman	Thomas	Williams
Page	Simmons	Townsend	Wolcott
Phelan	Smith, Ga.	Trammell	

Mr. CURTIS. I announce the absence of the junior Senator from Kansas [Mr. CAPPER] on official business.

Mr. SHEPPARD. The senior Senator from Oklahoma [Mr. GORE] is detained from the Senate by illness.

Mr. HARRISON. The senior Senator from Arizona [Mr. SMITH], the junior Senator from Oklahoma [Mr. OWEN], the Senator from Kentucky [Mr. STANLEY], and the Senator from Rhode Island [Mr. GERRY] are absent on public business.

Mr. MCKELLAR. The Senator from Louisiana [Mr. RANSDELL], the Senator from Arkansas [Mr. KIRBY], the junior Senator from Arizona [Mr. ASHURST], and the Senator from Tennessee [Mr. SHIELDS] are detained from the Senate on official business.

The VICE PRESIDENT. Seventy-five Senators have answered to the roll call. There is a quorum present.

### HIGH COST OF LIVING (S. DOC. NO. 108).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Assistant Secretary of Labor, submitting an estimate of appropriation in the sum of \$475,000 to investigate the cost of living, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

### RECLAMATION PROJECTS (S. DOC. NO. 109).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, in response to a resolution of July 17, 1919, a statement from the Director of the United States Reclamation Service of all projects constructed by the United States Reclamation Service, which, with the accompanying paper, was referred to the Committee on Irrigation and Reclamation of Arid Lands and ordered to be printed.

### MEAT PACKERS' PROFITS INVESTIGATION.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, in response to a resolution of July 17, 1919, a statement from the Director of the United States Reclamation Service, which, with the accompanying paper, was referred to the Committee on Irrigation and Reclamation of Arid Lands and ordered to be printed.

### MEAT PACKERS' PROFITS INVESTIGATION.

Mr. NORRIS. Let it be printed in the usual way, with the exhibits.

Mr. SMOOT. I do not think there is any objection to having any of them printed. I do not see any diagrams.

There being no objection, the communication and accompanying papers were referred to the Committee on Agriculture and Forestry, and the communication was ordered to be printed in the RECORD, as follows:

### "To the President of the United States Senate:

"Sir: The Federal Trade Commission has the honor to make herewith report to the Senate in the matter of S. Res. 177 (Mr. NORRIS):

"IN THE SENATE OF THE UNITED STATES,  
"August 23 (calendar day, September 3), 1919.

"Resolved, That the Federal Trade Commission be, and it is hereby instructed to inform the Senate whether said Federal Trade Commission, prior to July 1, 1918, made a special investigation of the reasonableness of the maximum profit limitations fixed on the meat-packing industry by the Food Administration; and if such investigation was made, that the Federal Trade Commission be instructed to report to the Senate its conclusions and findings based thereon.

"The Federal Trade Commission, by direction of the President, did make such examination, and on June 28, 1918, made report to the President of the United States.

"On July 8, 1918, the Hon. Herbert Hoover, United States Food Administrator, commented upon the report made by the Federal Trade Commission in a letter addressed to the President, together with a covering letter, and on July 20, 1918, the Federal Trade Commission prepared a memorandum on the comments of Mr. Hoover. This latter, prepared in the form of a proposed letter to the President of the United States, was not then sent to the President at that time, but its form was confirmed by the commission and represented the commission's opinion at that time. The letter was not sent to the President at that time, for the reason that its contents were orally discussed, and the matter seemed to be closed.