

## PETITIONS, ETC.

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

2705. By Mr. CARSS: Petition of sundry citizens of the United States, favoring the passage of House bill 1112, providing for the parole of Federal prisoners; to the Committee on the Judiciary.

2706. By Mr. CRAGO: Petition of the American Steamship Owners' Association, of New York, against compulsory classification of privately owned American registered tonnage; to the Committee on the Merchant Marine and Fisheries.

2707. By Mr. CULLEN: Petition of sundry citizens, favoring the Mason bill and recognition of Ireland; to the Committee on Foreign Affairs.

2708. By Mr. DARROW: Petition of the city council of Philadelphia, Pa., urging daylight-saving legislation; to the Committee on Interstate and Foreign Commerce.

2709. By Mr. EDMONDS: Petition of the city council of Philadelphia, Pa., urging daylight-saving legislation; to the Committee on Interstate and Foreign Commerce.

2710. By Mr. EMERSON: Petition of Lake Erie Post, No. 42, American Legion, of Ohio, favoring the American Legion bill for compensation; to the Committee on Ways and Means.

2711. By Mr. FULLER of Illinois: Petition of the North Boone Post, No. 205, of Capron, and the Walter S. Page Post, No. 161, of Chicago, Ill., American Legion, favoring adjusted compensation for the ex-service men and women; to the Committee on Ways and Means.

2712. By Mr. GALLIVAN: Petition of the Carton Belting Co., of Boston, Mass., relative to certain provisions in the Post Office appropriation bill, etc.; to the Committee on Appropriations.

2713. Also, petition of the Aberthaw Construction Co., of Boston, Mass., urging support of the 1-cent drop postage, etc.; to the Committee on the Post Office and Post Roads.

2714. Also, petition of the Walworth Manufacturing Co., of Boston, Mass., opposed to House bills 12379 and 12646; to the Committee on Banking and Currency.

2715. Also, petition of the Boston City Federation of Women's Clubs, of Boston, Mass., and the New Jersey Federation of Women's Clubs, of East Orange, N. J., urging appropriation for the interdepartmental social hygiene board; to the Committee on Appropriations.

2716. Also, petition of Harry E. Olson, editor of the Export Recorder, Boston, Mass., relative to certain provisions in the Post Office appropriation bill; to the Committee on Appropriations.

2717. By Mr. GOLDFOGLE: Petition of Maritime Association of the Port of New York, indorsing plan for additional pier facilities in New York Harbor; to the Committee on Rivers and Harbors.

2718. Also, petition of Hugh O'Neil, of Chicago, Ill., and other residents of that city, favoring recognition of the Irish Republic; to the Committee on Foreign Affairs.

2719. By Mr. JAMES: Petition of Joseph St. George, post commander, Post No. 90, American Legion, Torch Lake Post, Lake Linden, Mich., in favor of \$50 per month bonus; to the Committee on Ways and Means.

2720. By Mr. KAHN: Papers to accompany House bill 4712 (a bill authorizing the President to appoint Henry S. Klersted, late a captain in the Medical Corps of the United States Army, a major on the retired list; to the Committee on Military Affairs.

2721. By Mr. KENNEDY of Rhode Island: Petition of Woonsocket Chamber of Commerce (Inc.), Woonsocket, R. I., favoring passage of Tinkham bill establishing housing bureau; to the Committee on Public Buildings and Grounds.

2722. By Mr. MURPHY: Memorial of the Silver Manufacturing Co., Salem, Ohio, supporting House bill 13015; to the Committee on Ways and Means.

2723. By Mr. O'CONNELL: Petition favoring recognition of the Republic of Ireland; to the Committee on Foreign Affairs.

2724. Also, petition of Albert H. Hillman, general manager, Tobacco Record, New York City, urging taxing of dealers in candy, soda water, and foodstuffs that are eaten on the premises, etc.; to the Committee on Ways and Means.

2725. Also, petition of Parker, Stearns & Co., Brooklyn, N. Y., opposing House bills 12379 and 12646, regarding collection of checks; to the Committee on Banking and Currency.

2726. By Mr. Rowan: Petition of the American Jewelers' Protective Association and the Edward F. Caldwell Co., of New York City, opposing House bill 12379; to the Committee on Banking and Currency.

2727. Also, petition of the Sioux Falls Chamber of Commerce, relative to the salaries of Government employees; to the Committee on Appropriations.

2728. Also, petition of the United States Park Police Association, Washington, D. C., urging increase in salary, etc.; to the Committee on Appropriations.

2729. Also, petition of the Label Manufacturers' National Association and the Folding Box Manufacturers' Association, of New York City, relative to the excess-profit tax; to the Committee on Ways and Means.

2730. Also, petition of W. & J. Sloane, of New York City, opposed to House bill 12976; to the Committee on Ways and Means.

2731. By Mr. THOMPSON: Petition of Montpelier Post, No. 109, the American Legion, Montpelier, Ohio, urging the enactment in its entirety the Thompson soldiers' compensation bill known as House bill 12906; to the Committee on Ways and Means.

2732. By Mr. VARE: Petition of City Council of Philadelphia, Pa., asking for passage of daylight-saving law; to the Committee on Interstate and Foreign Commerce.

## SENATE.

THURSDAY, April 1, 1920.

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

Almighty God, we pause in this sacred moment as Thy providence calls us to the duties of a new day. We face responsibilities which no human strength or wisdom dare face. We seek Thy guidance and blessing for the welfare of millions of Thy people who are dependent in some measure upon the work of this Senate. We pray that we may so well and duly perform our work as that we may advance the interests of Thy people and glorify Thy name. For Christ's sake. Amen.

On request of Mr. CURTIS, and by unanimous consent, the reading of the Journal of yesterday's proceedings was dispensed with and the Journal was approved.

## CALLING THE ROLL.

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

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

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

Brandegee	Harding	Moses	Smith, Md.
Capper	Harrison	Nelson	Smith, S. C.
Comer	Jones, N. Mex.	New	Smoot
Culbertson	Jones, Wash.	Norris	Spencer
Cummins	Kellogg	Nugent	Sterling
Curtis	Kendrick	Page	Thomas
Dial	Knox	Phipps	Townsend
Dillingham	Lenroot	Pomerene	Warren
Fernald	McKellar	Sheppard	Watson
Gay	McLean	Simmons	
Gronna	McNary	Smith, Ariz.	

Mr. GRONNA. I desire to announce that the senior Senator from Wisconsin [Mr. LA FOLLETTE] is absent due to illness. I ask that this announcement may stand for the day.

Mr. McNARY. I wish to announce the absence of my colleague [Mr. CHAMBERLAIN] on account of illness.

Mr. GAY. I desire to announce the absence of my colleague [Mr. RANDELL], who is necessarily detained from the Senate.

Mr. MCKELLAR. The Senator from Arizona [Mr. ASHURST], the Senator from Montana [Mr. MYERS], the Senator from California [Mr. PHELAN], and the Senator from Alabama [Mr. UNDERWOOD] are absent on official business.

Mr. CURTIS. The Senator from Maine [Mr. HALE], the Senator from New Hampshire [Mr. KEYES], and the Senator from Florida [Mr. TRAMMELL] are absent in attendance on a subcommittee of the Committee on Naval Affairs.

The PRESIDENT pro tempore. Forty-one Senators have answered to their names. There is not a quorum present. The Secretary will call the names of the absent Members.

The Reading Clerk called the names of the absent Senators, and Mr. BECKHAM, Mr. CALDER, Mr. GLASS, Mr. OVERMAN, Mr. SUTHERLAND, and Mr. WADSWORTH answered to their names when called.

Mr. HENDERSON, Mr. ELKINS, Mr. SHERMAN, Mr. FRANCE, Mr. KIRBY, and Mr. McCUMBER entered the Chamber and answered to their names.

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

## MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House disagrees to the amendments of the Senate to the bill (H. R. 11578) mak-

ing appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1921, and for other purposes, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. STEENERSON, Mr. MADDEN, Mr. GRIEST, Mr. MOON, and Mr. ROUSE managers at the conference on the part of the House.

The message also announced that the House disagrees to the amendments of the Senate to the bill (H. R. 12272) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1921, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. HAUGEN, Mr. McLAUGHLIN of Michigan, and Mr. LEE of Georgia managers at the conference on the part of the House.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 12260. An act to amend section 600 of the act approved September 8, 1916, entitled "An act to increase the revenue, and for other purposes"; and

H. R. 12711. An act to amend the act approved December 23, 1913, known as the Federal reserve act.

The message also announced that the House had passed the joint resolution (S. J. Res. 134) to readmit Augusta Louise de Haven-Alten to the status and privileges of a citizen of the United States, with amendments, in which it requested the concurrence of the Senate.

#### BOY SCOUTS OF AMERICA.

The PRESIDENT pro tempore laid before the Senate the annual report of the Boy Scouts of America for the year ended December 31, 1919, which was referred to the Committee on Education and Labor.

#### PETITIONS AND MEMORIALS.

Mr. KNOX presented a petition of sundry citizens of Pottstown and Johnstown, in the State of Pennsylvania, praying for the enactment of legislation providing for the parole of Federal prisoners, which was referred to the Committee on Military Affairs.

He also presented petitions of Anthony Wayne Post, No. 418, American Legion, of Wayne; of Post No. 269, American Legion, of Palmerton; of Captain Walter M. Gearty Post, No. 315, American Legion, of Philadelphia; of Catasaqua Post, No. 215, American Legion, of Catasaqua; and of Burt J. Asper Post, No. 46, American Legion, of Chambersburg, all in the State of Pennsylvania, praying for the enactment of legislation providing an additional bonus for ex-service men, which were referred to the Committee on Military Affairs.

He also presented a petition of Lieutenant William A. Bruner Post, No. 335, Grand Army of the Republic, Department of Pennsylvania, of Sunbury, Pa., and a petition of Henry Wilson Post, No. 129, Grand Army of the Republic, Department of Pennsylvania, of Milton, Pa., praying for the enactment of legislation extending the right of suffrage to residents of the District of Columbia, which were referred to the Committee on the District of Columbia.

He also presented a memorial of Bricklayers' International Union No. 57, of Uniontown, Pa., remonstrating against the passage of the so-called Sterling sedition bill, which was ordered to lie on the table.

He also presented a memorial of the Robert Emmet Branch, Friends of Irish Freedom, of Forest City, Pa., remonstrating against the adoption of the League of Nations covenant and favoring the freedom of Ireland, which was ordered to lie on the table.

He also presented a petition of Captain Walter M. Gearty Post, No. 315, American Legion, of Philadelphia, Pa., praying for the passage of the so-called Davey sedition bill, which was ordered to lie on the table.

He also presented a petition of Colonel Hulings Post, No. 176, Grand Army of the Republic, Department of Pennsylvania, of Lewistown, Pa., praying for the passage of the so-called Fuller pension bill, which was referred to the Committee on Pensions.

He also presented a memorial of sundry citizens of Greensburg, Pa., remonstrating against the enactment of legislation excluding certain foreign publications from second-class mailing privileges, which was referred to the Committee on Post Offices and Post Roads.

Mr. PHELAN presented a petition of sundry Spanish War veterans, residents of Soldiers' Home, Calif., praying for the enactment of legislation granting pensions to Spanish War veterans, which was referred to the Committee on Pensions.

Mr. CAPPER presented memorials of Concord Grange, No. 1556, Patrons of Husbandry, of Hartford, and of sundry citizens of Wichita, Neosho Rapids, and Stuttgart, all in the State of Kansas, remonstrating against compulsory military training, which were ordered to lie on the table.

#### REPORTS OF COMMITTEES.

Mr. MYERS, from the Committee on Public Lands, to which was referred the bill (S. 3102) for the relief of Katherine Macdonald, reported it without amendment and submitted a report (No. 496) thereon.

Mr. McNARY, from the Committee on Irrigation and Reclamation of Arid Lands, to which was referred the bill (H. R. 12537) to provide for an examination and report on the condition and possible irrigation development of the Imperial Valley in California, reported it without amendment.

#### BILLS AND JOINT RESOLUTION INTRODUCED.

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

By Mr. SPENCER:

A bill (S. 4166) to provide for election contests in the Senate of the United States; to the Committee on Privileges and Elections.

A bill (S. 4167) to extend the time for the completion of the municipal bridge approaches and extensions or additions thereto by the city of St. Louis, within the States of Illinois and Missouri; to the Committee on Commerce.

By Mr. BECKHAM (for Mr. OWEN):

A bill (S. 4168) to quiet title to certain tracts of land in the city of Walters, State of Oklahoma; to the Committee on Public Lands.

By Mr. KNOX:

A bill (S. 4169) to donate to the city of Glenside, Pa., two captured cannon or fieldpieces, carriages, and a suitable number of shells; to the Committee on Military Affairs.

(By request.) A bill (S. 4170) for the relief of certain estates; to the Committee on Claims.

A bill (S. 4171) granting an increase of pension to Mary Sibley McKibbin (with accompanying papers); and

A bill (S. 4172) granting a pension to Matilda A. Swift (with accompanying papers); to the Committee on Pensions.

By Mr. WADSWORTH:

A bill (S. 4173) to amend section 69 of the act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1918; to the Committee on Military Affairs.

A bill (S. 4174) directing the remission of customs duties on certain War Department property (with accompanying papers); to the Committee on Finance.

A bill (S. 4175) for the relief of Regina Schorr; to the Committee on Claims.

By Mr. MYERS:

A bill (S. 4176) for the relief of James W. Thompson; to the Committee on Claims.

A bill (S. 4177) granting an increase of pension to Dollie Cosens; to the Committee on Pensions.

By Mr. PHELAN:

A bill (S. 4178) granting an increase of pension to Woodville G. Staubly (with accompanying papers); to the Committee on Pensions.

By Mr. SMOOT:

A joint resolution (S. J. Res. 183) authorizing the appointment of a committee to cooperate with committees designated by the various States to recommend means for commemorating the discovery of irrigation in America; to the Committee on Irrigation and Reclamation of Arid Lands.

By Mr. HARDING:

A joint resolution (S. J. Res. 184) authorizing and directing the Secretary of War to loan tents to cities during the summer months of 1920 to relieve the housing situation; to the Committee on Military Affairs.

#### AMENDMENT TO DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. UNDERWOOD submitted an amendment proposing to appropriate \$3,820 to pay Thomas W. and Alice N. Keller for ground taken and damages on account of condemnation proceedings in square No. 2838, in the city of Washington, intended to be proposed by him to the District of Columbia appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

#### COMMITTEE ON PUBLIC HEALTH AND NATIONAL QUARANTINE.

Mr. FRANCE submitted the following resolution (S. Res. 342) which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved*, That the Committee on Public Health and National Quarantine, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-sixth Congress to hold hearings, to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not to exceed \$1 per printed page, to report such hearings as

may be had in connection with any subject which may be pending before said committee; to sit and act at such times as it may deem necessary during the sessions or recesses of the Senate, the expenses thereof to be paid out of the contingent fund of the Senate.

**AUGUSTA LOUISE DE HAVEN-ALTEN.**

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the joint resolution (S. J. Res. 134) to readmit Augusta Louise de Haven-Altén to the status and privileges of a citizen of the United States, which were, on page 2, lines 1 and 2, to strike out "daughter of Capt. Joseph Edwin de Haven" and insert "a native-born citizen of the United States, who forfeited her citizenship by marriage with an alien," and, on page 1, to strike out the preamble.

Mr. DILLINGHAM. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

**HOUSE BILLS REFERRED.**

H. R. 12260. An act to amend section 600 of the act approved September 8, 1916, entitled "An act to increase the revenue, and for other purposes," was read twice by its title and referred to the Committee on Finance.

H. R. 12711. An act to amend the act approved December 23, 1913, known as the Federal reserve act, was read twice by its title and referred to the Committee on Banking and Currency.

**COTTON IN STORAGE.**

Mr. SMITH of South Carolina. Mr. President, I want to call attention to the report of the Director of the Census, Mr. Rogers, in answer to a resolution which I introduced some time last week to ascertain as near as may be the number of bales of cotton in a class that is not suitable in the ordinary sense of spinnable cotton. The chambers of commerce, exchanges, and boards of trade have been reporting the stocks at concentrating points and public-storage warehouses, and it was complained by the different organizations throughout the country interested in cotton, as well as by the spinners, that they had no way of ascertaining what is the real stock of spinnable cotton. In this report the Director of the Census makes this significant statement:

In this connection, your attention is called to the fact that the linters statistics—

The linters being the fine fiber that is taken off the seed after the cotton itself has been ginned—

are not included with those of cotton in the census figures, although they are combined in the statistics compiled and promulgated by the cotton exchanges and other commercial organizations.

Further, he says:

In reply I have to advise that the Bureau of the Census collects information each month as to the number of bales of linters held in public storage. The number of bales of this fiber held in public storage and at compresses on February 29, 1920, was 370,712 bales. On the same date there were 281,326 bales returned as held in consuming establishments and 290,126 bales in cottonseed-oil mills. This makes a total of 942,164 bales held in these three classes of establishments on February 29, 1920.

In addition to this, he says that the Government is holding about 250,000 bales of linters. This would make over 1,000,000 bales of linters that are reported as stock by the exchanges and commercial bodies.

Now, as to the other forms of unspinnable cotton the Director of the Census says:

No data have been collected by the Bureau of the Census as to the number of bales of unspinnable gin cut, water packed, and perished fiber cotton held in the United States.

In compliance with the resolution, however, inquiries have been mailed for the reports of cotton of this character held on March 31. There are more than 3,000 places where cotton is held for the public, and it will require some time to secure the data from all of these establishments, but we hope to compile the data and furnish the Senate with the information about the middle of April.

The point I wish to emphasize is the fact that Mr. Hester reports about 4,000,000 bales of cotton as being the visible supply of American cotton in the world. Subtracting the one million and a quarter bales of linters, and then considering the subtraction which will be made when the perished fiber and other unspinnable grades have been ascertained by the Census Bureau, the probabilities are that we shall begin April with the lowest supply of cotton ever known in the history of the world. Nothing short of a cotton famine, which would be a disaster, confronts the whole world which is using cotton fiber, and it is to the interest of the public that this work be prosecuted so that the trade at large may know what the supply of raw cotton is. In my opinion it is one and a half million bales short of the estimates which are now promulgated by virtue of the fact that we are counting linters and the other unspinnable grades as stocks carried over.

Mr. COMER. Mr. President, in line with the remarks which have been made by the Senator from South Carolina, I have here

an important document, which is being printed in New Orleans and sent out to camouflage the issue. I ask unanimous consent to have the document read by the Secretary, and then I desire to make some remarks upon it.

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

The Reading Clerk read as follows:

[Extract from the Cotton Boll, published by Norman Mayer & Co., cotton commission merchants, New Orleans, La.]

**DESTRUCTIVE LEGISLATION.**

Toward the end of the week the cotton market has been unsettled by news from Washington to the effect that Senator COMER, of Alabama, has introduced a very drastic amendment to the United States cotton futures act affecting deliveries on contract. Evidently few of the Senators from the cotton-growing States realized the full purpose and extent of this amendment, or otherwise it would have met with strong opposition and would not have been passed by the Senate. Instead of a buyers' and sellers' contract, such as the original cotton futures act provides, the Comer amendment, if it becomes a part of the act, would make the contract now being traded in on the New Orleans and New York Cotton Exchanges strictly a spinners' contract. Senator COMER being largely interested in mills in Alabama, the motive for such legislation as he has succeeded in slipping through the Senate is very plain.

By the terms of his amendment the seller of a contract, when called upon to make delivery of the actual cotton to a buyer, must deliver 50 per cent of the cotton called for in the contract in grades of at least middling and above. The other half he can deliver in any of the 10 grades tenderable on contract under the present law. In other words, the spinner on such a contract would receive middling and above on 50 per cent of the cotton to be delivered.

Hedge interests, on the other hand, who use the contract as a protection against purchases of spots from the producers, would find themselves in a position of being forced to deliver better grades on contracts than they are able to buy on an average. Under present conditions the contract is already strict enough, as shown by the recent upheaval in the New York market on the March position, and the effect of the Comer amendment would simply be to destroy the usefulness of the contract for hedging purposes. No sane speculator would hardly care to take the chances of selling such a contract, and the result would be a market with plenty of buyers but few, if any, sellers.

**WHAT EXPERIENCE TEACHES.**

When the cotton exchanges closed in 1914, the year the European war broke out, and there was no contract market to provide hedging facilities, every farmer in the South knows what happened to the spot market. For weeks there was no market at all for cotton, and the producers found themselves at the mercy of British spinners and large northern interests, which gobbled up cotton many cents below the actual cost of production. The mills, foreign and domestic, had a picnic that year at the expense of the southern grower, and it was not until the exchanges reopened and future trading was resumed that cotton began the upward flight that has continued until middling cotton in this market has recently sold as high as 41 cents. If the Comer amendment finally passes both branches of Congress, demoralized conditions will again prevail in the contract market and the interests of southern growers will again be endangered.

This is probably the real intent of the Comer amendment, and all cotton-growing interests should unite in opposing any such pernicious legislation. The outlet for low grades is already so narrow that a large percentage of the cotton of the present crop can not be marketed. The tendency on the part of exporters and spot dealers is to buy only cotton that can be hedged, and even under the present contract nothing below low middling white can be hedged in the future market.

Mr. COMER. Mr. President, I have here an article which appeared in the Manufacturers' Record, which I ask unanimous consent may be inserted in the RECORD without reading.

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

The article referred to is as follows:

**COTTON, A NATIONAL PRODUCT, SHOULD HAVE NATIONAL RECOGNITION—SECTIONALISM EVEN IN BUSINESS SHOULD BE BURIED AND ALL SECTIONS BE NATIONAL IN SPIRIT.**

[By B. E. COMER, president of Avondale Cotton Mills, formerly governor of Alabama.]

Cotton growing is sectional. Its use, like sunlight, reaches the farthest clime. The world demands it, and, like sunlight, the world demands it cheap. Cotton, fabulous in its beneficence, a depressant, a curse only to the section which produces it. Cotton brought the slaves from the East to the South at a price that was productive of internecine strife and civil war.

The invention of the cotton gin converted Daniel Webster from a free trader into a tariff advocate and changed John C. Calhoun from a tariff advocate into a free trader.

Cotton helped make New England a great manufacturing center; made New England the Government's ward in tariff protection; made New England rich.

Cotton made the South the defenders of slavery, the derelicts of agriculture, the victims of a vindictive peace, and consigned them to a sectional prejudice in the country's Government. The unnatural demand that cotton should be grown cheap and sold cheap placed the South in everlasting defense of its life product and in the fatal position of organizing within the Government an ex parte government for its own protection. All these things have made the South poor, not rich.

That the South is poor, the poorest section in the United States, is evidenced by the tax assessments of the Government in the calls for the Liberty loans, Red Cross, Y. M. C. A., and other Government demands on the loyalty and ability of the people. The South was assessed the least not because they were the least loyal, but because they had the least money. The section which has made the most out of cotton, more out of it than the growers—New England—was assessed more not because they were more loyal, but because they had more property.

New England fights the price of cotton. In 1914—war just declared, a big cotton crop coming in, export demand shut off—it was evident that unless stabilized the price of cotton would go to pieces and that there would be widespread loss and suffering to the cotton grower. The Secretary of the Treasury, Mr. McAdoo, called a meeting in Washington to see what could be done. The writer was present, and, when recognized by

the chairman, stated—first calling to the attention of the Secretary that the year before, when the corn, meat, wheat, and cotton crops were about to be placed on the market, there was wide suggestion of a money panic because there would not be money enough to finance the crop—that Mr. McAdoo, in an interview, declared that the United States had \$500,000,000, or any other millions, that might be necessary, and there was no panic. Continuing to speak, I suggested to Mr. McAdoo that with the war on, the export demands stopped, the cotton crop coming in, prices going to pieces, if he would say to the reserve banks that he would recognize loans at 8 cents a pound on middling cotton, although 8 cents was far below the cost of producing cotton, it would immediately stabilize cotton at this price and that this price would take care of the pressing wants of the farmer; that the manufacturer could use it, the trade would take the goods, and there would be no irreparable loss to the cotton section.

A gentleman from Fall River, Mass., attending the meeting, getting recognition, objected to the proposition that the Government should help to stabilize the value of cotton at 8 cents, stating that the manufacturers were going to have an opportunity to buy cotton cheap, and that the price should be at supply and demand; and yet the gentleman was from the home of the Home Market Club, the section which had received the greatest benefits from the tariff. Cotton went to 5 cents a pound, and there was incalculable loss and suffering.

Great fluctuations in the price of cotton is to the worst interest of the manufacturer. The manufacturers do not benefit from erratic values in raw material; they want stabilized values; regular values. A price which kills the producer does not help the manufacturer. The hyperbolic vaulting in the cotton exchanges, made possible by the rendition of the Smith-Lever bill in the Secretary of Agriculture's office, resulted in hardships not only to the cotton grower but also to the cotton manufacturer. It is downright irreligious that cotton should be made the Armenian, or the unspeakable Turk, in the political economy of the land. Cotton should not be subjected to a sectional defense, but should have a national defense, ah, an international defense!

The labor producing cotton is paid the lowest scale of any class of labor in the United States. If the war labor boards had fixed the price of cotton-field laborers at anything like the equivalent of any other labor, the cost of cotton would have gone darjeeling. A picture of the cotton-field laborers getting regularly \$1.50, \$2, \$3, \$4, not to say \$5, and working eight hours a day, has never been drawn, neither has the price of cotton, based on a fair price for labor, ever been estimated, and the Congressman or labor agitator who would suggest that such a thing as right be done would be put in an iron cage and carried around to show as the wild man from Borneo.

I have planted cotton for 50 years, was born and raised on a cotton plantation. The elements which enter into the production and cost of cotton are so varied, depending upon soil, season, insect enemies, character of fertilizer, and cultivation, that stated cost value is impossible and estimated profits a vagary. That the profits in cotton raising are the lowest of any other agricultural product or any industrial proposition, and that the cotton producer's life is less desirable and ideal is evident. Cotton lands are the least sought after; the price is the cheapest. There is no immigration into the cotton lands, and there is emigration from the cotton lands. The poor whites, and also the poor darkeys, in the South are made so by the poor results of cotton planting, and not because inherently in the climate or class are the qualities which bring these results. No country can be prosperous when it takes a crop failure to produce a fair price for its product.

In the last national election the principal arguments were anti-South, stressing particularly that the southern Congressmen voted for the price fixing of wheat, but would not allow the price fixed on cotton. The argument found fallow soil, and it looks like we will again have a sectional, prejudiced Congress.

The cotton farmers, witnessing extravagant high prices on everything else, and remembering conditions which had been theirs from boll weevil, from drought, from short crops, and from the first year of the war, believing that the incoming crop was short and would be high, and desiring to share in the general great prosperity, clamored for the supply and demand prices. The cotton representatives in consequence refused to stand as a national party and committed the mistake of voting for stabilizing other farm products and refusing to fix the price of cotton.

In my opinion, the fight made against the stabilizing or fixing the price of cotton was wrong. The South should have trusted the Government. Whatever was right and useful for the Government in carrying on the war, whether affecting cattle or hogs, wheat or corn, wool or cotton, the prices should have been fixed and all products should have been used by the Government in one vast aggregate, used as they saw best. It was not a time for sectionalism in agricultural, industrial, or other commodities. In fact there is no time for sectionalism. Every part of the United States suffers from sectionalism. Every man and every product of every State, everywhere, should be to the Government like the stars and stripes in our flag and the defenders of which should be like the component parts of the Rainbow Division, not a question of what State or section from, the only question, "What do you want done, Gen. Pershing?" It was the Rainbow spirit, the American spirit, which whipped the Kaiser.

Our policy, at least commencing now, after the settlement of the greatest war the world ever saw, a war in which one nation proposing to itself the best culture, the highest superiority to every country and to everything, has been dragged to the dust; the Entente, proposing democracy, equality, that every man should sit under his own vine and fig tree, and have it just like every other man, everywhere—this has won.

Mr. Editor, we are too far from Webster and Calhoun, too far away from Grant and Lee to appreciate the thunders of sectionalism. Nationalism should be the demand of the hour and of the country everywhere. Americans should feel that the cotton crop was theirs, and should help the cotton South produce cotton, should help the cotton South get a fair price for cotton.

Again, cotton carries the greatest beneficences. Americans should see to it that the poorest of their fellow citizens should not continue to be called upon to make it a benevolence.

Mr. COMER. Mr. President, the article which has been read at the desk is an article which has been sent out from the New Orleans Cotton Exchange, and it makes some very grave charges against the amendment which has been submitted by me. In the first place, it says the amendment was "slipped in." I desire to say in reply that the amendment was read the day before it was formally offered, was ordered to be printed, and

to lie on the table so that every Senator might see it. The amendment was discussed for quite a while. However, this article further charges me with being a spinner, and that the amendment is offered for selfish purposes. All the amendment attempts to do is to make the exchange market conform to the commercial market, and when that is done you hurt gambling and help everything except gambling. I take it, Mr. President, that it is not the desire here to help that class.

The statement also is made that the amendment injures the hedging sales of cotton; that is, a man can not safely sell the market. Of course, he can sell the market; it is only required that he must deliver at least half of the better grades. If a miller were to buy 10,000 bushels of wheat and you could deliver him any grade from No. 3 down, how would you feel if he should come before Congress and demand that he should have the right to have No. 3 and above for at least half of it. That is what the amendment referred to means. It means that in selling a contract you must deliver half of it of middling and above, embracing five grades, and you may have that right for the other half to deliver the other grades. It is to provide a buyer's and seller's contract. Now, it is a seller's contract entirely. The seller has from the 24th of the preceding month to the 25th of the current month in which to deliver the conglomerate grades at a high price. Of course, that is not for the best. The New Orleans Exchange article charged that the proposed amendment has disorganized the market. Since February 20 May cotton has advanced 5½ cents per pound, \$27.50 per bale; July cotton has advanced 4½ cents, \$22.50 per bale. Even a threat of this has advanced May cotton 5½ cents a pound, which is \$27.50 a bale; it has advanced July cotton \$32.50 a bale. Senators may examine the market reports for themselves and ascertain that fact. To-day May cotton is 39½ cents; just a few weeks ago it was, as I recall, 33 cents. This is the effect of the disorganization. We want a contract the commercial value of which shall be the same as the commercial value of cotton, and it is right that there should be such a contract; it is right to know in part what you are going to get in the way of deliveries, and this will help take care of the market and can not possibly hurt legitimate contracts.

We have laws governing the sale of patent medicines. A patent medicine may not be sold without stating what are its contents. Certainly we ought to have a law which is equivalent, so far as the sale of cotton is concerned, so that the purchaser will know what he is getting.

The further statement is made that the exchanges saved the price of cotton and consequently the producers and dealers in the war panic of 1914. In 1914 every exchange shut its doors; even the stock exchange shut its doors. That was done for self-protection, and it was right to do it. I do not question that at all.

By the way, I ought to say that we have no fight against the exchange; we want the exchange; it is the methods of the exchange we are fighting; that is all, particularly the gambling feature of it.

Prior to 1890 the exchanges had to deliver cotton at the commercial price. That was right; they ought to do that now. All cotton was delivered at the commercial price. If that were done now, there would be no trouble whatever; but after 1890 the exchange had a committee of exchange members to say what the differences in the different grades should be, and there is where the trouble began. Price differences in grades were so fixed and differences were so arranged as to suit the speculators; in other words, they reaped the benefit from the decision of what the differences should be. That was the open charge. Matters got so bad in 1906 there was a vast accumulation of low-grade cotton, of punk cotton, assembled, which was held over the market not for the purpose of making a market but for the purpose of defeating the market. That practice was continued until it became a scandal in the commercial world. There were some 60,000 or 100,000 bales of punk cotton assembled at easy exchange points, and parties holding this cotton and selling the market, ready to deliver this cotton at differences made by themselves, created fearful conditions. There was so much swindle that Congress, by legislative enactment, restricted the number of tenderable grades to 21, which resulted in the protection of the cotton spinner. Prior to this, when all the grades were tenderable, in consequence of which the market could be easily sold to pieces and it was impossible to make a reasonable contract on the exchange, Messrs. Brown, Haynes, Patton, and others formed a combination to buy all these punk grades, take them off the market, and thus realize, if possible, straight deliveries of cotton to be shipped in from the spot market to relieve the depressing influence of the punk cotton held for the purpose of depressing the market. Senators will recall how these men were indicted as being conspirators to affect the

market. It was the other crowd, the crowd who were holding for speculative purposes, for purpose of unholy gain, this accumulation of punk grades on the market, who ought to have been indicted.

I confess to you that our company was one of that crowd. We bought some of that cotton and took it off the market and manufactured it. We tried to get rid of the whole thing. Then the law was enacted that you could deliver but 21 grades. But even in this it was found that the speculators could still get together for the purpose of delivery strict and low middling tinges, yellows, spotted, strict middling and middling stains, and so forth, and with these depressing the market so much—as much as 5 cents per pound in a day—that Congress passed a law restricting the variations in the market to 2 cents per pound a day. In other words, with the 21 grades they could still get together most undesirable cotton and practice various stunts on the market, accomplished by the power to deliver cotton the least desirable and the most unspinnable.

Speculators could still supply an assembly of low-grade cotton that few could use. That is what they practiced regularly on the market—instead of delivering cotton that was spinnable they delivered cotton that was unspinnable. When a dealer buys a contract of cotton he ought to have a real, genuine delivery of cotton that can be used, or if he does not or can not use it himself that he can sell. In the last contracts of 21 grades this was impossible. We took up 200 bales of cotton in New York and were given 12 different low grades on each contract, and we had that cotton in New York for three months trying to sell it, but we could find no market for it. The only thing we could do was to sell it back to the exchange and redeliver it. That is a totally unfair proposition; and this is what we are trying to avoid today. With 10 grades they can still play the market and make it a seller's market. One half middling and above and the other half at the seller's option make it both a seller's and a buyer's market, equal protection to both. It is said that it is a spinner's contract; but it is not; it is a producer's contract, because it protects the price of the cotton—protects it so that the exchange price will coordinate with the commercial price, that the price of spot cotton and the price of exchange cotton will carry the evidence that it is the same product that is under value, and that there will be no thimble-rigging of values; there will be no marking of the cards, it will be an open-game proposition, in which any business man can engage; make it possible that the exchange price will be the equivalent to the spot price, so that a man any day can take up the newspapers and see what cotton is worth, and that is more than the farmers heretofore have been able to count on and is exceedingly important. A transaction by an authorized Government agent should be as clear as day and impossible of any swindling arrangement.

Certain interests are trying, as I have said, to camouflage the issue. We get this morning the message to which I have referred, copies of which are being sent to Senators. They are threatening southern Members of Congress, using all kinds of false statements regarding the effect of this amendment on the interest of the farmer and the interest of off-grade cotton.

Senators, cotton is a national product; it is of national use, and it is the duty of the Nation to stand up and defend it, and not to legislate to the interest of the speculators. It is the only agricultural product in the world where the gambler's interest is recognized by law. The measure to which reference is made does not involve the destruction of the exchange at all, but simply the destruction of the power of the gambler to attempt to say what the price shall be. I say that is entirely wrong, and I trust that the Congress will rectify that situation.

#### MEAT PRODUCTION.

Mr. CAPPER. Mr. President, I ask consent to read a telegram from the head of the live-stock department of the State of Kansas on what we regard as a very important matter:

TOPEKA, KANS., March 30.

Senator ARTHUR CAPPER,  
United States Senate, Washington, D. C.:

The propaganda of the United States Department of Justice to "save money on meat" is a crime against the live-stock producers of this country—another act of our Government to penalize the live-stock producers for their response to the call for increased production during the war. Why pick on meat? It is already the cheapest food we have, and the only one which is being produced at a loss. Why does the Department of Justice not investigate the high cost of sugar, potatoes, flour, cotton, and tobacco? I urge you, in the interest of the live-stock producers of Kansas, to introduce resolution in Congress condemning this propaganda.

J. H. MERCER,  
Secretary Kansas Live Stock Association.

I should like to have this telegram referred to the Committee on Agriculture and Forestry; and in that connection I want to say that Mr. Mercer undoubtedly voices the wishes of the live-stock interests of Kansas generally, and I share his view of it

also. The matter complained of is in line with the policy of governmental agencies here for the last year or two—a willful disregard of the interests of the producer—and the inevitable result is decreased production. Already there are evidences out in the West of a lessened operation in the cattle industry. That is certainly a short-sighted policy, which will mean hardship for the consumer and will inevitably bring higher prices.

I hope the Committee on Agriculture and Forestry can give this memorial prompt attention.

The PRESIDENT pro tempore. The telegram will be referred to the Committee on Agriculture and Forestry.

At 2 o'clock and 33 minutes p. m.,

The PRESIDENT pro tempore. The morning business is closed.

#### LEGISLATIVE, ETC., APPROPRIATIONS.

Mr. WARREN. I ask unanimous consent that the Senate proceed to the consideration of the legislative, executive, and judicial appropriation bill, H. R. 12610.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12610) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1921, and for other purposes.

The PRESIDENT pro tempore. The question is upon the motion to reconsider made by the Senator from Oklahoma [Mr. GORE].

Mr. STERLING. Mr. President, just a word in regard to the pending motion.

Mr. SMOOT. Will the Senator yield for just a moment?

Mr. STERLING. I yield to the Senator from Utah.

Mr. SMOOT. I wanted the Senator to yield so that I could ask unanimous consent for a reconsideration of the vote on the amendment found on page 45. The Senator from North Dakota [Mr. GRONNA] stated that if we had a reconsideration of it we could vote upon it, and whatever the Senate decided would be satisfactory to him.

The PRESIDENT pro tempore. The Senator from Utah asks unanimous consent for the reconsideration of the vote by which the amendment on page 45 of the bill was agreed to. Is there objection? The Chair hears none; and the vote by which the amendment was agreed to is reconsidered. The question now is upon agreeing to the amendment.

Mr. STERLING. Mr. President, it was not my intention to make any point of order against this amendment in the event it is reconsidered by the Senate, but I hope the amendment will be reconsidered, and that on a reconsideration the amendment will be disagreed to.

I have been led to examine the provisions of the Federal farm-loan act, and I find that this amendment will repeal by implication, and also, it seems to me, by indirection, several provisions of the Federal farm-loan act. I shall occupy but a moment, and I want to call attention to those provisions.

Subsection 3 of the act provides as follows:

The salaries and expenses of the Federal Farm Loan Board, and of farm-loan registrars and examiners authorized under this section, shall be paid by the United States. Land-bank appraisers shall receive such compensation as the Federal Farm Loan Board shall fix, and shall be paid by the Federal land banks and the joint-stock land banks which they serve, in such proportion and in such manner as the Federal Farm Loan Board shall order.

So it will be seen that all expenses and all salaries under the original Federal farm-loan act, except the salaries of appraisers, must be paid by the Government of the United States.

Referring now to the very broad language of this amendment, it reads:

Beginning with the fiscal year 1921, the Federal Farm Loan Board shall, as soon as possible after the close of each half of each fiscal year, levy upon the Federal land banks and joint-stock land banks in proportion to their gross assets an assessment equal to the amounts expended from all appropriations on account of salaries (including any additional compensation) and expenses of the board and its appointees and employees for the half of the fiscal year then closed.

Thus, Mr. President, compelling the Federal farm-land banks themselves to pay all salaries and all expenses; so, if the committee amendment is enacted, it will repeal the provisions of the Federal farm-loan act.

Now, Mr. President, to call attention to another provision or two of the act: What is one of the powers of the Federal Farm Loan Board? Subdivision 9 of subsection 13 provides as follows:

To charge applicants for loans and borrowers, under rules and regulations promulgated by the Federal Farm Loan Board, reasonable fees not exceeding the actual cost of appraisal and determination of title. Legal fees and recording charges imposed by law in the State where the land to be mortgaged is located may also be included in the preliminary costs of negotiating mortgage loans. The borrower may pay such fees and charges, or he may arrange with the Federal land bank making the loan to advance the same, in which case said expenses shall

be made a part of the face of the loan and paid off in amortization payments. Such addition to the loan shall not be permitted to increase said loan above the limitations provided in section 12.

Mr. POMERENE. Mr. President—

The PRESIDENT pro tempore. Does the Senator from South Dakota yield to the Senator from Ohio?

Mr. STERLING. I yield to the Senator from Ohio.

Mr. POMERENE. I have only been able to hear part of the Senator's argument; but, with his permission, I should like to ask him a question. Under the farm-loan act, to which the Senator is referring, how are the expenses of inspection paid?

Mr. STERLING. They are paid by the Government of the United States, except as "inspection" may mean "appraisal." The appraisal of the land and recording fees are all that are paid by the Federal farm land banks, and of course ultimately they are paid by the borrower.

Mr. POMERENE. That was my recollection about it, but I was not entirely clear.

Mr. STERLING. Now, Mr. President, I do not believe the Congress of the United States wants to repeal these provisions of the Federal farm-loan act. This act, according to its title, was to provide capital for agricultural development, to create a standard form of investment based upon farm mortgage, to equalize rates of interest upon farm loans, to furnish a market for United States bonds, and so forth. The main purpose of this act, as revealed by its consideration in the Senate of the United States, was to reduce the rate of interest and cut out commission charges on farm loans to the farmers of the country. That was the great purpose, because it was realized that for a long time farmers had been paying an exorbitant rate of interest; and to that end we made the property, except real estate but including the notes, and the mortgages taken by the farm-land banks and the bonds issued by them, free from taxation. The act provides that they shall be deemed Government instrumentalities, all to accomplish the one purpose of bringing down the rate of interest on farm loans to a reasonable rate. So, Mr. President, I think we should refuse to repeal these wholesome provisions. If we do not, we help to destroy the very purpose of the Federal farm-loan act.

Mr. SMOOT. Mr. President, when I first offered the amendment it was at the request of members of the Federal Farm Loan Board. It does repeal a part of subsection 3 of the Federal farm-loan act providing for the payment of expenses as enumerated in this provision. It conforms to the law that affects the payment of expenses of the Federal Reserve Board.

The Federal farm-loan banks, Mr. President, I am told this morning, are clearing at least \$2,500,000 per annum—

Mr. OVERMAN. Net?

Mr. SMOOT. Net; \$2,500,000 per annum. I am very glad of it. I have no criticism whatever to offer, and I wish it were more.

My attention has been called to the fact that one of the reasons why the board recommends the passage of this law is the criticisms that have been leveled at the Federal farm-loan banks by corporations and individuals doing a banking business, dealing with the same class of customers the Federal farm-loan banks deal with, who point to this very item of expense that has been paid by the Government. In other words, Mr. President, the rate of interest is fixed by law; the Government not only furnished all of the capital to begin with but the Government pays all the expenses of the Federal Farm Loan Board. It is such a small item compared with the total business that I can not see why there should be any objection to it any more than the board that directs the affairs of these banks.

Mr. President, what little expense the Government is relieved of by this amendment does not all fall on the Federal farm-loan banks. A portion is to be met by the joint-stock land banks; and I want to say that unless Senators who favor the Federal farm-loan banks support legislation that will check the extension of the joint-stock land banks and take from them some of the privileges which the Federal farm-loan bank itself has not, they are going to drive the Federal farm-loan banks out of existence.

What moral right have individual citizens in any State of the Union to organize a joint-stock land bank with the privilege of issuing bonds exempt from taxation fifteen times the amount of their capital stock? What moral right have they to loan out fifteen times the amount of their capital stock, draw as a premium 1 per cent interest per annum upon all their loans, and when the limit is reached sit down in their office and seek no further business for years and years, and make, in many cases, more profit than other bank organizations in the United States?

Are we going to relieve that class of men, doing business as owners of the joint-stock land banks, of a few paltry dollars

that they would be compelled to pay under this amendment? Is there any other business whose expenses are suggested be paid by the Government of the United States?

Mr. STERLING. I would like to ask the Senator from Utah how many joint-stock land banks there are.

Mr. SMOOT. The last report I received, months ago, gave the number as 29; but I am quite sure there have been others organized since then. In fact, I am quite sure that there are over 100 applications on file now.

Mr. STERLING. Can the Senator state how many national farm land-bank associations there are?

Mr. SMOOT. The associations are not affected by this amendment at all.

Mr. STERLING. The members of the associations are affected by it. They will ultimately have to pay all the salaries and expenses which the amendment provides shall be assessed against the Federal farm-land banks.

Mr. SMOOT. Mr. President, can a Senator stand upon the floor of the Senate and say that the Government of the United States ought to pay the running expenses of banks?

Mr. STERLING. The Government should pay all the expenses, just as is provided in the original act, except the expenses of appraisal and recording.

Mr. SMOOT. Mr. President, the only reason why there was not any objection at that time was that there were no banks established at the time, and it was necessary to have some provision to take care of the board, and that could only be done by an appropriation.

Mr. McLEAN. Mr. President—

Mr. SMOOT. I yield to the Senator from Connecticut.

Mr. McLEAN. Mr. President, I might call the attention of the Senate to the fact that every dollar that was required to start this system came out of the Treasury of the United States. All the cash that was necessary to subscribe for the capital stock of each of these banks—\$750,000 in each case—came out of the Treasury of the United States. Not only that, but they have had a bond subsidy, which now amounts to more than \$290,000,000, free from taxation.

While I am on my feet I want to say that we all have sympathy for this system, and we want it to succeed, and it is succeeding. The farmers of the country are not mendicants. They are not coming here and asking alms. All they ever asked for was to be put upon a competing basis with other industries in their demands for credit, and they are getting their money now at reasonable rates and are satisfied. They compare favorably with the rate that other productive industries pay.

The governors of the system, the members of the Federal Farm Loan Board, in asking for this legislation ask for it because they have the money to pay these expenses, and it will not raise the rate of interest to the borrower a mill. It seems to me that under the circumstances there ought to be no hesitancy on the part of Congress to adopt it.

I disapprove writing general legislation into an appropriation bill, Mr. President, but I have observed that a measure that is reasonable and sensible and proposes really to save a few dollars to the Treasury of the United States has to be written into an appropriation bill in order to pass this body.

You have an opportunity here to save \$100,000 or more. The farmers, I am sure, will not suffer to any extent in securing their loans under this system. It will not raise the rate of interest, as I have said, a mill. The profits of the system furnish the money to pay these expenses, and I am glad, under the circumstances, that the Committee on Appropriations did write this amendment into the bill, and I shall vote for the amendment.

Mr. SMOOT. Now, Mr. President, there is no necessity of taking any further time of the Senate if there is going to be a point of order made against the amendment. There is some doubt in my mind as to whether a point of order would lie against it, any more than it lay against the amendment to an appropriation bill establishing the stop-watch system in the different arsenals of our country. But I am not going to raise that question. I voted for the bill to establish the Federal farm loan banks. I will do anything in reason to assist them. But I say now, Mr. President, that you can not find a Federal farm loan bank from one end of this country to the other which will object to paying the paltry sum that would be imposed upon them under the pending amendment.

I am going to pause and ask whether any Senator is going to make a point of order against the amendment? And if so, let him do it now, because in that case there would be no need of taking any more time of the Senate.

Mr. GORE. In view of that statement, I will state that I made the motion to reconsider with that in view; and as the Senator's remark indicates that there will be no breach of faith if the point of order is made, and I am certainly under no obli-

gation to withhold it, I therefore make the point of order against the amendment that it is general legislation and changes existing law.

The PRESIDENT pro tempore. The Chair sustains the point of order.

Mr. POMERENE. There is no amendment pending?

The PRESIDENT pro tempore. There is no amendment pending.

Mr. POMERENE. Last night the junior Senator from New Jersey [Mr. EDGE] presented an amendment, on page 134, line 11, to strike out the numerals "\$1,500" and insert in lieu thereof "\$2,000." I may say that I expect to follow that up with another amendment increasing the amount appropriated as indicated on line 18 from \$165,000 to \$250,000. Let the amendment be stated.

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

The ASSISTANT SECRETARY. On page 134, in the item relative to commercial attachés to be paid a salary not to exceed \$1,500, on line 11, it is proposed to strike out "\$1,500" and in lieu thereof to insert "\$2,000," and to change the total to accommodate that change, if made.

Mr. POMERENE. Mr. President, this relates to the subject of commercial attachés connected with the Department of Commerce. These attachés have been doing most excellent work toward the extension of our commerce abroad. We will be obliged to find markets for our surplus goods.

Mr. WARREN. Mr. President, I do not wish to interrupt the Senator, but does he propose to do away with the \$1,500 limit upon the clerks to the commercial attachés?

Mr. POMERENE. No; I propose to increase the amount to \$2,000, instead of leaving it at \$1,500.

Mr. WARREN. It is subject to a point of order in that shape, and I shall have to make the point of order, although I am willing to withhold it to hear what the Senator has to say.

Mr. POMERENE. I hope the Senator will not make the point of order. I am in entire sympathy with the purpose to economize wherever it is legitimate, but I do not regard this kind of economy as legitimate economy. You are seeking here to provide a compensation of \$1,500 for clerks to be sent abroad as representing these attachés, and you expect a \$1,500 man to fill the place. I submit that ordinarily, if a man is going to one of the foreign countries as a clerk for an attaché and he is not worth more than \$1,500 to the Government he ought not to be sent there, but he ought to be kept at home. A clerk can not sustain himself in a foreign country, doing the work that will be required of him, on that salary, and I am asking that it be increased to \$2,000. I do not understand why there should be any objection to it. If we are going to cripple the department by cutting down this remuneration we might just as well do away with the officials themselves.

In this connection I desire at the same time, because I believe I will save time by doing it, to discuss the other propositions.

The Senate committee has accepted the appropriation of \$160,000 made by the House. Mr. Kennedy, representing the department, discussed this subject before the committee. I read from page 1416 of the hearings, where in answer to a question he said:

We have not made any specific request as to the rate of salary. We have asked for an increase in our commercial attaché appropriation, for example, from \$165,000 to \$300,000, and the Secretary of Commerce will review the salaries. I presume, and decide on what he thinks is necessary, and if we have that enlarged appropriation he would be in position to increase the salaries at different posts.

Further on he was asked the question:

Is that increase for the purpose of increasing the salaries or for increasing the number of the service?

Mr. KENNEDY. It is for several purposes. One purpose is to increase salaries, another purpose is to establish three or four additional offices, and another purpose is to enable us to pay salaries somewhat higher to clerks. At the present time we only have 4 clerks, whereas we have 14 commercial attachés. There is a provision in the law that not more than \$1,500 can be paid for a clerk. That limitation does not apply to the naval attaché or to the military attaché or to the State Department clerks, and, as a matter of fact, our inquiry showed they are getting anywhere from \$1,800 to \$2,500 at various posts. As a result, our clerks have resigned and we have not been able to get others. If that limitation is taken out of the law and the Secretary of Commerce is allowed to designate what he thinks is a fair going rate for a clerk at a particular post we will be able to give every commercial attaché a clerk.

I submit that anyone who has followed the work of these attachés must be convinced of the necessity of having practical and competent clerks to aid them in their official work.

Mr. President, the junior Senator from New Jersey [Mr. EDGE] and myself have conferred about this matter, because it so happened that I at one time had given some attention to the subject and he has taken it up independently. He was obliged to leave the city yesterday to keep a previous engagement, and

he has written to me a letter presenting his views with regard to the subject. I send the letter to the desk and ask that it may be read.

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

The Assistant Secretary read as follows:

UNITED STATES SENATE,  
COMMITTEE ON COAST AND INSULAR SURVEY,  
March 31, 1920.

MY DEAR SENATOR: In informally discussing with you in the Senate Chamber this afternoon the possibility of great commercial advantages through more encouragement on the part of Congress to the Department of Commerce in connection with its Bureau of Domestic and Foreign Commerce, you evinced so much interest in these possibilities that I am taking the liberty of asking you to call up for me the inclosed amendment to H. R. 12610 now pending. An engagement previously made calls me from the city to-night, and I presume the bill will be disposed of before my return, and, feeling that the adoption of the attached amendment would be of so much practical benefit to American producers and exporters, I feel that the opportunity should not be lost.

I really think this department, with the great possibilities of increasing our domestic and foreign commerce, should have a more substantial appropriation in practically every activity coming under this subhead. But, recognizing the necessity for special curtailment in expenditures, the amendment I have proposed alone affects the item of commercial attachés and the personnel of their organizations. Congress has modestly but gradually increased the appropriation allowed this bureau ever since its inception in 1914. This year, when so much opportunity presents itself, the appropriations as provided in the pending bill are precisely the same as allowed in the current year. Of course, it is perfectly obvious that even a similar appropriation for the ensuing year, as compared with the past year, would not permit of the same service, even if no expansion were contemplated, simply because of the greater cost in administering any going business or in carrying out any activity. So therefore the effect of the pending appropriation, if unchanged, will be to curtail rather than to maintain even similar activities this year as compared with last.

Just why the department should be thus handicapped when the whole world is, in a way, calling for our products, is beyond comprehension. The bill as presented provides that clerks in the office of commercial attachés in offices abroad shall receive salaries not to exceed \$1,500. The amendment I propose raises this maximum to \$2,000. It is evident that the salary of \$1,500 has not attracted clerks, inasmuch as Mr. Kennedy, at the head of the bureau, testified before the committee of the House that at the present time only four clerks were employed, whereas there were 14 commercial attachés in different sections of the world. I can well understand this, for, to be frank about it, in my judgment, a \$1,500 man should never be sent abroad representing the United States Government in an endeavor to broaden commercial possibilities of the business men of the United States. Two thousand dollars seems to me much too little, but I have endeavored to make my amendment at least modest.

The same section of the pending bill provides that the total expenditure for this entire work shall be limited to \$165,000; the amendment I have proposed raises this to \$250,000; the department requested \$300,000, so that the amendment suggested is well within the request. This additional \$85,000 will permit the appointment of additional commercial attachés and permit of investigation in the interest of the producers of the United States in order that our trade may receive the benefit of that possible expansion.

I might point out what the Board of Trade of Great Britain is doing at this very moment in the interest of her manufacturers and producers, with the desire to stimulate export business. I quote from an announcement recently issued by the London Board of Trade, which is in itself a semigovernmental organization:

The Government are prepared through the export credit department of the board of trade to consider applications for advances up to 80 per cent of the cost of the goods to the seller, including freight and insurance, commission paid to the department by the seller in respect of exports to—

and then follow various countries of the world. This is actually advancing cash to permit the British business man and farmer to finance the sale of his produce in other countries.

The Department of Commerce, through its foreign bureau, of course, advances absolutely nothing, but simply secures information and learns conditions for dissemination among American business men and producers, so that they can arrange a sale if they see fit and proper to do so.

The policy of our governmental boards has usually been that of investigation and almost oppression, while that of foreign Governments, as here evidenced, has been cooperation almost up to the point of financing prospective business.

To-day we are pardonably proud of our splendid merchant marine and considering a policy in order that it be prosperous. Of course, it is self-evident that it can only be prosperous if it carries full cargoes from American ports to all the countries of the world. It can never be prosperous going abroad in ballast. Therefore, with this splendid opportunity, when for the first time in almost a century we have our own bottoms with which to transfer our wares, it seems to me a very inopportune moment to reduce, comparatively speaking, the appropriations of the one department of the Government whose responsibility lies in the direction of building up our export business.

Of course, I appreciate that, in a way, the consuls who are representing our State Department contribute considerable valuable information in the interests of our foreign trade, but their activities are necessarily and properly limited to the diplomatic field which a consul should occupy. As I understand it, the commercial attachés of the Department of Commerce have no such restriction and are permitted to go right in to possible trade sections and be of much more practical benefit to the business man. As an evidence of the great practical benefit that has already accrued from this department, with its meager appropriation, I am attaching a few references from actual reports from that department from commercial attachés abroad.

In conclusion, it may be interesting to note that, in addition to the activities of the London Board of Trade, the Government, notwithstanding her enormous war debts and her expenditures far in excess of her revenue, has appropriated this year approximately a million and a half dollars for her department of overseas trade alone. This is of significance when compared with the \$910,000 provided in the pending bill, which includes both domestic and foreign activities. I am informed that France, confronted as she is with the necessity for rigid economy and with the prospects for export business in no way parallel even with a small portion of the United States, has appropriated \$850,000. Therefore, it does seem to me that the small increase for this activity should be granted by Congress and thus the work be encouraged.

I do not know a period in the history of the country when the opportunity was greater and when it was more necessary to encourage greater production, and, of course, you can not encourage greater production if the market is limited. Around greater production, all agree, many of our problems assemble, and in this department, at very small expenditure from the evidence at hand, the Government can contribute her part toward increased prosperity that greater production assures.

We can not reach out for world trade if we bind our commercial arms with the thong of penuriousness or false economy.

Cordially, yours,

WALTER E. EDGE.

Mr. POMERENE. Mr. President, I happen to have before me a letter indicating concretely the character and kind of work that some of these attachés are performing in the interest of American industry, and I want to read just one paragraph from the letter:

Now for the concrete results obtained by the foreign trade promotion activities of the Bureau of Foreign and Domestic Commerce. Since the fiscal year 1915 Congress has appropriated the comparatively insignificant sum of \$600,000 for the commercial attaché service. Yet one commercial attaché alone—the one in China—together with the assistance of one of the special technical representatives of the Bureau of Foreign and Domestic Commerce, was responsible for an initial order of over \$600,000 of American cotton-mill machinery being installed in China, and as a result of this one example of trade promotion a total business of \$16,000,000 of such machinery business came to this country in the single year of 1918 alone.

I think that demonstrates the wisdom of maintaining this service.

Now, does not the Senator feel that the sum of \$1,500, which is the maximum limit for the payment of these clerks, is entirely too small?

Mr. WARREN. There is no doubt about that. If the Senator will permit me, I will give him my reasons for suggesting the making of the point of order.

This whole attaché matter was under discussion in the other House; in fact, as I now recall, the committee did not report it at all, but left the entire matter out of the bill, and I know they were opposed to it on the floor.

Mr. POMERENE. The Senator from Wyoming is speaking of the House of Representatives?

Mr. WARREN. I am speaking of the House of Representatives. The House of Representatives, understanding the ideas of the committee, reinstated the provisions of the present law, and the bill came to us in that form. We have had a large

number of people before the committee; in fact, the so-called combination committee, representing 18 or 20 industries from New York, were heard, but the committee still thought that, taken as a whole, in these times when we must cut to the bone where we can, it was best to leave it as it now is.

As to the increase of the compensation to \$2,000, the Senator will observe that the \$165,000 is a lump sum, and if the limit of the compensation of the clerks is raised from \$1,500 to \$2,000 there should also be a limit as to the number of clerks.

I understand from what the Senator has said that he is the residuary legatee of the amendment suggested by the Senator from New Jersey [Mr. EDGE], and that he will probably propose to increase the \$165,000. Of course, there have been estimates for a larger sum than that; and, without speaking for either the committee or the Senate, I should myself feel like increasing the compensation to \$2,000 if it is confined to 14 clerks and let the matter go to conference.

As to the \$165,000, instead of increasing that to \$300,000 or even to \$250,000, personally I should not object to its being increased to \$200,000 and letting the matter go to conference in that way.

Mr. POMERENE. Mr. President, I had expected to present an amendment to increase the \$165,000 appropriation to \$250,000. My information was in accord with that which the Senator has given, namely, that there was an estimate of \$300,000. Would the Senator consent to increase the amount of \$225,000?

Mr. WARREN. I should not be in favor of increasing it at all unless the Senator will confine the increase so that it will not exceed \$200,000.

Now, as to the other matter, if the suggestion I have made is satisfactory to the Senator and the author of the amendment, of course the Secretary can arrange the details as to the 14 clerks.

Mr. POMERENE. I have no objection to limiting the number of clerks to 14, and that could be very easily done by providing:

And for 1 clerk, not to exceed 14 in number, to each of said commercial attachés, to be paid a salary not to exceed \$2,000 each.

That, I think, would meet the situation the Senator has in mind.

Mr. WARREN. Let me say to the Senator that the clerk of the committee will arrange that, if the amount proposed is agreed to and the Senate consents to it. It will be so arranged that only 14 clerks shall receive the increased amount.

Mr. POMERENE. Ought we not to have the matter settled now, while it is before the Senate? I will move to amend by inserting, on line 10, after the word "clerk," the words "not to exceed 14 in all."

The PRESIDENT pro tempore. The Secretary will state the proposed amendment.

The ASSISTANT SECRETARY. After the words "one clerk," in line 10, it is proposed to insert the words "not to exceed 14 in all."

Mr. WARREN. Mr. President, let me have read a suggestion, not as an amendment that I am proposing but as representing the kind of language that I have suggested I might not object to in arriving at the point to which the Senator is directing his attention.

The PRESIDENT pro tempore. The amendment originally proposed by the Senator from Ohio [Mr. POMERENE] was to strike out "\$1,500" and to insert "\$2,000." There may have been some different understanding arrived at, but that is the amendment on which the question must first be put, if it be not withdrawn.

Mr. POMERENE. I think there is no objection to having that amendment acted upon now, and then we can take up the other amendment later.

The PRESIDENT pro tempore. The amendment will be stated.

The ASSISTANT SECRETARY. On page 134, it is proposed to strike out the words "one clerk to each" and to insert in lieu thereof "14 clerks"; and in line 11, before the word "each," to strike out "\$1,500" and insert "\$2,000," so as to read:

and for 14 clerks of said commercial attachés to be paid a salary not to exceed \$2,000 each.

The PRESIDENT pro tempore. Without objection, the amendment is agreed to. The next amendment will be stated.

The ASSISTANT SECRETARY. On page 134, line 18, it is proposed to strike out "\$165,000" and to insert "\$200,000."

Mr. POMERENE. Mr. President, I hardly like to accept the responsibility for acting for the Senator from New Jersey in this matter, but so far as I am concerned I am willing to accept, so far as I may, the increase from \$165,000 to \$200,000.

The PRESIDENT pro tempore. The Senator from Wyoming proposes to strike out "\$165,000" and to insert "\$200,000."



Mr. WARREN. No; I do not propose that, and unless the Senator from Ohio offers it as an amendment it will be objected to.

Mr. POMERENE. I offer that as an amendment.

The PRESIDENT pro tempore. The Senator from Ohio proposes an amendment, which will be stated.

The ASSISTANT SECRETARY. On page 134, line 18, it is proposed to strike out "\$165,000" and in lieu thereof to insert "\$200,000."

The PRESIDENT pro tempore. Without objection, the amendment is agreed to.

Mr. DIAL. I desire to offer an amendment to come in on page 138, and I ask that the Secretary may read it. I have heretofore sent it to the desk.

The PRESIDENT pro tempore. The Secretary will state the amendment proposed by the Senator from South Carolina.

The ASSISTANT SECRETARY. On page 138, line 3, after the words "Portland, Me., \$1,300," it is proposed to insert "Charleston, S. C., \$1,200," and on the same page, line 5, to strike out the total, "\$34,000," and insert "\$35,200."

Mr. WARREN. Mr. President, I could make objection to the amendment, but it has come to the knowledge of the committee that business at the port of Charleston has greatly increased, and, so far as I am personally concerned, I am willing that the amendment shall go to conference and see what we can do with it there.

The PRESIDENT pro tempore. Without objection, the amendment proposed by the Senator from South Carolina is agreed to.

Mr. PHELAN. Mr. President, I offer an amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The ASSISTANT SECRETARY. On page 151, line 2, it is proposed to strike out "\$100,000" and in lieu thereof to insert "\$150,000."

Mr. PHELAN. Mr. President, last year the amount available for the commissioners of conciliation under the Department of Labor was \$200,000, and the department estimated for this year's work the same amount. The committee has cut that item down to \$100,000 without any apparent reason except to save money without respect to the merit and necessities of the service.

I have here the report of the Secretary of Labor, who makes the very obvious reflection that last year, which was a war year, extending from July 1 to November 11, the date of the armistice, there was very little difficulty in bringing about settlements, whereas now in this period of readjustment the difficulties have increased, and hence the necessity of maintaining the efficiency of the Division of Conciliation. He says:

A patriotic impulse had stirred both the employer and the worker, and many differences that, based upon our experience in normal times, would have caused a suspension of operations were very lightly passed over and adjusted without recourse to either strikes or lockouts. So, during the period from July 1 to November 11—what may be called the war months—the Division of Conciliation encountered few difficulties in making harmonious adjustments. From November 11 until the present date the readjustment of industry from war to peace time activities, the reemployment of demobilized soldiers, and the transfer of workers from war industries to normal production have all contributed to the general unrest so noticeable not only in our country but throughout the world.

So I make the point that there is much more necessity to provide for the Division of Conciliation, if it is worthy of support at all, at this time than at a time when \$200,000 was available for its use. A like amount, as I have stated, has been recommended by the department.

Why is this work important? In the adjustment of labor troubles we have found that this agency has effected extraordinary results since its inauguration in 1915. In 1915 the number of cases before it was 42; in 1916, 227; in 1917, 378; in 1918, 1,217; and in 1919, 1,780. Of these cases there were, in 1919, 1,223 adjusted; 111 which the Division of Conciliation were unable to adjust; pending, 13; unclassified, 213; and referred to the National War Labor Board, 219. So there has been a progressive growth in the work of this bureau and in the success of its methods, which are to employ conciliation. There are 27 conciliators, and there are only 6 or 7 clerks employed by the bureau in Washington. The bill itself provides a limitation in connection with the employment of clerks at headquarters of \$12,000.

So the work is in the field. Wherever there is labor trouble, there these men have gone; and I know from my personal knowledge—and that is what has interested me—that they went into the oil fields of California and they settled, at a very critical time, a dispute which was well calculated to interfere with the production of oil; 25,000 men were involved; and they settled it how? Not necessarily by making concessions. They settled it at a time when the wage asked for by the men was \$5 a day. They settled it at \$4.50 a day, and the men accepted it. It was

in war time, and there was that spirit among the men, which must be praised, not to embarrass the Government during war time. Now, that spirit, as we all know, has diminished, and men are seeking equitable adjustments without reference to patriotic considerations. But the mine operators, recognizing the fact that the men were entitled to their demands, subsequently and voluntarily granted them. The same is true of the textile industries, where 22,000 employees were affected. Both the employers and the employees left it to the commissioner of this department as to whether the employees should have a certain increase. The men wanted 15 per cent and the company offered them 12½ per cent. The commissioner decided on 12½ per cent, and later the companies voluntarily granted the other 2½ per cent, and good feeling remained, and the workers were not disemployed and production was not interrupted.

We are all familiar with the work of these men in the shipyards, what they accomplished for this Government, and the saving of time and money by methods of conciliation. So it does not seem right at this moment, when the difficulties ahead of us are many and not insignificant, to cripple in any manner a bureau which has demonstrated its success.

I have a letter from the American Federation of Labor which doubtless was also received by other Senators. It reads as follows:

AMERICAN FEDERATION OF LABOR,  
Washington, D. C., March 26, 1920.

Hon. JAMES D. PHELAN,  
Senate Office Building, Washington, D. C.

MY DEAR SIR: I desire to direct your attention to a matter of grave importance to the workers, the employers, and the people generally. There are two branches of the United States Department of Labor which have rendered invaluable service to our country. They are the Division of Conciliation and the Bureau of Labor Statistics.

By providing the means for the prompt settlement of labor differences the Division of Conciliation has saved millions of dollars to employers and employees in preventing labor troubles. Its methods of adjustment are simple. Upon the request of either side to an industrial controversy commissioners of conciliation, appointed by the Secretary of Labor, endeavor to arrange a conference between the parties to discuss the questions at issue. This discussion usually results in an effective adjustment of pending differences, and also develops such a spirit of good feeling that the groundwork is laid for permanent peaceful settlement of all future issues. The benefit to industry, and consequently to all the people, of the work of this division can not be calculated in terms of money. Industrial peace and order are necessary to progress. The agency which can establish these is of incalculable worth to the people.

The Bureau of Labor Statistics has been the source of the people's information on the actual costs of living.

The appropriations for these two services are now before the Senate in the legislative, executive, and judicial appropriation bill, and they have been reduced to a figure that will greatly restrict the activities of these helpful agencies of the Government and consequently aid the forces of disorder. The appropriation for the Division of Conciliation has been reduced from \$200,000 to \$100,000, which is just one-half the amount this service has had for the past two years.

The appropriation for the Bureau of Labor Statistics has been reduced by the sum of \$55,000.

I would therefore request that when these two items of this bill are being considered you exert your influence to have restored the amounts which have been requested by the Department of Labor. Believing as I do that impairment of peaceful and voluntary methods for adjusting industrial differences and restricting the means of the people for obtaining truthful information on the cost of living will serve only to increase industrial strife and general unrest, I feel that reducing these appropriations will defeat the purposes of real economy. Millions of dollars may be lost to the country to conserve hundreds to the Treasury.

Confident that you will comply with this request, I am,  
Yours, very truly,

FRANK MORRISON,  
Secretary American Federation of Labor.

Mr. President, I have not asked for the restoration of \$200,000. The committee has allowed \$100,000. I have asked for an increase of \$50,000 in order that the usefulness of the bureau may not be crippled. I do that entirely on my own responsibility. I know there is a very strong feeling on the part of the Senate Committee on Appropriations and on the part of the corresponding committee of the House that appropriations should be kept down, and we have pleaded with them in many cases, with success occasionally, that it is false economy to reduce an appropriation which by its employment is serving a very useful and necessary purpose. I think that by the addition of \$50,000 now recognition would be given to the usefulness of this service, and we could, perhaps, carry it over during the year. Of course, its work depends upon the number of cases that are reported to it, and we can not estimate that in advance; but we do know that during the war period, when they received \$200,000, there was less disposition on the part of the workers to interrupt the harmonious relations which existed between them and their employers, moved not by economic but patriotic considerations. I am sorry to say that that spirit is not so manifest to-day; but it is something that we must recognize, and therefore I submit that it is no time to make a change in this appropriation. I yield, however, to that general spirit of economy, and I ask, not that it be restored according to the estimate of the department or according to the amount received

by this valuable adjunct of the department for the last two years, but only by \$50,000.

Mr. WARREN. Mr. President, let me assure the Senator from California that there is no disposition whatever to cripple the conciliation commissioners, so far as I know, on the part of a single individual on the committee. We appreciate the work that that commission has done, and we have given them the money that has been necessary from time to time. There never has been a time when additional money has been needed but that they have asked for it in a deficiency estimate and have received it.

These estimates were made up last year, when everything was fomenting. The estimates were made long beforehand, when they had a great deal of work to do, and they estimated for the outer limit of what the possibilities might be in this work of conciliation.

As the Senator so well remarks, one can not tell beforehand what amount of work will have to be done by these commissioners of conciliation. There may not be a time in the next year when they will have one case to act upon. On the other hand, there may be a line of cases for which we shall have to appropriate double and perhaps treble this sum. But now, when the Treasury is so nearly bare, and when we are trying to economize in all directions, when they have money enough at present to go until the 1st of July, and we now give them this \$100,000, which is enough to preserve and keep in order all that rightfully belongs to or contributes to this commission and that is useful, I submit that we should not increase this amount. We should rely upon this, and then if it is necessary, as I say, it is one of those things we are bound to have to take up from time to time.

Every one of these appeals that come here to different Senators ought to be disregarded. We ought to go to the head of a department, if anywhere, for correct information. These letters come from employees who fear that they may be discharged, because many of these departments have enlarged the number of their employees beyond the wildest dreams of peaceful times, and of necessity they must reduce. This Department of Labor, if my memory serves me right, has employees now who belong in other departments and who are detailed there. They can return some of those to the departments where they belong if too many are now in employment. It is not necessary that the Department of Labor should be so favored above all others that it can keep a lot of spare men for which it may possibly have use at times.

It seems to me that when we put in \$100,000 for expense so long ahead, and they commence on July 1, if we have an eruption that causes very much work for that commission between now and July, there is yet to come a deficiency bill; and then, on the other hand, we shall be here again on the first Monday in December. In other words, we shall be here in less than six months from the time they commence to use this \$100,000. It is true that they used \$200,000 last year, but they had more work to do then than they have a right to expect for the coming year. I do not believe we ought to acknowledge here on the floor that we expect we are going to have the line of differences that we had for some two or three months last year; and I do not believe, by our appropriations for them, we ought to encourage the idea that we are to continue to have constant use every day for the active work of commissioners of conciliation. We do have a commission every day. Its members are there, to be used whenever required. As I said before, they may go on for six months or a year with not a single item to deal with, and on the other hand they may have many.

I hope the amendment may not be adopted.

Mr. POMERENE. Mr. President, I regret again that I can not agree with the chairman of the committee in his opposition to this increased appropriation. I am in sympathy with the position taken by the Senator from California [Mr. PHELAN]. I think these commissioners of conciliation have done a splendid work in the past. I have had occasion to observe their work during the last several years. I think we must all agree, first, that all labor disputes are deplorable. They are bound to come, however, and when they do come I think we will all agree again that they ought to be amicably settled; and that is the function to be performed by these conciliation commissioners.

Before this matter is finally passed upon I want to call attention to another feature. I am one of the Senators who were in part responsible for the railroad legislation, and I have been attacked a good deal by some of these radicals because I favored some method of adjustment of labor disputes in the case of railroads. I have no apology to make for my position on that subject, and I am willing to defend it at any and all times; and my guess is that notwithstanding the position that is taken by some of the radicals now, when the system adopted by the railroad legislation has had an opportunity to work,

and the laboring men have become familiar with its service and the character of it, they will be the men who will commend it.

Now, let me make a suggestion to Senators—and I believe that when I make the statement that I am about to make I will be expressing the views of the chairman of the Committee on Interstate Commerce quite as well. It was our hope in the committee that in all railroad disputes methods of conciliation and mediation would be resorted to, with the hope that all of these disputes might be settled; and I want all of these disputes settled by some method of conciliation, by some method of mediation, if possible, or by arbitration, and if they can not be settled by these methods, then I want them settled by the adjustment boards or by the labor board which are provided for. Their jurisdiction, of course, applies only to railroad disputes.

I know that there is a certain amount of antagonism against that legislation. Nothing that is worth while in this world is ever accomplished without opposition, and the men who are opposing that legislation now will be its friends in the near future. The men who are often called out on strikes suffer because they are called out on strikes. Everybody knows that, and the laboring men know it better than the rest.

Why do I say this at this particular time? I want the men who are opposing that railroad legislation to feel that the men who stood sponsors for it are just as much in favor of conciliation and mediation or by arbitration now as they ever were, and I do not want it said by these men, or any of those who are opposed to that railroad legislation, that "You see the Congress of the United States is trying to limit the appropriations so as to do away with or cripple the methods of conciliation and mediation which have heretofore been adopted."

I hope that it will not be necessary for these labor boards to act. I hope that every dispute can be amicably settled, and I will help every time I have an opportunity to bring about a settlement. But I was for that railroad legislation, because I deny the right of any man, or any set of men, to tie up the commerce of the United States, and starve and freeze innocent workmen, women, and children, because there is a quarrel on, forsooth, between some employers and some labor leaders. It is for that reason, among others, that I want to see the Congress sustain to the full the methods of conciliation and mediation and arbitration which we have now, and I am afraid if you are seeking to reduce these appropriations unduly now it will result in unnecessary agitation and will cause further unrest.

Let us provide liberally on this subject for these boards. If we find that any of them are incurring undue expenses, we can take care of that in the future. Two hundred thousand dollars, I believe, was the appropriation for the last two years, and now do not Senators realize that this feeling of unrest is still with us, and that it is going to continue for some time? But the sober American judgment is going to prevail, and let us say to the employers and employees alike that we are still going to retain these methods of settling disputes which have served us in the past, in most instances acceptably. In some instances they have not been able to get the contending parties together. But do not encourage the feeling of unrest by paring down unduly this appropriation. It will be a mistake.

I would have taken this position if there had been no railroad legislation, but I am more strongly in favor of it now because we have the railroad legislation. I recognize the fact that there are some men who have come here to control legislation and put certain Senators and Representatives on the blacklist because they will not follow their dictation. I understand that, and I for one am always amenable to reason, but I will never stand for dictation by any man or any set of men anywhere.

Mr. PHELAN. The Senator is not one of those who will "refuse to do good because the devil bids him," as the old saying hath it.

Mr. POMERENE. I have said I was in favor of this. But I do not like that suggestion. I have not called anybody names. I do not intend to, and I do not think the Senator is justified in making that statement in that kind of way.

Mr. PHELAN. Mr. President, my humor evidently is misunderstood. I quite agree with the Senator. I am aware that there is occasionally a lobby here dictating legislation. In common with the Senator, I examine that legislation. If it appeals to my judgment, I support it. If otherwise, I reject it. But because it is proposed by somebody whom we may not like, I would not on that account condemn the legislation. I was reducing to proverb something which is in part humor, and if it offends the Senator I beg his pardon. I withdraw it.

Mr. POMERENE. I take exception to that other statement, that there are some people whom I do not like. I like them all, but I do not like some of the things they do, and when I do not like them I do not hesitate to say so.

Mr. President, this thing has appealed to me. Some men have written me on the subject, and I did not hesitate to say that I was going to support liberal appropriations for this purpose, and I want to beg Senators on the other side and on the committee not to make the mistake now, at this crucial time, of denying a proper appropriation for this purpose.

A strike of a few days or a few weeks' duration may result in untold harm not only to a local community but to a State, to the Nation, to the world; and then when I think that we have this great country of ours, with 110,000,000 of people, nearly all of them producers; with a wealth that challenges the admiration of the world—a nation which can do everything but the impossible; with countless opportunities for disputes to arise—many, perhaps most of them, justified, some of them not—and then the Congress of the United States comes forward with a picaresque appropriation of \$100,000 to be employed in conciliatory methods!

Let not the Senate of the United States make that mistake. I indulge the hope that the amendment offered by the Senator from California [Mr. PHELAN] will be accepted.

Mr. SMOOT. Mr. President, I do not believe there is a Senator who has any intention whatever of crippling the commissioners of conciliation in their work. I say now that there is not a Senator who can state how much money will be necessary for that work the coming fiscal year; that is, the year beginning on the 1st day of July, 1920, and ending June 30, 1921. I say that there is not a man in the United States who can tell the amount. But if we make an appropriation of \$200,000 for this commission, I do not care how few cases may develop during the next fiscal year the \$200,000 will be expended; and I might say that if it were \$300,000, the \$300,000 would be expended.

Mr. President, before June 30, 1921, I will venture the assertion now that there will be at least half a dozen deficiency bills pass this body, and as a member of the Committee on Appropriations I want to say that if cases come before the commissioners of conciliation which require the expenditure for that fiscal year of more than \$100,000, whatever is necessary to make up the deficit will be put in a deficiency bill and will pass Congress and be signed by the President of the United States.

The PRESIDENT pro tempore. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The ASSISTANT SECRETARY. A bill (S. 1699) for the retirement of employees in the classified civil service, and for other purposes.

Mr. STERLING. I ask unanimous consent that the unfinished business be temporarily laid aside.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered. The Senator from Utah will proceed.

Mr. NUGENT. Mr. President—

Mr. SMOOT. I yield to the Senator from Idaho.

Mr. NUGENT. Do I understand the Senator from Utah to say that in the event it later becomes necessary to appropriate more money for the proper conduct of affairs on the part of the commissioners of conciliation such appropriation will be made and will be included in a deficiency bill, and that that procedure will meet with the approval of the Senator from Utah?

Mr. SMOOT. It will meet with my approval most heartily. I will say to the Senator whenever a supplemental estimate is made and it is demonstrated that the case is an emergency one and the amount determined as necessary is agreed to, I will be one of the Senators who will urge its passage through this body just as quickly as it can be done.

Mr. NUGENT. I am glad to hear the Senator make that statement.

Mr. SMOOT. I say again that there is not a single Senator in this body who wants to cripple the work of this commission; but, Mr. President, I ask any Senator here if he were to pay the expenses of the commission out of his own pocket and he had to get the money to pay it out of the resources that he himself owned what would he do? He never would borrow money, which would be the same as selling bonds on the part of the Government, and set it aside to the amount of \$200,000 when he did not know whether half of it would be needed or not.

The time has arrived when the affairs of the Government of the United States ought to be run upon business principles, as far as collecting the revenues of the Government are concerned and the expenditure of the Government's money.

I do not mean that business principles ought to apply to all of the general legislation, but I do mean that they ought to

apply to the expenditures of the Government and to the receipts of the Government. It would be quite a different proposition if past experience did not prove beyond a question of doubt that whenever an appropriation of money is made the money is expended, no matter what may be the amount appropriated.

The trouble is and it has been the practice of the Government from the first year of its organization, with very few exceptions, that the appropriations have increased every succeeding year, and as we are creating new departments and divisions created by the dozens and dozens—there seems to be no limit—and commissions by the scores and scores, the head of each bureau or department or commission feels it his duty to see that each year the commission or the bureau or the department increases in the number of employees.

The whole system of submission of estimates for the expense of the Government of the United States is wrong in principle. I said the other day that the Secretaries of the departments know very little about what the estimates are for. The estimates are made up by the heads of the bureaus and the chief clerks of the divisions, and they are submitted, no doubt, to the head of the department, and after the head of the department casually looks over them they are submitted to the Secretary of the Treasury in a prepared form and perfunctorily sent by him to the Congress of the United States as estimates.

There is one item in the bill by way of a lump sum that we have decreased, I am afraid, not enough. I have come in contact with so many statements made by these chief clerks and heads of divisions that an estimate submitted means very little to me. I was asked while an appropriation bill was before the subcommittee, after a hearing upon the item, as to what the subcommittee had done with that particular item. I said, "I think the subcommittee is going to cut the amount." He said, "Do not cut it more than 25 per cent." "Why?" "Our estimate, of course, is always made more than we anticipate getting, but we can not get along with a cut exceeding 25 per cent." I hope that the Senate will stand by the committee on this appropriation of \$100,000 for the reasons I have stated. If there was a man in the United States who could state approximately how many cases would be heard by this commission we could then judge as to about what the amount of expense would be; but the man does not live who can do that.

We had far better make the appropriation of \$100,000 and tell the commission that is all the money they can expend for this purpose, unless there are cases enough coming before the commission that will absolutely require more money, and if there are more cases between July 1, 1920, and June 30, 1921, we will see that the appropriation is made in the regular way to cover that expense.

I want to say also, Mr. President, as the Senator from North Dakota [Mr. GRONNA] has suggested to me, that this matter was before the House, and after it was thoroughly considered by the House it was their judgment that the proper amount to appropriate was only \$100,000.

Mr. NORRIS. Mr. President—

The PRESIDING OFFICER (Mr. CURTIS in the chair). Does the Senator from Utah yield to the Senator from Nebraska?

Mr. SMOOT. Certainly.

Mr. NORRIS. The Senator has suggested that we say to the commission that this is all we will appropriate unless there are other disputes. Nobody is authorized to say that to the commission unless we put it in the law. I would be very glad to vote for an amendment that would make that statement. Would the Senator favor that kind of an amendment?

Mr. SMOOT. I do not think it is necessary.

Mr. NORRIS. Who is going to speak for Congress to the commission?

Mr. SMOOT. I do not know that anyone can speak for the Congress of the United States other than this: Wherever there is a commission of this kind created, and there is no possible way of telling what the work of the commission will be a year ahead, or an emergency exists, the Congress of the United States has never refused to meet the expenses of such an emergency. I do not know whether the Senator was in the Chamber—

Mr. NORRIS. Yes; I have been here all the time.

Mr. SMOOT. Then I will not repeat what I said.

Mr. NORRIS. The Senator has said many things that appeal to me with great force. I admit that there is a difficulty. We do not want to appropriate any more money than will be necessary to pay for whatever work in the line of conciliation may be necessary, but suppose this \$100,000 appropriation were exhausted and Congress not in session, and there were disputes on and no money appropriated, would not the officials under the law be liable even to a penalty if they went ahead and acted when they knew that there was no money at their disposal?

Mr. SMOOT. Yes; under the law they would be.

Mr. NORRIS. That is a dangerous proposition.

Mr. SMOOT. I want to say to the Senator that there is no more attention paid to that law than to the whistling of the winds.

Mr. NORRIS. I think there ought to be attention paid to that law.

Mr. SMOOT. So do I, in many cases.

Mr. NORRIS. I believe in the enforcement of all law, but I think that is a just law and it ought to be enforced. On that theory it seems to me wholly logical when I reach the conclusion that the appropriation ought to be increased for fear that we might get into just that kind of a difficulty. In cases like this, where the Senator says no man can tell what the absolutely necessary expense is going to be, if we could put in the law authority that would give to the proper officials the legal right to go ahead in every case of dispute, and then appropriate the money afterwards, it would meet the contingency; but when I asked the Senator if he would favor that kind of an amendment I did not expect him to agree to it, and I do not know that I would want to agree to it.

Mr. SMOOT. I do not think the Senator would.

Mr. NORRIS. That would be a dangerous precedent to establish. There would be other dangers. So that brings us almost back to the proposition, it seems to me, that here is an appropriation that is exceedingly important and might mean the saving of us from a danger that would be nation wide if there were not sufficient funds appropriated in this case and a great strike or a good many strikes should happen to come on when Congress was not in session.

Mr. TOWNSEND. Mr. President—

The PRESIDING OFFICER (Mr. SUTHERLAND in the chair). Does the Senator from Utah yield to the Senator from Michigan?

Mr. SMOOT. Certainly.

Mr. TOWNSEND. May I ask the Senator a question? I am wondering if it would be possible under any contingency to spend more than \$100,000 between the 1st day of July this year and the beginning of the next session of Congress. Congress will be in regular session from December until March.

I feel as the Senator from Nebraska does, that I would not want to cripple this service, because I think it has great possibilities for good, but if \$100,000 is now appropriated, available the 1st day of July, it seems to me that would carry us clear through until the first Monday in December, and then if it is shown conclusively that there is need for more, I do not think the Congress would hesitate a moment to make an additional appropriation which would carry it through to the next July 1.

Mr. WARREN. Mr. President, my understanding is that the head of a department has the right to create a deficiency in cases like this, as they have in every department. Take great forest fires, take matters of disease, and so forth; under the law they have the right to create a deficiency.

Mr. TOWNSEND. I did not know that that was true. I am not myself friendly to that proposition, but I repeat that the present appropriation will clearly carry us to the time when Congress will again be in session. There is no possibility of Congress not being in session in December next, and remaining in session until the following 4th of March. As we could meet it then, perhaps, it would be wise to let this item go through.

Mr. SMOOT. Mr. President, the law as it stands upon the statute books positively prohibits the creation of deficiencies. I have wondered why the law was not lived up to strictly; but inasmuch as the President of the United States appoints each one of the heads of the departments of the Government, who are the responsible parties, and that the President also appoints the Attorney General, who is going to bring the actions, it never has been done and, in my opinion, never will be done, although I think in many cases it ought to be done; but wherever conditions warrant the creation of a deficiency, as in the case now under consideration, there can not be any doubt at all about making the necessary appropriation. I think the committee acted very wisely in following the recommendations of the other House.

Mr. NELSON. Mr. President, I wish to say to the Senator from Utah that the very fact that at every session of Congress deficiency appropriation bills are presented indicates that every department technically violates the law to which he has referred. If that law were lived up to technically there would not be any deficiency bills; we should not have any measures of that kind; but in the nature of the case the law is too rigid. Many emergencies arise in all of the departments which fully justifies them in exceeding the regular appropriations; and in cases of that kind I have never felt disposed to criticize them for such action, for it is impossible in advance to know just what appropriations are required.

As to the board of conciliation, we can not tell at this moment how many cases are likely to confront it between now and the next session of Congress. They have furnished us no basis on which we can make a clear estimate for legislation. We appropriate \$100,000 blindly. That will undoubtedly carry them over until the next session of Congress, and if they then need more money, no one doubts that the Congress of the United States will give it to them.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from California [Mr. PHELAN]. [Putting the question.] The yeas seem to have it.

Mr. PHELAN. I ask for the yeas and nays, Mr. President.

The yeas and nays were not ordered.

The amendment was rejected.

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

The PRESIDING OFFICER. The absence of a quorum is suggested. The Secretary will call the roll.

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

Capper	Harding	Nelson	Smoot
Culberson	Harrison	New	Spencer
Cummins	Henderson	Norris	Sterling
Curtis	Kellogg	Nugent	Sutherland
Dial	Kendrick	Phelan	Thomas
Dillingham	Lenroot	Phipps	Townsend
Elkins	McCumber	Pomerene	Underwood
France	McKellar	Sheppard	Warren
Gay	McLean	Simmons	
Glass	McNary	Smith, Ariz.	
Gronna	Moses	Smith, S. C.	

The PRESIDING OFFICER. Forty-one Senators have answered to their names. A quorum is not present. The Secretary will call the names of the absent Senators.

The names of the absent Senators were called, and Mr. CALDER, Mr. TRAMMELL, and Mr. WADSWORTH answered to their names when called.

Mr. PAGE, Mr. KEYES, Mr. HALE, Mr. JONES of Washington, Mr. MYERS, Mr. SWANSON, and Mr. SMITH of Maryland entered the Chamber and answered to their names.

The PRESIDING OFFICER. Fifty-one Senators have answered to their names. A quorum is present. The bill is still before the Senate as in Committee of the Whole and open to amendment.

Mr. PHELAN. Mr. President, I inquire what is the parliamentary situation with respect to the amendment offered by me?

The PRESIDING OFFICER. The amendment was not agreed to.

Mr. PHELAN. I offer an amendment on the same page providing \$200,000, the present appropriation, instead of \$100,000, for the board of conciliation.

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. On page 151, line 2, it is proposed to strike out "\$100,000" and in lieu thereof to insert "\$200,000."

Mr. PHELAN. Mr. President, many Members have been called to the Chamber since the amendment was proposed. The commissioners of conciliation of the Department of Labor now have \$200,000, an appropriation which they have had for their work for the last two years. The work is increasing necessarily on account of labor adjustments after the war, whereas during the war there was a disposition of a patriotic character to settle disputes without much negotiation. Therefore I have made this motion that the appropriation be restored to the present amount—\$200,000.

Mr. WARREN. Mr. President—

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

Mr. PHELAN. I yield.

Mr. WARREN. I just want to say that the appropriations for last year were not made together. They were made in different sums and in different bills.

Mr. NORRIS. Mr. President, I should like to suggest to the Senator from California that I was in favor of his amendment. I voted for it, and tried with the Senator to get a roll call on it, and if this were the last opportunity we had I probably should support this amendment; but as soon as the bill gets into the Senate, which probably will be in a few minutes, the Senator can offer his amendment again, and we can have a vote on it then. Let me suggest to the Senator, therefore, that he withdraw this amendment, and then offer his other amendment in the Senate.

Mr. PHELAN. I acquiesce in the Senator's suggestion and withdraw my amendment, and give notice that I shall bring up the former amendment when the bill returns to the Senate.

The PRESIDING OFFICER. The amendment is withdrawn. The bill is still before the Senate as in Committee of the Whole, and open to amendment.

Mr. SMOOT. Mr. President, I have a committee amendment which I desire to offer at this time. It is to come in on page 29, following line 10.

The PRESIDING OFFICER. The amendment offered by the Senator from Utah will be stated.

The READING CLERK. On page 29, after line 10, it is proposed to insert the following:

The Bureau of Efficiency, together with its books, papers, and records, furniture, equipment, and supplies is hereby transferred to the jurisdiction of Congress; and its officers and employees are transferred in their present status without reappointment. The Chief of the Bureau of Efficiency shall hereafter be appointed jointly by the President of the Senate and the Speaker of the House of Representatives, and may be removed from office by concurrent resolution for inefficiency, neglect of duty, or malfeasance in office. All other employees of the bureau, including a disbursing officer for the payment of the salaries and expenses of the bureau, shall be appointed in accordance with the civil-service laws and regulations. The Bureau of Efficiency is authorized to investigate any matters relating to the organization, activities, or methods of business of the several administrative services of the Government, and shall from time to time submit to Congress reports of its investigations, with recommendations looking to greater efficiency and economy in the conduct of the public business. It shall make such special investigations and reports as may be required by either House of Congress, or by any committee of either House having jurisdiction over revenues, appropriations, or expenditures. Officers and employees of the executive departments and other establishments shall furnish authorized representatives of the Bureau of Efficiency with all information that the bureau may require for the performance of its duties, and shall give such representatives access to all records and papers that may be needed for that purpose.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Utah.

Mr. NORRIS. Mr. President, I do not care to discuss the amendment if the Senator from Utah is going to explain it.

Mr. SMOOT. I will explain the amendment in just a few words.

Mr. NORRIS. I will wait, then.

Mr. SMOOT. Mr. President, there is in existence to-day a Bureau of Efficiency provided for in the pending appropriation bill found on page 29. This amendment simply provides for the transfer of that bureau, together with all its books, records, and so forth, to the jurisdiction of Congress, so that wherever there is an item in an appropriation bill or the expenditures attached to the Government about which we want information the head of the Bureau of Efficiency can be ordered to make an investigation of the same. To-day the Bureau of Efficiency makes certain examinations into the workings of the departments at the request of the heads of the departments. This amendment means that if Congress desires an investigation made, or information as to any estimate submitted to it, it can ask the Bureau of Efficiency to make such an investigation.

Mr. NORRIS. Mr. President, why can they not do that to-day?

Mr. SMOOT. There is not anything in the law that compels the head of a department to allow the bureau to make an investigation or recommendation. I will say that many of the departments have done so, and some of them have refused.

Mr. NORRIS. I have never known a bureau or a commission to refuse to obey a resolution of Congress.

Mr. SMOOT. The Senator misunderstands me. Congress could pass a resolution directing an investigation to be made, but that would not allow the committees enumerated in the amendment to ask them to secure information. Under this amendment the Bureau of Efficiency will be an agency of Congress, to do the work that the committees named may ask them to do, and they have the power to make investigations requested.

Mr. NORRIS. The Senator's amendment does not give the Committee on Appropriations legal authority to call on them and require them to perform it.

Mr. SMOOT. No.

Mr. NORRIS. It would have to be through action on the part of Congress.

Mr. SMOOT. The amendment says:

It shall make such special investigations and reports as may be required by either House of Congress, or by any committee of either House having jurisdiction over revenues, appropriations, or expenditures.

Mr. NORRIS. Under whose jurisdiction are they now?

Mr. SMOOT. The only jurisdiction they are under, I think, is that of the President of the United States.

Mr. NORRIS. They are appointed by the President?

Mr. SMOOT. They are appointed by the President.

Mr. NORRIS. Was it intended that it should be a permanent bureau?

Mr. SMOOT. It was; and I will say to the Senator that it is one of the agencies of the Government that by its investigations have saved large sums of money, and we simply want to make it more responsive to Congress, so that we can get the information when we want it, and get it direct.

Mr. NORRIS. Mr. President, of course I want this bureau to respond to any resolution of Congress. I do not know whether I would extend it to every committee in Congress or not.

Mr. SMOOT. Not to every committee.

Mr. NORRIS. The amendment does.

Mr. SMOOT. No; it says, "by any committee of either House having jurisdiction over revenues, appropriations, or expenditures."

Mr. NORRIS. That includes practically everything.

Mr. SMOOT. Only the appropriation committees and committees handling appropriations and the revenue legislation.

Mr. NORRIS. Now, as I understand the duty of the Bureau of Efficiency, it is to suggest improved methods by which we can economize, save money, and do better work in the various departments.

Mr. SMOOT. That is one of the things.

Mr. NORRIS. I think everybody is in entire sympathy with work of that kind; and while I do not have at my command and have never made an investigation far enough to convince me, yet what I have heard, or at least considerable of what information I have gained, has not been, in my judgment, satisfactory as to the work that that bureau is doing. As I say, my information is limited, because I have never undertaken to go into it; but in conversation with various employees of the Government I have often asked them, without suggesting why I wanted to know, questions that pertained to the work of this bureau, and I know that there are many persons in the Government employ who think this bureau is a joke. I am not charging that, because, as I say, I do not know enough about it. It ought to be very useful. They ought to do a whole lot of good; but there are a good many people who know more about the matter than I do who think that the only thing they do is to draw their salaries, and that some of the experts do not know nearly as much about efficiency as the people that they are investigating.

That may be wrong, as I said. I want it distinctly understood that my information does not come from a full investigation; but, so far as I have heard, it has not been very complimentary to this bureau.

I do not know whether it would be advisable to make this bureau respond to a committee of the House or of the Senate. I am afraid it would make clerks of them, to investigate things that are not within the duties of an efficiency expert. I am afraid they would be called upon to perform duties and do work that would be more along the line of a legislative bureau. I fear that they would be called upon to draft amendments and draft proposed laws. As the Senator from Minnesota [Mr. NELSON] suggests, we already have a legislative drafting bureau, very properly so, and I think it is a very necessary adjunct in a progressive legislative body.

Mr. SMOOT. Mr. President, I will say to the Senator that this efficiency bureau has no intention of doing any such work, nor has any committee any such intention.

Mr. NORRIS. I know that; but while this may not be the case, I fear that if this amendment is adopted, giving practically every committee of the House and the Senate the right to call upon them at any time, it might lead them into that kind of a channel.

Mr. NELSON. Mr. President, as I understand the amendment, it is practically limited to committees of appropriation and committees that have to do with revenue legislation.

Mr. NORRIS. Yes.

Mr. NELSON. That will be two committees in this body—the Committee on Appropriations and the Finance Committee—and in the House it will be the Committee on Appropriations and the Committee on Ways and Means, and not the other committees.

Mr. NORRIS. Mr. President, let us see about that. Let us take the Senate. It would be the Appropriations Committee, it would be the Finance Committee, it would be the Foreign Relations Committee—because they bring in an appropriation bill—it would be the Agricultural Committee—because they are an appropriation committee—it would be the Naval Affairs Committee, and it would be the Military Affairs Committee. Now, what have you left? Not very much. The condition is somewhat similar in the House of Representatives. It would not be confined to two committees.

I would not want, of course, to take any action that would prohibit the committees from getting information. That is one of the things committees are for, and I want them to have all possible opportunities; but it does not seem to me that the Bureau of Efficiency ought to become an information bureau for committees of Congress. Just as surely as it does, it will not do very much work along efficiency lines, I fear.

Mr. SMOOT. Mr. President, I will simply make this short statement:

To-day the estimates come to Congress through the Secretary of the Treasury, and they are furnished him by the heads of the departments. When those estimates come to the different committees on appropriations, if they are reduced the department making the estimates asks the appropriations committee for a hearing. The persons to testify are the very ones that have made the estimates, and the committee, as the Senator must understand, has not the physical power, nor could it possibly have the time, to make an investigation into all of the cases. Now, if we had this Efficiency Bureau at the command of the committee, those questions could be examined into and reported to the committee.

I know, Mr. President, that any agency on the part of the Government that tries to save a dollar for the Government or tries to get information with a view of saving money is not very popular with certain of the employees of the Government; but I ask the Senator in all earnestness to go to the Secretary of War, or to go to the Postmaster General, and ask what this Efficiency Bureau has done for their departments, and I think he will get an answer that will be perfectly satisfactory to him, for I know from the statements he has made here so often upon the floor that he is interested in having the expenses of the Government cut just as low as possible.

Mr. President, if we adopt this, and if the House agrees to it, that will be the result of this amendment.

Mr. NORRIS. Mr. President, I doubt that a great deal. I do not mean that I doubt the Senator's word or his judgment, but I am inclined to think he is mistaken. I do not want the Senator from Utah or anybody else to get the idea that I would condemn this commission because some person in the Government service whom they were investigating was dissatisfied with the investigation and complained to me. Nothing of that kind has occurred. I might very easily have the wool pulled over my eyes and be deceived; and I am deceived unless I am wrong in the statement that I make when I say that I do not believe any employee of the Government has ever had an idea that any question that I have ever asked, or any information I have ever sought, was for the purpose of finding out what the Bureau of Efficiency was doing.

I realize the difficulty of going into it without having authority and time. I have had neither. But when occasion presented itself I did not conduct a preconceived investigation, but a thing would happen now and something next month, and if I thought I had an opportunity to find out something I always improved it, and I have found out some of their activities, some of the things that have been done in the name of the Bureau of Efficiency; but only some. I presume they have done thousands of things that I do not know anything about, and many of them, perhaps, were very beneficial and saved the Government money; but I have found some cases where it seemed to me that those representing the Bureau of Efficiency were more interested in drawing their own salaries than they were in improving the systems of the various departments.

Mr. THOMAS. I would like to inquire of the Senator from Utah his reason for transferring the appointing power from where it is at present to Congress.

Mr. SMOOT. Because it will then be under the direction of and responsible to Congress. Congress is responsible for the appropriations, and Congress should not make any appropriations unless they have the fullest information at hand in order to justify the same.

Mr. THOMAS. Would not that same reason apply to every other bureau?

Mr. SMOOT. Not necessarily, because Congress appropriates the money direct.

Mr. THOMAS. It appropriates the money for every other bureau of the Government.

Mr. SMOOT. But only upon the estimates made by the departments. There ought to be some kind of a check, and this amendment will provide it.

Mr. THOMAS. Of course, I am not at all familiar with the province or the work of the Bureau of Efficiency. I always regarded that name as applied to a Federal bureau as a piece of congressional humor, because I know of no such thing as efficiency in any of the departments of the Government, Congress included.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Utah [Mr. SMOOT].

The amendment was agreed to.

Mr. MOSES. Mr. President, I offer the following amendment, which I hope will be accepted by the chairman of the committee.

The PRESIDING OFFICER. The Secretary will state the amendment.

The ASSISTANT SECRETARY. On page 2, line 25, after the numerals "\$1,200" and the semicolon, insert "messenger in the

Library, \$1,000"; on page 3, line 2, strike out the word "three" and in lieu thereof insert the word "two," so as to read:

Messenger in the Library, \$1,000; messenger, \$1,440; assistant messenger, \$1,200; laborers—3 at \$840 each, 2 at \$720 each—

And so forth.

Mr. WARREN. I have no objection to the amendment.

The amendment was agreed to.

Mr. WARREN. Mr. President, I ask for the adoption of the amendment I send to the desk.

The PRESIDING OFFICER. The Secretary will state the amendment.

The ASSISTANT SECRETARY. On page 3, line 12, strike out "laborer, \$720" and insert in lieu thereof "messenger, \$900."

The amendment was agreed to.

Mr. WARREN. The totals will be changed accordingly, of course.

The PRESIDING OFFICER. The clerks at the desk will change the totals to correspond with the action of the Senate.

Mr. KIRBY. Mr. President, I offer the following amendment.

The PRESIDING OFFICER. The Secretary will state the amendment.

The ASSISTANT SECRETARY. On page 6, line 4, in the items for the offices of Sergeant at Arms and Doorkeeper and in the provision for two floor assistants at \$2,500 each, strike out "\$2,500" and in lieu insert "\$3,000."

Mr. SMOOT. I will ask the Senator if their salaries were not increased last year?

Mr. KIRBY. I do not think so, but these are very capable men.

Mr. SMOOT. I am not going to say anything in opposition to the amendment.

Mr. MCKELLAR. They are very efficient men, Mr. President. Mr. THOMAS. That is true of all our employees; at least, they are supposed to be efficient. If we are going to review the bill and increase salaries, I shall make a point of order against the proposed amendment.

Mr. KIRBY. A point of order will not lie.

Mr. SMOOT. It will lie, because it was not estimated for.

Mr. KIRBY. It is only changing the amount.

Mr. THOMAS. That is all, just increasing it.

Mr. SMOOT. It was not estimated for nor reported by a standing committee.

Mr. MCKELLAR. Have not changes been made on the floor of the Senate in other cases?

Mr. SMOOT. Yes; because no point of order was made.

Mr. MCKELLAR. We know that these young men are two as valuable men as there are about the Senate Chamber. They work as faithfully as any men here, and they are entitled to recognition. It does seem to me that the Senate ought to have more pride than to permit the small salary of \$2,500 for these two floor assistants to exist. We ought to give them something like a living wage for the work they do.

Mr. KIRBY. In any event, I think the Senate ought to be allowed to vote on the matter. It is something for the Senate's convenience, and I ask that no point of order be made against it.

Mr. THOMAS. The reasons which are assigned are unquestionably good, but they can be applied to practically every employee of the Senate. No one questions the capacity of these men, their faithfulness, or their merit. I think \$2,500 a year is a pretty good salary. It is far in excess of the average salary paid by the Government. If we are going to begin this increase, where are we going to end it?

Mr. KIRBY. It will end right here.

Mr. THOMAS. I do not know whether it will or not. For the purpose of testing it I make a point of order against the amendment.

The PRESIDING OFFICER. The point of order is sustained.

Mr. NEW. Mr. President, I offer the following amendment.

The PRESIDING OFFICER. The Secretary will report the amendment.

The ASSISTANT SECRETARY. On page 29, line 10, after the words "per annum," insert the following proviso:

Provided, That all clerks on the temporary rolls and other employees rendered necessary because of increased work incident to the war with Germany who served in the Army, Navy, or Marine Corps during said war and have since been honorably discharged and are at present employed in any of the several departments of the Government are hereby transferred to the classified service as of their present grade or rate of compensation, respectively, and shall be continued in the several departments where now employed without further examination, subject, however, to transfer, promotion, or removal, the same as other clerks and employees in the classified service. And the several appropriations herein made for such clerks and employees under the several departments and offices shall be available for payment of the salaries of all clerks and employees transferred to the classified service under this provision, and the appropriations made for such temporary clerks and employees for the fiscal year ending June 30, 1920, shall be also available for the payment of salaries of all such clerks and employees herein transferred for the balance of the current fiscal year.

Mr. THOMAS. Mr. President, from a casual reading of the proposed amendment this transfer might include and make permanent a number of places for which there is no immediate need, or for which there may be no need hereafter. In other words, if I gather the purpose of the amendment correctly, we may make permanent a number of places that are transient, and which will be disposed of very soon but for this amendment. I ask the Senator from Indiana whether I am correct in that impression?

Mr. NEW. Mr. President, I think the Senator from Colorado is incorrect. I do not think the amendment is open to that construction. At least, it certainly is not intended that it shall be. The purpose of the amendment is to transfer to the permanent civil-service roll those employees now on the temporary roll who served in the Army, Navy, or Marine Corps during the recent war.

Mr. THOMAS. Does it include those who were in the employment of the Government at Washington and other places in the country, as well as those at the front?

Mr. NEW. It does not expressly say that it is limited to those who saw duty at the front, and I do not see how that discrimination could very well be made.

Mr. THOMAS. I do not think so, either.

Mr. NEW. It applies to those that saw service in the Army, Navy, or Marine Corps.

Mr. THOMAS. I do not think there should be any discrimination, either; but the fact that it can not be done rather militates against the expediency of doing it. The effect of it is to give a very extraordinary preference to a class of our citizens over the rest of the community.

Mr. NEW. I think that class is entitled to very extraordinary preference.

Mr. THOMAS. We will take the case of John Smith, by way of illustration, who volunteers and who is rejected because of physical deficiency. He can not go to the front, but he is upon the civil-service roll, notwithstanding that fact, having passed a mental examination. This is to postpone him for somebody who served the Government here in one of the departments, or who perhaps was employed in some semimilitary capacity in Indianapolis or in the city of Denver. I do not think that is just.

Mr. NEW. I do not think that anyone is apt to suffer injustice under the circumstances which are brought forward by the Senator from Colorado.

It may be possible, but I do not think at all likely. The purpose of the amendment is perfectly apparent. It is intended for the benefit of clerks now on the temporary roll who saw service in the armed forces of the United States during the war. While it is possible that there may be here or there an exceptional case, where a man is now employed on that roll who did not see much service, those cases are certainly the very rare exceptions and not the rule, and I do not believe they are numerous enough to be worth taking into account at all in an argument against the adoption of the amendment.

Mr. WARREN. Will the mover of the amendment yield to me for a moment?

Mr. NEW. Certainly.

Mr. WARREN. If I heard the reading aright, I think the Senator should amend it, because I hardly see how it can be considered without amendment. It should provide that they will be subject to the usual soldier exemptions. The laws now provide a preference for every soldier of this war and every other war. I happened to look it up within the last week. I went over it with the Civil Service Commission, and I found that the rule is that a man who has been in service and passes, say, at 65, and is in competition with men who have passed even at 99, when the names are sent up the soldier is put at the top of the list and preferred.

Unless some provision of that kind is added, what the Senator from Colorado [Mr. THOMAS] says might take place, and that is we would put in all the men regardless of the examination, in which they might fail, and regardless of their capacity altogether—everyone who had had even limited service, and on a basis of employment for all time. I hardly think the Senator wants to go quite that far.

Mr. NEW. These employees are, of course, subject to all the rules and conditions that are prescribed by the civil service. If they should chance to be incompetent after having been placed upon the permanent roll, they can be disposed of in the same way that others are. I do not think there is any danger of the quality of the service being impaired by the acceptance of the amendment. It reads, "Clerks now on the temporary roll." If they are now on the roll, it is certainly an evidence of their competency.

Mr. WARREN. Of course, being on the temporary roll means that they are put on for 30 days and then sometimes extended for 30 or perhaps 90 days more, and if they should fail on examination they could still be employed temporarily in that place or another. To get them permanently on the roll there should be, in my opinion, some grade of examination, and when the rule is applied, as I have mentioned, they have to be only two-thirds as capable in examination as the others to make them not only equal but preferred.

I do not believe the Senator will take any chance in doing that, and I think we would have pretty hard work in conference to get an amendment through, should an amendment be voted in, that would go quite as far as that offered, without some qualification, would be construed as going.

I am entirely in sympathy with the idea that the Senator has, to give these men preferred employment, but I would not be willing to subject my own business and I would not be willing to subject the Government's business to an entire misfit, and, of course, besides the misfit, it would hardly be justice to have him obtain a livelihood without having him render a fair equivalent.

Of course, now, as the Senator knows, those who have been disabled have for years been provided for and they have had preference, and by a late law signed as recently as the 11th of July, 1919, we extended the law to take in all soldiers in good health or in bad health, and whether they are incapacitated or not. They go in as preferred if they can pass the lower scale, which is at present, under the rule, 65.

Mr. NEW. I know there is preference given to ex-soldiers, but I do not think that affects this at all. The mere fact that an applicant for appointment passes a civil-service examination to-day with a grade of 90 or more does not mean that he is going to continue permanently at that degree of efficiency during his whole period of service, and his permanent continuance depends upon his continued efficiency, even under the terms of the civil-service law. That same thing would apply to the ex-soldier who is put upon the permanent roll under the operation of the proposed amendment.

Mr. WARREN. Undoubtedly there would be a way found to discharge such a man. For the information of the Senator, although perhaps he knows it, I will say that there have been cases, for instance, growing out of the Spanish War, where it was not made a preference as to soldiers, but there was a preference given to a large number of clerks in the War and some other departments; in fact, the arms of the civil service were cast around some hundreds of employees by direct law, but before they arrived at that they were employees who had been put on temporarily under war orders and had been retained a long time. In a bill like this we inserted a provision that during the year following the heads of departments should make selections of their best temporary employees and reduce the numbers to cover only those whom they desired to keep permanently, so that at the end of that year the matter of taking them into regular service might be considered. At the end of the first year they were not ready and another year was taken when they were to be selected, and then it was done by examinations outside of the civil service, but by an examination just the same, and then they all went in to the main body of the civil-service employees.

Mr. NEW. If the Senator from Wyoming will permit me, I think he will find that an amendment identical in language was included in the legislative appropriation bill which followed the Spanish-American War. Perhaps it was as late as 1902, but it is identical.

Mr. WARREN. That simply confirms exactly what I have said. But notice had been given beforehand on two different occasions, the first one year and the second a year later, for each department to so trim as to exclude all inefficient ones.

I am not going to make a point of order against the proposed amendment, and if the Senator insists upon it in the shape it is let it go to conference and see what can be done with it; but I imagine that the question will have to be settled either here or there.

Mr. THOMAS. Mr. President, I shall be compelled to make the point of order against the amendment on the ground that it is general legislation upon an appropriation bill.

The PRESIDENT pro tempore. Does the Senator from Indiana desire to be heard on the point of order?

Mr. NEW. The Senator from Indiana is content, of course, to accept the ruling of the Chair.

The PRESIDENT pro tempore. The point of order is well taken and is sustained.

Mr. NELSON. Mr. President, I offer the following amendment.

The PRESIDENT pro tempore. The Secretary will report the amendment proposed by the Senator from Minnesota.

The ASSISTANT SECRETARY. On page 2, line 17, strike out the words "and printing clerk" and insert, in line 18, after the numerals "\$4,000" where they occur the second time, the words "printing clerk, \$4,000."

Mr. WARREN. We all know that the Senator who offers the amendment is one of the most careful and economical Senators in this body, and he offers it in the interest of a man who is employed the year round, every day in the year. So I shall, so far as I am personally concerned, accept his amendment.

Mr. THOMAS. Mr. President, I make the same point of order against this amendment that I made against the amendment offered by the Senator from Arkansas [Mr. KIRBY].

The PRESIDENT pro tempore. The Chair will inquire whether the head of a department has estimated for the increased sum mentioned.

Mr. NELSON. The printing clerk is an employee of the Senate, and, in the nature of the case, no estimate can be made by a department for this increase. In the very nature of the case the Treasury Department makes no estimate and can make none. We are our own estimators in that respect.

The object of this amendment is to increase the salary of the printing clerk. As every Senator knows, he is one of the most attentive and efficient employees in the Capitol. He is here always, late and early, day and night, and he is here when Congress adjourns; he stays here the year round. I feel that if anyone is entitled to an increase of salary he is one of that kind.

The PRESIDENT pro tempore. Rule XVI provides that—

No amendments shall be received to any general appropriation bill the effect of which will be to increase an appropriation already contained in the bill, or to add a new item of appropriation, unless it be made to carry out the provisions of some existing law, or treaty stipulation, or act, or resolution previously passed by the Senate during that session, or unless the same be moved by direction of a standing or select committee of the Senate or proposed in pursuance of an estimate of the head of some one of the departments.

The Chair is of the opinion that the point of order is well taken, and the Chair sustains it.

Mr. TOWNSEND. Mr. President, I offer the amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Michigan will be stated.

The ASSISTANT SECRETARY. On page 4, at the end of line 22, it is proposed to strike out "\$2,000" and to insert "\$2,220" for the salary of the assistant clerk of the Committee on Post Offices and Post Roads.

Mr. TOWNSEND. Mr. President, I desire simply to make a brief statement. There are two assistant clerks to the Committee on Appropriations, who receive \$2,500 and who ought to receive that amount. The Committees on Commerce, Finance, Foreign Relations, the Judiciary, Military Affairs, and Naval Affairs each have an assistant clerk at \$2,220. The assistant clerk of the Committee on Post Offices and Post Roads receives but \$2,000. The object of the amendment is to make his salary the same as that of the assistant clerks of the other committees, with the exception of the assistant clerk of the Committee on Appropriations.

If there is an assistant in any of the committees outside of the Appropriations Committee who puts in more time than does the assistant clerk of the Committee on Post Offices and Post Roads, I do not know who he is. That committee has a large appropriation bill to prepare, and the assistant clerk is constantly in his office. Every week and sometimes every day during the session of Congress we are hearing contested matters which are raised before the committee, and it requires patience and intelligence to properly perform the duties involved. I am offering the amendment for the purpose of putting this office on a par with the others.

Mr. WARREN. Mr. President, it is a most ungracious thing for a Senator to object to any amendment which may be offered to favor any of the faithful employees of the Senate. The chairman of the Committee on Appropriations has considered the matter involved in the pending amendment, and he presumes other members of the committee also have to some extent done the same. I do not want to see the Senate run away with these matters. Of course, the statement of the Senator from Michigan need not go any further as to other committees, because it hardly can have reference to the Committee on Appropriations. It is true, of course, that the Post Offices and Post Roads Committee has jurisdiction of an appropriation bill which is one of the largest of all the appropriation bills, although it occupies fewer pages. On the other hand, the Committee on Post Offices and Post Roads, in common with the Committee on

Military Affairs and the Committee on Naval Affairs, have a flood of nominations coming before them, which they have to look up in order to see if they are right or wrong; in order to see if the Senators from the different States agree to the appointments, and, if not, why they disagree, and so forth. It so happens that as to both the Committee on Military Affairs and the Committee on Naval Affairs the second clerk draws \$2,220. So, constrained as I shall have to be, ungracious as it is to object, so far as I am concerned, to this general line of increases, I desire to say that we shall probably have to provide at the next session for a rearrangement of the clerks, perhaps, of every Senator on a different scale than now exists by doing away with the bonuses. It is only lately, however, that we adopted the so-called Jones amendment and arranged our committees, and we ought, as near as we can, to let them remain as at present constituted, at this time. However, I am not going to object to the proposition of the Senator from Michigan on the ground that I have stated. We all know how many nominations have to be considered by his committee, and the other work it has to perform, and if he believes the assistant clerk of the committee should have this increased salary I shall make no objection to the amendment.

The PRESIDENT pro tempore. The question is on the amendment proposed by the Senator from Michigan [Mr. TOWNSEND]. The amendment was agreed to.

Mr. MCKELLAR. Mr. President, a parliamentary inquiry. A while ago an amendment was adopted, on page 2, line 25, allowing a messenger in the library. Another amendment was also adopted, on page 3, line 12, changing the salary of a laborer from \$720 to that of a messenger at \$900. My parliamentary inquiry is, after we get into the Senate can a point of order be raised as to those two amendments?

The PRESIDENT pro tempore. The Chair is of the opinion, following at least the latest precedents of the Senate, that any point of order that can be made as in Committee of the Whole can also be made in the Senate.

Mr. MCKELLAR. I give notice that I may make the point of order as to both the amendments I have indicated when the bill gets into the Senate.

Mr. WARREN. Mr. President, while I differ from the Chair in his ruling, I do not propose to make any objection.

I will say, however, to the Senator from Tennessee that one of the men to whom he alludes happens to be an employee of my committee to whom I am paying something in addition to his salary, and shall probably continue to do so even when this slight increase of \$180 shall have been made. I will ask a reconsideration of the vote whereby the amendment was agreed to so that the Senator may throw the matter out now.

The PRESIDENT pro tempore. The Chair is aware that there have been rulings both ways on this question, but the present occupant of the chair is of the opinion that the point of order can be made in the Senate even though not made in Committee of the Whole.

Mr. MCKELLAR. Since the Senator from Wyoming has made an explanation about the matter concerning his own committee, I certainly shall not raise the point of order.

Mr. WARREN. As to one of these cases, I will say that the increase from \$720 to \$900 was made so as to provide better pay to a messenger who performs work which requires education.

Mr. MCKELLAR. Mr. President, I am absolutely sure as to the man whose status has been changed from a laborer to a messenger that it is perfectly right and perfectly proper and that it ought to be done. As I have stated, I am not going to raise the point of order against it; but I make the parliamentary inquiry merely to show how we are legislating.

Here are two young men, Mr. Halsey and Mr. O'Toole, in this body, who are of as much material benefit in a personal way to the various Senators as perhaps any other two men in connection with the whole force of the Senate; certainly they are just as material to the performance of the duties of Senators. These two young men are here all the time; they are courteous and polite; they will do anything in the world for Senators, and they are constantly on the go. For men of their abilities, of their efficiency, and of their attention to their duties they are getting a very much smaller salary in comparison than is the man at the door of the Senator from Wyoming.

Points of order were raised when it came to amendments providing more and adequate compensation for these two employees whose salaries ought to be raised, yet when it comes to other salaries being raised the amendments pass through without points of order being raised, and new offices are created without points of order being raised. My proposition is that we ought to be fair all along the line, and where employees are entitled to increases they ought to have them. It is wrong to legislate in



this way. If points of order are going to be raised against some provisions of this kind, points of order ought to be made against all. That is all I have to say.

Mr. GAY. Mr. President, I move to reconsider the vote by which the Senate agreed to the committee amendment on page 136, line 9. If that motion should prevail, my idea is to make a subsequent motion to restore the House text.

Mr. WARREN. Will the Senator indicate again the amendment he desires to have reconsidered?

The PRESIDENT pro tempore. There are two amendments on line 9, page 136. To which does the Senator from Louisiana refer?

Mr. GAY. It is necessary, as I understand, first to move to reconsider the vote by which the committee amendment was agreed to. My idea is to change the first amendment, on line 9, page 136, by inserting "six" in place of "five," so as to make it conform to the bill as it originally came from the House.

Mr. WARREN. The text in line 9 formerly read "six"—it has now been made "five"—"at \$2,350 each." Then little further along there is an amendment inserting the words, "Mobile, one \$2,350." What is the motion of the Senator?

Mr. GAY. I wish to change the item pertaining to New Orleans, so as to provide for six assistant inspectors, just as it came from the House, in lieu of the committee amendment inserting "five." I should like to give my reasons for doing so.

Mr. WARREN. Does the Senator wish to strike out the provision for one assistant inspector at Mobile and reinstate the provision providing for six assistant inspectors at New Orleans?

Mr. GAY. No; I am not asking to have the provision in regard to the assistant inspector at Mobile stricken out; I am asking to have the number of assistant inspectors at the port of New Orleans placed at six, as it has been for many years.

I desire to say, Mr. President, that the change proposed by the committee amendment, which has been agreed to, in my opinion will seriously affect the Steamboat-Inspection Service at New Orleans. I took occasion to-day to speak to the Chief of the Steamboat-Inspection Service of the Department of Commerce, and I wish to read what he has to say on that subject:

1. Referring to your telephone conversation of even date with Mr. Hoover, the Deputy Supervising Inspector General, in regard to that provision in the legislative bill which appears on page 136, and which provides for five assistant inspectors of steam vessels at New Orleans, La., instead of six as at present, and one assistant inspector at Mobile, Ala., where there are no assistant inspectors at present, you are informed that in the estimates the bureau asked for two assistant inspectors at Mobile, Ala. These two assistant inspectors were asked for because of the immense pressure of work at Mobile and the tremendous increase in the work of inspection at that port. Apparently the committee, when considering the item of six assistant inspectors at New Orleans, where there are at present six, has taken action arranging for five, and has taken one of the assistant inspectors from New Orleans and placed him at Mobile, Ala. This will not relieve the situation at Mobile and it will destroy the efficiency of the force at New Orleans, La.

2. It was explained to you that there are assistant inspectors of hulls and assistant inspectors of boilers, and that these men work in pairs; and so you can see that if there is an uneven number of assistant inspectors at a port it means that it is impossible to work the inspectors in pairs, which is an arrangement that is highly desirable for the purpose of efficiency. There is just as much need as ever that there shall be six assistant inspectors at New Orleans. The work of that port is very heavy, and the inspection work is increasing considerably, and there is just as much reason now for asking for two assistant inspectors at Mobile as when the estimates were submitted. Relief can only be given at Mobile by the appointment of two assistant inspectors and leaving the six assistant inspectors at New Orleans as at present.

3. It may be stated that the bureau was not consulted by the committee in arranging to place one assistant inspector at Mobile, Ala., and taking one from New Orleans, La., and the action of the committee is not based upon any recommendation made by the bureau.

Mr. WARREN. Will the Senator allow me to interrupt him there?

Mr. GAY. I should like to conclude reading the letter, and then I will yield.

Mr. WARREN. When the Senator concludes I will give him the estimate submitted for this service.

Mr. GAY. The letter concludes as follows:

The bureau would recommend now, as it has consistently done in its estimates, that two assistant inspectors be appointed at Mobile, Ala., and that six assistant inspectors be allowed to remain at New Orleans, La.

Now, Mr. President, I have here the estimates spoken of by the chairman of the committee, and I know full well what they recommended. They recommended six at New Orleans, two at Mobile, and a number of others, I believe including some at Galveston. They are all listed here, but I do not think the service at one port ought to be impaired for the benefit of any other port, and I think it is only right that we should reconsider this amendment and make the necessary change. If Mobile needs two inspectors it should have them, but certainly Mobile should not have an inspector at the expense of New Orleans. I consider that that is a very poor way to legislate.

Mr. WARREN. Mr. President, I will say to the Senator that he is entitled, of course, to make an offer to arrange this according to the estimate; that is, as he proposes, to leave six at \$2,350 each at New Orleans, and the estimate is to put two at Mobile instead of one and to fix their salaries at \$2,100 each instead of \$2,350. The only question that arises with me is why there should be three pairs of inspectors at the same salary at New Orleans while they put one pair alone at Mobile at a lesser sum.

Mr. GAY. I presume the work here justifies it. There may be a difference in the work. I notice that they are at different salaries. For instance, there are 40 at New York at \$2,500 each. I can not see why there should be 40 at New York at \$2,500 and 2 at Mobile at \$2,100.

Mr. WARREN. So far as I am concerned, I shall offer no objection to reconsidering the amendment, so that the Senator may make the offer inside of the estimates.

The PRESIDENT pro tempore. The question is on the motion to reconsider the vote by which the amendment in line 9, page 136, was adopted.

The motion to reconsider was agreed to.

The PRESIDENT pro tempore. The question now is upon agreeing to the amendment proposed by the committee.

Mr. WARREN. There can either be an agreement or a disagreement; but there should be a striking out and substituting in place thereof, unless the proposition is to strike out the first committee amendment, and then proceed to take up the Mobile amendment. That can be done.

The PRESIDENT pro tempore. The question is, however, upon agreeing to the committee amendment.

Mr. GAY. Mr. President, I offer as a substitute for that the amendment which I send to the desk.

The PRESIDENT pro tempore. The Secretary will state the amendment to the amendment.

The ASSISTANT SECRETARY. It is proposed to strike out "five" and insert "six."

The PRESIDENT pro tempore. The Chair is of the opinion that the amendment is not in order.

Mr. LENROOT. It is just a question of agreeing to the amendment of the committee.

Mr. WARREN. Mr. President, if I can make myself understood—

The PRESIDENT pro tempore. The entire question will be settled by disagreeing to the committee amendment.

Mr. GAY. I move that we disagree to the committee amendment.

The PRESIDENT pro tempore. The Chair is compelled to hold that that motion is not in order. The question is upon agreeing to the committee amendment, and if that question is negatively decided the original text of the bill will stand.

Mr. WARREN. Is the Senator's amendment to strike out "five" and insert "six"?

Mr. GAY. To strike out "five" and insert "six."

The PRESIDENT pro tempore. The question is upon agreeing to the committee amendment.

Mr. LENROOT. Mr. President, I should like to ask the chairman of the committee why they made the change to "five" if there was no reason for it?

Mr. WARREN. The reason given at the time was that a portion of that business was being done at Mobile; but, from the statement the Senator has just read, it seems to be due to the new business at Mobile, without lessening the amount at New Orleans.

Mr. GAY. Mr. President, if the Senator will yield, I will say to him that the business of the port of New Orleans and the business of Mobile are entirely separate and distinct, and that this will not relieve the situation at New Orleans at all. It may be that Mobile needs two inspectors.

Mr. LENROOT. Mr. President, may I ask the Senator a question?

Mr. GAY. Certainly.

Mr. LENROOT. Are these inspectors confined in their duties to the ports? Are the duties of the six men confined to the port of New Orleans?

Mr. GAY. I understand that their duties are confined to the port of New Orleans just as they are for other ports, 40 for the port of New York, 10 for Baltimore, and so forth.

Mr. LENROOT. Certainly. These inspectors, as I understand, cover an entire district, and the six at New Orleans heretofore were required to make the inspections at Mobile and at other points within the district.

Mr. GAY. I think the Senator is in error in that, judging from the statement that is made by the inspector general, which I have just read, in which he says that they need these men at New Orleans. It has been explained that they work in pairs, that there is a hull inspector and a boiler inspector, and that

reducing the number will very much affect the efficiency of this work. There is just as much need now as there ever has been for the six assistant inspectors at New Orleans. The work of that port is very heavy, and the inspection work is increasing considerably. So I will say to the Senator that this will not give any relief if you take one away and put him at Mobile. The necessary number should be reinstated at the port of New Orleans.

Mr. LENROOT. Mr. President, I will ask the Senator if it is possible that New Orleans is the only Southern port on the entire South Atlantic coast that has the benefit of inspection?

Mr. GAY. I think not. I think there are others. If the Senator will look over the list, I think he will find that there are several others.

Mr. LENROOT. No; there are none except the amendment relating to Mobile. The next one is Baltimore, which is away up the coast.

Mr. GAY. There are 10 at Norfolk, as the Senator will see if he will notice.

Mr. WADSWORTH. And Jacksonville.

Mr. GAY. And at Jacksonville there are two. I do not know just how these districts are divided.

Mr. LENROOT. But they are not confined to ports. They cover certain districts.

Mr. GAY. I do not mean to say that they are confined to ports. I mean to say that these men are located at those ports, but of course they cover districts.

Mr. WADSWORTH. If I may interrupt the Senator, does he understand from the inspector's letter that there has not been any steamboat-inspection service at Mobile prior to this time?

Mr. GAY. They have recommended that there should be two men there. Where Mobile has been having this work done, I am not prepared to say. Where they get their inspectors from, I can not say.

Mr. WADSWORTH. The probability is that they have been getting them from New Orleans.

Mr. GAY. It may be true that they have been getting them at New Orleans.

Mr. WADSWORTH. The two amendments ought to be read together, it seems to me. As I read the two amendments, this bill gives them the same number of inspectors that they have now. It simply assigns one of them to Mobile.

Mr. GAY. This bill breaks up the arrangement in such a way as to make it inefficient, and to divide the work in such a way that it will not be of any benefit to either port. That is why I ask to have it restored as it was in the House bill.

Mr. WARREN. Mr. President, the House for some reason left out Mobile. I do not understand from the evidence that was before us that it was considered there at all. So I imagine they did not go into it. A member of the committee, the Senator from Alabama [Mr. UNDERWOOD], stated that there was a growing business there, and that they ought at least to spare one for that port, if not two. The committee, acting in the line of economy, undertook to make the six inspectors cover the two places, notwithstanding the estimate which was below that. The two matters ought to be considered together, of course. In one case, the proposal is to have one inspector less at New Orleans. That is the way it stands—one less than what was wanted by the department, and one more in Mobile. If we are to cut out Mobile entirely, that is one angle of it, and if we are to cut out the five and make it six, that is the other angle. If you move to cut out the amendment, and treat it all as one, then if you disagree and call it all one amendment, you leave six at New Orleans and leave the others out entirely.

Mr. GAY. If Mobile is entitled to or should have inspection service, I have no disposition to interfere with that, but I simply want to say that this change will injure the work of the port of New Orleans, and my amendment calls for the reinstatement of six assistant inspectors at New Orleans. Then the committee amendment for Mobile could remain. If the disposition is to change that in conference, that is a matter for the conferees to determine; but I do not think they should take service away from the port of New Orleans and give it to the port of Mobile, injuring the one port for the benefit of another. I favor two inspectors for Mobile and would like to see that amendment placed in this bill.

The PRESIDENT pro tempore. The question is upon the committee amendment, which proposes to strike out, in line 9, page 136, the word "six" and insert the word "five."

The amendment of the committee was rejected.

Mr. GAY. Now, I ask that my amendment, which has been stated by the Secretary, may be agreed to.

Mr. WADSWORTH. There is no amendment left.

The PRESIDENT pro tempore. The Chair does not understand that the Senator has any amendment now pending.

Mr. GAY. It reads now, "New Orleans six, Mobile one, Baltimore ten."

The PRESIDENT pro tempore. There has been no motion to reconsider the vote by which the second amendment in line 9 was agreed to.

Mr. WARREN. Mr. President, I understand that without some further motion that leaves Mobile out of the question.

The PRESIDENT pro tempore. Unless the vote is reconsidered by which the amendment to which the Senator from Wyoming refers was adopted, the amendment reading "Mobile, one, \$2,350," remains in the bill. It has been agreed to.

Mr. WARREN. Then I move to have two at Mobile, but to cut the salary down to \$2,100 each, so that it can go to conference in that way. Then it will read, "Mobile, two at \$2,100 each."

The PRESIDENT pro tempore. Without objection, the vote by which the amendment referred to was agreed to will be reconsidered. The Chair hears no objection. The question is on the amendment proposed by the Senator from Wyoming, which will be stated.

The ASSISTANT SECRETARY. It is proposed to strike out "Mobile, one, \$2,350" and insert "Mobile, two at \$2,100 each."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

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

The PRESIDENT pro tempore. The amendment will be stated.

The ASSISTANT SECRETARY. It is proposed to add as a separate section the following:

That section 7 of the act approved October 6, 1917, entitled "An act making appropriations to supply urgent deficiencies in appropriations for the fiscal year ending June 30, 1918, and prior fiscal years, on account of war expenses, and for other purposes," is hereby repealed.

Mr. WARREN. Mr. President, I make the point of order against that.

Mr. STERLING. Will not the Senator withhold his point of order?

Mr. WARREN. I withhold it for the moment.

Mr. STERLING. Mr. President, this amendment is in the same terms as a bill which I introduced in the Senate some time ago and which was referred to the Committee on Civil Service and Retrenchment. There has been no opportunity to consider the bill in committee for the reason that the attendance of a quorum of the committee could not be obtained; but, Mr. President, I desire just briefly to call attention to some of the reasons for the repeal of section 7 of the act of 1917, the second urgent deficiency act of that year, and I will let authority higher than myself speak on this question. I quote briefly from a letter of the Civil Service Commission. They say:

In the performance of its lawful duties of administering the civil-service act and rules in the entire classified service the commission undoubtedly has had an opportunity of observing the effect of the restriction under consideration which no other Government establishment has had. The provision works a hardship upon many individuals in the service in that it prevents the Government from utilizing the services of a man who has demonstrated by every test that he is qualified and able to serve the Government in a superior capacity.

The provision sought to be repealed by this amendment is that provision of the act of 1917 which prohibits increased pay from lump-sum appropriations to employees transferred within one year.

Quoting a little further from the letter of the commission, from a concrete case which they cite, they state:

From the passage of this bill, however, no man could be appointed at an increased salary if the salary was to be paid from a lump-sum appropriation. Three days ago a young man appeared at the commission asking advice. He has graduated in law and has been admitted to practice before the New York bar. He passed an examination for claims examiner, which requires legal knowledge. He also passed an examination for temporary Census Office clerk. In ignorance of the restriction of the act under consideration, he accepted an appointment at \$1,020 per annum offered him by the Census Office rather than remain idle. Soon after he was offered the position of claims examiner at \$1,800 per annum in the Bureau of War Risk Insurance. The Treasury Department finds he was employed at \$1,020 per annum as clerk in the Census Office, and he can not receive more as claims examiner in the War Risk Bureau on account of the law. He thus has to continue in a humble clerical position in the Census Bureau or work as claims examiner at \$780 per annum less than is usually paid for such services for an entire year, or abandon the Government service entirely. This case is typical of a large number.

Others have come to my own personal notice, Mr. President. The war emergency which brought the law into existence no longer exists, and now we have injustices continually, every day, to employees who are capable of filling better positions at higher salaries, and injustices also to the Government, which is not able to avail itself of the services of these men of superior attainments. I think it is time that this law should be repealed, both

as a matter of justice to the employees and in the interest of the Government as well.

The PRESIDENT pro tempore. In the opinion of the Chair, the point of order is well taken, and it is sustained.

Mr. TOWNSEND. Mr. President, I desire to offer an amendment, which I send to the desk.

The PRESIDENT pro tempore. The Secretary will state the amendment offered by the Senator from Michigan.

The ASSISTANT SECRETARY. In the item for expenses of inquiries and investigations ordered by the Senate, add, at the end of line 4, page 9, the following:

Of which amount not to exceed \$10,000 shall be available immediately.

Mr. WARREN. There is no objection to that amendment on the part of the committee.

The amendment was agreed to.

Mr. McKELLAR. I offer an amendment, which I send to the Secretary's desk.

The PRESIDENT pro tempore. The Senator from Tennessee offers an amendment, which will be read.

The ASSISTANT SECRETARY. On page 3, line 5, strike out "\$2,500" and insert "\$3,000," so as to read:

Document room: Superintendent, George H. Boyd, \$3,500; first assistant, John W. Lambert, \$3,000.

Mr. WARREN. I should like to be informed about the amendment.

Mr. McKELLAR. Mr. President, I will be glad to inform the Senator further. Mr. Lambert is the first assistant in the document room, and one of the most valuable of the Senate employees. He is of use every day to virtually every Senator here. In a sense he occupies the same important relation to each Member of this body which Mr. O'Toole and Mr. Halsey occupy, and it does seem to me that these important employees of the Senate ought to be reasonably well paid. We know that with the small salaries they get, relatively speaking, it is almost impossible for them to make ends meet, and I hope the Senator will not make a point of order on the amendment. I do not think that anyone ought to make a point of order as to Mr. Halsey and Mr. O'Toole or as to Mr. Lambert. I do not want to criticize Senators who make points of order, but surely we all recognize the value of the services performed by those gentlemen, and we all recognize the very meager salaries being paid them.

With all due respect, it does seem to me that the pay of men of this kind is in a very different situation from the matter of increasing the salary of a man who stands around and does not have the important duties to perform which they have. I hope the chairman of the committee will not raise a point of order against this amendment, or against the other amendment which I understand will be offered in reference to the two gentlemen to whom I have referred.

Mr. WARREN. Mr. President, the chairman of the Committee on Appropriations, and the committee as well, are, in a way, at the mercy of whatever may be done here on the floor. They consider carefully in committee these matters as they come in. There are between 300 and 400 clerks of committees, and there are all these magnificently efficient clerks and employees about the desk, and about the rooms, some of whom the Senator has mentioned. I have never yet made a point of order against a matter involving the salary of one of these employees, and I do not want to do it if it can be reasonably avoided. It is, as I said, a most ungracious position in which I am placed. I must ask every Senator to be a little careful and consider how he himself would like to be put into the position in which the Committee on Appropriations is put when matters of this kind come up, because while A and B and C can offer amendments, and I can say that we accept and will let it go to conference, we can not support the honor and dignity of this body if we put in the bill a matter of raising the salaries of our Senate employees and let it go to conference with any expectation that we are going to permit the House to tell us what we shall pay our own men. Hence, you put the committee in the position of letting everyone present bring up any employee and every employee and have his salary raised, and then compel the committee, when they go to conference, either to sacrifice the dignity of the Senate or else be forced to sustain those figures. Is not the judgment of a committee which takes up all these matters together better than the judgment of A, B, or C, and different ones who may have champions on the floor?

So, as I said, while I shall not make the point of order, I entreat our fellow Senators to be more considerate, and that they work with and through the committee and not spring these various unexpected individual increases upon us here in the Senate.

I understand the Senator has offered an amendment relating to one man—to raise his salary to \$3,000. He receives now

\$2,740. It does seem to me inconsistent, in view of the fact that only one or two years ago we adopted the so-called Jones amendment, which provided, first, a rearrangement of Senate committees and raised the salaries of clerks of committees, and also the other employees; and as we raised them from time to time, in view of that behind us and of this reclassification and line of increases ahead of us, the Senator should not press the matter. The Senator will understand that we have either to reduce by \$240 every clerk who is receiving \$2,500 or less, when the time comes, or to raise the salary. So that when that time does come there will naturally pass in review every single salary, and I think we ought to wait until that time without going further. Perhaps we have gone too far already. But they have all had the consideration of the committee.

Mr. McKELLAR. As I understand it, the amendments that have just been offered did not receive the attention of the committee; they were not called to their attention particularly. However, I want to call attention to the amendment offered by the Senator from Michigan [Mr. Townsend], which, I believe, was adopted a little while ago. Of course, that amendment ought to have been adopted; no point of order ought to have been raised against it; it was an absolutely good amendment. The man in whose interest my amendment was offered, or for whose benefit it was offered, is one of the busiest men about the Capitol. He is always at work, and he is entitled to that wage, and I hope the Senate will adopt the amendment.

Mr. SMOOT. Mr. President, favoritism can not be allowed. There have been points of order made to amendments providing for increases; I know that there are no employees of the Senate more worthy of the increases than the ones against whom the points of order were made. Therefore I make the point of order against the amendment offered by the Senator from Tennessee.

Mr. McKELLAR. May I say to the Senator that I did not raise any point of order.

The PRESIDENT pro tempore. The Chair suggests that the point of order is not debatable. The Chair sustains the point of order.

Mr. McNARY. Mr. President, I offer an amendment. On line 4, page 6, I move to strike out "\$2,500" and to insert in lieu thereof "\$2,750."

The PRESIDENT pro tempore. The Secretary will report this proposed amendment.

The ASSISTANT SECRETARY. On page 6, line 4, where it reads "two floor assistants at \$2,500 each," it is proposed to strike out "\$2,500" and to insert "\$2,750."

Mr. McNARY. Mr. President, a point of order was made a little while ago when an amendment was offered increasing this compensation to \$3,000 a year. My amendment would add \$250 annually to the salaries of these two competent assistants.

Mr. WARREN. They will receive an increase of only \$10, and I do not think they will be satisfied with a \$10 increase. They have salaries of \$2,500 now, and with the \$240 bonus they receive \$2,740.

Mr. McNARY. If their salaries are increased to \$2,750, they will still get the \$240 bonus.

Mr. SMOOT. They will receive an increase of \$10 a year.

Mr. McNARY. Mr. President, I withdraw the amendment, and move that the figures "\$2,500" be stricken out and "\$2,950" be inserted.

Mr. SMOOT. Mr. President, I make a point of order against the amendment.

Mr. McNARY. I hope the Senator will withhold his point of order.

Mr. SMOOT. I will withhold it if the Senator wants to say anything about it.

Mr. McNARY. I certainly hope the Senator will take into consideration the valuable services which these two capable, efficient men render the Senate.

Mr. SMOOT. I have taken that into consideration. If we want to begin it, let us start right at the beginning and give every employee in the Senate an increase. That is all there is to it. If we are not going to do that, I am going to make a point of order against any amendment that is offered for an increase.

Mr. McNARY. The answer to that is that some of the employees of the Government have received extra compensation at this time and others have not, and these two assistants fall in the class who need an increase in their compensation.

I am not asking an increase for anyone else. I have never yet during my service in the Senate asked for an increase in salary for any employee of the Government. I exceedingly regret the position taken by the Senator from Utah, and hope he will withhold his point of order so that we may have a vote on it.

Mr. SMOOT. No, Mr. President, I make the point of order.

The PRESIDENT pro tempore. The Senator from Utah makes a point of order against the amendment, and the point of order is sustained. If there be no further amendment as in Committee of the Whole, the bill will be reported to the Senate.

The bill was reported to the Senate as amended.  
Mr. POMERENE. Mr. President, I suggest the absence of a quorum.

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

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

Brandegee	Henderson	Nelson	Smith, S. C.
Capper	Jones, Wash.	New	Smoot
Cummins	Kellogg	Norris	Spencer
Curtis	Kendrick	Nugent	Sterling
Dial	Keyes	Page	Sutherland
Gay	Kirby	Phelan	Swanson
Glass	Lenroot	Phipps	Underwood
Gronna	McKellar	Pomerene	Wadsworth
Hale	McNary	Sheppard	Warren
Harding	Moses	Smith, Ariz.	
Harrison	Myers	Smith, Md.	

The PRESIDENT pro tempore. Forty-two Senators have answered to their names. There is not a quorum present. The Secretary will call the roll of absent Members.

The names of the absent Senators were called, and Mr. FRANCE and Mr. TRAMMELL answered to their names when called.

Mr. CALDER, Mr. DILLINGHAM, and Mr. KNOX entered the Chamber and answered to their names.

The PRESIDENT pro tempore. Forty-seven Senators have answered to their names. There is not a quorum present. What is the pleasure of the Senate?

Mr. WARREN. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

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

Mr. COMER, Mr. MCCUMBER, Mr. MCLEAN, and Mr. WATSON entered the Chamber and answered to their names.

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

Mr. PHELAN. Mr. President, pursuant to the notice I have given, I now move—

Mr. WARREN. Mr. President, have the amendments been concurred in, excepting such as may have been reserved?

The PRESIDENT pro tempore. Allow the Chair to hear the statement of the Senator from California.

Mr. PHELAN. Am I now in order to move the adoption of an amendment providing for an increase in the amount appropriated for the board of conciliation?

The PRESIDENT pro tempore. In the opinion of the Chair, any Senator has a right to a separate vote on any amendment agreed to as in Committee of the Whole, but unless that right is now reserved the question will be put on concurring in the amendments en bloc.

Mr. PHELAN. I therefore request that there be a separate vote upon my amendment proposing to increase the appropriation for the commissioners of conciliation from \$100,000, as reported by the committee, to \$150,000.

The PRESIDENT pro tempore. The Chair is of the opinion that this is not the time for the amendment proposed by the Senator from California. The Senate, as in Committee of the Whole, did not change the House text in that respect.

Mr. POMERENE. I am not sure that I understood the position of the Chair. The Senator from California [Mr. PHELAN] moved, as in Committee of the Whole, to increase the amount of the appropriation from \$100,000 to \$150,000, and on a viva voce vote the amendment was declared lost. He has now reserved the right to a vote upon that question in the Senate.

The PRESIDENT pro tempore. But, if the Chair may be permitted to remark on it, that is not a reservation. The bill will be open to amendment after the amendments made as in Committee of the Whole shall have been concurred in. Without objection, the amendments made as in Committee of the Whole will be concurred in in the Senate. The bill is now in the Senate and open to amendment.

Mr. PHELAN. Mr. President, I renew my amendment.

The PRESIDENT pro tempore. The Secretary will state the amendment proposed by the Senator from California.

The ASSISTANT SECRETARY. On page 151, line 2, it is proposed to increase the amount appropriated for the commissioners of conciliation by striking out "\$100,000" and in lieu thereof inserting "\$150,000."

Mr. PHELAN. I ask for a yeas-and-nays vote.

The PRESIDENT pro tempore. The Senator from California asks for the yeas and nays.

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

Mr. KENDRICK (when his name was called). I transfer my pair with the Senator from New Mexico [Mr. FALL] to the Senator from Utah [Mr. KING] and vote "yea."

Mr. MYERS (when his name was called). I transfer my pair with the Senator from Connecticut [Mr. McLEAN] to the Senator from Louisiana [Mr. RANDELL] and vote "nay."

Mr. TRAMMELL (when his name was called). I have a general pair with the Senator from Rhode Island [Mr. COLT]. In his absence I transfer that pair to the Senator from Massachusetts [Mr. WALSH] and vote "yea."

The roll call was concluded.

Mr. HENDERSON (after having voted in the affirmative). I have a general pair with the junior Senator from Illinois [Mr. MCCORMICK]. In his absence I transfer that pair to the Senator from Tennessee [Mr. SHIELDS] and will let my vote stand.

Mr. KIRBY. I have a pair with the senior Senator from Wisconsin [Mr. LA FOLLETTE], who is absent on account of illness. I transfer that pair to the senior Senator from Nevada [Mr. PITTMAN] and vote "yea."

Mr. DILLINGHAM. May I inquire whether the Senator from Maryland [Mr. SMITH] has voted?

The PRESIDENT pro tempore. That Senator has not voted.

Mr. DILLINGHAM. Then I withhold my vote, as I have a general pair with that Senator.

Mr. KELLOGG (after having voted in the negative). I transfer my pair with the Senator from North Carolina [Mr. SIMMONS] to the junior Senator from California [Mr. JOHNSON] and let my vote stand.

Mr. CALDER. I have a pair with the junior Senator from Georgia [Mr. HARRIS]. I transfer that pair to the junior Senator from West Virginia [Mr. ELKINS] and vote "nay."

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

The Senator from Delaware [Mr. BALL] with the Senator from Florida [Mr. FLETCHER];

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN];

The Senator from Maine [Mr. FERNALD] with the Senator from South Dakota [Mr. JOHNSON];

The Senator from New Jersey [Mr. FRELINGHUYSEN] with the Senator from Montana [Mr. WALSH];

The Senator from North Dakota [Mr. MCCUMBER] with the Senator from Colorado [Mr. THOMAS];

The Senator from Pennsylvania [Mr. KNOX] with the Senator from Oregon [Mr. CHAMBERLAIN];

The Senator from Massachusetts [Mr. LODGE] with the Senator from Georgia [Mr. SMITH];

The Senator from Michigan [Mr. NEWBERRY] with the Senator from Missouri [Mr. REED];

The Senator from Pennsylvania [Mr. PENBOSE] with the Senator from Mississippi [Mr. WILLIAMS];

The Senator from Washington [Mr. POINDEXTER] with the Senator from Rhode Island [Mr. GERRY];

The Senator from Michigan [Mr. TOWNSEND] with the Senator from Arkansas [Mr. ROBINSON]; and

The Senator from Indiana [Mr. WATSON] with the Senator from Delaware [Mr. WOLCOTT].

The result was announced—yeas 29, nays 20, as follows:

YEAS—29.			
Beckham	Harrison	Moses	Spencer
Capper	Henderson	Norris	Stanley
Comer	Kendrick	Nugent	Sutherland
Cummins	Keyes	Phelan	Swanson
France	Kirby	Pomerene	Trammell
Gay	Lenroot	Sheppard	
Gore	McKellar	Smith, Ariz.	
Harding	McNary	Smith, S. C.	
NAYS—20.			
Brandegee	Gronna	Nelson	Smoot
Calder	Hale	New	Sterling
Curtis	Jones, Wash.	Page	Underwood
Dial	Kellogg	Phipps	Wadsworth
Glass	Myers	Sherman	Warren
NOT VOTING—47.			
Ashurst	Frelinghuysen	McCormick	Shields
Ball	Gerry	McCumber	Simmons
Borah	Harris	McLean	Smith, Ga.
Chamberlain	Hitchcock	Newberry	Smith, Md.
Colt	Johnson, Calif.	Owman	Thomas
Culberson	Johnson, S. Dak.	Owen	Townsend
Dillingham	Jones, N. Mex.	Penrose	Walsh, Mass.
Edge	Kenyon	Pittman	Walsh, Mont.
Elkins	King	Poindexter	Watson
Fall	Knox	Randsell	Williams
Fernald	La Follette	Reed	Wolcott
Fletcher	Lodge	Robinson	

So Mr. PHELAN's amendment was agreed to.

The PRESIDENT pro tempore. The bill is in the Senate and open to further amendment.

Mr. SMOOT. I offer an amendment to insert a new section on page 167, after line 14.

The PRESIDENT pro tempore. The amendment will be stated.

The ASSISTANT SECRETARY. On page 167, after line 14, it is proposed to insert as a new section the following:

SEC. 8. That section 11 of the act entitled "An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes," is hereby amended by striking out the first proviso and inserting the following in lieu thereof:

"Provided, That hereafter no journal, magazine, periodical, or similar Government publication, shall be printed, issued, or discontinued by any branch or officer of the Government service unless the same shall have been authorized under such regulations as shall be prescribed by the Joint Committee on Printing, and such publication shall not contain any commercial advertisements: *Provided further*, That the foregoing provisions of this section shall also apply to mimeographing, multigraphing, and other processes used for the duplication of typewritten and printed matter, other than official correspondence and office records.

Mr. SMOOT. Mr. President, I merely wish to offer a word of explanation. In the legislative, executive, and judicial appropriation act for 1920 this requirement was placed on the Joint Committee on Printing:

But such publications as are now being printed without specific authority from Congress may, in the discretion of the Joint Committee on Printing, be continued until the close of the next regular session of Congress.

Mr. President, it is a physical impossibility for the committee to make the necessary examination into all of the publications of the different departments of the Government. So far 106 of them have been discontinued, and there are 287 more to be examined into. I repeat, it is physically impossible for the members of the committee to make the necessary examination; and, therefore, the amendment is designed to amend that part of the law so that it will not be compulsory for the committee to make the report as provided in the original act.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Utah.

The amendment was agreed to.

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

The bill was read the third time and passed.

#### CIVIL-SERVICE RETIREMENT.

Mr. STERLING. I ask that the unfinished business be laid before the Senate.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1699) for the retirement of employees in the classified civil service, and for other purposes.

Mr. WADSWORTH. Mr. President, I should like to ask the Senator from South Dakota if he can give some indication as to how long the bill which is now the unfinished business will take before a definite conclusion is reached upon it?

Mr. STERLING. I can not answer the Senator from New York very definitely. The further consideration of the bill ought not to take a very long time. I had thought that if we could have one full day for the consideration of the bill we might dispose of it.

Mr. POMERENE. Mr. President, as one of those who have been interested in this legislation also, and hoping to see something definite done, I may say that there is at least one Senator away who will not be here for several days who desires very much to be heard upon this subject, and I think that fact ought to be taken into consideration.

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

Mr. POMERENE. Yes.

Mr. MCKELLAR. Does the Senator refer to the Senator from Utah [Mr. KING], who is now in Panama?

Mr. POMERENE. He is one of them; yes.

Mr. MCKELLAR. Certainly the Senator would not have the Senate wait for two or three weeks.

Mr. POMERENE. I was about to say that I was not going to ask that that be done, but I thought he ought to have an opportunity to be heard upon this subject. There are certain features of it upon which he wants to be heard; and I think it may be said that if the Senators who are urging the passage of the pending bill would consent to have the bill referred back to the committee, so that some of these experts could reconcile their differences, or at least have an opportunity to reconcile their differences, they would expedite the relief which we all desire.

Mr. STERLING. Mr. President, that subject has already been considered by the chairman as well as other members of the Civil Service Committee, and I do not think any purpose will be served by sending the bill back to the committee. The bill has been before the Senate now ever since some time in Feb-

ruary as the unfinished business of the Senate, and there has been more time than has really been needed for the discussion of the bill, but certainly ample time for its full discussion. The Senator from Utah [Mr. KING] has had ample opportunity to discuss the bill, and he has discussed it to some extent; but, Mr. President, I can not consent to a postponement of the consideration of the bill on account of the absence of any Senator. I do not think it is quite fair or just to ask that the bill be postponed because it will suit the convenience of some Senator who is absent. I want to go ahead with the consideration of the bill. I had expected that the Senate would be in legislative session to-night for a short time only, because I understand that there is to be an executive session.

Mr. SMOOT. Mr. President, do I understand that the Senator does not desire to go on with the bill to-night?

Mr. STERLING. Except that the Senator from Montana [Mr. MYERS], I understand, desires to be heard briefly on his amendment, which is the pending amendment.

The PRESIDENT pro tempore. The question is on the amendment proposed by the Senator from Montana [Mr. MYERS].

Mr. SMOOT. Mr. President, I understand that there is to be an executive session.

Mr. STERLING. Yes; at the conclusion of the remarks of the Senator from Montana I had expected to move that the Senate proceed to the consideration of executive business.

Mr. SMOOT. Does the Senator from Montana desire a vote on his amendment to-night?

Mr. MYERS. No; I do not desire a vote on it to-night. If an executive session is desired, I will withhold my remarks.

Mr. STERLING. Mr. President, if the Senator from Montana will proceed with his remarks to-night and discuss the amendment, even though we do not take a vote to-night, there will be just so much progress made in the consideration of the bill, and just so much time saved.

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

Mr. STERLING. I yield.

Mr. MCKELLAR. In order to expedite the matter, I suggest that if the Senator from Montana does not want to speak to-night we adjourn until 11 o'clock to-morrow. Let us pass this bill, or else dispose of it.

Mr. WADSWORTH. Mr. President, before a motion to adjourn is made I want to be heard.

Mr. SMOOT. I want to say to the Senator that I am perfectly willing to go on with the bill to-morrow, just at the close of the morning business; or, if the Senator wants a recess to-night, let him move a recess to-night and begin at 12 o'clock, and then keep the bill before the Senate.

Mr. STERLING. It had been my expectation to move a recess at the conclusion of the executive session.

Mr. SMOOT. It seems to me it would be unfair to the Senator from Montana to ask him to make his remarks now when there is practically nobody in the Chamber. He says that he is going to speak for only a short time. He can make those remarks to-morrow and then we can take a vote at once.

Mr. STERLING. I should be willing to consult the preference of the Senator from Montana in regard to that, if the Senator from Utah would permit me to do so, but I had understood that the Senator from Montana was ready to proceed with his discussion to-night.

Mr. MYERS. Mr. President, I have had it in mind to make a few more remarks. I have made a speech on this bill which has been divided up between two or three different days, and I have been withholding publication of it until I could make a few concluding remarks and then publish it all at once; but I am not particular whether I make the few remarks I wish to make to-night or to-morrow. If it is the intention to take up the bill to-morrow, and Senators want an executive session now, I am willing to make my remarks to-morrow.

Mr. STERLING. Would the Senator from Montana prefer to make his remarks to-morrow rather than to-day?

Mr. MYERS. I have no particular preference. If the bill is going to be up to-morrow, I would just as soon make them to-morrow as to make them at this time.

Mr. WADSWORTH. Mr. President, I seem to have started the discussion by asking the Senator from South Dakota the question that I did. The Senator from South Dakota knows that I am a friend of his bill, and have supported it, and upon one occasion I think I voted against recommitting it, so my question is not due to any hostility to that measure; but I can not help stating upon this occasion that I am deeply concerned over this situation.

Since January 28 there has been pending upon the calendar the Army reorganization bill, prepared and drafted by the Sen-

ate Committee on Military Affairs, and reported from that committee. Something over a week or 10 days ago the House of Representatives passed an Army reorganization bill, and it is now in this body, in the Committee on Military Affairs. Until this question of the reorganization of the military forces of the United States is decided upon no Army appropriation bill can be framed and passed. The Senate's bill for the reorganization of the Army I have no doubt will give rise to long and very earnest debate, because it involves a complete reorganization of the entire military system of the United States from top to bottom, including many matters which I know very well will be matters of some contention.

So I beg to express the hope that the civil-service retirement bill will be expedited as much as possible, because if we can not reach the Army reorganization bill within a reasonably short period and dispose of it, and get the matter into conference between the two Houses, and then thrash out the radical differences which now exist between the two Houses with respect to Army reorganization, we will reach the point in the lapse of time when the Overman Act, which to-day temporarily controls the organization of the Army of the United States, may expire, which will result in a condition of utter chaos in the Army at large, and at the same time it will be utterly impossible for us to pass an Army appropriation bill which will be applicable to anything in existence.

So I want to express my concern upon this occasion. I am a friend of the Senator's bill; I shall support it; but I do hope that this matter—which I think perhaps next to the railway legislation is the most important legislation which can be considered by this Congress—will soon have an opportunity of coming before the Senate and being debated by the Senate.

Mr. STERLING. Mr. President, I shall do all that I can to expedite the passage of this bill. The Senator from New York knows something of the difficulties that have been in the way. There have been calls for a quorum; there have been motions to adjourn at a time when we might well have been considering the bill; there have been speeches made, when the bill has been before the Senate for consideration, on subjects altogether foreign to it. Whole days have been consumed in such discussions. We ought to have a rule that would prevent it, and that would permit any Senator, when another Senator is discussing some subject foreign to the bill before the Senate, to call for the regular order, which would be the bill then pending before the Senate.

Mr. TOWNSEND. Mr. President—

Mr. STERLING. I must say that I believe we will succeed at an early date in disposing of this retirement bill; and let me say this one thing further:

This is a subject of immense importance, as every Senator ought to realize. Four hundred thousand employees of the Government are, I think to a man, demanding the passage of this or a similar bill; and I should like to regard it as an achievement of the present Congress that they passed an adequate civil-service retirement bill.

Mr. TOWNSEND. Mr. President, may I interrupt the Senator?

Mr. STERLING. I yield to the Senator from Michigan.

Mr. TOWNSEND. I am especially interested in the passage of this bill, because I realize something of the demands that are being made upon Congress, and rightfully made, for increases of salary. I know something about the situation in the Post Office Department, and I think this will be an attraction that will help keep people in the service; and I sincerely hope that the Senator will insist, as far as is possible, on keeping the matter before us until it is disposed of.

I want to say further, that I am very much obliged to the Senator for his commendation of my proposition to amend the rules of the Senate so as to provide that a Senator shall at least talk on the matter before the Senate, or else be out of order.

The PRESIDENT pro tempore. The question is upon the amendment proposed by the Senator from Montana.

Mr. McKELLAR. Mr. President, I wish to say at this time, speaking for some Members on this side of the Chamber, that I hope nothing will be put in the way of the consideration of this bill. The Senate will have to meet it. The Senate will recall that a year ago it had this same trouble, when the bill was before a preceding session of Congress. I do not think it is fair to hold up the bill in this way. I think we ought to discuss questions and vote on them. If the bill is right, it ought to be passed. I think it is right. It is costing the Government money not to have some retirement bill, and by all means Senators should be willing to submit to a vote. If the vote is in favor of the bill, it ought to pass; and if the majority of the Senate is opposed to the bill, we ought to dispose of it for other business. I certainly hope that Senators will not prolong the proceedings,

and interject extraneous matter just for the purpose of postponing a vote on the bill.

Mr. JONES of Washington. Mr. President, I hope this bill will be acted upon promptly, too; but I want to say that I do not think it is necessary to change the rules of the Senate in order to get action on the bill. If we will enforce the rules of the Senate that we have now, we will get action on the bill without its being necessary to adopt any revolutionary rule with reference to speaking to the question that is before the Senate or anything of that sort.

I am not myself in the habit of discussing matters foreign to the bill before the Senate, but I see no necessity of always charging a delay in connection with a bill to what may be considered a desirable change in the rules of the Senate, when we have rules that if we enforce them will keep the matter before the Senate, unless it is displaced by a majority vote. So I feel sure that the Senator will be able to get a vote on his bill without even suggesting the necessity of a change in our rules, if he will insist upon complying with the rules that we have.

I desire to say that I shall aid the Senator in getting this bill to a vote, and I am disposed not to give my consent to any unanimous-consent request to lay the bill aside. If we will just enforce that rule, the Senator will get his bill to a vote, and he will get it to a vote before very long, unless a majority of the Senate are against it and vote to displace it.

#### EXECUTIVE SESSION.

Mr. STERLING. Mr. President, it is now nearly 5 o'clock; and since an executive session is desired, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened.

#### RECESS.

Mr. STERLING. I move that the Senate take a recess until 12 o'clock noon to-morrow.

The motion was agreed to; and (at 4 o'clock and 53 minutes p. m.) the Senate took a recess until to-morrow, Friday, April 2, 1920, at 12 o'clock meridian.

#### NOMINATIONS.

##### *Executive nominations received by the Senate April 1, 1920.*

##### ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY.

Hampson Gavy, of Texas, now agent and consul general at Cairo, to be envoy extraordinary and minister plenipotentiary of the United States of America to Switzerland.

##### PUBLIC HEALTH SERVICE.

Senior Surg. Louis L. Williams, to be Assistant Surgeon General at Large in the Public Health Service of the United States, to take effect March 11, 1920. This office was created by the sundry civil act approved July 11, 1919.

#### CONFIRMATIONS.

##### *Executive nominations confirmed by the Senate April 1, 1920.*

##### COLLECTOR OF CUSTOMS.

John B. Elliott to be collector of customs for customs collection district No. 27, with headquarters at Los Angeles, Calif.

##### COAST AND GEODETIC SURVEY.

Henry Bowers Campbell to be hydrographic and geodetic engineer.

##### POSTMASTERS.

##### KANSAS.

Charles S. Finch, Lawrence.

##### KENTUCKY.

Rebel Martin, Hazard.  
Perry Anderson, Hellier.  
Lewis C. Wilson, jr., Ravenna.  
Emma H. Hays, Stanford.

##### NORTH DAKOTA.

Edith M. Ericson, Underwood.

##### PENNSYLVANIA.

Edward C. Eichholtz, Drexel Hill.

#### WITHDRAWAL.

##### *Executive nomination withdrawn from the Senate April 1, 1920.*

##### PUBLIC HEALTH SERVICE.

Senior Surg. Leslie L. Williams to be assistant surgeon general at large in the Public Health Service.

## HOUSE OF REPRESENTATIVES.

THURSDAY, April 1, 1920.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Father in heaven, author of every good, we thank Thee for the blessings vouchsafed unto us, calculated to satisfy our physical, mental, moral, and spiritual necessities.

We pray for a more equal distribution of the same; that happiness and tranquillity may fill our homes, society, government, which means law and order; that the strong may help the weak, the wise the unwise, the rich the poor, the good the bad.

So may we live and develop all that is pure, noble, generous, wise, and good. In the spirit of the Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

DISPOSITION OF AMERICAN TROOPS IN GERMANY (H. DOC. NO. 709).

The SPEAKER laid before the House the following message from the President of the United States.

The Clerk read as follows:

THE WHITE HOUSE,  
Washington, 29 March, 1920.

To the SPEAKER HOUSE OF REPRESENTATIVES.

SIR: I am in receipt of H. Res. 500, adopted March 25, 1920, which reads as follows:

*Resolved*, That the President be, and he is hereby, requested, if not incompatible with the public interest, to inform the House of the exact status of the American military forces now stationed in German territory; the scope to which their operations are confined under the terms of the armistice between the allied nations, the Government of the United States, and Germany; the extent of the authority exercised over them by Field Marshal Ferdinand Foch, commander in chief of the allied forces in the occupied Rhine Provinces, and how far their activities may be directed without express orders from the President of the United States.

The American forces in Germany on March 26 were reported to comprise 726 officers and 16,756 enlisted men. These forces are stationed principally in the Coblenz area, the exact location of the units being set forth on the accompanying map. They are occupying that territory under the armistice agreements, which, with its annexes and conventions, was transmitted by me to the Senate and published as Senate Document 147, Sixty-sixth Congress, first session. The paragraph specifically covering this occupation is Paragraph V of the clauses relating to the western front.

The original armistice, signed on November 11, 1918, provided that its duration should be 36 days, with option to extend. On December 13, the armistice was extended until 5 a. m. on the 17th day of January, 1919; on January 16, 1919, it was still further extended until the 17th day of February, 1919, at 5 a. m.; on February 16, 1919, it was still further extended to a date not fixed: "the allied powers and those associated with them reserving to themselves the right to terminate the period at three days' notice."

The American forces in Germany are at present operating under the terms of the original armistice and the subsequent conventions prolonging the armistice. The instructions proposed to be issued to the commanding general American forces in Germany, at the time of their occupying the Coblenz area, were submitted to the War Department by Gen. Pershing, and contained the following statement of policy:

The American forces will, however, undertake no action beyond the occupied regions, nor beyond that in strict accordance with the terms of the treaty. Any use of the American forces beyond that mentioned above must be specifically authorized in each case by the Government of the United States.

In reply, it was directed that—

It should be stated in the orders issued to the commanding general American forces in Germany that the function of the American forces in Germany at present is to enforce the conditions of the armistice, and that when a peace treaty shall have been ratified by the United States the function of the American forces will be as outlined.

Upon the ratification of the treaty of peace by the allied powers, an Interallied Rhineland High Commission was organized in the manner set forth in the message from the President of the United States to the Senate, containing the agreement between the allied and associated powers and Germany with regard to the military occupation of the territories of the Rhine. This document is published as Senate Document No. 81, Sixty-sixth Congress, first session.

This commission having been organized and having formulated ordinances for the zone of occupation, the question arose as to whether these ordinances should govern in the American sector, and the representatives of the State Department and the

commanding general of the American forces in Germany were instructed as follows:

This Government can not admit jurisdiction of that commission over portion of Rhinish Provinces occupied by the American forces. Consequently, neither you [representative of State Department] nor Gen. Allen should issue any ordinances which conflict with or exceed the terms of the armistice, which the Department [of State] regards as continuing in force as to the United States. You should, however, maintain the closest touch with the high commission and endeavor in so far as possible to conform administrative régime within territory occupied by American forces to régime adopted by high commission for other portions of occupied territory. There is no objection to your sitting informally with high commission provided you are requested to do so, nor of continuing your activities, as well as those of your staff, in connection with special committees to handle distribution of coal, etc. Ordinances, orders, regulations, etc., relating to financial and economic matters, including those similar to ones adopted by high commission, which it is desired to put into force in territory occupied by American forces should be issued by Gen. Allen as commanding general of American forces in Germany, but only after having first been approved by you. In general, endeavor to cooperate fully with high commission and avoid all friction with that body, while at the same time make it perfectly clear that you are still operating under the armistice as before January 10, and are in no way bound by the terms of the Rhineland agreement or the memorandum of June 13, 1919, defining the relations between the military authorities and the high commission.

Replying specifically to the remaining questions in the resolution of the House of Representatives, I will state that Field Marshal Ferdinand Foch has no authority over the United States troops in German territory, nor can anyone direct their activities without express orders from the President of the United States.

It should be stated further that under his general police powers, under the terms of the armistice, Gen. Allen has full authority to utilize his troops for the police of the occupied district, the preservation of order, and to repel any attack which may be made upon him.

WOODROW WILSON.

The SPEAKER. The message is referred to the Committee on Military Affairs. To-day by special agreement it was ordered that business on the Private Calendar unobjected to should begin where we left off last Thursday.

PRIVATE CALENDAR.

Mr. GLYNN. Mr. Speaker, I ask unanimous consent that these bills on the Private Calendar be considered in the House as in Committee of the Whole House.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

JAMES E. CONNORS.

The first business in order on the Private Calendar was the bill (H. R. 11410) for the relief of James E. Connors.

The Clerk read the title of the bill.

Mr. GLYNN. Mr. Speaker, I ask unanimous consent that this bill be passed over for the present.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

GEORGE W. WOODALL.

The next business in order on the Private Calendar was the bill (H. R. 3564) for the relief of George W. Woodall.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. GARD. Mr. Speaker, reserving the right to object, I make the reservation of objection to the bill H. R. 3564 for the purpose of having a more complete explanation than is carried in the report, with special reference to the knowledge of the man who now seeks to be relieved from bond responsibility of the fact that the whereabouts of the man upon whose bond he was were known to him and not revealed to the Government.

Mr. KELLY of Pennsylvania. Mr. Speaker, I believe I can give the gentleman from Ohio some information on the matter, as the Committee on Claims went into that phase very thoroughly and insisted on getting complete facts before any action was taken. One Arthur A. Steele was indicted for a violation of the Mann Act in 1914. It was necessary to put up a bond of \$4,000 cash, and the Southern Surety Co. refused to accept anything except cash. This \$4,000 cash bond was provided by the prisoner's stepfather, Mr. George W. Woodall, who was not a professional bondsman, but desired to secure the prisoner's liberty until tried. He deposited the \$4,000 with the Southern Surety Co., and the bond was issued. Now, Steele became a fugitive from justice and disappeared. There was every effort on the part of Mr. Woodall to locate him at his own expense. He went to several places where he learned Steele had been seen until he came to St. Louis, and there discovered that Steele was in the hospital seriously hurt. Mr. Woodall knew that Federal officers had information concerning the whereabouts of Arthur

A. Steele. He was informed of that at the police station where he went to secure information. Mr. Woodall thoroughly understood that the Federal officers knew where his stepson was, and for that reason he did not feel it was incumbent upon him to send any particular message to the Federal officers. He wrote a postal card back to his wife stating that Arthur Steele was in a hospital in Kansas City.

The postal card was seen by the Federal officers, and in a letter they seemed to indicate that he was trying to shield him. The fact of the matter is this bondsman was told that the Federal officers had the prisoner under surveillance, knew his identity, were ready to take him out of the hospital as soon as he recovered his strength. There was positively no desire on the part of the bondsman to shield the man; in fact, he spent his own money trying to locate him. The committee was informed that the expense that the Government was put to amounted to about \$350, and we took that sum off the amount of the money to be refunded. In answer specifically to the gentleman from Ohio we have found, as the committee believe, after several hearings that Mr. Woodall did everything that he could be reasonably expected to do; that the Federal officers knew as much as he did about it, and that he is entitled to the return of this money which was put up as a bond for the return of the man who was finally convicted. I would like to say also, if the gentleman will permit, that this money is in the United States Treasury and the Government should return it, having no claim upon it now. This bill provides this money be returned to the bondsman—

Mr. GARD. If the gentleman will yield, why has not the Government a claim upon this money as being paid in on a forfeited bond?

Mr. KELLY of Pennsylvania. The bond was only technically forfeited. The fugitive was apprehended and put in jail and died as a prisoner.

Mr. GARD. The record shows, as I read it, that this man Steele was a fugitive from justice on account of the white-slave act, and that he was a son of this man Woodall's wife, and therefore Mr. Woodall went upon his bond for \$4,000. He then disappeared, the bond was forfeited, and the money paid by Mr. Woodall into the court. It is claimed that he made efforts to locate Steele. Steele in the meantime, while again fleeing from police officers, fell from a railroad track in St. Louis, I believe, and was hurt in such a way that he afterwards died in the hospital.

Now, the report of the Attorney General, as I read it, corroborates this statement of Mr. Woodall. He states that the records of the department do not show that Woodall rendered material aid to the Government in the apprehension and prosecution of the defendant. Likewise the letter of the Acting Attorney General, Mr. King, states that despite the fact that he knew that Steele was a fugitive from justice, and that he was apparently closely in touch with Woodall, the man on the bond, Woodall instead of advising the Department of Justice advised his wife, under date of August 30, 1916, as stated in the report:

DEAR WIFE: We are on the way with the car, and we will be home as soon as we can get there. Art is at K. C., but we didn't get to see him. He is in the hospital. He fell and hurt his shoulder.  
Your husband,

G. WOODALL.

Under the circumstances, as shown in this record, I do not think this should be a matter to be passed practically by unanimous consent, and I therefore object.

The SPEAKER. The gentleman from Ohio objects.

Mr. SANDERS of Indiana. Mr. Speaker, will the gentleman withhold his objection for a moment?

Mr. GARD. Yes; I will to give opportunity to the gentleman from Indiana to make his statement.

Mr. SANDERS of Indiana. Mr. Speaker, I thoroughly understand the viewpoint of the gentleman from Ohio [Mr. GARD] in objecting to this bill. I think, however, that he overlooked certain important facts that are disclosed here, and that upon re-consideration he will not object. The claimant in this case was the stepfather of the defendant, who was convicted under the white-slave act. The defendant was not present when the case was called. The bond given by the Southern Surety Co. was forfeited, and, of course, the claimant paid over the \$4,000 indemnity, so that that money went into the Treasury of the United States.

Mr. BEE. Mr. Speaker, will the gentleman yield?

Mr. SANDERS of Indiana. With pleasure.

Mr. BEE. When this money of the bond was declared forfeited there was no resistance on the part of Mr. Woodall or the Surety Co. to the immediate payment of the money into the hands of the Government?

Mr. SANDERS of Indiana. No. It was immediately paid.

Mr. BEE. There was no attempt to invoke the processes of law to delay the payment or to subject the Government to any trouble in relation thereto?

Mr. SANDERS of Indiana. No.

Mr. BEE. They paid it right over?

Mr. SANDERS of Indiana. Yes.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. SANDERS of Indiana. Yes.

Mr. BLANTON. If this bond had not been given in the first instance, the man would have been placed in jail, and when his case was called for trial the Government would have had him there to answer to the charge of the indictment, and he would have been tried and sent to the penitentiary. Instead of being a fugitive fleeing from justice, he would have been in custody, and the accident would not have occurred that caused him to lose his life?

Mr. BEE. Right there, let me suggest to my colleague from Texas that that is true, but that interferes with the constitutional right of a man to be at large on his bail.

Mr. BLANTON. Oh, yes; but the Constitution presumes that when a bond is given, when a man exercises his prerogative under the Constitution to go out on bail when his case is called he will appear, and when he does not appear the bondsman must make good.

Mr. BEE. Yes; and they did that.

Mr. BLANTON. And then they must not come in and ask Congress to reimburse them.

Mr. SANDERS of Indiana. I will say in answer to the statement of the gentleman from Ohio [Mr. GARD] that this is in line with several other cases where the Government of the United States by legislative action has returned the money when the defendant has been brought in and sentenced. The Government accomplished everything it expected to do. It convicted this man, and he was sentenced, and he died thereafter.

Now, I know Mr. Woodall personally. He comes from my home city. He is not a professional bondsman nor a man of wealth, but he went on this bond and furnished the money to the amount of \$4,000 in order that his wife's son might have his liberty. Mr. Woodall is not learned in the matters of the law. I call the gentleman's attention particularly to the fact that he did the natural thing—he went immediately to police headquarters in his own city and at his own expense got a police officer of the State to help him, and paid his expenses to go out and search for this man. Of course, he did it in order not to forfeit the \$4,000. He went personally himself, and with the aid of the information that he received from the police department he continued the search, went on and on until he finally located Steele, who was at a hospital and who was injured, and he was unable to see him. He was informed that he was in the hospital and that he could not be seen and that he was under the surveillance of the Federal authorities.

Mr. BEE. Mr. Speaker, will the gentleman yield for another suggestion?

Mr. SANDERS of Indiana. Yes.

Mr. BEE. And in connection with that, the committee has reduced the amount so as to reimburse the Government for all its expenses incurred in connection with the case?

Mr. SANDERS of Indiana. Yes.

Mr. BEE. And the bill amounts to \$3,600 instead of \$4,000, the amount of the bond.

Mr. SANDERS of Indiana. Yes. The Government is whole, and the committee deducted the amount which the Government had expended.

Mr. McLAUGHLIN of Nebraska. Mr. Speaker, will the gentleman yield?

Mr. SANDERS of Indiana. Yes.

Mr. McLAUGHLIN of Nebraska. When the bond was forfeited, did they bring suit on the bond?

Mr. SANDERS of Indiana. No. When the bond was forfeited they paid \$4,000 to the Treasury.

Mr. McLAUGHLIN of Nebraska. Was the defendant convicted?

Mr. SANDERS of Indiana. Yes.

Mr. KELLY of Pennsylvania. The point is that Mr. Woodall did not think it advisable and necessary to inform the Federal officers when they already had this defendant in the hospital under their surveillance.

Mr. SANDERS of Indiana. That is true. If the claimant in this case made no attempt to find the defendant, I would not feel like arguing in behalf of the payment of this claim. But the claimant made every effort and went to the officers of the law, although not to the Federal officers, and employed an officer at his own expense and found this man, and at that time he did not give the advice to the Federal officers because he was informed they had put Steele in the hospital and he could not



get away, and that he was under the surveillance of the Federal authorities. He ought not to be required to do a useless thing.

I hope, Mr. Speaker, that the gentleman from Ohio will not object to the payment of this claim.

Mr. GARD. Mr. Speaker, I renew the objection.

The SPEAKER. Objection is made. The Clerk will report the next bill.

OWNER OF THE STEAM LIGHTER "CORNELIA."

The next business in order on the Private Calendar was the bill (S. 1004) for the relief of the owner of the steam lighter *Cornelia*.

The title of the bill was read.

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

Mr. WALSH. Reserving the right to object, Mr. Speaker, I would like to ask the gentleman in charge of the matter who the owners of this steam lighter are?

Mr. GLYNN. If the question is directed to me, Mr. Speaker, I will say that I do not know. This is one of the cases that I am not familiar with.

Mr. WALSH. It appears that this collision occurred in Boston Harbor rather recently—that is, in August, 1918—and that the vessel which was damaged did not have any lookout stationed on its bow, as is required by the navigation laws, and the collision resulted when both vessels were proceeding during a thick fog. But in view of the fact that it would seem that the lack of this lookout would be construed as such negligence as would not permit recovery, I can not quite see why the committee recommends this case to the Court of Claims.

Mr. GLYNN. I will say for the information of the gentleman that this is not the finding of any court. It is the finding of a board of investigation. This bill has already passed the Senate. We are simply asking that the claimants may have the opportunity to go into court and present their case. The finding of a board of investigation of the Navy ought not to estop the owners of this vessel from presenting their case in court. That is the way it would seem to me.

Mr. WALSH. If the private owners admit that they had no lookout on the bow of the vessel, would not that practically put them out of court?

Mr. GLYNN. It might. I do not know that they have admitted it.

Mr. WALSH. The findings of this board were that there was no negligence on the part of the personnel of either ship, except that the master of the *Cornelia* did not have a regularly stationed lookout in the bow of his vessel.

Mr. KELLY of Pennsylvania. Will the gentleman yield?

Mr. GLYNN. Yes.

Mr. KELLY of Pennsylvania. If the gentleman will note, on page 2 of the report, there is a very clear request on the part of the department that this matter be referred to the court for adjudication. I call the attention of the gentleman from Massachusetts to that.

Mr. WALSH. That is what they do with all these claims.

Mr. KELLY of Pennsylvania. Oh, no.

Mr. WALSH. Wherever a board of investigation finds the facts and expresses no opinion on the question of liability, the Secretary shunts them along, when a bill is introduced, with the recommendation that the matter go to the Court of Claims.

Mr. KELLY of Pennsylvania. He recommends favorable action on this bill?

Mr. WALSH. Yes; that is what he always does.

Mr. KELLY of Pennsylvania. We have had many cases where he did not recommend favorable action.

Mr. WALSH. I think the gentleman will admit that that is usually when the board of investigation expresses some opinion upon the question of liability, and when it is very adverse.

Mr. KELLY of Pennsylvania. The statement of the department in this case is so clear that I am sure my friend from Massachusetts will admit that at least it might be referred to a court of admiralty for a determination of the justice of the claim.

Mr. WALSH. Reserving the right to object, I would like to ask one further question. Is it usual in cases of this sort to make an appropriation for any judgment that may be hereafter rendered? I was under the impression that that was left until after the judgment was certified, and then it was taken care of in a deficiency bill.

Mr. KELLY of Pennsylvania. I will say to the gentleman that the certification of the amount decreed is the usual procedure.

Mr. WALSH. You have got several other bills that you are referring to the court, and they do not carry this same provision. I wondered whether this was something that was peculiar to the other body.

Mr. KELLY of Pennsylvania. If I am not mistaken, this is the clause that has been put in measures of this kind by the Claims Committee for the purpose of certifying the amount decreed by the court, so that payment will follow.

Mr. WALSH. In some of these collision cases you might be authorizing quite an appropriation of money.

Mr. KELLY of Pennsylvania. I will say that the same provision is found in the next bill on the calendar.

Mr. WALSH. Yes; in all these three Senate bills that provision is carried.

In view of the statement made by the gentleman from Connecticut and the gentleman from Pennsylvania, I will withdraw my objection.

The SPEAKER. Is there objection?

Mr. BLANTON. I object.

The SPEAKER. The gentleman from Texas objects. The Clerk will report the next bill.

STEAMSHIP "MATOA."

The next business on the Private Calendar was the bill (S. 1005) for the relief of the owner of the steamship *Matoa*.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The bill was read, as follows:

*Be it enacted, etc.,* That the claim of the owner of the steamship *Matoa* arising out of a collision between said steamship and the United States tug *Lucille Ross* off Lambert Point, Va., on the 17th day of January, 1918, for and on account of the losses alleged to have been suffered in said collision by the owner of said steamship *Matoa* by reason of damages to and detention of said steamship may be submitted to the United States Court for the Eastern District of Virginia, under and in compliance with the rules of said court sitting as a court of admiralty; and that the said court shall have jurisdiction to hear and determine the whole controversy and to enter a judgment or decree for the amount of the legal damages sustained by reason of said collision, if any shall be found to be due, either for or against the United States upon the same principle and measure of liability with costs as in like cases in admiralty between private parties with the same rights of appeal.

Sec. 2. That should damages be found to be due from the United States to the owner of said steamship *Matoa*, the amount of the final decree or decrees therefor shall be paid out of any money in the United States Treasury not otherwise appropriated: *Provided*, That such suit shall be brought and commenced within four months after the passage of this act.

Sec. 3. That the mode of service of process shall conform to the provisions of the act of March 3, 1887, entitled "An act to provide for the bringing of suits against the United States."

With the following committee amendment:

On page 2, line 15, strike out all of section 3.

The SPEAKER. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The bill as amended was ordered to a third reading, and was accordingly read the third time, and passed.

On motion of Mr. GLYNN, a motion to reconsider the vote by which the bill was passed was laid on the table.

SCHOONER "HORATIO G. FOSS."

The next business on the Private Calendar was the bill (S. 1006) for the relief of the owners of the schooner *Horatio G. Foss*.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. WALSH. Mr. Speaker, reserving the right to object, this is another bill in which the findings show that this vessel was anchored in the usual course of vessels—

Mr. CLARK of Missouri. Mr. Speaker, did anybody object to this bill?

Mr. WALSH. I am reserving the right to object.

Mr. CLARK of Missouri. Would it not be a good thing to have the bill read?

Mr. WALSH. I have no objection, if the gentleman would like to have the bill reported.

Mr. CLARK of Missouri. Yes.

Mr. WALSH. I will ask that the bill be reported, still reserving the right to object.

The SPEAKER. The Clerk will report the bill.

The bill was read, as follows:

*Be it enacted, etc.,* That the claim of the owners of the schooner *Horatio G. Foss*, arising out of a collision between said schooner and the U. S. collier *Jupiter* off Winter Quarter Light Vessel on the 18th day of May, 1918, for and on account of the losses alleged to have been suffered in said collision by the owners of said schooner *Horatio G. Foss* by reason of damages to and detention of said schooner, may be submitted to the United States court for the district of Massachusetts under and in compliance with the rules of said court sitting as a court of admiralty; and that the said court shall have jurisdiction to hear and determine the whole controversy and to enter a judgment or decree for the amount of the legal damages sustained by reason of said collision, if any shall be found to be due either for or against the United States, upon the same principle and measure of liability, with costs, as in like cases in admiralty between private parties, with the same rights of appeal.

Sec. 2. That, should damages be found to be due from the United States to the owners of said schooner *Horatio G. Foss*, the amount of the final decree or decrees therefor shall be paid out of any money in the United States Treasury not otherwise appropriated: *Provided*, That such suit shall be brought and commenced within four months after the passage of this act.

Sec. 3. That the mode of service of process shall conform to the provisions of the act of March 3, 1887, entitled "An act to provide for the bringing of suits against the United States."

With the following committee amendment:

On page 2, line 15, strike out all of section 3.

The SPEAKER. Is there objection?

Mr. WALSH. Reserving the right to object, I should like to ask the gentlemen of the committee if they heard anybody upon this claim or if they just took the report submitted by the Senate committee and reported the bill on that information?

Mr. KELLY of Pennsylvania. The Committee on Claims took the report of the Senate committee without special hearings.

Mr. TINKHAM. Mr. Speaker, perhaps I can give some information to the honorable Representative from Massachusetts. A similar bill to this in every particular was reported by the Committee on Claims of the last Congress and passed by the House of Representatives, but failed of passage in the Senate on account of the confusion at that time due to international affairs. As I am informed, at the last session, as at this session, the Navy Department has examined the facts, and in each case recommended that the claim was a proper one to be brought before an admiralty court. I am also informed that the Committee on Claims of the last Congress went as far as necessary into the merits and agreed with the Navy Department. The Senate has now passed this bill after having, as I understand it, gone into the question of its propriety for submission to an admiralty court. I have every reason, although I am not deeply familiar with the case, to believe that it has sufficient merit to be submitted for a determination of the facts and a decision.

Mr. WALSH. Does the gentleman think that the claim of the owners of the *Foss* has any merit, in view of the fact that she was anchored where vessels were constantly passing, and apparently did not sound her fog signal, and was violating the international rules of the road?

Mr. TINKHAM. I am not an admiralty lawyer, but I assume that as the Navy Department has reported it twice to be a proper matter for adjudication by an admiralty court, and as the Committee on Claims of both this Congress and the last reported it favorably, and also as the House passed it during the last Congress and the present Senate has passed it, the case must have some merit. Inasmuch as this is a mere authorization for the claim to be submitted to a court of admiralty, it seems to me that no serious harm can come from its passage. As to the specific question that the honorable Representative from Massachusetts asked me I can not answer.

Mr. WALSH. Mr. Speaker, I withdraw my reservation of a point of order.

Mr. BLANTON. Reserving the right to object, is it not usual, where the department is in favor of having such a claim as this paid, that instead of merely suggesting that it go to a tribunal for adjudication the department recommends that the Committee on Claims allow it and have it paid? Is not that the usual method?

Mr. TINKHAM. Sometimes it is done that way and sometimes not. In this particular case there may have been some doubt on the part of the department which it wanted to solve by an adjudication in an admiralty court.

Mr. BLANTON. Does the gentleman question the proposition that this particular vessel at the time it was injured was anchored in the pathway that vessels usually took, and that it took no precaution required by the laws of navigation to prevent an accident?

Mr. TINKHAM. I do not know, as I stated before, much about the merits of the controversy.

Mr. BLANTON. I shall be forced to object.

Mr. TINKHAM. If the honorable Representative from Texas will withhold his objection for a minute, the facts are to be tried in an admiralty court, and if the facts are as the gentleman claims, that court would give an adverse decision.

Mr. BLANTON. The harm would come to the extent that the machinery of the Government would be put in action to have the trial, and a trial always costs money, and is sometimes very expensive to the Government as well as private litigants engaged in the transaction. I take it that the gentleman from Massachusetts would not want to send any such case to a tribunal for adjudication, the merits of which would not appeal to him—

Mr. TINKHAM. That is true.

Mr. BLANTON (continuing). If there were facts that surrounded it that led the gentleman to believe that there were no merit in it. He would not put into motion the machinery of the Government, which is always expensive.

Mr. TINKHAM. I assume that there must be some merit in the case or the Navy Department would not have recommended that it go to a trial court, and especially when the House committee in the last Congress went into the merits of the case and recommended its submission.

Mr. BLANTON. Mr. Speaker, there are other cases on the Private Calendar more meritorious and needing attention more than this, and I object.

SCHOONER "HENRY O. BARRETT."

The next business on the Private Calendar was the bill (S. 1222) for the relief of the owners of the schooner *Henry O. Barrett*.

The SPEAKER. Is there objection?

Mr. GARD. Reserving the right to object, I do so for the purpose of learning from the committee why it is that they strike out the section providing for the mode of service.

Mr. GLYNN. It was my understanding that it was done in order to follow the usual custom, and that it is the usual custom to report bills from the committee in this way.

Mr. GARD. If that section is stricken out, is there any special provision for service?

Mr. GLYNN. The general admiralty law, which provides what the mode of service shall be.

Mr. GARD. On page 1 it provides that it may be submitted to the United States court for the district of Massachusetts under and in compliance with the rules of said court sitting as a court of admiralty. That is the only reference I see to a rule. I confess I do not know, and therefore I am seeking information as to whether or not it is necessary to have some section providing for the service of the process in this case and similar cases.

Mr. MACCRATE. The claimant is interested in getting into court, and unless the claimant follows the admiralty course of procedure he will never get into court with his case. When you lay down a provision that he must follow the rules of that court you have done as much as you can in regard to the procedure to be followed.

Mr. GARD. What I am trying to arrive at is whether the language I have just read is sufficient to cover a question of service. I do not know; I am asking for information.

Mr. MACCRATE. The rules of the court would lay down the procedure as far as the service is concerned.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. GLYNN. I will yield to the gentleman.

Mr. GREEN of Iowa. I was unable to hear all that the gentleman from New York [Mr. MACCRATE] said, but I take it that he assumed that the last section is unnecessary.

Mr. MACCRATE. Yes.

Mr. GREEN of Iowa. The United States court will not have jurisdiction until given it by this act. Once given jurisdiction, then the provision in reference to bringing suits against the United States would apply, and this last section would be wholly unnecessary.

Mr. GARD. There must be some service.

Mr. GREEN of Iowa. Of course, but it would have to be in accordance with the provisions of the act defining service.

Mr. GARD. There is nothing in this bill defining service.

Mr. GREEN of Iowa. It does not have to be; the general law with reference to service applies as soon as the court gets jurisdiction.

Mr. KELLY of Pennsylvania. The Senate in introducing bills of this kind used an old form and requested the committee of the House to strike out this section as superfluous and entirely unnecessary.

Mr. GARD. I have no objection to the consideration of the bill if it is considered to be in conformity with the law.

The Clerk read the bill, as follows:

An act (S. 1222) for the relief of the owners of the schooner *Henry O. Barrett*.

*Be it enacted, etc.*, That the claim of the owners of the schooner *Henry O. Barrett* arising out of a collision between said schooner and the United States monitor *Ozark*, off Five Fathom Bank Lightship, on the 19th day of April, 1917, for and on account of the losses alleged to have been suffered in said collision by the owners of said schooner *Henry O. Barrett* by reason of damages to and detention of said schooner, may be submitted to the United States court for the district of Massachusetts, under and in compliance with the rules of said court sitting as a court of admiralty; and that the said court shall have jurisdiction to hear and determine the whole controversy and to enter a judgment or decree for the amount of the legal damages sustained by reason of said collision, if any shall be found to be due either for or against the United States, upon the same principle and measure of liability, with costs, as in like cases in admiralty between private parties, with the same rights of appeal.

Sec. 2. That should damages be found to be due from the United States to the owners of said schooner *Henry O. Barrett*, the amount of the final decree or decrees therefor shall be paid out of any money in the United States Treasury not otherwise appropriated: *Provided*, That such suit shall be brought and commenced within four months after the passage of this act.

The following committee amendment was read:

Strike out all of section 3.

The SPEAKER. The question is on the committee amendment.

The committee amendment was agreed to.

The bill as amended was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. GLYNN, a motion to reconsider the vote whereby the bill was passed was laid on the table.

DONNELLY & EGAN.

The next business in order on the Private Calendar was the bill (H. R. 3977) for the relief of the legal representatives of Donnelly & Egan, deceased.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. WALSH. Mr. Speaker, reserving the right to object, from a hasty examination of the report on this bill it would appear that the Court of Claims has passed upon it adversely. It involves the damages for the taking of some cotton during the Civil War.

Mr. DARROW. Will the gentleman yield?

Mr. WALSH. Yes; I will yield to the gentleman.

Mr. DARROW. The objection, as I understand it, at that time was absolutely because of the lack of establishing to the court's satisfaction of loyalty which has since been done. There was never any question about the taking over and use of the cotton.

Mr. WALSH. Well, the court, as late as November 16, 1914, after refusing a new trial and after having petitioned Congress for relief and having the matter referred to the court under the Tucker Act, handed down a finding that it formerly made. That is as late as 1914. The facts, as I understand it, are not disputed as to the amount of cotton and the value of it, but does the gentleman know as to the status of the legal representatives of these two original claimants at this time?

Mr. DARROW. The legal representatives are still living, as I understand it. There are relatives still living who are asking for this relief.

A MEMBER. Will the gentleman state the amount of this claim?

Mr. DARROW. \$26,535.

Mr. BLANTON. To save time, unless the gentleman wants to discuss the matter, and in case the gentleman from Massachusetts does not object, I intend to object to the bill—that is, unless the gentleman wants to discuss it.

Mr. DARROW. I will say to the gentleman from Texas I have no desire to discuss the bill. I think it is a proper bill and ought to be passed.

Mr. BLANTON. I object.

The SPEAKER. Objection is made.

Mr. CARAWAY. Mr. Speaker, I ask unanimous consent to proceed for a few minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. CARAWAY. Mr. Speaker, in the most solemn and emphatic manner I wish to protest against the passage of the resolution shortly to be reported to this House declaring the war with Germany and the late emergency arising therefrom at an end, by which means Congress, disregarding its duty to the country and the limitations of the Constitution, seeks to usurp the executive functions of the Government.

I can not persuade myself that any lawyer—I am not speaking now of political lawyers, but of real lawyers—believes that the Congress has constitutional authority to do this thing; nor can I persuade myself to believe that anyone who loves his country more than his party will vote for this resolution. To me it seems unthinkable he should do so. What would be the relations, internationally speaking, between our country and the German Government if this resolution should prevail? We would have then neither peace nor war, and no diplomatic relations whatsoever with the people of Germany and Austria. Necessarily we would have no voice in the settlement of any of the questions growing out of this war, because we would have taken ourselves out of the controversy and thereby denied ourselves the opportunity to see that a just and lasting peace should be concluded and kept.

Then, again, what will be our situation with reference to the seized property and ships which belonged to the nationals of Germany and Austria? We will, by the passing of this resolu-

tion, have placed ourselves in the position of a highwayman who puts a pistol to the head of an individual and demands that he surrender his property or perish. We say, in this resolution, to these nationals that if they do not surrender their property rights we will become a party to starving the men, women, and children of their countries.

We do not in the resolution, however, undertake to say there is any moral right in our position. We merely say that unless they surrender their property we will withhold from them all economic, commercial, and political rights. Whether our claims to this property be just or unjust, we will, by passing this resolution, stand discredited and dishonored in the eyes of all the peoples of the earth. How much better would it be for the Senate to reconsider and ratify the treaty of peace than for the Congress to be called upon to stultify itself in the sight of all right-thinking peoples everywhere. If the Senate would ratify the treaty, and it should then be found that any injustice or hardships were entailed under it, these could be corrected.

It is a harsh suggestion, but I think it is true, nevertheless, that this is but one more shifting of the scenes in this conspiracy by the Republican Party to discredit the President for political advantage. It is a desperate game at which the Republicans play in order to try to deceive the American people into returning that party to power.

History undoubtedly, though tardy, will record the truth and political punishment be meted out to those who aid in the committing of this political crime.

If not now, sometime, justice and fair dealing, national honor, and love of country will come into their own, and then the perpetrators of this political subterfuge will stand pilloried in the court of an enlightened public opinion. [Applause.]

WILLIAM MALONE.

The next business in order on the Private Calendar was the bill (H. R. 9046) for the relief of William Malone.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of this bill? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be authorized to pay, out of any money of the United States not otherwise appropriated, to William Malone the sum of \$75, being the cost of an abstract of title sent to the Commissioner of the General Land Office in August, 1916, and lost by some employee of that office.

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

On motion of Mr. GLYNN, a motion to reconsider the vote by which the bill was passed was laid on the table.

PETER MCKAY.

The next business in order on the Private Calendar was the bill (S. 390) for the relief of Peter McKay.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. GARD. Mr. Speaker, reserving the right to object, I do that for the purpose of asking concerning the amount of this compensation carried in the bill. The bill provides for a payment of \$939. The reason I make the inquiry is because it appears on page 6 of the report as sent by the Chief of Engineers of the United States Army that if Mr. McKay had come within the provisions of the compensation law with reference to injuries of employees of the Government, under the act of May 30, 1908, his compensation would have been \$596.33. I do not like to object to the bill, because I realize that Mr. McKay was injured, probably badly injured, I think, from the reading of the bill, without any fault of his own, but what I would like to know is why a greater sum should be given McKay on a bill outside of the compensation law than he would have received had he been within the compensation law of 1908?

Mr. GLYNN. I do not know the committee have established any hard and fast rule. Mr. MILLER of Washington is more familiar with the case, and I will ask him to explain it.

Mr. GARD. That is what I want to know. Under the compensation law he would have received, according to the report of the Chief of Engineers, \$596.33. This provided originally for \$2,500, but a reduction was made to \$939, which is a year's pay, as I take it.

Mr. MILLER. I believe the compensation law was passed in 1908, and this injury occurred in 1904.

Mr. GARD. Yes.

Mr. MILLER. And it would not come under the compensation law, as I understand it.

Mr. GARD. I say it would not. The point I make is that this man's claim under the compensation law would amount to \$596.33, and not being under the compensation in 1904 he is not entitled to anything.

I would suggest that Mr. McKay, who legally is not entitled to anything from the Government, should receive no greater compensation than one who would come within the meaning and scope of the compensation law. Therefore if the gentleman is willing to accept an amendment providing that he should receive \$596.33, it would seem to me to be following the ordinary course of procedure, and not giving this man any more or any less than other persons in the Government employ receive under the compensation law.

Mr. MILLER. I may answer the gentleman from Ohio that I believe it was the precedent prior to the enactment of the compensation law, in the settlement of claims of this character, to give one year's pay. I believe that was the principle upon which many of these claims were settled.

Mr. GARD. That was the principle.

Mr. MILLER. I may say, Mr. Speaker, that this injury occurred in 1904. I know the gentleman, Mr. McKay. He lost his leg under the most distressing circumstances. In the effort to heal himself he has lost everything he has in the world. The Senate passed a bill giving the old gentleman \$2,500, but the House, under the precedent so long established by the committee, cut it to one year's pay, at the rate of pay he would have received at the time of the injury, which was 16 years ago.

Mr. GARD. I understand that. What I am trying to have the gentleman advise me of is as to why under the condition where this man, who was most unfortunately injured, and I think without any fault of his own, but without any recourse and compensation from the Government, should get a greater return by compensation than a man who came within the scope of the compensation law passed four years afterwards.

Mr. MILLER. My only answer is that it is in keeping with the precedents the committee reported in cases of like character at the time the injury was suffered by this man.

Mr. GARD. I think the better precedent would be that we provide for this man as much as would have been provided for him had he been within the operation of the compensation act. Is the gentleman willing to accept such an amendment?

Mr. MILLER. I can do nothing else if the gentleman insists on it.

Mr. GARD. I do not do it for the purpose of beating down this man, because it is an unpleasant thing to do. I merely do it because we should have this case correspond with cases under the compensation law.

Mr. MILLER. I can only say to the gentleman from Ohio that it is in accordance with other cases that were reported on by the committee, and this case would have received the same amount had it been possible to have had the bill passed before this. And I think if the gentleman from Ohio knew the distressing individual circumstances in this case, knowing him as I do, he would not object.

Mr. GARD. I dislike very much to make the suggestion I do, because I realize it is an unfortunate case.

I note in the bill that this is to be appropriated to or paid to "Peter McKay or his legal representatives." Is McKay living or dead?

Mr. MILLER. He is living.

Mr. GARD. Why do you use that language?

Mr. MILLER. I do not know why that language was put in the bill. I observed it. This is a Senate bill.

Mr. GARD. I think the bill should be corrected in these two particulars.

Mr. MILLER. I presume it is for the purpose of providing, if Mr. McKay should die before he got the money, that his legal representatives would receive it, which in this case would be his old widow.

Mr. GARD. Of course, that is the law. That if you make an appropriation to him in his name, and he dies when the appropriation is made and before he collects it, it would be collected—

Mr. MADDEN. It would not have to be probated if it was put in the bill in this way.

Mr. MILLER. The suggestion is made that if the phraseology of the bill is carried it would not be necessary to probate this amount in the event of the death of Mr. McKay.

Mr. GARD. I have no objection to it. If the gentleman will offer the amendment I have suggested, I have no objection.

Mr. MILLER. Will the gentleman offer his amendment?

Mr. GARD. If the gentleman cares to offer it in accordance with what I have said, in order that it may come within what is the unquestioned operation of the compensation law and afford this man just what he would have received had he been under that law, I should not object to the consideration at this time.

Mr. MILLER. I would not feel like offering an amendment, I will say to the gentleman, in view of the circumstances of this

case as I know them, where the amount would not pay the doctor's bill and for the amputation of the claimant's leg.

Mr. GARD. I object, then.

SWANHILD SIMS.

The SPEAKER. The Clerk will report the next bill.

The next bill on the Private Calendar was the bill (H. R. 6198) authorizing payment of compensation to Swanhild Sims for personal injury.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. BLANTO. May we have the bill reported?

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Swanhild Sims the sum of \$2,500 as compensation for injuries received on or about February 21, 1919, at Seattle, Wash., when she was struck by a truck operated by the United States Army.

Also the following committee amendment was read:

Committee amendment, page 1, line 6, strike out the figures "\$2,500" and insert in lieu thereof "\$722.25."

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. GARD. Reserving the right to object, as I read from the report, this woman, Swanhild Sims, while standing on a bridge was struck by a motor truck operated by a chauffeur of the War Department. The truck had skidded on its approach to the bridge, and went from one side of the approach to the other, and when it came across on the side where Swanhild Sims was it broke down the railing, and the breaking of the railing threw her off the bridge. Is that a correct statement?

Mr. KELLY of Pennsylvania. That is the fact, Mr. Speaker, and I would say further that the committee considered the circumstances connected with this injury, and the fact that statements were made by the War Department officials that no blame particularly could be attached to the chauffeur of the Motor Transport Corps. An affidavit is filed by the chauffeur stating that he had had trouble for some months with the steering gear of his car and that he lost control of it as he approached the bridge, and that the skidding of the machine threw the machine from one side of the approach to the other, knocking down the railing, and this woman was thrown over and received serious injury. The bill provided for \$2,500, and the committee considered after investigation that it would consider only the actual expenses, which include her hospital and medical expenses, and other expenses sustained by her.

Mr. GARD. Where is the affidavit?

Mr. KELLY of Pennsylvania. The affidavit of the chauffeur will be found at the bottom of page 4 of the report, and states that the machine was out of control entirely, due to the stiffness of the steering gear.

Mr. GARD. I have no objection.

The SPEAKER. The Clerk will report the bill.

The bill was again read.

The SPEAKER. The Clerk will report the committee amendment.

The Clerk read as follows:

In line 6, strike out "\$2,500" and insert "\$722.25."

The SPEAKER. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill as amended.

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

On motion of Mr. GLYNN, a motion to reconsider the vote whereby the bill was passed was laid on the table.

AUGUSTA LOUISE DE HAVEN-ALTEN.

The SPEAKER. The Clerk will report the next bill.

The next business in order on the Private Calendar was the resolution (S. J. Res. 134) to readmit Augusta Louise de Haven-Altén to the status and privileges of a citizen of the United States.

The title of the resolution was read.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. RAKER. I reserve the right to object.

Mr. MADDEN. I hope, Mr. Speaker, that the gentleman will not object until the gentleman from Colorado [Mr. VAILE] explains it or will permit me to. This is a case of a family that formerly lived in Chicago. The facts in the case justify the

consideration of the bill. I would like to submit a statement or will be glad to allow the gentleman from Colorado to make one.

Mr. RAKER. I will reserve the right to object, in order that the gentleman from Illinois or the gentleman from Colorado may make his statement. I would like, in preference to the right of reserving the right to object, to explain to the House the provisions of the affidavit of this lady, found on pages 36 and 37 of the hearings, where she states that primarily she came back to this country to obtain a divorce in order to obtain property. In other words, is the House of Representatives to resolve itself into a divorce court?

Mr. VAILE. Mr. Speaker, the House of Representatives is not assuming the functions of a divorce court. The House of Representatives is asked to pass this resolution because only in that way can this woman, who was born an American citizen and all whose relatives for generations have been American citizens, be saved from absolute destitution. I understand the gentleman from California [Mr. RAKER] has very deeply founded objections to any woman who marries a foreigner. I am not quarreling with that.

Mr. RAKER. Oh, not at all. I trust the gentleman would not put it that way. The objection I have is to an American woman marrying a foreigner and then, just the moment things do not go right, she commences to squeal and jumps back to the United States and asks for protection.

Mr. VAILE. Mr. Speaker, the "moment" referred to is a pretty long moment. She started the divorce proceedings from this German as far back as 1904. She has not seen him since 1911, as the gentleman will recall.

Mr. RAKER. By her own written declaration she entered into an agreement with her husband that they should live separate and apart.

Mr. VAILE. The gentleman knows very well what the reason was. She had two daughters, one of whom was about to be married, and the daughters regarded it as more or less of a disgrace to have a divorce in the family; but even under those circumstances she could not withhold her action for divorce forever, and again in 1910 proceedings were instituted and they are now pending. The case has been tried once and the husband's infidelity proven by undisputed evidence, but because it was not of sufficient "notoriety," because there was not sufficient public humiliation of the wife to satisfy the German court, the case was continued for further evidence; and except for the status of her husband as an officer of the German Army, which prevented a further trial of the proceedings against him—

Mr. RAKER. The lady stated on the stand, as did her counsel, that so far as the property in Germany was concerned, she expected it was gone; but in her affidavit it is shown here that this same German husband of hers told her that if she would withdraw her claim on the German property he would withdraw his objection to her divorce.

Mr. VAILE. Does the gentleman, as a Member of the American Congress, object to the American Congress proceeding in a manner which may prevent the German husband, who never did anything to conserve this property, from getting it? The gentleman apparently thinks that this American woman should permit all this property to go to her German husband to be squandered. This woman married on her eighteenth birthday. She was married 36 years ago in Switzerland. At that time she came into the possession of a very considerable inheritance, amounting to \$100,000 in cash.

Mr. RAKER. Mr. Speaker, will the gentleman yield right there?

Mr. VAILE. In just a moment I will yield. This \$100,000 all went to her German husband under the provisions of the German law. The gentleman from California will remember that this \$100,000 has all been squandered by this German husband, except possibly about \$25,000, which is invested in German real estate.

Mr. RAKER. Mr. Speaker, will the gentleman yield?

Mr. VAILE. Yes.

Mr. RAKER. This is the statement of the defendant on page 36, an affidavit:

I am further informed and believe that my husband is prepared to withdraw all opposition to my demand for a divorce in the event of my withdrawing all claim to my property, real and personal, situated in Germany, which I have refused.

Mr. VAILE. If she has any claim left to that pitiful remnant of her former estate upon which her husband has been living and most of which he has squandered during those years following her marriage, why should we require her to surrender that? Her husband did not earn this money. It was earned by an American.

Mr. BEE. Mr. Speaker, will the gentleman yield?

Mr. VAILE. Yes.

Mr. BEE. Would it not be a good precedent to enable American women who are uncomfortably situated over there to get away from the thralldom and come back to this country?

Mr. VAILE. I think it would be a good thing for them to come back, but this divorce proceeding was begun years ago.

Mr. BLANTON. They ought to have more sense and never live there.

Mr. VAILE. I am inclined to agree with the gentleman. This woman's father was an American naval officer, who retired after being severely wounded in action in the Civil War. He went to Switzerland to educate his children.

He went, not to Germany but to Switzerland, when his daughters were little girls. Now, I do not know just what the reason was. Some people think it is desirable to bring up their children in countries where they have an opportunity to learn other languages while they are young. During her father's lifetime they frequently visited the United States. Her father died when she was 15 years old. After that time she lived with her step-mother, a Swiss woman, who was the mother of two boys, half brothers of this petitioner, one of whom was in the French Army and the other of whom died a corporal in the Army of the United States in the Great War.

Mr. RAKER. In paragraph 2 of the affidavit she made when trying to get to Switzerland again, which she entered as a German subject, on page 36, she makes this statement:

Since my marriage I have spent very little of my time in Germany, for the most part traveling in Italy, France, Egypt, Algeria, and Switzerland. I was last in the United States of America in the year 1917.

But the moment there is a question of property involved she comes to the United States and employs counsel, who, with a fine-tooth comb rakes over the statutes of the various States to find the State wherein she can secure a divorce the most easily. The record shows that they were afraid the peace treaty would be disposed of, and that her property would be involved in that. So therefore she comes to Congress asking us to grant her this relief as a divorce court, so that she may acquire her property, not on the question of citizenship. I am ready and willing to extend any special act and to give any relief to those returning here who are seeking citizenship in the United States, who appeal to Congress for the restoration of their rights; but this whole record from beginning to end shows that her primal object, her main purpose is to get Congress to act as a divorce court, so that she may secure property through a release from her own act, when she has been traveling all over the world and cares very little about the United States.

Mr. VAILE. Mr. Speaker, it does seem to me that a woman who is a grandmother should not be very much blamed if she wants to get hold of her property. Even I, who am young and strong and a male, like to hold on to what little property I have.

Mr. RAKER. Will the gentleman yield for a question?

Mr. VAILE. Yes.

Mr. RAKER. Let me read her own affidavit on page 36:

2. That I was married in the city of Berlin (Prussia), Germany, to the Baron Eberhard Curt-Alten on October 21, 1886; that the issue of said marriage, two daughters, are married, but the deponent has severed all relations with my said daughters since the year 1912.

This mother that the gentleman speaks about with flowing tears, who at one time had an American father, who comes to the United States solely for property, has not only left her country but has repudiated her daughters, by her own affidavit. That is the situation.

Mr. MADDEN. Will the gentleman yield to me for a moment?

Mr. RAKER. Yes.

Mr. MADDEN. I happen to have known the father of this woman.

Mr. RAKER. Oh, her father has a great record.

Mr. MADDEN. He was a distinguished captain in the American Navy, in which he served for 24 years. He was wounded in the service and retired as the result of his wounds. Her mother's father was also an officer in the American Navy, where he served for 45 years. Her other relatives were ambassadors to European countries representing the United States. There is every reason in the world why this bill should be passed. This woman's Americanism has never been questioned.

Mr. RAKER. Will the gentleman yield for a question?

Mr. MADDEN. Yes.

Mr. RAKER. So that the House may fully understand, the purpose of this bill primarily is to allow this woman to obtain property.

Mr. JOHNSON of Washington. Let me make the facts as to the property clear.

Mr. MADDEN. We had a case like this in the House about two months ago, and the gentleman voted for it.

Mr. RAKER. No; I did not.

Mr. JOHNSON of Washington. Let me explain the property situation: The property is a trust left by the grandfather in an American bank for this woman. That property is now in the hands of the Alien Property Custodian.

Mr. RAKER. Well—

Mr. JOHNSON of Washington. And the Alien Property Custodian does not wish to hold it, and, of course, can not dispose of it either now or in the future.

Mr. RAKER. That is none of his business. It is his duty as a sworn officer to hold it, and he must comply with the law.

Mr. JOHNSON of Washington. Oh, the United States Government does not want to take the interest on this woman's trust from her, and it can not take the principal.

Mr. MADDEN. What this woman wants is to get the property that was willed to her in trust by her grandfather, which property is now held by the Alien Property Custodian.

Mr. JOHNSON of Washington. And it will still be a trust fund, no matter what we do.

Mr. MADDEN. It will still be a trust fund, but she can not get it unless she gets her citizenship restored.

Mr. VAILE. It is property which the Alien Property Custodian earnestly desires to return to her. Since the gentleman from California has referred to this as wholly a property proposition, let me call his attention to the fact that the Alien Property Custodian stated before the committee:

The injustice of this case is absolutely abhorrent to me.

The gentleman from California [Mr. RAKER] put this question to him:

You desire her unconditional readmission to the United States, to assume the character and privileges of a United States citizen for the purpose of primarily obtaining property?

To which Mr. Garvan replied:

I do not like the word "primarily," because I can not search the heart of the woman. From the testimony I would say that her first desire was to feel herself an American citizen—from the violence of her patriotism abroad during the war.

At a time when patriotism abroad during the war meant something our representative in Berne said:

This case is fresh in my mind, because it is about the only case I know of where an American who remained in Austria or Germany apparently acted like a good American.

Mr. GARD. Will the gentleman yield for a question?

Mr. VAILE. Yes.

Mr. GARD. Are both of the daughters of this woman married to German officers?

Mr. VAILE. They are married to Germans and reside in Germany.

Mr. JOHNSON of Washington. They have grown up, have left their mother, they have gone their own way, and in accordance with the biblical injunction, they cleave to their husbands.

Mr. VAILE. The gentleman from California suggests that as soon as we had war the grandmother left Germany and he also called attention to the fact that she had been separated from her daughters since 1912—five years before.

Mr. MADDEN. She began divorce proceedings three years before the war. She could not get service on her husband in the divorce proceedings, because he was a reserve officer in the German Army.

Mr. RAKER. The record, page 31, shows that she did get service. I want the House to understand this, it does not make any difference to me. The only fundamental question is not the property involved, not that she is an elderly lady, not that she married and went to Germany—

Mr. VAILE. Not that she is an American.

Mr. RAKER. She became a German subject under her own voluntary act.

Mr. VAILE. Thirty-six years ago when she was only 18 years old.

Mr. RAKER. She has been in the United States since that time. The very moment that a question of property is involved these people come back and appeal to the United States either through the divorce court or, if they can not get the divorce court to act rapidly enough in the United States, then they appeal to Congress, because of the reason of the fact that their father was a general or their mother was a woman of standing 40 or 50 years ago.

Mr. MADDEN. Her father was a citizen of the United States. Mr. RAKER. That does not give her any right to come here and obtain a special act of Congress in the way of a divorce from her husband in order to obtain property. The only question is this: Is the great Congress of the United States to assume the attitude of dealing with personal property, when a person has deliberately of their own free will married an alien and become an alien, traveled over the whole world, cared little for her native country, but when she finds she is in trouble comes back and asks a special act of Congress to give her relief.

Mr. MADDEN. What is more natural in the world than that when people get into trouble they come back home to get the sympathy to which they are entitled.

Mr. BEE. They come back to their mother country.

Mr. MADDEN. The gentleman from California now having given expression to his views, I hope that he will not object.

Mr. BEE. Will the gentleman yield?

Mr. RAKER. I will.

Mr. BEE. Is this lady now in this country?

Mr. RAKER. She is; she came here last October, 1919, for the purpose of commencing divorce proceedings.

Mr. BEE. She is back in the United States now?

Mr. RAKER. She is.

Mr. BEE. Does not the gentleman from California think, under the circumstances, that if she made a mistake she ought to be given a chance to spend the last days of her life in her home country among her home people? The failure of this bill might prevent it, whereas otherwise she will have a chance in her declining days, among her own people in her own country.

Mr. RAKER. I want to say to the gentleman from Texas that there are two propositions involved. The record is here, and I am not speaking of my own knowledge, but am speaking by the card and by the record. Her counsel found that he could not get a divorce rapidly enough and thought that the peace treaty would not be adopted immediately and therefore the custodian would withhold her property. Another question is there is a remnant of property in Germany, and if she got a divorce she might lose control of that. Therefore she comes to this great, big-hearted Senate and to these good-natured Members of Congress and says, "I was once an American citizen; now do this; it does not make any difference to you; restore me to American citizenship and I will still remain the wife of Baron Alten; I will still be the wife of a German subject and have an opportunity to go back to Germany and recapture the remaining property in Germany."

Mr. MADDEN. The gentleman would not object to her taking any property in Germany as an American citizen?

Mr. RAKER. No.

Mr. MADDEN. We ought to give her every opportunity in our power to go back and take all of her property and at the same time let her enjoy her love for America.

Mr. RAKER. Let me make one more statement and then it is up to the House. I want to eliminate the question of property, the question of marriage, the question of the separation from the daughters, the separation from her husband. Does this House believe that we ought to adopt such legislation as will set a precedent that when any wife at any time in any case from Germany, Austria, or France gets into trouble with her husband we will immediately pass a special act giving her again the citizenship?

Mr. MANN of Illinois. Will the gentleman yield for a question?

Mr. RAKER. Yes.

Mr. MANN of Illinois. Did not the committee two years ago report a bill permitting an American woman to retain her American citizenship if she married a foreigner?

Mr. RAKER. No.

Mr. MANN of Illinois. I think we did.

Mr. RAKER. There has been a bill introduced in the House changing the law, and the committee voted it down, leaving the law as it is, that if an American citizen marries an alien she becomes an alien.

Mr. MANN of Illinois. Now it is different. I helped to dispose of it in that time, but I have revised my views, and in view of the fact American women are soon to be voting I have not the slightest doubt that Congress will soon give the right to a woman who marries a foreign man as it gives an American man who marries a foreign woman.

Mr. RAKER. To make the matter clear, I remember the gentleman's position six years ago in reference to a bill introduced by my colleague, I think, from California [Mr. Kent], which went to the Committee on Foreign Affairs, and the bill came here and I objected to it and finally the session adjourned without action. That was the situation.

Mr. MANN of Illinois. I fought it on the floor and killed it here.

Mr. MADDEN. Gentlemen, remember the old story of the 99 who were safe within the fold and the other who was astray and was brought back.

The SPEAKER. Is there objection?

Mr. BLANTON. Reserving the right to object, I desire to ask the distinguished gentleman from Illinois whether, after we receive this prodigal daughter back into the fold and place her in a position where she can secure her good American money that the Government has kept out of Germany, will that prodigal

daughter remain here and spend the rest of that American money in America or go back to Germany and spend it there?

Mr. MADDEN. I think the experience of the last 36 years has been sufficient to justify us in thinking that she will stay here, in the hopes of living in comfort.

Mr. BLANTON. In view of the fact she is a grandmother I shall not object, but if she were one of these high society foreign-husband-seeking 24-year-old widows I would object. [Laughter.]

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and the Clerk will report the joint resolution.

The Clerk read as follows:

Whereas Augusta Louise de Haven-Alten, daughter of the late Capt. Joseph Edwin de Haven, of the United States Navy, a native-born citizen of the United States and a resident of the State of Illinois, married in 1886 Eberhard Alten, an alien of German birth and parentage; and Whereas the said Augusta Louise de Haven-Alten left Germany in 1911 and has not since returned, and in 1912 sued her said husband for absolute divorce, which suit is still pending in Germany, and has since 1911 lived apart from her said husband; and

Whereas the said Augusta Louise de Haven-Alten has since returned to the United States and renewed her residence therein and petitioned Congress to be readmitted to the status and privileges of a citizen of the United States, under and by virtue of the power and laws of the United States of America: Therefore be it

Resolved, etc., That Augusta Louise de Haven-Alten, daughter of Capt. Joseph Edwin de Haven, be, and she is hereby, on her own application, unconditionally readmitted to the character and privileges of a citizen of the United States.

The committee amendment was read, as follows:

Strike out the preamble, and in line 3, page 2, after the words "Haven-Alten," strike out the words "daughter of Capt. Joseph Edwin de Haven" and insert "a native-born citizen of the United States."

Mr. GARD. Mr. Speaker, I move to strike out the last word for the purpose of asking a question. Under the bill as it now is written by the committee when the bill came from the Senate it had a preamble which explained the marital state of Augusta Louise de Haven-Alten. Now, the committee has stricken out all of the preamble and the committee has stricken out in the bill the fact that she is the daughter of Capt. Joseph Edwin de Haven. The bill now provides:

That Augusta Louise de Haven-Alten, a native-born citizen of the United States, be, and she is hereby, on her own application, unconditionally readmitted to the character and privileges of a citizen of the United States.

Is it not necessary to have something in this bill showing why she was reinstated?

Mr. VAILE. It seemed to the committee that that sufficiently appeared by the fact that she did apply to be readmitted.

Mr. GARD. No; it says that she is a native-born citizen of the United States in the following language: "That she is hereby, on her own application, unconditionally readmitted," which seemed to be entirely opposed to the declaration she was a native-born citizen. Why not insert in the bill some language showing why she was reinstated to her citizenship?

Mr. VAILE. I will agree to such language.

Mr. GARD. The gentleman knows the facts better than I do. I suggest that because I think it is absolutely necessary, otherwise we are conferring citizenship on a native-born citizen.

Mr. VAILE. I think the gentleman's point is well taken.

Mr. RAKER. It shows on the face of the bill that Augusta Louise de Haven was her name and that Alten was the name of her German-born husband.

Mr. VAILE. That is stricken out.

Mr. RAKER. No; in line 3, page 2, she is referred to as Augusta Louise de Haven-Alten.

Mr. VAILE. I am ready to propose a proper amendment.

Mr. BRIGGS. Could not there be a recitation that she married in 1886 an alien of German birth and parentage?

Mr. VAILE. I would propose the following amendment: After the word "States," in line 5, insert the words "who lost her citizenship by marriage with an alien."

Mr. BEE. Forfeited.

Mr. VAILE. Who forfeited her citizenship by marriage with an alien.

The SPEAKER. The question is on agreeing to the committee amendment on page 2.

The question was taken, and the amendment was agreed to.

Mr. VAILE. I now offer the following amendment.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 5, after the word "States," insert "who forfeited her citizenship by marriage with an alien."

The question was taken, and the amendment was agreed to.

The SPEAKER. The question is on striking out the preamble.

The question was taken, and the motion was agreed to.

The SPEAKER. The question is on the third reading of the joint resolution.

The joint resolution was ordered to be read a third time, was read the third time.

The SPEAKER. The question is on the passage of the joint resolution.

The question was taken, and the joint resolution was passed.

On motion of Mr. VAILE, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

FIRST NATIONAL BANK OF SHARON, PA.

The next business in order on the Private Calendar was the bill (H. R. 10598) to provide for the payment to the First National Bank of Sharon, Pa., for certificate of indebtedness to the United States No. 3240, for \$10,000, which has been lost.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. BLANTON. Mr. Speaker, reserving the right to object, I would like to ask the gentleman whether this certificate of indebtedness is past due?

Mr. GLYNN. It is past due. It was due July, 1918.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to pay to the First National Bank of Sharon, Pa., the amount of the indebtedness of the United States upon the certificate of indebtedness No. 3240, issued April 10, 1918, and July 9, 1918, for \$10,000, bearing interest at the rate of 4 per cent, which said certificate has been lost, and is believed to have fallen into the wastebasket in the office of said bank and had been destroyed by fire: *Provided*, That the said bank shall give a bond of indemnity to the Secretary of the Treasury in such form, term, surety, and amount as the said Secretary may require.

Also the following committee amendment was read:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Treasury be, and he is hereby, authorized and directed to redeem certificate of indebtedness of the United States of America No. 3240, of the denomination of \$10,000, of the issue dated April 10, 1918, and maturing July 9, 1918, with interest from April 10, 1918, to July 9, 1918, in favor of the First National Bank, Sharon, Pa., without presentation of said certificate, the certificate of indebtedness having been lost or destroyed: *Provided*, That the said First National Bank of Sharon, Pa., shall first file in the Treasury Department of the United States a bond in the penal sum of double the amount of the principal and interest of said certificate of indebtedness of the United States of America in such form and with such sureties as may be acceptable to the Secretary of the Treasury to indemnify and save harmless the United States from any loss on account of the lost or destroyed certificate of indebtedness hereinbefore described."

Mr. RUCKER. Mr. Speaker, I move to strike out the last word. I want to ask the gentleman a question. Was application made to the Treasury to reimburse the bank?

Mr. GLYNN. I understand it was. The gentleman from Pennsylvania [Mr. HULINGS] can inform the gentleman as to that.

Mr. HULINGS. I will say to the gentleman that application was made to the Secretary and search was instituted throughout all the banks of the country, so as to procure the evidence that was sufficient for the Secretary of the Treasury.

Mr. RUCKER. You could not make such a proof of loss as was satisfactory to the Treasury Department?

Mr. HULINGS. It was not that. The Secretary of the Treasury said that under the law now prescribed there was no warrant for them to pay the loss, but after going through the whole thing the Secretary has recommended that the bill be passed.

The SPEAKER pro tempore (Mr. CAMPBELL of Kansas). The question is on the committee amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken, and the Speaker pro tempore announced that the ayes seemed to have it.

Mr. BLANTON. Mr. Speaker, I ask for a division on the vote, just to check up.

The House divided; and there were—ayes 44, noes 0.

On motion of Mr. GLYNN, a motion to reconsider the vote by which the bill was passed was laid on the table.

The title was amended to read as follows: "A bill for the relief of the First National Bank of Sharon, Pa."

WILLIAM S. BRITTON.

The SPEAKER pro tempore. The Clerk will report the next bill.

The next bill on the Private Calendar was the bill (S. 3610) for the relief of William S. Britton, formerly second lieutenant of Infantry, who has been erroneously dropped from the rolls of the United States Army.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MANN of Illinois. I ask to have the bill reported.

The SPEAKER pro tempore. The Clerk will report the bill. The Clerk read as follows:

*Be it enacted, etc.*, That the President be, and he is hereby, authorized to reinstate William S. Britton, formerly second lieutenant of Infantry, who has been erroneously dropped from the rolls of the Army, and to restore him to his former position and rank in the service by the issuance of a new commission to date from the 14th day of May, 1919, and to continue during the pleasure of the President, not longer than to the date when he shall be released by military hospital authorities; and if such release shall have occurred prior to the passage of this act to honorably discharge him from his commission as of the date of such release.

Sec. 2. That said William S. Britton shall be entitled to receive the full pay and allowances of a second lieutenant of Infantry from the time he was dropped from the rolls of the Army until he shall be so discharged and that his status in, and relation to, the Army of the United States shall be in all respects the same as it would have been had he not been dropped from the rolls of the Army.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MANN of Illinois. Reserving the right to object, how does he claim he was erroneously dropped?

Mr. MILLER. I will state to the gentleman from Illinois that Lieut. Britton was erroneously dropped from the rolls on May 14, 1919. He was at that time in a hospital. He had been wounded in action, gassed, and shell shocked, and rendered unconscious, and remained in that condition for some length of time, during which time he was unable to give any account of himself as to where he was, or anything about it, and he was placed upon the records of the Army as a deserter and dropped from the rolls as such. The letter from the Secretary of War, which I have in my hand, and a portion of which is appended to the report, recommends that Lieut. Britton be restored to the Army and suggests the form of a bill, which form has been followed in the preparation of this bill.

Mr. MANN of Illinois. The Secretary has suggested that we legislate that he was erroneously dropped?

Mr. MILLER. Yes. The Secretary suggests that Lieut. Britton has been erroneously dropped and recommends that it be cured by this legislation, as I understand it.

Mr. MANN of Illinois. He recommended that we legislate that he had been erroneously dropped?

Mr. MILLER. It might admit of that construction; yes.

Mr. MANN of Illinois. That is what I wanted to know, whether the Secretary recommended that.

Mr. MILLER. I may read the phraseology of the Secretary, which says:

On May 14, 1919, William S. Britton, second lieutenant of Infantry, was erroneously dropped from the rolls of the Army for desertion.

Mr. MANN of Illinois. I have no objection.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

Mr. LAYTON. Will the gentleman yield for a question?

Mr. MILLER. I yield to the gentleman from Delaware.

Mr. LAYTON. Is it not within the power of the Secretary of War to correct the error?

Mr. MILLER. It is not, when a man is put on the rolls as a deserter. It requires special legislation.

The SPEAKER pro tempore. The Clerk will report the bill.

The bill was again read.

Mr. GARD. Mr. Speaker, I move to strike out the last word. I am very sympathetic with the bill and think it should be passed. What I want to ask is whether or not the bill is sufficiently safeguarded to give expression to what it undoubtedly intends to do—to remove the charge of desertion? Lieut. Britton is now carried on the rolls as a deserter. Of course, he was not a deserter except in the merest technical sense. He was not a voluntary deserter, because he was not competent mentally. Now that his competency is restored does the gentleman think the bill is sufficient to correct the military record which now carries him as a deserter?

Mr. MILLER. I will say to the gentleman from Ohio that it is in the customary and usual form.

Mr. BEE. To remove the charge of desertion it occurs to me in line with the suggestion of the gentleman from Ohio, you ought to remove the charge of desertion against this man and then restore him. In other words, the charge of desertion heretofore pending against him should be "hereby removed," and then he should be "hereby restored" as an officer of the United States Army.

Mr. GARD. I think that is the better form.

Mr. MILLER. It is an excellent form, and is the one the department doubtless should follow, but they followed the other form.

Mr. BEE. The trouble is that the grandchildren of this man 50 years from now will be confronted with the charge of desertion against him, and with no chance of its removal.

Mr. MILLER. The military history of this case is in the War Department.

Mr. LAYTON. In 50 years from now do you not think that the bill itself will show it was an error and that he was erroneously dropped because of that error?

Mr. BEE. They would look at the bill—

Mr. GARD. They would look at the record and not at the bill.

Mr. MILLER. I may say that this is a time-honored way of doing this in order to reach this class of cases, and the Secretary of War has recommended it.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none. The question is on the third reading of the bill.

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

On motion of Mr. MILLER, a motion to reconsider the vote by which the bill was passed was laid on the table.

EDWARD SIGERFOOS.

The SPEAKER pro tempore. The Clerk will report the next bill.

The next business in order on the Private Calendar was the bill (S. 2807) to correct the military record of Edward Sigerfoos. The title of the bill was read.

The SPEAKER pro tempore. Is there objection?

Mr. WALSH. Mr. Speaker, I ask that the bill be reported.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

*Be it enacted, etc.*, That Edward Sigerfoos, deceased, who was a colonel in the United States Army, and who was nominated by the President for appointment as brigadier general October 4, 1918, said nomination being confirmed by the Senate October 10, 1918, after the death of said Edward Sigerfoos, which occurred after his nomination, October 7, 1918, as the result of wounds received in line of duty, shall hereafter be held and considered to have become a brigadier general of the United States Army in the service of the United States, and to have held that office until the date of his death; and the President is hereby authorized to issue a commission as brigadier general of the United States Army in the name of Edward Sigerfoos, with rank to date from October 4, 1918.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BEE. Reserving the right to object, who is in charge of the bill?

Mr. WELTY. I am in charge of it.

Mr. BEE. I want to ask the gentleman from Ohio a question. This does not affect any pensionable status with regard to any of this man's family?

Mr. WELTY. I think not.

Mr. BEE. I do not object to the bill, but I do not think it would be proper to fix a pensionable status by reason of this correction.

Mr. WELTY. Mr. Sigerfoos was commissioned as an officer in the United States Army after the breaking out of the war with Germany. He was nominated by the President to be a brigadier general on October 4, 1918, and October 10 the nomination was confirmed by the Senate.

On the evening of October 20 The Adjutant General received a cablegram from France stating that Gen. Sigerfoos had been wounded and died of said wounds received October 7, and that on the next day, October 21, Mrs. Sigerfoos received the commission, and which commission was returned at the request of The Adjutant General, because Gen. Sigerfoos died before the Senate confirmed his appointment. Gen. Sigerfoos received the distinguished service medal and died on the field of battle, and I hope that there will be no objection to the consideration of this bill at this time. It simply authorizes the President to again deliver this commission to the widow.

Mr. BEE. I have no objection.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The bill was again read.

Mr. WALSH. Mr. Speaker, I move to strike out the last word for the purpose of getting some information and maybe offering an amendment. In line 10 this language is used:

Shall hereafter be held and considered to have become a brigadier general, United States Army, in the service of the United States, and to have held that office until the date of his death.

I would like to ask the gentleman in charge of the bill if that language should not be changed so as to read and better express the purpose of the bill: "Shall hereafter be held and considered



to have been a brigadier general in the United States Army in the service of the United States at the time of his death?"

Mr. WELTY. Well, I will say to the gentleman from Massachusetts that this bill was passed in this language by the Senate, and approved by the Committee on Military Affairs, and I would not like to have it go back to the Senate.

Mr. WALSH. Well, that argument is not at all persuasive, merely because the language is in a bill that is sent over here from the other branch. When did he become a brigadier general under this law?

Mr. WELTY. He was dead at the time the Senate confirmed him. The Senate confirmed him on the 10th of October, and he was killed in action on the 7th of October. Under the ruling of the War Department no commission can be issued to a person unless he is living at the time the Senate confirms him.

Mr. WALSH. Does the gentleman think he would have become a brigadier general—

Mr. WELTY. If he had lived three days longer he would have been a brigadier general. The commission was issued by The Adjutant General and by him sent to Mrs. Sigerfoos.

Mr. MANN of Illinois. The commission would have issued as of the date of the appointment and not of confirmation.

Mr. WELTY. Yes; but under the ruling of the War Department unless a person is living at the time the Senate confirms the appointment the commission must be withdrawn, and The Adjutant General wrote to Mrs. Sigerfoos and asked her to return that commission under that ruling. This bill is simply to grant authority to the President to send that commission to Mrs. Sigerfoos for her to preserve.

Mr. WALSH. Mr. Speaker, I withdraw the pro forma amendment.

The SPEAKER pro tempore. The gentleman from Massachusetts withdraws the pro forma amendment.

Mr. BLANTON. Mr. Speaker, I move to strike out the last two words in order to ask a question.

The SPEAKER pro tempore. The gentleman from Texas moves to strike out the last two words.

Mr. BLANTON. The gentleman indicated that under the rules of the War Department this officer would have become a brigadier general on the date that he was confirmed by the Senate.

Mr. WELTY. On the date of his appointment.

Mr. BLANTON. Is it not a fact that under the rules of the War Department, even if he was appointed by the action of the War Department and later on confirmed by the Senate, he would not actually become a brigadier general in the service of the United States until he evidenced an acceptance of that commission?

Mr. WELTY. That part of it is correct; but in case of death, as I understand it, if the officer is living when confirmed the commission will issue.

Mr. BLANTON. Then the commission would have to be sent to him and accepted by him before, as a matter of fact, he could become a brigadier general.

Mr. WELTY. Gen. Sigerfoos was in command of a brigade at the time he was killed.

The SPEAKER pro tempore. Without objection, the pro forma amendment is withdrawn. The question is on the third reading of the Senate bill.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. WELTY, a motion to reconsider the vote whereby the bill was passed was laid on the table.

#### PENSIONS.

The SPEAKER pro tempore. The Clerk will report the next bill.

The next business in order on the Private Calendar was the bill (H. R. 12530) 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.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection?

Mr. WALSH. I object. Is not this one of the bills that has already been passed?

Mr. FULLER of Illinois. No. This has been on the calendar for several weeks.

Mr. WALSH. Then I withdraw my objection.

The SPEAKER pro tempore. This bill has a privileged status.

Mr. BLANTON. I object. It has a privileged status another day.

Mr. MANN of Illinois. It may save a day for other matters which may be necessary.

Mr. BLANTON. Then I will withdraw my objection.

The SPEAKER pro tempore. The objection is withdrawn.

Mr. FULLER of Illinois. I ask unanimous consent, Mr. Speaker, to dispense with the first reading of the bill.

Mr. MANN of Illinois. That is not necessary.

Mr. FULLER of Illinois. There are a number of formal committee amendments, and I ask that I may be permitted to present them en bloc after the reading of the bill.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent to present a number of committee amendments en bloc. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will read the bill.

The Clerk read as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws—

The name of John J. Kraft, late of Company A, Fiftieth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Patrick Collins, late of Company A, Fifty-ninth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Robert Sutor, late of Company I, First Regiment Virginia Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Mary J. Van Denbergh, widow of Jacob Van Denbergh, late of Company D, One hundred and twentieth Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of William A. Wilson, late of Company F, One hundred and forty-eighth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Nancy J. Clark, widow of Thomas J. Clark, late of Company K, One hundred and eighth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Jane McMahon, widow of Matthew McMahon, late of Company D, Second Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Zora Hockman, helpless and dependent daughter of Aaron Hockman, late of Company F, Eighty-first Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$20 per month.

The name of William D. Dennison, late of Company H, Twenty-ninth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Callie B. Boatright, widow of John T. Boatright, late of Company A, First Regiment Tennessee Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of George T. Baldwin, helpless and dependent son of William L. Baldwin, late of Company K, Twenty-seventh Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of \$20 per month.

The name of Phebe E. C. Priestley, late an Army nurse, and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving.

The name of James Warren, late of Company B, Thirty-seventh Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$50 per month.

The name of Ferdinand Lambert, helpless and dependent son of Andrew Lambert, late of Company A, First Regiment Ohio Volunteer Heavy Artillery, and pay him a pension at the rate of \$20 per month, payable to a duly appointed guardian or conservator.

The name of Catharine Macaughay, helpless and dependent daughter of James Macaughay, late of Company G, Two hundred and fifth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Charles W. Smith, late of Company H, First Regiment Connecticut Volunteer Infantry, and pay him a pension at the rate of \$72 per month in lieu of that he is now receiving.

The name of Cynthia R. Osgood, former widow of Joseph Rudler, late of Company G, Sixty-third Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Jesse A. Smith, helpless and dependent son of William Smith, late of Company F, Phelps Missouri Volunteer Infantry, and pay him a pension at the rate of \$20 per month.

The name of George W. Hollenbank, late of Company A, One hundred and eighty-ninth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Mary A. Slack, widow of Magnus D. Slack, late of Company K, Thirteenth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of \$35 per month in lieu of that she is now receiving.

The name of Franklin Harrod, late of Battery C, Kentucky Volunteer Light Artillery, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Eva McNett, former widow of Jacob B. McNett, late assistant surgeon, First Regiment Michigan Volunteer Sharpshooters, and pay her a pension at the rate of \$25 per month.

The name of Samuel Bainter, late of Company C, Eleventh Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Annie J. Page, widow of George W. Page, late of independent company, Dennison Guard, Ohio Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Thomas J. O'Harra, late of Company B, Twenty-first Regiment Ohio Volunteer Infantry, and Company E, Seventeenth Regiment Veteran Reserve Corps, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Henry Leedom, late of Company G, One hundred and thirty-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of William A. Middleton, late of Company B, Eightieth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Elizabeth Acton, former widow of John Quinn, late of Company B, Tenth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of \$30 per month.

The name of Amanda B. Birch, widow of J. J. C. Birch, late acting medical cadet, United States Army, and pay her a pension at the rate of \$25 per month.

The name of John Wilson, late of Company D, Third Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of \$72 per month in lieu of that he is now receiving.

The name of Rebecca Horine, widow of George M. Horine, late of Company I, One hundred and thirty-fifth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Bertha Blanch Weimer, helpless and dependent daughter of John S. Weimer, late of Company F, Ninety-ninth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$20 per month.

The name of James Robison, late of Company B, Ninety-fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Ezra Shanks, late of Company C, Fifty-first Regiment Ohio Volunteer Infantry, and Company F, Seventh Regiment United States Volunteer Infantry, and pay him a pension at the rate of \$30 per month.

The name of Sibia Armstrong, former widow of James M. Lawrence, late of Company I, Fourth Regiment Tennessee Volunteer Mounted Infantry, and pay her a pension at the rate of \$25 per month.

The name of David Hahn, late of Company D, One hundred and twenty-second Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Alice West, helpless and dependent daughter of Sylvester D. West, late of Company K, One hundred sixty-fourth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$20 per month.

The name of Stephen H. Leonard, late of Company A, First Regiment Pennsylvania Volunteer Light Artillery, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Max J. Alwens, late of Company E, One hundred and sixteenth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Colbert Ratliff, late of Company D, Thirty-ninth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Edmond Harvey, late of Company A, Ninety-seventh Regiment United States Colored Volunteer Infantry, and pay him a pension at the rate of \$30 per month.

The name of Sarah J. Bates, widow of George Bates, late of Company H, Forty-eighth Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Joseph R. Lawson, late of Company J, First Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of \$30 per month.

The name of Mary F. Lake, former widow of Joshua W. Lake, late of Company C, One hundred and twenty-third Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of George W. Willard, late of Company A, Tenth Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Johanna Dowling, former widow of Owen Garvey, late of Company D, Seventy-fourth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$45 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of John Garvey, helpless and dependent son of said Owen Garvey, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Johanna Dowling, the name of said John Garvey shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of \$20 per month from and after the date of death of said Johanna Dowling.

The name of Emma Park, helpless and dependent daughter of James A. Park, late of Company D, Twenty-sixth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of \$20 per month.

The name of George Milton Frye, late of Company E, Second Regiment Massachusetts Volunteer Heavy Artillery, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Isabella Gruver, widow of John A. Gruver, late of Company C, Tenth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of \$25 per month.

The name of Elizabeth I. E. Duffield, helpless and dependent daughter of Thomas A. Duffield, late of Company B, Second Regiment California Volunteer Cavalry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Ellen Bridge, former widow of Franklin Hart, late of Company H, Fifth Regiment New York Volunteer Cavalry, and pay her a pension at the rate of \$30 per month.

The name of Mary L. Drake, former widow of John Herrington, late of Company M, Ninth Regiment New York Volunteer Heavy Artillery, and pay her a pension at the rate of \$30 per month.

The name of Elizabeth S. Van Pelt, former widow of Gaines Brock, late of Company G, Fifty-fifth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Lillian S. Dodds, widow of James Dodds, late second lieutenant of Company G, Fourteenth Regiment Rhode Island Colored Volunteer Heavy Artillery, and pay her a pension at the rate of \$25 per month.

The name of Harriet E. Ritter, widow of Austin Ritter, late of Company G, Sixteenth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Levi Welch, late of Company G, One hundred and twenty-fourth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Lazarus W. Johnson, late of Company K, Second Regiment Tennessee Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Elizabeth A. Tuttle, widow of Henry G. Tuttle, late of Company E, Forty-first Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Elizabeth A. Pease, widow of Dallas M. Pease, late of Company A, Second Regiment Massachusetts Volunteer Heavy Artillery, and pay her a pension at the rate of \$25 per month.

The name of Emily N. Wellman, widow of Norman Wellman, late of Company A, Ninth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Benjamin Jackson, late of Company B, First Regiment Tennessee Volunteer Cavalry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Louisa Mawhiney, widow of William I. Mawhiney, late of Company B, Eighth Regiment Missouri Volunteer State Militia Cavalry, and pay her a pension at the rate of \$45 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of John H. Mawhiney, helpless and dependent son of said William I.

Mawhiney, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Louisa Mawhiney, the name of said John H. Mawhiney shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of \$20 per month from and after the date of death of Louisa Mawhiney.

The name of Emma L. Lindsay, widow of David A. Lindsay, alias James D. Hamel, late of Company M, Tenth Regiment Tennessee Volunteer Cavalry, and pay her a pension at the rate of \$25 per month.

The name of Zachariah Allbaugh, late of Company C, Seventy-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Harriett Jordan, widow of Lindsey Jordan, late of Company D, Fortieth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Cora B. Kelley, widow of James Kelley, late of Company C, Tenth Regiment United States Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Julia A. Marugg, widow of Simon Marugg, late of Company B, Sixth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of \$35 per month in lieu of that she is now receiving.

The name of Adella Mae Lee, widow of James E. Lee, late of Company D, First Regiment Tennessee Volunteer Cavalry, and pay her a pension at the rate of \$25 per month.

The name of Maggie Dona Lloyd, helpless and dependent daughter of Joseph Lloyd, late of Company C, First Regiment Tennessee Volunteer Light Artillery, and pay her a pension at the rate of \$20 per month.

The name of Israel Boyer, alias George Johnson, late of Company C, Eighth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of \$50 per month.

The name of Oscar W. Miller, helpless and dependent son of Abraham Miller, late of Company A, One hundred and sixteenth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$20 per month.

The name of Frank Haight, helpless and dependent son of Frederick G. Haight, late of Company B, twenty-fifth Regiment Michigan Volunteer Infantry, and Company K, Veteran Reserve Corps, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The name of James B. Smith, late of Company H, Forty-second Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of George H. Bowman, helpless and dependent son of Abraham Bowman, late of Company C, One hundred and ninety-second Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The name of Jessie G. Gilman, helpless and dependent daughter of Elbridge P. Gilman, late of Troop G, Fifth Regiment United States Volunteer Cavalry, and pay her a pension at the rate of \$20 per month.

The name of William H. Sumption, late of Company E, Eleventh Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Virginia Zachary, widow of John Zachary, late of Company C, First Regiment Tennessee Volunteer Mounted Infantry, and pay her a pension at the rate of \$25 per month.

The name of Samuel Pryor, late of Company E, Thirteenth Regiment Maryland Volunteer Infantry, and pay him a pension at the rate of \$30 per month.

The name of Jane M. Henderson, widow of Henry W. Henderson, late of Company I, Seventieth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Joseph Buckle, late of Company E, Second Regiment New York Volunteer Heavy Artillery, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Adolphus Sterling, late of Company D, Twentieth Regiment New York Volunteer Cavalry, and Company A, Ninety-fourth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Peter Boyd, late of Company F, Twelfth Regiment United States Colored Volunteer Infantry, and pay him a pension at the rate of \$30 per month.

The name of Felix R. Robertson, late of Company E, One hundred and eighty-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Eugene Cunningham, helpless and dependent son of Moses S. Cunningham, late of Company F, Forty-third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$20 per month.

The name of Margaret A. Plank, widow of George W. Plank, late of Company C, Webster County, Missouri Home Guards, and pay her a pension at the rate of \$35 per month.

The name of Emaline C. Lindner, helpless and dependent daughter of Samuel Lindner, late of Company D, Fifty-first Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Jason Johnson, late of Company B, Fourth Regiment, and Company D, First Regiment, Vermont Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of James D. Ash, late of Company A, Third Regiment Pennsylvania Reserve Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Frances E. Parmater, former widow of John J. Parmater, late of Company A, Forty-eighth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Lillian Brown, helpless and dependent daughter of Francis A. Brown, late of Company B, Sixteenth Regiment Connecticut Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of George Wilson, late of Company H, Twenty-first Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of James F. Smith, late of Company G, Thirteenth Regiment Tennessee Volunteer Cavalry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Benjamin F. Ford, late of Company G, Seventeenth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of David E. Mosholder, late of Company A, Seventy-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of John E. Broyles, helpless and dependent son of Henry Broyles, late of Company L, Seventh Regiment Ohio Volunteer Cavalry,

and Company E, Sixth Regiment Veteran Reserve Corps, and pay him a pension at the rate of \$20 per month.

The name of Sarah E. Maurer, former widow of Isaiah Miller, late of Company G, Seventy-second Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Catherine Weber, former widow of Robert R. Martin, late of Company L, Fifth Regiment Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of \$25 per month.

The name of Diana Lucas, former widow of Nathan Lucas, late of Company E, First Regiment Michigan Volunteer Light Artillery, and pay her a pension at the rate of \$25 per month.

The name of Solomon J. Grine, late of Company C, Fifty-fourth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of John R. Garstang, late of Company D, Fremont Body Guard, Missouri Volunteer Mounted Cavalry, and pay him a pension at the rate of \$40 per month.

The name of Charles S. Humphrey, late of Company F, Ninety-fourth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Nancy F. Taylor, widow of Thomas G. Taylor, late of Company I, One hundred and fifty-sixth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$35 per month in lieu of that she is now receiving.

The name of Murray V. Livingstone, late of Company D, First Regiment Massachusetts Volunteer Cavalry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Elizabeth Beach, helpless and dependent daughter of Williard O. Beach, late of Company I, One hundred and thirty-fourth Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Mary Phillips, former wife of Orren W. Stanford, late of Company A, Ninety-eighth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Callie Oberer, widow of John Oberer, late of Company C, Fifteenth Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Sarah Cain, widow of James Cain, late of Company B, Eleventh Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$45 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of James Cain, helpless and dependent son of said James Cain, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Sarah Cain, the name of said James Cain shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of \$20 per month from and after the date of death of said Sarah Cain.

The name of Helena Garges, helpless and dependent daughter of Amandes Garges, late of Company A, Fifty-first Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of John Horn, late of Company K, One hundred and fiftieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Nancy H. Jacklin, former widow of William Jones, late of Company G, Fortieth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving.

The name of William E. Cheek, late of Company F, Ninety-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of John Ervin, late of Company D, One hundred and ninety-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Richard Herrell, late of Company M, Eleventh Regiment United States Colored Volunteer Heavy Artillery, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Jeremiah M. Fltger, late of band, Sixty-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Lottie Baughman, widow of Isaiah Baughman, late of Company V, Thirty-sixth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Emma E. Brown, helpless and dependent daughter of Thomas Brown, late of Company H, One hundred and eighteenth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$20 per month.

The name of Loretta Hosey, helpless and dependent daughter of James R. Hosey, late of Company G, Eleventh Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of James R. Hiann, late of Company I, Two hundred and second Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Lucian Smith, late of Company A, One hundred and thirty-sixth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Hannah Brantner, widow of James S. Brantner, late of Company B, Two hundred and eighth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$35 per month in lieu of that she is now receiving.

The name of Rhoda Button, widow of James W. Button, late of Company G, Ninety-third Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of William Cline, late of Company I, Eighteenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Martha L. Elliott, widow of Salathiel Elliott, pensioned as Salathiel Ellet, late of Company E, Thirty-third Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Sarah Mowry, former widow of Jasper Lanham, late of Company M, Third Regiment West Virginia Volunteer Cavalry, and pay her a pension at the rate of \$25 per month.

The name of Emma Swalls, helpless and dependent daughter of Eli Swalls, late of Company E, One hundred and thirty-third Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Zetta Swalls, helpless and dependent daughter of Eli Swalls, late of Company E, One hundred and thirty-third Regiment

Indiana Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Jasper Stoops, late of Company H, Fifty-fifth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Sarah J. Parks, widow of Jasper N. Parks, late of Company B, Thirty-first Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Mary Havemaker, widow of Peter Havemaker, late of Company A, Fifty-fifth Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Nelson Behymer, late of Company I, Thirteenth Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Lemuel C. Nicolson, late of Company D, One hundred and fifteenth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Burton Walters, helpless and dependent son of Borda Walters, late of Company K, One hundred and thirty-sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The name of Fannie E. Porter, widow of Daniel P. Porter, late of Company D, Third Battalion Rifles, Massachusetts Volunteer Militia Infantry, and pay her a pension at the rate of \$45 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Charles S. Porter, helpless and dependent son of said Daniel P. Porter, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Fannie E. Porter, the name of said Charles S. Porter shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of \$20 per month from and after the date of death of said Fannie E. Porter.

The name of Jane Burton, former widow of Maurice Burton, late of Company D, One hundred and forty-fifth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Mary A. McGill, helpless and dependent daughter of James McGill, late of Company B, Tenth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of \$20 per month.

The name of Eben N. Higley, late a coal heaver, United States Navy, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Martha J. James, widow of Leander M. James, late of Company A, One hundred and thirty-ninth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$45 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Helen James, helpless and dependent daughter of said Leander M. James, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Martha J. James the name of said Helen James shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of \$20 per month from and after the date of death of said Martha J. James.

The name of Betsey Palmer Mason, former widow of William H. Palmer, late of Company F, Fourth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Merritt A. White, late of Companies H and K, Third Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of George W. Flack, late of Company D, Sixtieth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Robert W. Gibbs, late of Company E, Third Regiment Tennessee Volunteer Mounted Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of William A. Coddington, late of Company B, Eighteenth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Christopher Wilson, late of Company A, Eighty-third Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Samuel J. White, late of Company C, Twenty-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Rebecca E. Brown, former widow of James M. M. Houston, late of Company L, First Regiment Tennessee Volunteer Cavalry, and pay her a pension at the rate of \$25 per month.

The name of James T. Jones, late of Company C, Second Regiment Missouri Volunteer Light Artillery, and pay him a pension at the rate of \$35 per month in lieu of that he is now receiving.

The name of Harriet A. Lake, widow of Dewitt C. Lake, late of Company F, Third Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Thomas W. Sample, late of Company E, Twenty-second Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Alfred Murray Ringland, late of Company D, One hundred and thirty-second Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of James D. Lafferty, late of Company K, Fifty-eighth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Martha J. Sexton, helpless and dependent daughter of Isaac Sexton, late of Company A, Tenth Regiment Iowa Volunteer Infantry, and Company E, Fourth Regiment Veteran Relief Corps, and pay her a pension at the rate of \$20 per month.

The name of John W. Mercer, late of Company G, Twenty-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Jonathan Wolf, late of Company D, Seventeenth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Gustav Hamberger, late of Company A, Fifth Regiment New York Volunteer Heavy Artillery, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Nicholas Schoil, late of Company F, One hundred and forty-ninth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of William H. Hanson, late landsman, United States Navy, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Edwin E. Warren, helpless and dependent son of Edwin A. Warren, late of Company G, Nineteenth Regiment, and Company K, Seventeenth Regiment, Maine Volunteer Infantry, and pay him a pension at the rate of \$20 per month.

The name of Peter P. Faller, late of Company K, Forty-seventh Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Robison D. Maus, late of Company I, Tenth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Jennie L. Lewis, widow of Joseph Lewis, late of Company G, One hundred and twenty-fifth Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Robert Niven, late of Companies M and H, Eighth Regiment New York Volunteer Cavalry, and pay him a pension at the rate of \$60 per month in lieu of that he is now receiving, to include \$10 per month special pension under medal of honor roll.

The name of Salathiel K. Wise, late of Company E, Fortieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Mary E. Leroy, widow of Fred, alias Frederick, Leroy, late of Company E, First Regiment United States Reserve Corps, Missouri Militia, and pay her a pension at the rate of \$25 per month.

The name of Louisa Engelhardt, helpless and dependent daughter of Henry Engelhardt, late of Company A, One hundred and thirty-eighth Regiment Ohio National Guard Volunteer Infantry, and pay her a pension at the rate of \$20 per month.

The name of Joseph S. Hall, late of Company B, Fifty-third Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of John A. Keltner, late of Company D, Twenty-fourth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Charles Asa Clark, late of Company I, Fourteenth Regiment Kansas Volunteer Cavalry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of John J. Spencer, late of Company H, Forty-ninth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Dora Myers, former widow of Charles Swodes, late of Company A, Eighth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Samuel Shelne, late of Company G, First Regiment Ohio Volunteer Heavy Artillery, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Frank Libby, late of Company B, First Regiment New Hampshire Volunteer Light Artillery, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of John N. Clark, late of Company D, Sixty-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Robert Davis, late of Company C, Thirty-seventh Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Luther Bedel, late of Company G, Sixty-seventh Regiment, and Company G, Twenty-fourth Regiment, Indiana Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Flavius J. Cole, late of Company B, One hundred and fortieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of David M. Haskell, late of Company A, Third Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Webster Cotton, late of Company E, Fiftieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Flora Heath, helpless and dependent daughter of Samuel A. Heath, late of Company C, Third Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Andrew Reiber, late of Company C, One hundred and fifteenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Sarah N. Bolinger, widow of Jacob N. Bolinger, late watchman United States ram *Fulton*, Mississippi Marine Brigade, and pay her a pension at the rate of \$25 per month in lieu of that she is now receiving.

The name of Thompson S. Lozaw, helpless and dependent son of Samuel Lozaw, late of Company D, Fourth Independent Battery New Jersey Volunteer Light Artillery, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The name of Joseph J. Dalbey, late of Company H, One hundred and forty-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Louise H. Thornton, widow of William H. Thornton, late of Company B, Second Regiment Pennsylvania Volunteer Heavy Artillery, and Company G, Twenty-fourth Regiment Veteran Reserve Corps, and pay her a pension at the rate of \$25 per month.

The name of Peter T. McQuain, late of Company B, Second Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Ephraim Whitson, late of Company E, One hundred and fifty-fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Daniel K. Rowe, late of Company C, Tenth Regiment Tennessee Volunteer Cavalry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Albert Waller, late of Company B, Twelfth Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Kate McLaughlin, an Army nurse, Medical Department, United States Volunteers, and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving.

The name of Martha A. Wade, former widow of John Cales, late of Company A, One hundred and eighth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Nancy C. Troupe, former widow of James L. Forgey, late of Company L, Fifteenth Regiment Missouri Volunteer Cavalry, and pay her a pension at the rate of \$25 per month.

The name of Enoch K. Shackelford, late of Company G, Fourteenth Regiment, and Company L, Eighth Regiment, Missouri Volunteer State Militia Cavalry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Albert Shellhorn, late of Company E, Twenty-first Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Elizabeth Burgess, widow of George T. Burgess, late of Company G, Thirty-ninth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of \$25 per month, and it is also directed that the widow be paid the soldier's accrued pension.

The name of Alexander Kimbrough, late of Company K, Fourth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Garret H. Fowler, late of Company K, Sixty-ninth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Frederick A. Hart, late of Company D, Second Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Joseph E. Crow, late of Company I, One hundred and seventy-fourth Regiment; Company H, Fourth Regiment; and Company C, One hundred and forty-fifth Regiment, Ohio Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Cassie R. Hatch, helpless and dependent daughter of Albion L. Hatch, late of Company F, Twenty-fourth Regiment Maine Volunteer Veteran Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of William A. Karnes, late of Company E, Garrison Guards, and private, unassigned, Fifty-ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Sarah E. Frost, widow of Charles L. Frost, late of Company F, Seventy-sixth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$35 per month in lieu of that she is now receiving.

The name of Nelson B. Hackett, late of Company C, Fourth Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Henry H. Rowe, late of Company H, Ninety-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Caroline Saint Denis, widow of Gideon Saint Denis, late of Companies I and A, Ninety-second Regiment, and Company G, Ninety-sixth Regiment, New York Volunteer Infantry, and pay her a pension at the rate of \$35 per month in lieu of that she is now receiving.

The name of Josiah C. Hancock, helpless and dependent son of Francis M. Hancock, late of Company I, Twenty-ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The name of John Wroton, late of Company D, Seventh Regiment Kansas Volunteer Cavalry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Charles M. Taylor, late of Company F, Thirty-fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Julia Ruth Bartlett, helpless and dependent daughter of Sylvanus Bartlett, late of Company H, Eighteenth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Jesse W. Rigby, late of Company B, Twenty-fourth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Jerome B. Summers, late of Company D, Sixth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Mary Werner, widow of Adam Werner, late of Capt. Knapp's company, Seventh Indiana Legion, and pay her a pension at the rate of \$35 per month.

The name of Charles M. Bingham, late of Company C, Sixty-fifth Regiment Ohio Volunteer Infantry, and Company M, Thirteenth Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of William T. Gibbs, late of Company D, One hundred and fifty-second Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of George W. Coble, late of Company K, Eleventh Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Eliza C. Ludwig, widow of Frank Ludwig, late of Company D, Third Battalion New York Volunteer Artillery; Company D, Second Regiment United States Cavalry; and Company F, Twelfth Regiment New York Volunteer Cavalry, and pay her a pension at the rate of \$25 per month.

The name of Lafayette Van Gundy, late of Company E, Fourteenth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of \$72 per month in lieu of that he is now receiving.

The name of Francis M. Frazier, late of Company H, Fifty-ninth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Sadie C. Steadman, former widow of Hezekiah N. Steadman, late of Company E, One hundred and twenty-fifth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Hunter C. Frampton, late of Company F, Third Regiment Pennsylvania Volunteer Heavy Artillery, and pay him a pension at the rate of \$35 per month in lieu of that he is now receiving, no deduction or rebate to be made on account of former alleged overpayment or erroneous payments of pension.

The name of Helen B. Owen, widow of Robert S. Owen, late of Company A, Third Regiment Massachusetts Volunteer Cavalry, and pay her a pension at the rate of \$35 per month in lieu of that she is now receiving.

The name of William D. Moores, late of Company G, Second Regiment United States Sharpshooters, and landsman, United States Navy, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of William O. Callis, late of Company F, Ninth Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Franklin Bolen, late of Company C, Thirty-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Jesse Corn, late of Company E, One hundred and seventy-third Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Marion Cahall, late of Company B, Thirty-fourth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Reuben Boring, late of Company C, Sixty-third Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Julia A. Barnes, widow of Leander P. Barnes, late of Company D, Second Regiment Rhode Island Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of James Doran, late of Company K, Seventh Regiment, and Company D, Thirty-ninth Regiment, Illinois Volunteer Infantry; Company A, Third Battalion, and Company F, First Battalion, Eleventh Regiment United States Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Philip A. Warner, late of Company K, Third Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Sarah J. Pond, widow of Chandler H. Pond, late of the Twenty-ninth Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Martha Williams, widow of Joseph T. Williams, late of Company F, Forty-sixth Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Mary E. Bowen, widow of George L. Bowen, late of Company I, Fourteenth Regiment Kansas Volunteer Cavalry, and pay her a pension at the rate of \$25 per month.

The name of Elizabeth M. Sager, widow of Garrett S. Sager, late of Company A, Seventh Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$25 per month.

The name of John W. McPherron, jr., late of Company B, Twenty-fifth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Henry J. Tinney, late of Company L, Fourth Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Susan H. Orr, widow of Charles W. Orr, late of Company C, Ninth Regiment Provisional Enrolled Missouri Volunteer Militia, and pay her a pension at the rate of \$25 per month.

The name of Hugo Schrottky, late of Company F, Twentieth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Eva J. Plante, former widow of Louis Peipker, late of Sixth Independent Company, Ohio Volunteer Sharpshooters, and pay her a pension at the rate of \$25 per month.

The name of Loretta McKee, helpless and dependent daughter of Amos McKee, late unassigned, Third Regiment Pennsylvania Volunteer Heavy Artillery, and pay her a pension at the rate of \$20 per month.

The name of Rosella Magee, helpless and dependent daughter of James Magee, late of Company I, Sixty-second Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Sallie A. Cox, widow of William Cox, late of Company H, Fifth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of \$25 per month.

The name of John Foster, late of Company A, Twenty-first Regiment, and Company G, Sixtieth Regiment, Ohio Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Edward B. Roll, late of Company F, Thirty-fifth Regiment Kentucky Volunteer Infantry, and Company B, Third Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Harriet Sillman, widow of John F. Sillman, late of Company E, Eleventh Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$35 per month in lieu of that she is now receiving.

The name of Laura Levenseler, helpless and dependent daughter of Henry Levenseler, late of Company A, Twenty-second Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of William W. Goodridge, late of Company C, Twenty-fifth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Nathaniel Henry, late of Company K, Second Regiment Michigan Volunteer Cavalry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Sarah A. Christy, widow of Thomas J. Christy, late of Company C, One hundred and thirty-sixth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$35 per month in lieu of that she is now receiving.

The name of Sarah Keys, widow of William T. Keys, late of Company I, Seventy-second Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of James Bartram, late of Company C, Third Regiment United States Volunteer Artillery, and pay him a pension at the rate of \$50 per month.

The name of Sarah E. Totten, widow of David R. Totten, late of Company G, First Regiment Kentucky Volunteer Cavalry, and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving.

The name of Isaac Edgington, late of Company K, Seventy-first Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Gurney E. Hall, helpless and dependent son of Elijah P. Hall, late of Company D, Seventh Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The name of George B. Pearl, late of Company F, Twenty-third Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Margaret Burney, former widow of James M. Chapman, late of Company F, Seventy-ninth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Robert Gilmore, late of Company C, Eightieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Thomas J. Thomas, late of Company C, Thirty-ninth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Lyman M. Sherwood, late of the United States Marines, U. S. S. *Saranac*, United States Navy, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of John Walker, late of Company I, Thirteenth Regiment Tennessee Volunteer Cavalry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of William H. Wroten, late of Company A, Thirty-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Nicholas S. Ward, late unassigned, Thirtieth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Harriette Skelton, widow of Samuel G. Skelton, late of Company A, First Regiment Alabama Vidette Volunteer Cavalry, and pay her a pension at the rate of \$25 per month.

The name of William H. Willey, late of Company B, Third Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of John E. Coogle, late of Company B, One hundred and forty-third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Ellis Henthorn, late of Company K, Seventy-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Lucy J. Sheldon, widow of Charles M. Sheldon, late of Company K, Third Regiment Michigan Volunteer Cavalry, and pay her a pension at the rate of \$25 per month.

The name of Philander S. Groesbeck, late of Company F, Eighth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Marsh Smith, late of Company F, One hundred and fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Catharine Lenz, widow of Solomon Lenz, late of Company F, Fifty-eighth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$45 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Charles H. Lenz, helpless and dependent son of said Solomon Lenz, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Catharine Lenz, the name of said Charles H. Lenz shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of \$20 per month from and after the date of death of said Catharine Lenz.

The name of Solomon Morris, late of Captain Eaton's Company, Departmental Corps, Monongahela, Ohio Volunteer Infantry, and pay him a pension at the rate of \$30 per month.

The name of James L. Moore, late of Company A, Eighty-second Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Gilbert Smith, late of Company B, Third Regiment New York Volunteer Cavalry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Harriet H. Carmical, widow of John Carmical, late of Company I, Third Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of \$35 per month in lieu of that she is now receiving.

The name of Ephraim A. Adams, late of Company D, Twelfth Regiment, and Company H, Twenty-third Regiment, Ohio Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Peter L. Tremper, late of Company A, Twenty-second Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Susan Bedwell, helpless and dependent daughter of David E. Bedwell, late of Company E, Twenty-second Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of George H. Pennington, late of Company E, Fifty-third Regiment, and Company K, Ninety-first Regiment, Indiana Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Louisa R. Bechtel, widow of Morgan S. Bechtel, late of Company G, One hundred and fifth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Joseph Guffy, late of Company A, Fifty-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Joseph Johnson, late of Company B, Forty-eighth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Alida A. Marshall, widow of Joseph N. Marshall, late of Company I, Ninth Regiment Iowa Volunteer Cavalry, and pay her a pension at the rate of \$65 per month in lieu of that she is now receiving: *Provided*, That in the even of the death of James E. Marshall, helpless and dependent child of said Joseph N. Marshall, \$20 of the additional pension granted herein shall cease and determine: *Provided further*, That in the event of the death of Armidred Marshall, helpless and dependent child of said Joseph N. Marshall, \$20 of the additional pension granted herein shall cease and determine: *And provided further*, That in the event of the death of Alida A. Marshall, the names of James E. Marshall and Armidred Marshall shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of \$20 per month to each of them from and after the death of said Alida A. Marshall.

The name of Eliza McDanel, widow of John McDanel, late of Company A, Sixth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Laona Carver, widow of Andrew J. Carver, late of Company B, Sixth Regiment Missouri Volunteer Cavalry, and pay her a pension at the rate of \$35 per month in lieu of that she is now receiving.

The name of Jennie L. Ramsdell, widow of Andrew S. Ramsdell, late of Company E, Fourteenth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of \$35 per month in lieu of that she is now receiving.

The name of Julia E. Mills, widow of Leonidas E. Mills, late of Company H, Eleventh Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Michael Kirby, late of Company D, Fifth Regiment New York Volunteer Veteran Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Anna Sheridan, widow of John Sheridan, late of Company K, One hundred and forty-fourth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$45 per month in lieu of that she is now receiving: *Provided*, That in the even of the death of William Francis Sheridan, helpless and dependent son of said John

Sheridan, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Anna Sheridan, the name of said William Francis Sheridan shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of \$20 per month from and after the date of death of said Anna Sheridan.

The name of Andrew J. Hale, late of Company I, Fiftieth Regiment United States Colored Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Abigail Merriman, widow of Henry L. Merriman, late of Company K, One hundred and seventy-first Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving.

The name of James B. Erskine, late of Company B, First Regiment Maine Volunteer Heavy Artillery, and Company A, Thirty-first Regiment Maine Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Elmar K. Coppock, helpless and dependent son of Calvin Coppock, late of Company C, Eighty-ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The name of Clara C. McCracken, widow of John M. McCracken, late of Company K, Forty-sixth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$45 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Mary A. McCracken, helpless and dependent daughter of said John M. McCracken, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Clara C. McCracken, the name of said Mary A. McCracken shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of \$20 per month from and after the date of death of said Clara C. McCracken.

The name of Elecla Rexroad, widow of Maranda H. Rexroad, late of Company A, Tenth Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of \$35 per month in lieu of that she is now receiving.

The name of Anna F. Willis, helpless and dependent daughter of Alfred Willis, late of Company G, Thirty-fifth Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Mary F. Woods, widow of David Woods, late of Company I, Twenty-seventh Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Robert H. Kernan, late of Company M, Second Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of George W. Thompson, helpless and dependent son of Andrew G. Thompson, late of Company B, Forty-first Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The name of Charles H. Bothwell, late of Company A, Ninety-eighth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of William Kirkins, late of Company D, Fifty-third Regiment, and Company I, One hundred and forty-first Regiment, Illinois Volunteer Infantry, and Company K, Seventh Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of \$50 per month.

The name of Lewis C. Fosnot, late of Company G, Second Regiment Pennsylvania Volunteer Heavy Artillery, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of George Guilford, late of Company A, Sixty-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of William F. Dines, late of Company C, Twelfth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Isaiah G. Mayo, late of United States Sanitary Commission's ship *S. E. Browne*, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Ida McCoy, widow of James McCoy, late of Company E, One hundred and eighty-fourth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Sophia Schram, widow of John Schram, late of Companies H and B, Twenty-eighth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$27 per month: *Provided*, That in the event of the death of Estellia L. Schram, minor daughter of said John Schram, \$2 of the pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Sophia Schram the name of said Estellia L. Schram shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of \$12 and \$2 per month, from and after the date of death of said Sophia Schram, until she attains the age of 16 years.

The name of Ellen S. Vestile, widow of George W. Vestile, late of Capt. Bassett's independent company, Ninth Regiment Indiana Legion, and pay her a pension at the rate of \$25 per month.

The name of Mary A. Shepherd, widow of William A. Shepherd, late of Company E, Eighteenth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$45 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of William E. Shepherd, helpless and dependent son of said William A. Shepherd, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Mary A. Shepherd the name of said William E. Shepherd shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of \$20 per month from and after the date of death of said Mary A. Shepherd.

The name of Susanna A. Johnson, widow of Eugene W. Johnson, late acting assistant surgeon, United States Army, and pay her a pension at the rate of \$25 per month in lieu of that she is now receiving.

The name of Eleixious H. Conly, late of Company I, Fourteenth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Martha J. Hopkins, widow of Calvin Hopkins, late of Company G, One hundred and fifty-first Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$35 per month in lieu of that she is now receiving.

The name of Eva Whittlebery, helpless and dependent daughter of William R. Whittlebery, late of Company I, One hundred and sixteenth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Edward H. Bennett, helpless and dependent son of Lewis Bennett, late of Company B, One hundred and fifty-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The name of Alwilda Wheeler, widow of George H. Wheeler, late of Company H, Eleventh Regiment Kentucky Volunteer Cavalry, and pay her a pension at the rate of \$35 per month in lieu of that she is now receiving.

The name of Frederick Nientzenhelzer, late of Company A, Sixteenth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Martin Edwards, late of Company K, Fourteenth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of William H. Durham, helpless and dependent son of Tolford Durham, late of Company A, Fourth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

This bill is a substitute for the following bills referred to the Committee on Invalid Pensions:

H. R. 1029.	John J. Kraft.	H. R. 10673.	James F. Smith.
H. R. 1888.	Patrick Collins.	H. R. 10712.	Benjamin F. Ford.
H. R. 2378.	Robert Sutor.	H. R. 10713.	David E. Mosholder.
H. R. 2466.	Mary J. Van Denbergh.	H. R. 10723.	John E. Broyles.
H. R. 3012.	William A. Wilson.	H. R. 10758.	Sarah E. Maurer.
H. R. 3057.	Nancy J. Clark.	H. R. 10773.	Catherine Weber.
H. R. 3524.	Jane McMahon.	H. R. 10774.	Diana Lucas.
H. R. 3583.	Zora Hockman.	H. R. 10776.	Solomon J. Grine.
H. R. 3760.	Willard D. Dennison.	H. R. 10781.	John R. Garstang.
H. R. 5118.	Callie B. Boatright.	H. R. 10784.	Charles S. Humphrey.
H. R. 5198.	George T. Baldwin.	H. R. 10785.	Nancy F. Taylor.
H. R. 5199.	Phebe E. C. Priestley.	H. R. 10794.	Murray V. Livingston.
H. R. 6070.	James Warren.	H. R. 10799.	Elizabeth Beach.
H. R. 6303.	Ferdinand Lambert.	H. R. 10801.	Mary Phillips.
H. R. 6701.	Catharine Maconaghay.	H. R. 10813.	Callie Oberer.
H. R. 6933.	Charles W. Smith.	H. R. 10825.	Sarah Cain.
H. R. 7064.	Cynthia R. Osgood.	H. R. 10828.	Helena Garges.
H. R. 7171.	Jesse A. Smith.	H. R. 10829.	John Horn.
H. R. 7311.	George W. Hollenbank.	H. R. 10830.	Nancy H. Jacklin.
H. R. 7716.	Mary A. Slack.	H. R. 10848.	William E. Cheek.
H. R. 7823.	Franklin Harrod.	H. R. 10849.	John Ervin.
H. R. 7902.	Eva McNett.	H. R. 10850.	Richard Herrell.
H. R. 8319.	Samuel Bainter.	H. R. 10853.	Jeremiah M. Fitger.
H. R. 8450.	Annie J. Page.	H. R. 10854.	Lottie Baughman.
H. R. 8631.	Thomas J. O'Harra.	H. R. 10856.	Emma E. Brown.
H. R. 8670.	Henry Leedom.	H. R. 10863.	Loretta Hosey.
H. R. 8905.	William A. Middleton.	H. R. 10862.	James R. Hann.
H. R. 8908.	Elizabeth Acton.	H. R. 10863.	Lucian Smith.
H. R. 8981.	Amanda B. Birch.	H. R. 10869.	Hannah Brantner.
H. R. 9079.	John Wilson.	H. R. 10886.	Rhoda Button.
H. R. 9086.	Rebecca Horine.	H. R. 10889.	William Cline.
H. R. 9133.	Bertha Blanch Weimer.	H. R. 10896.	Martha L. Elliott.
H. R. 9198.	James Robison.	H. R. 10904.	Sarah Mowry.
H. R. 9223.	Ezra Shanks.	H. R. 10906.	Emma Swalls.
H. R. 9291.	Sibria Armstrong.	H. R. 10907.	Zetta Swalls.
H. R. 9450.	David Hahn.	H. R. 10908.	Jasper Stoops.
H. R. 9488.	Alice West.	H. R. 10909.	Sarah J. Parks.
H. R. 9491.	Stephen H. Leonard.	H. R. 10911.	Mary Havemaker.
H. R. 9513.	Max J. Alwens.	H. R. 10913.	Nelson Behymer.
H. R. 9554.	Colbert Ratliff.	H. R. 10914.	Lemuel C. Nicolson.
H. R. 9598.	Edmond Harvey.	H. R. 10915.	Burton Walters.
H. R. 9659.	Sarah J. Bates.	H. R. 10929.	Fannie E. Porter.
H. R. 9660.	Joseph R. Lawson.	H. R. 10930.	Jane Burton.
H. R. 9748.	Mary F. Lake.	H. R. 10931.	Mary A. McGill.
H. R. 9757.	George W. Willard.	H. R. 10932.	Eben N. Higley.
H. R. 9758.	Johanna Dowling.	H. R. 10937.	Martha J. James.
H. R. 9791.	Emma Park.	H. R. 10943.	Betsey Palmer Mason.
H. R. 9831.	George Milton Frye.	H. R. 10950.	Merritt A. White.
H. R. 9866.	Isabella Gruver.	H. R. 10951.	George W. Flack.
H. R. 9964.	Elizabeth I. E. Duffield.	H. R. 10952.	Robert W. Gibbs.
H. R. 10059.	Ellen Bridge.	H. R. 10954.	William A. Codding-
H. R. 10061.	Mary L. Drake.		ton.
H. R. 10100.	Elizabeth S. Van Pelt.	H. R. 10955.	Christopher Wilson.
H. R. 10128.	Lillian S. Dodds.	H. R. 10975.	Samuel J. White.
H. R. 10159.	Harriet E. Ritter.	H. R. 10978.	Rebecca E. Brown.
H. R. 10176.	Levi Welch.	H. R. 10979.	James T. Jones.
H. R. 10203.	Lazarus W. Johnson.	H. R. 10980.	Harriett A. Lake.
H. R. 10250.	Elizabeth A. Tuttle.	H. R. 10981.	Thomas W. Sample.
H. R. 10268.	Elizabeth A. Pease.	H. R. 10983.	Alfred Murray Ring-
H. R. 10283.	Emily N. Wellman.		land.
H. R. 10303.	Benjamin Jackson.	H. R. 10987.	James D. Lafferty.
H. R. 10318.	Louisa Mawhiney.	H. R. 10988.	Martha J. Sexton.
H. R. 10321.	Emma L. Lindsay.	H. R. 10991.	John W. Mercer.
H. R. 10333.	Zachariah Albaugh.	H. R. 10997.	Jonathan Wolf.
H. R. 10336.	Harriet Jordan.	H. R. 10998.	Gustav Hamberger.
H. R. 10385.	Cora B. Kelley.	H. R. 10999.	Nicholas Scholl.
H. R. 10394.	Julia A. Marugg.	H. R. 11000.	William H. Hanson.
H. R. 10422.	Adelia Mae Lee.	H. R. 11008.	Edwin E. Warren.
H. R. 10423.	Maggie Dona Lloyd.	H. R. 11034.	Peter P. Fuller.
H. R. 10424.	Israel Boyer.	H. R. 11035.	Robison D. Maus.
H. R. 10425.	Oscar W. Miller.	H. R. 11040.	Jennie L. Lewis.
H. R. 10442.	Frank Haight.	H. R. 11044.	Robert Niven.
H. R. 10454.	James B. Smith.	H. R. 11050.	Salathiel K. Wise.
H. R. 10456.	George H. Bowman.	H. R. 11071.	Mary E. Leroy.
H. R. 10457.	Jesse G. Gilman.	H. R. 11074.	Louisa Engelhardt.
H. R. 10501.	William H. Sumption.	H. R. 11093.	Joseph S. Hall.
H. R. 10504.	Virginia Zachary.	H. R. 11097.	John A. Keltner.
H. R. 10508.	Samuel Pryor.	H. R. 11098.	Charles Asa Clark.
H. R. 10522.	Jane M. Henderson.	H. R. 11101.	John J. Spencer.
H. R. 10528.	Joseph Buckle.	H. R. 11106.	Dora Myers.
H. R. 10550.	Adolphus Sterling.	H. R. 11111.	Samuel Sheline.
H. R. 10553.	Peter Boyd.	H. R. 11112.	Frank Libby.
H. R. 10586.	Felix R. Robertson.	H. R. 11132.	John N. Clark.
H. R. 10589.	Eugene Cunningham.	H. R. 11133.	Robert Davis.
H. R. 10594.	Margaret A. Plank.	H. R. 11134.	Luther Bedel.
H. R. 10625.	Emaline C. Lindner.	H. R. 11136.	Flavius J. Cole.
H. R. 10626.	Jason Johnson.	H. R. 11137.	David M. Haskell.
H. R. 10661.	James D. Ash.	H. R. 11139.	Webster Cotton.
H. R. 10662.	Frances E. Parmatar.	H. R. 11140.	Flora Heath.
H. R. 10669.	Lillian Brown.		
H. R. 10670.	George Wilson.		

H. R. 11142. Andrew Reiber.  
 H. R. 11144. Sarah N. Bollinger.  
 H. R. 11147. Thompson S. Lozaw.  
 H. R. 11148. Joseph J. Dalbey.  
 H. R. 11150. Louise H. Thornton.  
 H. R. 11159. Peter T. McQuain.  
 H. R. 11176. Ephraim Whitson.  
 H. R. 11186. Daniel K. Rowe.  
 H. R. 11208. Albert Waller.  
 H. R. 11213. Kate McLaughlin.  
 H. R. 11218. Martha A. Wade.  
 H. R. 11243. Nancy C. Troupe.  
 H. R. 11244. Enoch K. Shackelford.  
 H. R. 11245. Albert Shellhorn.  
 H. R. 11246. Elizabeth Burgess.  
 H. R. 11247. Alexander Kimbrough.  
 H. R. 11259. Garret H. Fowler.  
 H. R. 11263. Frederick A. Hart.  
 H. R. 11284. Joseph E. Crow.  
 H. R. 11286. Cassie K. Hatch.  
 H. R. 11291. William A. Karnes.  
 H. R. 11293. Sarah E. Frost.  
 H. R. 11296. Nelson B. Hackett.  
 H. R. 11315. Henry H. Rowe.  
 H. R. 11316. Caroline St. Denis.  
 H. R. 11318. Josiah C. Hancock.  
 H. R. 11322. John Wroton.  
 H. R. 11326. Charles M. Taylor.  
 H. R. 11327. Julia Ruth Bartlett.  
 H. R. 11328. Jesse W. Rigby.  
 H. R. 11371. Jerome B. Summers.  
 H. R. 11376. Mary Werner.  
 H. R. 11378. Charles N. Bingham.  
 H. R. 11385. William T. Gibbs.  
 H. R. 11386. George W. Coble.  
 H. R. 11403. Eliza C. Ludwig.  
 H. R. 11404. Lafayette Van Gundy.  
 H. R. 11408. Francis M. Frazier.  
 H. R. 11413. Sadie C. Steadman.  
 H. R. 11418. Hunter C. Crampton.  
 H. R. 11422. Helen B. Owen.  
 H. R. 11451. William D. Moores.  
 H. R. 11452. William O. Callis.  
 H. R. 11457. Franklin Bolen.  
 H. R. 11458. Jesse Corn.  
 H. R. 11468. Marion Cobling.  
 H. R. 11469. Reuben Boring.  
 H. R. 11472. Julia A. Barnes.  
 H. R. 11474. James Doran.  
 H. R. 11479. Phillip A. Warner.  
 H. R. 11480. Sarah J. Pond.  
 H. R. 11484. Martha Williams.  
 H. R. 11485. Mary E. Bowen.  
 H. R. 11488. Elizabeth M. Sager.  
 H. R. 11502. John W. McPherron, jr.  
 H. R. 11503. Henry J. Kinney.  
 H. R. 11510. Susan H. Orr.  
 H. R. 11514. Hugo Schrottky.  
 H. R. 11517. Eva J. Plante.  
 H. R. 11521. Loretta McKee.  
 H. R. 11522. Rosella Magee.  
 H. R. 11525. Sallie A. Cox.  
 H. R. 11529. John Foster.  
 H. R. 11530. Edward R. Roll.  
 H. R. 11532. Harriet Sillman.  
 H. R. 11533. Laura Levenseler.  
 H. R. 11534. William W. Goodridge.  
 H. R. 11562. Nathaniel Henry.  
 H. R. 11564. Sarah A. Christy.  
 H. R. 11577. Sarah Keys.  
 H. R. 11591. James Bartram.  
 H. R. 11593. Sarah E. Totten.  
 H. R. 11595. Isaac Edgington.  
 H. R. 11596. Gurney E. Hall.  
 H. R. 11598. George B. Pearl.  
 H. R. 11613. Margaret Burney.  
 H. R. 11614. Robert Gilmore.  
 H. R. 11615. Thomas J. Thomas.  
 H. R. 11620. Lyman M. Sherwood.  
 H. R. 11627. John Walker.  
 H. R. 11631. William H. Wroten.  
 H. R. 11632. Nicholas S. Ward.  
 H. R. 11643. Harriette Skelton.  
 H. R. 11647. William H. Willey.  
 H. R. 11648. John E. Coogle.  
 H. R. 11649. Ellis Henthorn.  
 H. R. 11651. Lucy J. Sheldon.  
 H. R. 11652. Philander S. Groesbeck.  
 H. R. 11654. Marsh Smith.  
 H. R. 11658. Catharine Lenz.  
 H. R. 11678. Solomon Morris.  
 H. R. 11689. James L. Moore.  
 H. R. 11701. Gilbert Smith.  
 H. R. 11705. Harriet H. Carmical.  
 H. R. 11714. Ephraim A. Adams.  
 H. R. 11744. Peter L. Tremper.  
 H. R. 11767. Susan Bedwell.  
 H. R. 11782. George H. Pennington.  
 H. R. 11801. Louisa R. Bechtel.  
 H. R. 11817. Joseph Guffy.  
 H. R. 11835. Joseph Johnson.  
 H. R. 11838. Alda A. Marshall.  
 H. R. 11855. Eliza McDanel.  
 H. R. 11864. Laona Carver.  
 H. R. 11865. Jennie L. Ramsdell.  
 H. R. 11866. Julia E. Mills.  
 H. R. 11867. Michael Kirby.  
 H. R. 11872. Anna Sheridan.  
 H. R. 11895. Andrew J. Hale.  
 H. R. 11896. Abigail Merriman.  
 H. R. 11898. James B. Erskine.  
 H. R. 11902. Elmar K. Coppock.  
 H. R. 11906. Clara C. McCracken.  
 H. R. 11910. Elecla Rexroad.  
 H. R. 11935. Anna F. Willis.  
 H. R. 11939. Mary F. Woods.  
 H. R. 11963. Robert H. Kernan.  
 H. R. 11977. George W. Thompson.  
 H. R. 11988. Charles H. Bothwell.  
 H. R. 11990. William Firkins.  
 H. R. 11992. Lewis C. Fosnot.  
 H. R. 12004. George Gullford.  
 H. R. 12016. William F. Dines.  
 H. R. 12019. Isaiah G. Mayo.  
 H. R. 12021. Ida McCoy.  
 H. R. 12024. Sophia Schram.  
 H. R. 12058. Ellen S. Vestile.  
 H. R. 12062. Mary A. Shepherd.  
 H. R. 12106. Susanna A. Johnson.  
 H. R. 12110. Elexious H. Conly.  
 H. R. 12119. Martha J. Hopkins.  
 H. R. 12122. Eva Whittlebery.  
 H. R. 12130. Edward H. Bennett.  
 H. R. 12142. Alwilda Wheeler.  
 H. R. 12172. Frederick Neutzenhelzer.  
 H. R. 12175. Martin Edwards.  
 H. R. 12447. William H. Durham.

Mr. FULLER of Illinois. Mr. Speaker, I offer the following committee amendments, which it was understood might be offered en bloc:

Page 14, line 1, insert the words "First Regiment" at the beginning of line before the words "Veteran Reserve Corps."

Page 19, line 10, change the word "wife" to "widow."

Page 21, line 10, change designation of company from "V" to "C."

Page 23, line 19, correct name of claimant is "Haremaker"; it is printed as "Havemaker" in two places, line 19.

Page 27, line 13, add letter "t" to given name of claimant, making it read "Harriett" instead of "Harriet."

Page 28, line 8, change the word "Relief" to "Reserve," making it read "Veteran Reserve Corps."

Page 31, strike out lines 17, 18, 19, and 20. The claimant, John N. Clark, is dead.

Page 37, in lines 5 and 6, correct name of claimant and soldier to read "St. Denis" instead of "Saint Denis."

Page 38, line 23, change name of soldier from "Coble" to "Cobb."

Page 49, strike out lines 18, 19, 20, and 21. The soldier is dead.

Page 49, lines 22 and 23, correct name of claimant and soldier to read "Bedell" instead of "Bedwell."

Page 50, line 6, insert dollar mark (\$) before figures "50."

Page 50, line 16, make name of soldier read "Johnston" with a "t" instead of "Johnson."

Page 55, strike out lines 8, 9, 10, and 11. The soldier, Lewis C. Fosnot, recently died.

The SPEAKER. The gentleman from Illinois offers the following committee amendments, which the Clerk will report.

The Clerk read as follows:

Amendments offered by Mr. FULLER of Illinois:

Page 14, line 1, insert the words "First Regiment" at the beginning of line, before the words "Veteran Reserve Corps."

Page 19, line 10, change the word "wife" to "widow."

Page 21, line 10, change designation of company from "V" to "C."  
 Page 23, line 19, change the name "Haremaker" to "Havemaker" in two places.

Page 27, line 13, add letter "t" to given name of claimant, making it read "Harriett" instead of "Harriet."

Page 28, line 8, change the word "Relief" to "Reserve," making it read "Veteran Reserve Corps."

Page 31, strike out lines 17, 18, 19, and 20.

Page 37, in lines 5 and 6, correct name of claimant and soldier to read "St. Denis" instead of "Saint Denis."

Page 38, line 23, change name of soldier from "Coble" to "Cobb."

Page 49, strike out lines 18, 19, 20, and 21.

Page 49, lines 22 and 23, correct name of claimant and soldier to read "Bedell" instead of "Bedwell."

Page 50, line 6, insert dollar mark (\$) before figures "50."

Page 50, line 16, make name of soldier read "Johnston" instead of "Johnson."

Page 55, strike out lines 8, 9, 10, and 11.

The SPEAKER. The question is on agreeing to the amendments. The amendments were agreed to.

Mr. BLANTON. Will the gentleman yield to me five minutes?

Mr. FULLER of Illinois. I yield to the gentleman five minutes.

The SPEAKER. The gentleman from Texas is recognized for five minutes.

Mr. BLANTON. Mr. Speaker, I realize that a fleet of dreadnoughts and a squadron of armored tanks could not stop the passage of a bill of this kind, and I do not intend to waste any time of the House in trying to do it; but I do want to say a word in commendation of the splendid service rendered to this House and this country by two of our colleagues. I refer to the distinguished gentleman from Massachusetts [Mr. WALSH] and the distinguished gentleman from Ohio [Mr. GARD].

It is not a pleasurable task for any Member of Congress to object to private bills. Whenever objection is made, to a greater or less extent you hurt the feelings of your colleagues specially interested in those measures. Hence many Members hesitate to oppose private bills. But I do want to say that the whole country should feel indebted to these two gentlemen for the magnificent service rendered, not just once in a while, but all the time, for these two distinguished gentlemen are always on the job. In addition to finding time for all their other tasks with which they are burdened the same as we are, in addition to attending to all their other duties as Members of Congress, every time a claims day comes these gentlemen are on the floor of the House constantly, many times going without their noon-day meal even. Every one of these private bills that is brought up here receives their attention. They have made a personal investigation of it. They are familiar with the facts. They know the merits and demerits of it, and when demerits appear they have the courage of their convictions to stand up here and object. It means a whole lot of hard work. The constituents of the gentleman from Massachusetts [Mr. WALSH] and the constituents of the gentleman from Ohio [Mr. GARD] will never realize the many hours of hard, tedious work that these gentlemen have put on these various bills. They are only following in the footsteps of the distinguished gentleman from Illinois [Mr. MANN], who used to perform this same valuable service. They have taken his place in a large measure. I do not believe in throwing flowers at people after they are dead and giving them no recognition while they are living. That idea has prompted me to express here to-day, so that it may go into the Record, this slight and humble, yet earnest and appreciative, commendation of the splendid service rendered by these two colleagues of ours. [Applause.]

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

On motion of Mr. FULLER of Illinois, a motion to reconsider the vote by which the bill was passed was laid on the table.

CROW TRIBE OF INDIANS—REREERENCE.

Mr. SNYDER. Mr. Speaker, I ask unanimous consent to take from the calendar Senate bill 2890 and rerefer it to the Committee on Indian Affairs.

The SPEAKER. The gentleman from New York asks unanimous consent to take from the calendar Senate bill 2890 and rerefer it to the Committee on Indian Affairs.

Mr. GARD. Let us have the bill reported.

The Clerk read the title of the bill (S. 2890) to provide for the allotment of lands of the Crow Tribe, for the distribution of tribal funds, and for other purposes.

The SPEAKER. Is there objection?

Mr. GARD. Reserving the right to object, what is the request?

The SPEAKER. The request is that it be rereferred to the Committee on Indian Affairs. It was reported from the Committee on Indian Affairs.

Mr. SNYDER. I desire to have it referred back to the committee for further action.

The SPEAKER. Is there objection?

There was no objection.

#### EXTENSION OF REMARKS.

Mr. TILSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the so-called Nolan bill for the relief of the Pension Office. It was passed three weeks ago on a day that I was absent from the House. I now ask unanimous consent to extend my remarks on that bill.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

#### M'CLINTIC-MARSHALL CONSTRUCTION CO.

The next business on the Private Calendar was the bill (H. R. 6092) for the relief of the McClintic-Marshall Construction Co.

The SPEAKER. Is there objection?

Mr. KELLY of Pennsylvania. Mr. Speaker, I ask unanimous consent that the bill may be passed for the present.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

Mr. BLANTON. Reserving the right to object, have we a right to have the bill disposed of at the present time?

The SPEAKER. If the gentleman's request is granted, it would stay on the calendar.

Mr. BLANTON. Where it is objected to it could not be called up later; but if the request of the gentleman from Pennsylvania is granted, it may be called up again this afternoon.

Mr. KELLY of Pennsylvania. I ask that the bill may be passed for the day.

Mr. BLANTON. If it will not be taken up again to-day, I have no objection.

The SPEAKER. Is there objection?

There was no objection.

#### ALBERT T. HUSO.

The next business on the Private Calendar was the bill (H. R. 12333) for the relief of Albert T. Huso.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. WALSH. Reserving the right to object, I see that this bill involves \$753, and the Postmaster General, under date of February 11 last, states that the postmaster was guilty of negligence within the meaning of the statute of 1888. No evidence has been submitted to the department to warrant a different action in this case. Has any evidence been submitted to the committee which would justify a favorable action upon this claim in view of the attitude of the department? It would appear that there are no additional facts set forth in the report on the bill. It is a dangerous thing to establish these precedents in these cases.

Mr. GLYNN. The evidence shows clearly enough that the postmaster had not changed the combination on the safe for some four or five years. But that did not seem to be very material or very important to the committee in view of the fact that this safe was blown open by burglars with dynamite. There is a provision in the postal regulations which provides that the inner door of the safe shall be locked. You who know anything about safes know that there is a thin door in many safes, hardly thicker than a piece of tissue paper, one-eighth of an inch or less in thickness, and which is absolutely no protection whatever to the contents of that safe. The outer door was locked, and that, of course, is a protection. But when a burglar can blow open the outside door of a safe he is not going to be held up by the thin inside door. I am not referring now to the heavy door underneath but to the thin door inside, which did not happen to be locked.

Mr. WALSH. Certainly the burglar is not going to be held up if the door is unlocked, as it was in this case. Having blown open the outer door they found the inner door unlocked.

Mr. GLYNN. Which is so thin that it offers no protection.

Mr. WALSH. That depends on the kind of a safe; some are hard steel doors with very secure locks, and sometimes it requires considerable drilling even before they can get through the inner door. I do not know anything about the facts of this case because they are not fully stated, but the laws and regulations of the Post Office Department require that the inner door shall be locked, and in this case it was not.

Mr. HAUGEN. Mr. Speaker, this little post office is in a small town of 150 people. I do not know what the revenue of the office was, but probably \$300 or \$400. It is not to be expected that a young man who is hustling after business in a country store can be expected to be acquainted with all the rules and regulations of the Post Office Department, which require that the inner door of the safe shall be locked.

But, as is shown in the report of the committee and also in the letter from the Postmaster General, this safe was blown by burglars, and, as has been stated, even if the inside door had been locked it would have afforded no protection against these burglars with dynamite. Under the circumstances it would seem fair that the postmaster should be reimbursed. There are plenty of precedents for this. It has been the custom of Congress to reimburse postmasters in many instances. This bill was reported and passed by the House some years ago.

Mr. WALSH. Of course, the gentleman could make the same argument in case the outer door was closed but unlocked and they did not have to blow it open with dynamite. The regulations require and under some administrations at least we have had postmasters who were familiar with the law and the regulations. It requires that they shall keep the stamps and other valuables of the office in a safe of a certain kind and that the inner door shall be locked. That might not be any protection if blown open by dynamite, but the regulations do not say that if blown open by dynamite the responsibility on the part of the postmaster ceases.

Mr. HAUGEN. Let me read from the Postmaster General's letter. It is as follows:

The evidence relative to the burglary of March 12, 1913, shows that the post office was forcibly entered by burglars, who apparently worked the combination of the safe therein, from which they took the postage stamps and money-order funds, as claimed by the postmaster; but the postmaster had failed to lock the inner doors of his safe and had not changed the combination since the safe came into his possession, four or five years previously.

Relative to the burglary of October 2, 1913, the evidence shows that burglars forcibly entered the post office and blew open the outer doors of the safe, from which they took the postage stamps, as claimed by the postmaster. In this instance the inner door of the safe had not been locked.

Now, that is the practice of the department, but, after all, the door was forced open.

Mr. KEARNS. Do these small post offices keep safes for money and stamps?

Mr. WALSH. Some classes do.

Mr. KEARNS. The gentleman says this is a town of only 150 inhabitants.

Mr. HAUGEN. The town is in my home county. I have known this postmaster ever since childhood. He is a man of high standing and of absolute veracity. He conducted a store in this town, the population of which is about 150 inhabitants.

Mr. WALSH. It has become a sort of a habit to blow that safe open, as this is the second time it has been burglarized within six months.

Mr. HAUGEN. There have been several burglaries in that vicinity, not in this particular post office but in that vicinity. The gentleman knows—

Mr. KEARNS. Do the post offices of that size keep a safe?

Mr. HAUGEN. Yes.

Mr. GLYNN. The regulation require that he shall be responsible for the stamps, and if—

Mr. KEARNS. But is a safe required?

Mr. WALSH. When they get a safe there are certain regulations applying to it with which they are obliged to comply.

Mr. KEARNS. Suppose they had no safe and the store had been broken open and the stamps or money taken?

Mr. WALSH. It depends upon the circumstances as to whether it would be considered negligible. In this case the Postmaster General thinks it was negligible.

Mr. KEARNS. I know of post offices that have no safes at all.

Mr. LAYTON. Does the gentleman object?

Mr. WALSH. I reserved the right to object in order to get a little more information than is contained in the report.

Mr. GLYNN. I will say this to the gentleman from Massachusetts, I have been a postmaster. I know the kind of safe the Government furnished to me in a town of 10,000 people. The outside door is probably an inch and a half thick and ought to be locked, and then there was an inner box of about the same thickness and above that was the thinnest kind of door that was absolutely no protection. There is no sense of having it. That is about the same sort of safe as this kind. Why, a man with a hammer could strike it a blow and shatter it. Now, it seems to me we ought not to require a high degree of diligence in the case of a postmaster living in a village of 150 people where he has a good many other things to do. That kind of a safe is not any protection anyway. A burglar can blow it up and blow it all to pieces in very short order.



Mr. WALSH. Of course, if we establish a practice here of paying these claims for losses that the department indicates, and it is not controverted, result in part from negligence and let down the doors, why our postmasters will not take any care of the property at all. Now, in the first instance they did not blow open this safe, they unlocked it. That occurred in March. In that instance the inner door was unlocked and a part of these stamps were abstracted. Again in October they came along and although the combination on the outer door had not been changed they blew it open with dynamite and again found the inner door unlocked. Now, it seems to me the circumstances, with the nonconformity with the postal laws and regulations, are not such as to warrant us in expending over \$800 in settlement of this claim, and I am inclined—

Mr. HAUGEN. The Postmaster General states the evidence shows in the last burglary that the burglar forcibly entered the post office and blew open the outer door of the safe.

Mr. WALSH. That is the October affair, not the one that occurred in March. Now, the postmaster knew of the one that occurred before and he had a little experience and he should have profited a little by it it seems to me. He worked the combination of the safe and the postmaster had failed to lock the inner door and had not changed the combination since the safe came into his possession, four or five years previously.

Mr. HAUGEN. This was in a country store; everybody understands that these small safes afford no protection against burglary but do afford protection to the contents against fire. That is about the only purpose of these small safes. The smaller post offices do not have burglar proof safes. What added protection does changing the combination give—whether it is changed or not?

Mr. O'CONNOR. Is it not easier to blow the safe than to work the combination?

Mr. GLYNN. As a matter of fact a large proportion of these country stores are said to hang the combination out and to say "Do not blow up the safe, here is the combination," because it is absolutely no protection against burglary.

Mr. HAUGEN. It takes but a few minutes for an expert to blow a safe of that kind. One of the banks in our county—this same county—was robbed of over \$30,000 in bonds recently.

Mr. WALSH. After all, there may be some distinction for paying for losses that occur through negligence and paying a burglar for coming and stealing a valuable piece of property. There is a little distinction. But if you are going to say to these people do this and violate the regulations, and then we will pass a special bill and say we will credit your account so much, when only the other day we passed a \$13,000 claim, in my judgment we are simply inviting these people to be careless. I am rather doubtful about the justice of this claim and I object, Mr. Speaker.

The SPEAKER. Objection is made, and the Clerk will report the next bill.

#### AUTHORIZING DISPOSAL OF LAND AT WATERTVILLE, ME.

The next business on the Private Calendar was the bill (S. 3187) to dispose of a certain strip of public land in Waterville, Me.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of this bill? [After a pause.] The Chair hears none.

The Clerk read as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized, in his discretion, to sell to the owner of the abutting land for cash the strip of land fronting 10 feet on the southeasterly side of Elm Street and extending, of that width, southeasterly along the southwesterly side of the Federal building site in Waterville, Me., a distance of 122 feet 4 1/2 inches, more or less, at a price not less than the pro rata square-foot cost of the land paid by the United States, which strip is not needed by the Government; to convey said land to the purchaser by the usual quit-claim deed; and to deposit the proceeds of such sale in the Treasury of the United States as a miscellaneous receipt. Or the Secretary of the Treasury may, in his discretion, grant said owner an easement in perpetuity in said strip of land for driveway purposes, charging therefor such sum as the Secretary of the Treasury deems just and reasonable.

The SPEAKER. The question is on the third reading of the bill.

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

On motion of Mr. PETERS, a motion to reconsider the vote by which the bill was passed was laid on the table.

WALSTON H. BROWN.

The next business on the Private Calendar was the bill (S. 495) for the relief of Walston H. Brown, sole surviving partner of the firm of Brown, Howard & Co., and of the Philadelphia & Reading Coal & Iron Co.

Mr. BLANTON. Mr. Speaker, may we have the bill reported?

The SPEAKER. The Clerk will report the bill.

The bill was reported in full.

Mr. GLYNN. Mr. Speaker, in the absence of the chairman, I move that this bill be passed over for the day.

The SPEAKER. Without objection, the bill will be passed over for the day. The Clerk will report the next bill.

#### ESTATE OF HENRY A. V. POST.

The next business on the Private Calendar was the bill (S. 2300) for the relief of the estate of Henry A. V. Post.

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

Mr. BLANTON. May we have this one reported, Mr. Speaker?

The SPEAKER. The Clerk will report the bill.

The bill was read in full.

Mr. GLYNN. Mr. Speaker, I move that the bill be passed over for the day.

The SPEAKER. Without objection, it will be so ordered. The Clerk will report the next bill.

#### OWNER OF DERRICK "CONCORD."

The next business on the Private Calendar was the bill (H. R. 9629) for the relief of the owner of the derrick *Concord*.

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

Mr. WALSH. Mr. Speaker, reserving the right to object, I would like to ask the gentleman the reason for the amendment on page 2.

Mr. GLYNN. I think the gentleman from New York [Mr. CLEARY] perhaps can explain that. Frankly, I can not.

Mr. KELLY of Pennsylvania. Mr. Speaker, if the gentleman will permit, the amendment of the committee, as stated in the bill and in the report, shows that section 2 should be stricken out and other language inserted in section 1. There is a confusion in the amendment, as the gentleman from Massachusetts [Mr. WALSH] has noted, and the first four lines and down to the proviso should be retained in the bill instead of having them stricken out. The part to be stricken out was simply the proviso in section 2, in order to have it conform to the form the Senate has used, and which the House Committee on Claims adopted in the bills already passed.

Mr. WALSH. But the amendment in reference to notice being given to the Attorney General is that in the form carried heretofore in bills of this class?

Mr. KELLY of Pennsylvania. That is the form that the House has insisted on in several bills that have gone through the committee and the House.

Mr. GARD. We passed a bill a while ago in which there was nothing of that kind.

Mr. KELLY of Pennsylvania. I was trying to explain that. These three bills that passed did not provide that the Attorney General should appear and defend the United States, although that is implied, of course, in the Senate bill. The House form as it stands puts that provision in, and at the same time provides that the money shall be paid out of the United States Treasury out of any fees not otherwise appropriated. By an error section 2 was to be stricken from the bill entirely, where only the proviso to section 2 should be stricken out, and the form retained as in the other bills.

Mr. WALSH. The proviso in section 2 is used in the amendment to section 1?

Mr. KELLY of Pennsylvania. And that is the reason it should be stricken out in section 2. Section 2 should remain as it is, except for the proviso, in order to make it concur exactly in form with the other bills.

Mr. WALSH. I will not object.

The SPEAKER. Is there objection to the consideration of the bill? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

*Be it enacted, etc.*, That the claim of the owner of the derrick *Concord*, arising out of collision between said derrick and the U. S. S. *Robin* on January 10, 1919, at the north pier of the Merritt & Chapman Derrick & Wrecking Co.'s dock at the district salvage base, Stapleton, Staten Island, N. Y., for and on account of the losses alleged to have been suffered in said collision by the owner of said derrick *Concord* by reason of damages to said derrick, may be submitted to the United States court for the eastern district of New York under and in compliance with the rules of said court sitting as a court of admiralty; and that the said court shall have jurisdiction to hear and determine the whole controversy and to enter a judgment or decree for the amount of the legal damages sustained by reason of said collision, if any shall be found to be due either for or against the United States, upon the same principle and measure of liability, with costs, as in like cases in admiralty between private parties, with the same right of appeal.

SEC. 2. That should damages be found to be due from the United States to the owner of said derrick *Concord*, the amount of the final decree or decrees therefor shall be paid out of any money in the United States Treasury not otherwise appropriated: *Provided*, That such suit

shall be brought and commenced within four months after the passage of this act.

SEC. 3. That the mode of service of process shall conform to the provision of the act of March 3, 1887, entitled "An act to provide for the bringing of suits against the United States."

Also the following committee amendments were read:

On page 2, line 9, after the word "appeal," strike out the period, insert a colon and the following:

"Provided, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of the said court, and it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further*, That said suit shall be brought and commenced within four months of the date of the passage of this act."

Second amendment: Page 2, strike out all of sections 2 and 3.

Mr. KELLY of Pennsylvania. The first amendment should be disposed of first.

Mr. MANN of Illinois. Mr. Speaker, is this to have a suit brought in admiralty?

Mr. KELLY of Pennsylvania. Yes.

Mr. MANN of Illinois. Why do you put in this proviso to the effect that the Attorney General shall be notified, when you refused to put it in the Senate bill a little earlier in the afternoon and insisted at that time it was not necessary?

Mr. KELLY of Pennsylvania. Mr. Speaker, if I understood the proposition at that time, the question was not whether the Attorney General should be notified, which would be done as a matter of course, I presume, but whether or not the money should be paid out of the Treasury of the United States under this act.

Mr. MANN of Illinois. Oh, no. The gentleman from Ohio [Mr. GARD] very distinctly called attention to the fact that the bill then under consideration did not provide how the United States should be brought into court and how notice should be made.

Mr. KELLY of Pennsylvania. The gentleman from Ohio called attention to section 3, which provided for service, and that was stricken out in all these bills.

Mr. MANN of Illinois. The gentleman from Ohio called attention to the fact that the bill made no provision as to how the United States should be notified, unless I misunderstood the gentleman from Ohio.

Mr. GARD. In order to settle the dispute I may say that the idea that I intended to convey is given a better expression by the gentleman from Illinois [Mr. MANN].

Mr. MANN of Illinois. The gentleman from Ohio conveyed it very distinctly at the time, and the gentleman from Pennsylvania, and the gentleman from Connecticut, and the gentleman from Iowa insisted it was not necessary to describe how notice should be served, because there was a general statute on the subject. If there is a general statute, what is the purpose of putting this in?

Mr. KELLY of Pennsylvania. If the gentleman will pardon me, the question, as I understood it and as my colleague understood it, was that section 3 provided for a service of process, which we stated would be cared for under admiralty laws and that the section was not necessary.

Now, as to the notice of the Attorney General, that question, to my knowledge, did not come into the proposition at all, but the controversy was on section 3.

Mr. MANN of Illinois. It was practically the same question. That is what I want to get at, whether it is necessary. In that bill you made no provision as to how notice should be served on the United States. There is no provision, except to notify the Attorney General or the district attorney of the United States. I understood from the gentlemen all around, then defending the bill, that it was not necessary to have any specific provision, and no specific provision is in that bill. Now, what I want to know is, if I may properly ask that question, if it was not necessary in the former bill to provide how the United States should be notified why it is necessary in this bill?

Mr. KELLY of Pennsylvania. I do not think it necessary at all, Mr. Speaker, but this is the House form, and we endeavored to make the House form comply substantially with the Senate form as they send bills to us from over there.

Mr. MANN of Illinois. It is better practice, if the House has a form and the Senate has a form, for the committees to get together and have the same form, because it is ridiculous for the House to pass a Senate bill in one form and say that is sufficient and then insist that a bill in the House shall be amended according to the House form in order to make it sufficient. It is not necessary to amend one in order to make its form different. I have no objection to the amendment. I know the proposition has been in many bills, but if this amendment is necessary, it ought to have been in the other bills that were passed. If it is not necessary in the other bills, it is just wasting time to pass it in this bill.

Mr. KELLY of Pennsylvania. The confusion arises because of the forms adopted by the Senate committee and the House committee. If the gentleman desires, we will move to strike out this provision and insert section 2.

Mr. MANN of Illinois. This is to strike out the provision and insert the Senate proviso.

Mr. KELLY of Pennsylvania. I believe we can substitute the Senate provision.

Mr. McKEOWN. Mr. Speaker, I move to strike out the last word.

The SPEAKER. The gentleman from Oklahoma moves to strike out the last word.

Mr. McKEOWN. I notice that there are a great many of these claims for damages done by vessels of the United States, and I take it that that occurred during the congestion during the war. But I want to know if this committee has any information as to whether any attempt is being made by the department to bring to the attention of their employees this negligence which is going on and which results in the United States being mulcted in damages every time some Government boat bumps into some other craft, resulting in a suit being brought for damages against the United States in the Court of Claims.

Mr. KELLY of Pennsylvania. In each case where a bill is presented the committee immediately takes it up with the department, and the department sends full information regarding it. I presume they endeavor to prevent a recurrence in the future. In this case the Navy Department requested that this bill be passed, so that the claim may be passed upon by the courts.

Mr. McKEOWN. I want to know if the department is taking steps to prevent in the future accidents of this kind that are occurring now, for which we shall have to pay damages.

Mr. KELLY of Pennsylvania. I could not answer that question.

The SPEAKER. The question is on agreeing to the first committee amendment.

The amendment was agreed to.

Mr. KELLY of Pennsylvania. Now, Mr. Speaker, I offer a committee amendment. On page 2, line 21, strike out the line beginning "Provided" and the remainder of section 2, leaving section 2 remain in the bill with that exception.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Strike out, on page 2, lines 21, 22, and 23, covering the proviso, "Provided, That such suit shall be brought and commenced within four months after the passage of this act."

Mr. MANN of Illinois. This is an amendment to text. The way to do is to agree to this amendment and then disagree to the committee amendment.

Mr. KELLY of Pennsylvania. I offer this amendment now to strike out the proviso.

The SPEAKER. The committee amendment strikes out the proviso and the rest.

Mr. KELLY of Pennsylvania. Is it not possible to substitute an amendment for the committee amendment from the floor?

The SPEAKER. The gentleman moves to strike out the proviso on lines 21, 22, and 23. The question is on agreeing to the committee amendment.

Mr. MANN of Illinois. Mr. Speaker, the question now is merely upon the amendment making an appropriation for the payment of the judgment. I do not suppose it makes any material difference, but in the case of private claims, where we pay a claim, it is usual to make an appropriation for the payment of the claim, because that is what we do; but it is not usual, where we provide for a suit being brought against the United States, to provide in the same act for the payment of the judgment. Judgments against the United States, when the time for appeal has expired or appeal has been refused, are certified by the auditors or the Court of Claims, or whoever has charge of the matter, to the House of Representatives, and are included as a matter of course in the general deficiency bill. It seems to me that that is the better practice on the whole.

Mr. KELLY of Pennsylvania. I am inclined to agree with the gentleman that that is the better practice, but I may say that the Committee on Claims has passed out a number of bills providing that a certification from the court shall mean payment of the claim, just as it is carried in this section 2.

Mr. MANN of Illinois. I know it has sometimes been done and sometimes it has been refused to be done. I think it would be just as wise for the Committee on Claims to adopt the policy, wherever we authorize a suit to be brought, to provide for the payment of the judgment outside of the bill. The advantage of that is that where the Committee on Appropriations brings in a deficiency bill providing for the payment of judgments and other things it is easy to ascertain the amount of money appropriated. On these special bills the clerks of the House and the

Senate have to go over these bills and drag out and figure out the amount of the appropriation without any notice being given to the Committee on Appropriations at all; and while they do that as to private claims it is rather a difficult thing to catch up with all these bills submitting claims to the Court of Claims and we never know how much money is paid for these judgments; that is, we have no record of it in our record, and we ought to have a record of all the appropriations that are not permanent appropriations.

Mr. KELLY of Pennsylvania. The suggestion of the gentleman is a valuable one, and, as far as I am concerned, I propose to bring that to the attention of the Committee on Claims in the future. However, we have passed three bills in this form now, and if this one goes through I believe the Committee on Claims will adopt the suggestion of the gentleman from Illinois on this matter.

The SPEAKER. The question is on agreeing to the amendment.

The question being taken, the amendment was rejected.

The SPEAKER. The question is on the committee amendment to strike out section 3.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

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

By unanimous consent, the title was amended to read: "A bill for the relief of the Merritt & Chapman Derrick & Wrecking Co."

On motion of Mr. CLEARY, a motion to reconsider the vote by which the bill was passed was laid on the table.

JOHN E. MOORE CO.

The next business on the Private Calendar was the bill (H. R. 11572) for the relief of the John E. Moore Co.

The SPEAKER. Is there objection?

Mr. WALSH. Mr. Speaker, this is another one of these admiralty cases, seeking to send a claim to the admiralty court, but the facts in this case seem to be so clear that I do not think we ought to cumber up the docket of the admiralty court. As I understand the facts, this tugboat ran into a sunken wreck which had been properly buoyed. Warning had been given. The tugboat had gone down by the wreck, and in coming back it grazed the marking buoy and punctured its hull and a little later sunk. It would seem to me that the captain of the craft was not exercising sufficient care.

Mr. GARD. Will the gentleman yield?

Mr. WALSH. I yield.

Mr. GARD. In the gentleman's opinion, is it not better to have the question of responsibility determined in a proper court than to have the possibility of this claim coming in here at some later time? The reason I say that is that I notice in the report of the Secretary of the Navy it is stated that—

While the record indicates that the Navy is in no way liable for the damages sustained by the tug *E. M. Millard* on August 8, 1919, nevertheless it is believed that the John E. Moore Co., the owner, is entitled to have its claim judicially determined, and as H. R. 11572, a copy of which you inclosed with your letter, has for its sole purpose the authorization of the owner of the *E. M. Millard* to sue in a district court, it is respectfully recommended that the bill receive favorable attention by the Committee on Claims.

And he recommends the passage of the bill.

Mr. WALSH. The gentleman is aware of the fact that that belief is very prevalent down in the departments, particularly in the Navy Department, with respect to nearly any kind of a claim that results from a collision with a craft belonging to the Navy Department or arising out of any circumstances in which naval craft are at all concerned. But here is a case in which it would seem to me that referring it to the court would simply result in finding what the department has set forth. There is no claim, as I understand it, that there are any other circumstances connected with the case.

Mr. McKEOWN. Will the gentleman yield?

Mr. WALSH. Yes.

Mr. McKEOWN. Are there any facts in the record which will justify a court to investigate the case? Is there sufficient on its face to make a prima facie case?

Mr. WALSH. There does not appear to be.

The SPEAKER pro tempore (Mr. SANFORD). Is there objection to the present consideration of the bill?

Mr. McKEOWN. Mr. Speaker, I object.

Mr. MACCRATE. Mr. Speaker, I ask unanimous consent that this bill be passed over until the Member returns who has it in charge—

Mr. WALSH. You can not pass it over in that way. I have no objection to the bill going over.

Mr. McKEOWN. I will withdraw the objection if the gentleman wants to pass it over.

The SPEAKER pro tempore. If there is no objection, the bill will be passed over without prejudice.

There was no objection.

THE WILLIAM GORDON CORPORATION.

The next business on the Private Calendar was the bill (H. R. 12281) for the relief of the William Gordon Corporation.

The Clerk read the title of the bill.

Mr. GLYNN. Mr. Speaker, I ask unanimous consent that this bill be passed over.

The SPEAKER pro tempore. The gentleman from Connecticut asks unanimous consent that the bill be passed over without prejudice. Is there objection?

There was no objection.

CERTAIN LANDOWNERS OF NEW CASTLE COUNTY, DEL.

The next business on the Private Calendar was the bill (H. R. 11834) for the relief of certain landowners of New Castle County, in the State of Delaware.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. LAYTON. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice, with a view to eventually striking it entirely from the calendar, because the Secretary of War has determined by an official decision to pay this claim. If that is done, there will be no need for this legislation, but I want to retain the bill upon the calendar until the claim is paid.

The SPEAKER pro tempore. The gentleman from Delaware asks unanimous consent that this bill be passed over without prejudice. Is there objection?

There was no objection.

CATHERINA REA, ADMINISTRATRIX.

The next business on the Private Calendar was the bill (H. R. 9048) for the relief of Catherina Rea, administratrix of the estate of John Rea.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill?

Mr. GARD. Reserving the right to object, it seems, from the information I am able to derive from the report, that these distilled spirits are claimed to have been used in hospital emergency treatment at the time of the disaster in San Francisco caused by the great fire. I believe these distilled spirits were taken by the relief and Red Cross organizations, and a bill was presented for the value of the brandy, and payment refused. I am therefore wondering why it is that the bill now comes in the form that it does.

Mr. HERSMAN. Will the gentleman yield?

Mr. GARD. Yes.

Mr. HERSMAN. Before John Rea died I knew him very well and I knew all the circumstances. I knew of his financial condition. This is not a bill to secure payment for the brandy. It is simply a bill to reimburse the estate of Mr. Rea for \$173.50 for the Government stamps on the brandy.

Mr. GARD. I understand that; but his claim was that the brandy was taken by the relief workers at the time of the fire.

Mr. HERSMAN. All the testimony shows that the brandy was taken by Government officials or State officials at that time.

Mr. GARD. If it was so taken and used in hospital emergency treatment, why was not the bill paid, including the amount of the stamp tax? Why was not the bill paid by the relief commission that used this brandy?

Mr. HERSMAN. The only testimony here as to why it was not paid is contained on page 3 of the report.

Mr. KELLY of Pennsylvania. In the statement of Mr. Charles J. O'Connor.

Mr. HERSMAN. He states that the committee refused to pay the claim because it was the policy of the Red Cross and the relief association in San Francisco not to pay for confiscated liquor. Therefore they refused to pay the claim.

Mr. GARD. It appears that claim was made to the board of directors for the release of Red Cross funds for the payment of this brandy for the amount of the stamp taxes paid by him on three barrels, and it was refused. He has not only lost the brandy, but has been required to pay the tax.

Mr. KELLY of Pennsylvania. The fact of the matter is the bill was presented in due form to the Red Cross and later to the relief association on the ground that the association should pay for the confiscated liquor which had been used during the earthquake. He presented his claim in a proper way, but it was refused; but now he only asks the payment of the tax and not for the loss of the brandy.

Mr. GARD. The point I make is this: If the gentleman's claim is correct—and I assume that it is correct for the purpose of the statement—instead of presenting his claim to the Government for the relief of the amount of the stamp tax paid, why should he not have an action against the relief committee not only for the stamps put on the brandy but for the brandy which was taken and used by the relief committee during the earthquake?

Mr. KELLY of Pennsylvania. The gentleman realizes that it is a difficult matter to institute a suit against the relief committee, which was a relief organization formed to meet such an emergency as existed during the earthquake disaster. The Red Cross turned over the matters to the relief association, and that relief association has since gone out of existence and wound up its affairs.

Mr. MCKINIRY. If the gentleman will yield, I want to say that the emergency committee wound up its affairs several years ago and has gone out of existence.

Mr. GARD. I presume it has; that is why I am making the inquiry. Why should not the relief committee, which acted during the emergency, which used this brandy for hospital treatment, why should it not be responsible for the payment of it? I assume that that committee did a great many things that relief committees do in a time of great emergency.

Mr. MCKINIRY. The logic underlying the claim against the Government is that the stamps were put on the barrels to get them in a warehouse. The stamps having been placed on the liquor, neither the Government nor the owner ever received the benefit of the purposes for which the spirits were intended.

Mr. GARD. The spirits were used by these people in hospital treatment. I can not understand why, having had the benefit of it, they did not pay the man for his brandy. I have no objection to the consideration of the bill except it seems to me that the man is entitled to more than the amount of the stamp tax.

Mr. KELLY of Pennsylvania. He has waived all of his claim to anything except to the amount of the stamps.

Mr. BLANTON. Mr. Speaker, reserving the right to object, I understand from the gentleman from Pennsylvania that this brandy was used in an emergency for relief purposes.

Mr. KELLY of Pennsylvania. During the San Francisco earthquake.

Mr. BLANTON. And the Government required the payment of the stamp tax. This Congress is asked not to pay for any portion of the value of the brandy, but merely for the amount of the stamp tax which the Government has received and upon which the owner has received no value?

Mr. KELLY of Pennsylvania. Yes; it is a tax on property that was taken from him.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

There was no objection.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, directed to pay to Catherina Rea, administratrix of the estate of John Rea, deceased, owner of the Gilroy Winery Distillery Co., the sum of \$173.50, which sum is hereby appropriated out of any money in the Treasury not otherwise appropriated, being stamp tax on three barrels of fruit spirits, packages 624 to 626, inclusive, which while in transit under bond from said distillery to one of the special bonded warehouses of the first internal revenue district of California, was seized by United States authorities at the Southern Pacific depot on or about April 20, 1906, for the relief committee for use in hospital work at the time of the San Francisco earthquake, and for the value of which spirits the owner has never been paid.

The SPEAKER pro tempore. The question now is on the engrossment and third reading of the bill.

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

On motion of Mr. GLYNN, a motion to reconsider the vote whereby the bill was passed was laid on the table.

#### WOODFORD BANK & TRUST CO.

The next business on the Private Calendar was the bill (H. R. 11030) for the relief of the Woodford Bank & Trust Co., of Versailles, Ky.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

There was no objection.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to issue two certificates of indebtedness of the United States of America with interest from April 10, 1919, to September 9, 1919, in favor of the Woodford Bank & Trust Co., a State banking corporation of Versailles, Ky., in lieu of two certificates of indebtedness of the United States of America, Nos. 14978 and 14979, respectively, each bearing date of April 10, 1919, each calling for \$5,000, series 5 J, and each maturing September 9, 1919, the said certificates of indebtedness of the United States of America having been lost, stolen, or destroyed: *Provided,* That the said Woodford Bank & Trust Co., of Versailles, Ky., shall first file in the Treasury Department of the United States a bond in the penal sum of double the amount of

the principal of said certificates of indebtedness of the United States of America in such form and with such sureties as may be acceptable to the Secretary of the Treasury to indemnify and save harmless the United States from any loss on account of the said certificates of indebtedness hereinbefore described which were lost, stolen, or destroyed.

With the following committee amendment:

Strike out lines 4 to 12, inclusive, of page 1, and lines 1 to 3, to the word "destroyed," inclusive, page 2, and insert the following: "authorized and directed to redeem certificates of indebtedness of the United States of America, Nos. 14978 and 14979, each of the denomination of \$5,000 and each of the issue dated April 10, 1919, and maturing September 9, 1919, with interest from April 10, 1919, to September 9, 1919, in favor of the Woodford Bank & Trust Co., of Versailles, Ky., without presentation of the certificates, the said certificates of indebtedness having been lost, stolen, or destroyed."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read the third time, was read the third time, and passed.

On motion of Mr. CANTRELL, a motion to reconsider the vote whereby the bill was passed was laid on the table.

C. V. HINKLE.

The next business on the Private Calendar was the bill (H. R. 4184) for the relief of C. V. Hinkle.

The SPEAKER pro tempore. Is there objection?

Mr. GARD. Reserving the right to object, this bill for the relief of C. V. Hinkle, from the statement of facts as I read it, is a very unfortunate one, where a man was accused of a crime, suspended by the post-office authorities, and as soon as it was discovered he was not guilty he was reinstated. The present bill provides for a partial compliance with his request in the letter of February 7, 1920, that he be accorded compensation for all the time of his suspension.

Mr. BEE. Mr. Speaker, I will say to the gentleman from Ohio that, as I understand his case, this man was a clerk in the post office in the town of Conway, Ark., at \$1,000 a year. In March, 1913, a series of post-office thefts from the registered mail were occurring in that post office. He was suspected, and under a report of an inspector in June, 1913, he was dismissed from the service because of this charge that was filed against him. He remained out of the service from March, 1913, until September, 1915. In September, 1915, the assistant postmaster confessed that he was guilty with reference to the identical registered matter that this man had been accused of stealing and discharged for taking. Immediately upon that discovery of the guilt of the assistant postmaster, now confined to the penitentiary, having plead guilty to the charge, the young man was reinstated to his original position, which he had been let out of on June, 1913, and which he had been out of until March, 1915. It was the judgment of the committee that under the circumstances the Government of the United States ought not to carry the punishment of this man to the extent of financial deprivation any more than could be helped.

In other words, if this had been an individual or corporation that had under similar circumstances discharged this man, and subsequently it had appeared that another man in the same establishment had committed the offense with which this man was charged, and he had plead guilty to it, then this man Hinkle would have had a suit for damages against this corporation much greater than the little compensation that is awarded to him now. That is the view of the committee.

Mr. GARD. How would he have a suit for damages? If a man worked for me and I suspected him of stealing from me and the fact was he was not guilty but I suspected him of it and I discharged him and then I discovered that he was not in fact guilty at all, he could not have any action for damages against me because I discharged him.

Mr. BEE. He may not have an action against you except there has been false imprisonment or an affidavit—

Mr. GARD. But there was no imprisonment.

Mr. BEE. I know. Now, this man was not in a position to protect himself against the inspector upon whose suspicion he was subsequently discharged.

Mr. GARD. I understand that he was suspended and then upon further investigation the assistant postmaster finally made a confession that he had rifled the mails and therefore the Government immediately reinstated him to his same position, but instead of getting \$1,000, which he got in September, 1915, he gets \$1,400.

Mr. BEE. Let me say to the gentleman from Ohio they reinstated him at \$1,000 but he was promoted to \$1,400. Now, if the gentleman will permit, it was the judgment of the committee under the circumstances that an injury had been done this young man. There is the question of disgrace. He had lived in the community under this suspicion for over two years, had gone about for days and weeks and months, as will be substantiated by the gentleman from Arkansas, the author of the bill, and it was impossible for him to support himself

and his family adequately. The claim was reduced from \$2,400, the actual salary to which he was entitled, to \$1,300.

Mr. GARD. The committee followed the usual estimate of payment. They found he was practically entitled to this amount and they set off against that the amount of money which he earned.

Mr. BEE. Leaving him \$1,300. I hope the gentleman from Ohio will not object to this bill. Let me say to the gentleman from Ohio, and I know this appeal I make will not be upon barren ground, that we have passed bills here to reimburse these great shipping concerns in the amount of hundreds of thousands of dollars and other bills of that character, and here is a meritorious claim for a young man, unjustly accused by officers of the United States Government, under disgrace in his own community where he has always lived, and all that he asks in return is now to be reimbursed what he actually lost during that time, and I hope the gentleman from Ohio will not object.

Mr. GARD. He asked that all the money be given.

Mr. BEE. Certainly. He asked for the amount of his salary.

Mr. GARD. What I would like to have the gentleman inform me, and probably the gentleman is a member of the committee that has charge of the bill, and can, did the Assistant Postmaster General give any reason for not recommending the enactment of the bill, because he particularly states in his letter that the department does not recommend the enactment of the bill to which reference is made?

Mr. BEE. I will state to the gentleman from Ohio my understanding is that he was not adverse to the bill, but it was because the Post Office Department did not want to be in a position of making a recommendation favorably to this character of legislation, not that the Post Office Department was opposed to the bill. That is my understanding of the report of the Assistant Postmaster General.

Mr. JACOWAY. Mr. Speaker, I am the author of the bill, and the statement made by the gentleman from Texas states the position of the Post Office Department accurately, as I understand it. I want to state to the committee that I know Mr. C. V. Hinkle. For a period of time the mail at the Conway post office, Arkansas, had been rifled, and he was under suspicion, and a post-office inspector was detailed to make an investigation and report to the Post Office Department. He did so, and upon that report this man Hinkle was discharged from the service of the Government. But later on it was found that he was not the real culprit, and afterwards another man confessed to it, plead guilty to the theft, and is now serving a term in the penitentiary. I also want to state that this matter was brought to the attention of the President, and by Executive order Mr. Hinkle was reinstated to his former position at the same salary. During the time that he was under suspicion this man went about the little city of Conway with the name of a thief branded upon him, as I am informed. It was almost impossible for him to get work anywhere. He wrote and stated to me he wanted to clear his name of this odium, and day in and day out and week in and week out he sought to do so. Finally another inspector found out who was the real culprit. It was difficult for him to get work in that city sufficient to support himself and his family. I wish also to present the report of the Claims Committee, which reported this bill, which gives the history of the matter in a clear and concise report. I quote the report, omitting the caption.

The Committee on Claims, to whom was referred the bill (H. R. 4184) for the relief of C. V. Hinkle, having considered the same, report thereon with a recommendation that it do pass with the following amendment: In line 6, strike out the figures "\$2,408.33" and insert in lieu thereof "\$1,308.33."

#### STATEMENT OF FACTS.

While the claimant, C. V. Hinkle, was a clerk in the Conway (Ark.) post office, at a salary of \$1,000, he was suspected of rifling registered mail, and on circumstantial evidence was suspended without pay on April 19, 1913, and removed from the service June 28, 1913. It was afterwards found that the stealings were made by the assistant postmaster, who confessed, and is now serving a term in the penitentiary. Under an Executive order Mr. Hinkle was reinstated in his former position of clerk at \$1,000 on September 15, 1915. The salary loss is the amount carried by the bill, but as the claimant had been earning \$50 per month for 22 months, totaling \$1,100, it is recommended that this amount be deducted from the sum named in the bill.

Attached hereto is a letter from the Post Office Department, together with a communication of the claimant, both of which are made a part of this report:

POST OFFICE DEPARTMENT,  
OFFICE OF THE POSTMASTER GENERAL,  
Washington, D. C., October 29, 1919.

Hon. GEORGE W. EDMONDS,  
Chairman Committee on Claims, House of Representatives.

My DEAR MR. EDMONDS: With reference to your communication of the 22d instant, requesting an opinion as to the merits of a bill (H. R. 4184) appropriating \$2,408.33 to reimburse Mr. C. V. Hinkle, a clerk in the post office at Conway, Ark., for loss of salary, I have to state that while Mr. Hinkle was a clerk in the office named, at a salary of \$1,000, he was suspected of rifling registered mail and on circumstantial evi-

dence was suspended without pay on April 19, 1913, and removed from the service June 28, 1913. It was afterwards found that the depredations were committed by the assistant postmaster, who confessed and is now serving a term in the penitentiary. Under an Executive order Mr. Hinkle was reinstated to his former position as clerk at \$1,000 on September 15, 1915, and is at present receiving a salary of \$1,400.

The department does not recommend the enactment of the bill referred to.

Sincerely, yours,

J. C. KOONS,  
Acting Postmaster General.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none, and the Clerk will read the bill for amendment.

The Clerk read as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to C. V. Hinkle, late clerk in post office, Conway, Ark., the sum of \$2,408.33, the same being for salary for 29 months, at the rate of \$1,000 per annum, the period during which he was dismissed from duty as said post-office clerk, upon charges preferred, which charges were found untrue, and by executive order he, the said C. V. Hinkle, was reinstated, it being found that the real culprit was not the said C. V. Hinkle, but another person, who is now serving a Federal penitentiary term.

The committee amendment was read, as follows:

Page 1, line 6, strike out the figures "\$2,408.33" and insert in lieu thereof the figures "\$1,308.33."

The question was taken, and the amendment was agreed to.

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

On motion of Mr. JACOWAY, a motion to reconsider the vote by which the bill was passed was laid on the table.

MRS. ANNIE M. LEPLEY.

The next business in order on the Private Calendar was the bill (H. R. 1321) for the relief of Mrs. Annie M. Lepley, as postmaster at Plymouth, Amador County, Calif., for money, postal money orders, and postage stamps stolen.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. WALSH. Mr. Speaker, reserving the right to object, this is another one of these cases for loss of postage stamps and money taken from a safe in a post office, involving some \$2,055. The safe was not locked, and the inner door was left unlocked. The department does not file a letter recommending this legislation, and I do not think it is in line with the precedents established here to pass this kind of a bill.

Mr. RAKER. Will the gentleman yield?

Mr. WALSH. Yes; I will yield to the gentleman from California.

Mr. RAKER. If the House will give me just a few moments I would like to briefly explain the case. It will take but a short time. This is a claim by a widow, Annie M. Lepley, who has one daughter, which daughter has been her assistant, a girl about 20 years of age. They live at the town of Plymouth in California, a mining town. Shortly after this burglary I happened to be in that part of the country and visited the store, and the business men and bankers, and others, and looked over the situation, and also the record that has been presented to the Post Office Department. The record shows that the door to the store, as in these various small towns, was locked with a padlock. That door was broken up. The money was in the burglar-proof part of the safe. The mother testifies, and the daughter, the assistant postmaster, that she that night left the store something after 9 o'clock; that she locked the inner door, the burglar-proof vault; that she shut the day door, which locked with a key, and locked the outer door of the safe, and turned the combination. At about 1.05 a. m. on March 13, 1915, this burglary occurred. Upon investigation in the morning, or that night, it disclosed the implements which the burglars used, various tools and sacks of all kinds, and other things. And as the burglars left the store the night watchmen shot at them, but they were unable to catch them. She immediately reported the matter to an inspector, who made an examination of the case, which shows clearly that the facts here in the department are so favorable to this lady's case that she is the present postmaster, and has been to the present time, and her daughter is assistant postmaster, and that she has not paid this money to the department. And all we ask in this bill is a credit on her account by reason of the burglary.

In regard to the recommendation, I have looked over everything I can find, and the same recommendation is presented here as in all other bills. Now, just one word. On the 19th of December, 1919, this House unanimously passed a bill for Mr. F. M. Barfield, and that case I have before me. It is not as strong as this case, but it is similar in character. The door of the building was not locked. He locked the outer door of the safe. The inner door was unlocked, and even the combination to

the vault was not changed. And the department in that case simply made, as in this one, this recommendation:

The matter of extending to this postmaster the relief contemplated in the bill is therefore left to the discretion of Congress.

The report in the present case is at the end:

The facts are submitted for such action as Congress may desire to take.

Now, I trust that the committee will permit this widow, who has proven her worth since this time as postmaster, this reimbursement, and will see fit to allow the department to give this widow the credit for the money, and so forth, that was taken from her by burglary under the circumstances as presented. She complied with every human effort that could be made, according to the record as presented to the Post Office Department, her affidavits and all. And it is a worthy case. It is a case deserving of the consideration of the House.

Let me read you a sample from this other case, the Barfield case. Here is a letter by the Postmaster General in that case:

[House Report No. 354, Sixty-sixth Congress, first session.]

Mr. ROMJUE, from the Committee on Claims, submitted the following report (to accompany H. R. 6522). The Committee on Claims, to whom was referred the bill (H. R. 6522), having considered the same, report thereon with a recommendation that it do pass.

STATEMENT OF FACTS.

The claim for which reimbursement is asked in this bill (H. R. 6522), is based upon losses sustained by F. M. Barfield, while postmaster at Pinehurst, Ga., in the burglary of said post office on the night of July 19, 1909. The amount involved is \$64.88, the actual amount lost by the burglary. There is hereto attached a letter from the Postmaster General of date September 8, 1919, and made a part of this report. That the money was stolen from the post office by some burglar is not disputed.

POST OFFICE DEPARTMENT,  
OFFICE OF THE POSTMASTER GENERAL,  
Washington, D. C., September 8, 1919.

Hon. GEORGE W. EDMONDS,  
Chairman Committee on Claims, House of Representatives.

MY DEAR MR. EDMONDS: I am in receipt of your communication of September 4, with which you transmit a copy of bill (H. R. 6522) for the relief of F. M. Barfield.

Complying with your request, I beg to inform you that, under the provisions of the act of May 9, 1888 (25 Stat., 135), as amended by the act of June 11, 1896 (29 Stat., 458), Mr. Barfield filed in this department a claim for credit on account of \$24.02 postal funds and \$40.86 money-order funds, total \$64.88, lost in the burglary of the post office at Pinehurst, Ga., during the night of July 19, 1909, while Mr. Barfield was postmaster at that place.

The evidence shows that the outer door of the safe in said post office was opened without the use of force, but the inside drawers were broken open, and that the funds described were stolen from said safe. The first impression of the postmaster was that the safe had been opened by working the combination. The postmaster stated to the inspector he believed that he had locked the safe on the night before the burglary, but was not positive enough to make affidavit to that effect. He recalled several occasions on which he had failed to lock the safe from the fact that he had found it open in the morning when he arrived at the office. It appears further that the postmaster purchased this safe at second hand, and that he never changed the combination of the lock as required by section 356 of the Postal Laws and Regulations of 1902, which reads as follows:

"5. A postmaster upon taking charge of his office shall immediately change the combination on every safe therein; and where at any time a safe is procured, either new or secondhand, he shall immediately change the combination. Failure to make such change shall be considered as prima facie evidence of contributory negligence on the part of the postmaster in any case where claim is made for credit for money or other property stolen from such safes which have been opened without resort to violence."

The postmaster's failure to change the combination of his safe was considered negligence within the meaning of the statute cited, and for that reason, together with his inability to certify definitely that the safe had been locked, his claim was disallowed under date of January 18, 1910.

Under date of February 21, 1914, the solicitor for this department forwarded to Hon. H. D. STEPHENS, House of Representatives, copies of all material papers relating to this claim for use in the consideration of the bill (H. R. 6398) then pending before Congress for the relief of this claimant.

The evidence in this case appears to establish conclusively that the postmaster actually sustained the loss described and that the stolen property was rightfully in his possession at the time of the burglary. However, under the law the Postmaster General had no authority to allow this claim. No new evidence has been received by the department since the settlement of this claim which would justify the allowance thereof. The matter of extending to this postmaster the relief contemplated in the bill is therefore left to the discretion of Congress.

Yours, very truly,

A. S. BURLESON, *Postmaster General.*

Then he recites the postal statutes:

5. A postmaster upon taking charge of his office shall immediately change the combination on every safe therein, and where at any time a safe is procured, either new or secondhand, he shall immediately change the combination. Failure to make such change shall be considered as prima facie evidence of contributory negligence on the part of the postmaster in any case where claim is made for credit for money or other property stolen from such safes which have been opened without resort to violence.

Mr. BLANTON. Will the gentleman from Massachusetts yield?

Mr. WALSH. Yes.

Mr. BLANTON. I want to call the attention of the gentleman from California [Mr. RAKER] to the fact that in that Barfield case, in the Sixty-fifth Congress, as a member of the Committee on Claims, I filed a minority report, calling attention to

the bad precedent that we would set, and I opposed this bill on that ground, that it would establish a bad precedent; that the Postmaster General has promulgated and has in force and effect a rule which requires stamps and money orders and various documents of value to be kept properly locked, and where his regulations are not complied with he refuses and turns down all such claims; but because of the fact that this Barfield claim was less than \$100—merely \$64—it was rushed through and passed.

Mr. RAKER. I beg the gentleman's pardon.

Mr. BLANTON. I call attention, further, that in this case we now have under consideration, likewise in the Sixty-fifth Congress, he will find a minority report, filed by me as a member of the Claims Committee, setting up all these facts, and the further fact that it is against the precedent of the Congress to allow such claims; and this case was not taken up in the Sixty-fifth Congress because of that minority report.

Mr. RAKER. It was taken up just like others—

Mr. BLANTON. And objected to.

Mr. RAKER. And you could not get to it. Many other cases were not reached.

Mr. BLANTON. If we permit this case, it will establish another precedent, and I am calling the attention of the gentleman from California to the fact that there are numerous claims of this character, and that if we allow this one it will require the allowance of a number of others.

Mr. RAKER. Let me call the gentleman's attention to this fact: The Barfield case came up in the regular order. There was a large attendance in the committee that day. I was here and remember the circumstance. The matter was read, and the precedent was referred to, as I recollect.

Now, that was established irrespective of the amount. Here is a strong man who gets his money, but here is a widow struggling along, who is spending her subsistence to maintain a night watch for the benefit of the town; two burglars go there when she is asleep after a hard day's work and break open that safe and destroy or steal the Government's property. Ought she not to have some consideration? It is not a question of setting a precedent. It is a matter of doing justice. This Congress passed that other bill. I hope the gentleman from Massachusetts will let this bill pass.

Mr. WALSH. I will let it pass by objecting.

The SPEAKER pro tempore. Objection is heard.

ADJOURNMENT OVER UNTIL MONDAY NEXT.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that when the House adjourns this evening it adjourn until Monday next.

The SPEAKER pro tempore. The gentleman from Wyoming asks unanimous consent that when the House adjourns this evening it adjourn until Monday next. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the next bill.

PERRY L. HAYNES.

The next business in order on the Private Calendar was the bill (H. R. 1309) for the relief of Perry L. Haynes.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection?

Mr. GARD. Reserving the right to object, I will be glad to have the further word of the gentleman from Connecticut [Mr. MERRITT], who probably knows about the case. From a reading of the report it seems to me that there is a great deal of doubt as to whether the man who had charge of this money, Second Lieut. Perry L. Haynes, was not guilty of very considerable negligence, to use a mild expression, in turning over the money to the character of man that he did turn it over to; and also I would ask the gentleman for information especially with regard to the testimony of Mate Beebe, Charles J. Beebe, as appears on page 6 of the report, wherein Beebe states—and that is the man on whom it is now proposed to put the responsibility—that he turned over the package to the provost at Fort Wright, and this provost's name was Rosey, although I believe his real name was Rosenski, and Rosey receipted for it and received the loose letter. I have not been able to find, by any careful reading that I have been able to make of the evidence in the record, whether or not there was any effort made on the part of the examining officer to find out whether Rosey had this money or whether Mate Charles J. Beebe returned the money, or what did become of the money, because there is no trace of the money from the time it left the possession of its custodian, Lieut. Haynes, and was given to Beebe, Beebe being a man who could read with very considerable difficulty, and he probably did not notice what character of communication he had that was handed to him. I say there is no connection in the evi-

dence, as far as I can get it, after it left the hands of Lieut. Haynes and passed into the hands of Beebe, as to what reasonably became of the money contained in this particular letter package. Can the gentleman from Connecticut inform me on that?

Mr. MERRITT. I think if the gentleman will read the testimony and also the finding of the court, he will find that Beebe receipted for these three envelopes.

Mr. GARD. Yes; I know he did.

Mr. MERRITT. And he delivered two of them, and the third, containing the money, he did not deliver. That is clearly set forth. It is also shown by the testimony that Lieut. Haynes was doing exactly what the orders called for, and exactly what had been done since 1915. That is shown at the top of page 14, and is also shown by the finding of the board, which states:

(1) By following the custom in vogue of transferring public funds derived from sales of Quartermaster Department from Fort Terry, N. Y., to Fort H. G. Wright, N. Y., Lieut. Perry L. Haynes, Coast Artillery, National Guard, on the p. m. of December 29, 1917, turned over to the wharfinger, Corpl. Dougood, at Fort Terry, to be transferred to the quartermaster coast defenses of Long Island Sound, Fort H. G. Wright, N. Y., a sealed envelope containing \$855.75 in currency and \$591.42 in checks. This envelope, in good condition, was entered on the manifest by Corpl. Dougood, but was manifested for New London, Conn., instead of for Fort H. G. Wright, N. Y. The envelope was turned over in good condition to Mate Charles J. Beebe, of the steamer *Timothy Pickering*, and his attention called to the fact that it was intended for the quartermaster at Fort Wright; that Mate Beebe failed to deliver said envelope containing \$1,447.17 to the wharfinger at Fort Wright; that neither said envelope nor its contents, \$1,447.17, have been found; that two other envelopes containing \$22.59 and \$144.57, respectively, were also delivered to Corpl. Dougood at the same time and by him delivered to Mate Beebe; that Mate Beebe did deliver said other two envelopes to the wharfinger at Fort Wright.

(2) That payment on the checks contained in the lost envelope was stopped by telegraphic instructions from Lieut. Haynes.

(3) The responsibility for the loss of this envelope was due to carelessness on the part of Mate Beebe, either in receipting for an envelope that he did not receive or else in failing to take proper care of what he actually did receive.

So that as far as Lieut. Haynes is concerned he did exactly what custom required to be done in the case. Lieut. Haynes was a member of the Coast Artillery of the National Guard, and he simply followed the custom which had been handed down to him by the Army man who handed over to him the matters he had charge of when he came to the post. He followed instructions.

Mr. GARD. I notice on page 15 that, when observing Beebe on the witness stand, they found he was too old to have the care of Government funds, or to be required to assume the responsibility.

Mr. MERRITT. He did not give the envelope to Beebe. He gave it to Dougood. Of course, he had no control over the age of Beebe, and Lieut. Haynes was not responsible for Beebe's being there. My opinion is that Lieut. Haynes observed all reasonable care, in accordance with the orders and in accordance with custom. I do not think he should be held responsible for the personnel on the boat.

Mr. GARD. Was there any inquiry as to Beebe except the limited reference here as to his—as to the location of the package?

Mr. MERRITT. It did not seem to me that that was important, as far as Lieut. Haynes's responsibility is concerned.

Mr. GARD. It is quite important, because if the money is returned or recovered there would be no likelihood that the money would be returned, and there would be no liability on the part of Lieut. Haynes or compensatory action on behalf of the Government.

Mr. MERRITT. The evidence shows that the package was stolen on the way from Fort Wright to Fort Terry, or from Fort Terry to Fort Wright, whichever it was.

Mr. PARRISH. Reserving the right to object, is there anything in the record showing that the money was receipted for when Lieut. Haynes turned it over to the party to whom he delivered it?

Mr. MERRITT. It was receipted for.

Mr. PARRISH. Is there something to show that?

Mr. MERRITT. Yes; clearly.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will read the bill for amendment.

The Clerk read as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to reimburse Second Lieut. Perry L. Haynes, Coast Artillery Corps, National Guard, in the sum of \$855.75, which amount represents funds belonging to the Government of the United States for which he was held accountable and which were lost through no fault of his.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

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

On motion of Mr. MERRITT, a motion to reconsider the vote by which the bill was passed was laid on the table.

The SPEAKER pro tempore. The Clerk will report the next bill.

GEORGE W. GAMBLE.

The next business on the Private Calendar was the bill (H. R. 1288) for the relief of George W. Gamble.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. McKEOWN. Reserving the right to object, is this another post-office case where there was a burglary?

Mr. KELLY of Pennsylvania. This is the case of the clerk of the circuit court for Rock Island County, Ill., who has charge of the naturalization fees, to reimburse him for \$45.50, because his office was burglarized and the money taken.

Mr. McKEOWN. Is there any question of negligence arising from the care and custody of the money?

Mr. KELLY of Pennsylvania. Not the slightest. It was properly locked up on the third floor of the courthouse. The office was burglarized and the money taken.

Mr. RAKER. Of course, it makes a difference if a strong, able-bodied man's money is taken, but when they burglarize a safe and take a widow's money you do not allow her anything.

Mr. WALSH. Was it the widow's money?

Mr. RAKER. I do not quite get the gentleman.

Mr. WALSH. The gentleman is making a statement about burglarizing a safe and taking a widow's money.

Mr. RAKER. Yes.

Mr. WALSH. Was it her money?

Mr. RAKER. I think the gentleman heard what I said.

Mr. WALSH. The gentleman states that it was the widow's money that was stolen.

Mr. RAKER. I think my statement is in the RECORD. I can repeat it.

Mr. WALSH. The gentleman ought to state the facts.

Mr. RAKER. I can repeat my statement.

Mr. WALSH. The gentleman is not stating the facts, as usual.

Mr. RAKER. I think I made my statement very clearly—that it would seem to make a distinction whether it was the money of a strong man or the money of a widow.

Mr. WALSH. I ask for the regular order.

The SPEAKER pro tempore. The regular order is, is there objection?

Mr. RAKER. I object.

Mr. MacCRATE. I hope the gentleman will not object to this. It is a very meritorious case.

Mr. RAKER. I want to explain the situation, that is all. I will not object if I may have a right to find out the facts about this case.

Mr. KELLY of Pennsylvania. I hope the gentleman will not object. This is a bill which ought justly to be paid.

Mr. WALSH. Mr. Speaker, I have asked for the regular order. I will not permit the gentleman from California to shed a few more tears over his case.

Mr. RAKER. That statement is wholly unjustified and, of course, is not a fact. I trust the gentleman when he revises his speech will make his remarks conform to the facts.

The SPEAKER pro tempore. Is there objection?

Mr. RAKER. I object, Mr. Speaker, if I can not secure the right to have the bill explained.

The SPEAKER pro tempore. The gentleman from California objects. The Clerk will report the next bill.

WILHELM ALEXANDERSON.

The next business on the Private Calendar was the bill (H. R. 12634) for the relief of Wilhelm Alexander.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. PARRISH. Reserving the right to object, I should like to ask the gentleman in charge of this bill if he can give the House any idea as to how many more of these bills of this character we may expect? On the last day on which private bills were considered we had a number of these bills, and this makes the third of this character that we have had to-day. Is there no way by which the Government can be relieved from these lawsuits and this liability at the port of New York?

Mr. KELLY of Pennsylvania. In answer to that question I will say that the Committee on Claims has not reported out any bills of this kind unless the department has stated that the matter should be referred to the court. Now, there is a general law providing that the Navy Department may settle losses up to a limited amount, about \$500, and they are settling hundreds of cases of this kind.

Mr. PARRISH. Yes; I am aware of that.

Mr. KELLY of Pennsylvania. The Committee on Claims would like very much to be relieved of the responsibility of handling these numerous claims, but in the absence of a general law it becomes absolutely necessary for each case to be considered on its merits. This is the last bill of the kind on the calendar now, and, as far as I know, the last case now before the committee, although there will be others in the future.

Mr. PARRISH. I do not object.

Mr. McKEOWN. I think there is a good deal in what the gentleman from Massachusetts [Mr. WALSH] said about the freedom with which these recommendations are made by the Navy Department, and I am in accord with the position of the gentleman from Texas [Mr. PARRISH], that we ought to be very careful in the consideration of these claims, because it is an easy matter to pass them on to the Court of Claims and shift the responsibility. I am glad to hear the gentleman from Pennsylvania say that they will be careful with these cases.

Mr. KELLY of Pennsylvania. The gentleman and I are in complete accord; but we must do something to meet these individual cases which the Navy Department can not consider. I want to say that this bill provides that the Attorney General shall be notified, and carries provisions along the lines suggested by the gentleman from Illinois [Mr. MANN]; and I think without any doubt the Committee on Claims will employ that form in the future in any other similar bills that they report.

Mr. GARD. If the gentleman will yield, owing to the congestion in the harbors at Norfolk, Boston, New York, and other places during the time of the war, there were a great many instances where Government-owned vessels collided with privately owned vessels, inflicting damage. The question of the responsibility of the Government can best be determined by submission of the cases to a court. That seems to me to be very proper. I will say to the gentleman that there are a great number of these cases, and there probably will be a much greater number in the years to come, and that I have been in favor of a general bill conferring, within certain limits, general jurisdiction to sue the United States in the admiralty courts.

Mr. PARRISH. I notice in the bill that was passed a few minutes ago that the Secretary of the Navy distinctly stated in the letter he wrote that he did not believe the Government was responsible. I would like to ask the gentlemen in charge of these bills if they believe it is good policy to permit the United States Government to be sued in cases where those in charge have made a thorough investigation and state, after that investigation has been made, that the Government is not responsible in a case of this kind.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The bill was read, as follows:

*Be it enacted, etc.*, That the claim of Wilhelm Alexanderson, of Atlantic City, N. J., owner of the motor boat *Spray*, against the United States, for damages alleged to have been caused by collision between the said motor boat *Spray* and the U. S. S. *Grebe*, a mine sweeper, which is owned by the Government of the United States and operated by the Navy of the United States, on the 30th day of May, 1919, may be sued for by the said Wilhelm Alexanderson in the district court of the United States for the district of New Jersey, sitting as a court of admiralty and acting under the rules governing such court, and said court shall have jurisdiction to hear and determine such suit and to enter a judgment or decree for the amount of such damages and costs, if any, as shall be found to be due against the United States in favor of Wilhelm Alexanderson or against Wilhelm Alexanderson in favor of the United States upon the same principles and measures of liability as in like cases in admiralty between private parties and with the same rights of appeal: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of the said court, and it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further*, That said suit shall be brought and commenced within four months of the date of the passage of this act.

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

On motion of Mr. KELLY of Pennsylvania, a motion to reconsider the vote by which the bill was passed was laid on the table.

GEORGE W. GAMBLE.

Mr. RAKER. Mr. Speaker, Calendar No. 162 provides for the relief of George W. Gamble, just passed over, where I objected. I did so solely on the ground that I was not given an opportunity to explain. I now withdraw my objection to that bill.

Mr. KELLY of Pennsylvania. Mr. Speaker, I ask unanimous consent to return to Calendar No. 162.

The SPEAKER pro tempore. The gentleman from Pennsylvania asks unanimous consent to return to the consideration of Calendar No. 162. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill. The Clerk read the bill, as follows:

A bill (H. R. 1288) for the relief of George W. Gamble.

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$45.50 to George W. Gamble, clerk of the circuit court in and for the county of Rock Island, in the State of Illinois, which sum was lost through the burglarizing of his office.

The SPEAKER pro tempore. Is there objection?

Mr. PARRISH. Reserving the right to object, I would like to ask the gentleman how this money was locked up which they claim to have been stolen?

Mr. KELLY of Pennsylvania. It was in the third story of the courthouse in a steel box carefully locked and secured. The evidence before the committee showed that every possible care was taken to protect the money, which belonged to the United States Government and was in charge of the circuit court, although the custodian got nothing in the way of compensation.

Mr. PARRISH. It was in a safe?

Mr. KELLY of Pennsylvania. In a steel box; in a safe properly locked.

Mr. RAKER. Mr. Speaker, I move to strike out the last word. In looking over the bill it shows that the safe was in the third story of the building and the burglar broke through the transom and obtained the money. Whether he blew open the safe or not I do not know, but I imagine he opened it, as most of the safes can be opened without being blown open. Therefore they lost the money that was in the possession and belonging to the United States Government.

Now, the committee having allowed the bill to be considered, and I think rightly, I want to refer to this to call attention to the other bill that I did not get fully before the committee. There the party had the door locked with an ordinary padlock; I suppose a Yale lock that would require to be broken. You break open the door and then open the first door of the safe. The other door was locked, the inner door was locked, and the safe was fully protected, and the Government's money was taken out. It was in the custody of the postmaster. Now, of course, it does not make any difference whether the parties are male or female, strong, able-bodied clerks, or widows, but I just hope that the next time we get back to these cases that are meritorious our friends will see their way clear to let the House consider the bills.

Mr. WALSH. Will the gentleman yield?

Mr. RAKER. Certainly.

Mr. WALSH. Does the gentleman make any distinction between this case and a case where by law or by regulation promulgated under the law certain receptacles must be provided and must be kept in a certain condition in order to absolve the officials of negligence?

Mr. RAKER. In answer to the gentleman's question in as concise form as I can, I think there is no question that there should be a following of the statute as well as the rules and regulations to obtain a refund from the Post Office Department for the moneys that are taken.

I think that is clear, but all cases depend on circumstances and facts of each case. In this instance I was going to show, although I did not have time, that the party had only been postmaster a little while. She had not become familiar with the fact that the combination must be changed. Now, to show that Congress does rely on the facts of each case, I want to say that two months ago this House permitted a bill to pass where the party had not changed the combination and where the safe was not locked.

I make this statement so that next time, with due deference to my distinguished friend from Massachusetts, if my voice a while ago seemed not to be harsh and that he thought there were tears in my voice and in my eyes in speaking of the facts and conditions as they exist, it appeals to a man's heart and to his sympathies in trying to do the right thing and to protect those who ought to be protected. I thank the House for the time it has given me and also the gentleman from Massachusetts.

The SPEAKER. The question is on the third reading of the bill.

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

On motion of Mr. KELLY of Pennsylvania, a motion to reconsider the vote whereby the bill was passed was laid on the table.

PASQUALE DOLCE.

The next business on the Private Calendar was the bill (H. R. 7573) authorizing payment of compensation to Pasquale Dolce for personal injuries.

The SPEAKER. Is there objection?



Mr. WALSH. Reserving the right to object, I notice the compensation in this case by a committee amendment is reduced from \$10,000 to \$2,500, and that amount is greatly in excess of what he would have been allowed under the compensation law if compensation was permissible. I do not know how the committee arrived at this reduction of \$7,500.

Mr. MACGREGOR. I followed the practice of the young attorney of putting in more than we expect to get. The gentleman from Connecticut [Mr. GLYNN] went over the case thoroughly and arrived at that figure of \$2,500 as being fair compensation.

Mr. WALSH. Last week we passed one or two bills, I think, where we only gave \$1,080 in cases where death ensued. This amount seems to be rather excessive. It seems that he had a fracture of his skull without depression; that he was otherwise bruised by scalp wounds, facial bruises, bruises on his legs, and in the back in the sacro-iliac region.

He is 52 years old and was struck by this automobile driven by a corporal taking a major or a superior officer in a hurry to catch a train. Well, possibly the gentleman is entitled to some compensation for the negligent driving of this machine. I understand that the department finds that the corporal was driving recklessly and negligently, but I could not quite agree that \$2,500 is a proper compensation to pay this gentleman for his damages.

Mr. MACGREGOR. What would the gentleman from Massachusetts think he ought to get if he was in a court of law?

Mr. WALSH. Well, it is not to be handled in just that way, because there is no legal obligation here. His wages lost were \$1,200. His doctor's bills amounted to \$516. I should think if he got \$1,800 that would be treating him very liberally in presenting him with this gratuity.

Mr. SUMMERS of Washington. Will the gentleman yield?

Mr. WALSH. I will.

Mr. SUMMERS of Washington. Would the gentleman be willing to have a fracture of the skull for \$1,800?

Mr. WALSH. No; I would not be for \$18,000, but that does not change the principle. This is a mere gratuity. It was an injury that happened in May of last year at 5 minutes past 9 in the morning. If he went in a court he might possibly recover the loss of what he would have earned, and so forth, but we are not bound by those rules here. I believe where we pay a poor widow \$1,080 where her husband was killed through negligence of some Government employee that we are not very consistent if we come along a week later and pay somebody \$2,500 where he suffered the fracture of his skull and the loss of \$1,200 in wages and \$516 in doctors' bills.

Mr. SUMMERS of Washington. Will the gentleman yield again?

Mr. WALSH. Certainly.

Mr. SUMMERS of Washington. Does the gentleman think that he can make a right by two wrongs?

Mr. WALSH. No.

Mr. SUMMERS of Washington. Because we gave the widow not enough, is that any reason why we should fail to compensate this man?

Mr. WALSH. I have not said we did not give the widow enough.

Mr. SUMMERS of Washington. The gentleman intimated it.

Mr. WALSH. No; but I am saying we are giving this man too much.

Mr. McKEOWN. Will the gentleman yield?

Mr. WALSH. I will.

Mr. McKEOWN. Does the testimony in the case show that there was liability on the part of the Government at all?

Mr. WALSH. Not the slightest.

Mr. McKEOWN. It does not show that they were engaged in any special line of duty at the time?

Mr. WALSH. No; there was no liability. He was taking an officer to catch the train and driving his machine in a hurry as corporals usually do when they are driving a superior officer.

Mr. McKEOWN. I was going to say to the gentleman that if we are liable all the time for the fast driving of these Army cars we are certainly in bad shape.

Mr. MACGREGOR. There is abundant evidence of negligence, and the only reason why there is no liability is because under the law a citizen has no right to sue the Government.

Mr. McKEOWN. Does the record disclose that they were performing duty under order at the time the accident happened?

Mr. MACGREGOR. I assume that the corporal was obeying the orders of his superior officer.

Mr. McKEOWN. That is one of the necessary ingredients to place a liability on a corporation or a private individual.

Mr. GLYNN. The evidence is that he was going like a fire engine with the officer to catch the train, and the likelihood is that it did not make one particle of difference whether the

officer caught that train or the next one. But he wanted to catch that train. Now, the question is that the man suffered that misfortune, and there is something more than \$500 of doctor's bills to be taken out of this \$2,500.

Mr. McKEOWN. Has any action been taken against the sergeant or corporal for his conduct?

Mr. GLYNN. I do not recall there was, I will say to the gentleman from Oklahoma.

Mr. McKEOWN. I do not take the position he ought not to be paid something. But if the Government is to pay damages every time some sergeant or corporal driving one of these cars runs over somebody at the rate they usually go we will have a long time to settle up.

Mr. GLYNN. I will say to the gentleman from Oklahoma that that is the established policy of this Government; certainly it is the policy of the Claims Committee that if a person, through no fault of his own, is injured by the recklessness of some soldier or officer in the Army that the innocent person ought not to be obliged to suffer that misfortune alone.

Mr. McKEOWN. I agree with the gentleman—

Mr. GLYNN. And your committee places this in a position where a private corporation would be placed.

Mr. McKEOWN. I agree with the gentleman, but I was just calling the attention of the committee to the fact, and desire to say that I think the committee ought to call the attention of the War Department to the facts and have these conditions stopped, if possible.

Mr. GLYNN. Now, with reference to some objections of the gentleman from Massachusetts. To my mind there is a distinction. They have provided for cases where the relation of master and servant exists. Where a person is an employee of the Government and he is injured then they have sought to provide compensation, but where the relation of employer and employee does not exist, then it seems to me that we should look at the cases something as we would look at them if it were a private corporation and if they were injured by a reckless employee as a servant of a private corporation.

Mr. BLAND of Indiana. If the gentleman will yield, when the American Expeditionary Forces ran over a citizen of France they did not merely get \$1,050, and I think we ought to pay the American people as much as we pay a Frenchman, certainly.

The SPEAKER. Is there objection?

Mr. WALSH. Mr. Speaker, unless there is some disposition on the part of the people interested to agree to a very material reduction of this amount, I shall object.

The SPEAKER. Objection is made.

Mr. MACGREGOR. Mr. Speaker, I trust the gentleman from Massachusetts will withhold his objection.

Mr. WALSH. I will withhold it in order for the gentleman to make a statement.

Mr. MACGREGOR. Mr. Speaker, I think this amount is very moderate and fair.

I feel that this man, who was injured in May, and is still suffering from these injuries, should have fair compensation when he was injured by the recklessness of an employee of the United States Government.

Mr. BLANTON. Will the gentleman yield?

Mr. MACGREGOR. Certainly.

Mr. BLANTON. Does the gentleman intend to meet the requirements of the gentleman from Massachusetts?

Mr. MACGREGOR. That is what I am trying to get at. It is simply a question of agreement as to amount. I would like to ask the gentleman from Massachusetts if it would meet his objection if it was reduced to \$2,000?

Mr. WALSH. Mr. Speaker, in response, I would say that unless it was reduced to \$1,716, which is apparently the loss from wages and expenses of doctors' bills and the committee would offer that as a committee amendment, I would object. The gentleman, I know, appreciates it is not a personal objection. But I believe we can not keep on making these precedents, because we will be rolling these claims up by the thousands and will not be able to pay them. I think we have got to keep within some bounds of reason here and try to follow some standard. As the gentleman from New York recalls, last week we paid two or three death claims and we based them solely on loss of earnings. One poor woman had paid \$76 for a doctor's bill before her husband died, and we paid her \$1,000. I think we are liberal with this particular person, unfortunate as he was. I believe if we should confine it to \$1,716 that would be treating him very fairly under the circumstances.

Mr. MACGREGOR. Under the circumstances, Mr. Speaker, I accept the amendment.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money not otherwise appropriated, to Pasquale Dolce the sum of \$2,500 as full compensation for injuries received on May 19, 1919, at Buffalo, N. Y., when he was struck by a truck operated by the United States Army.

Also the following committee amendments were read:

Strike out "\$10,000" in line 5 and insert "\$2,500."

Mr. WALSH. Mr. Speaker, I offer a substitute for the committee amendment.

The SPEAKER. The gentleman from Massachusetts offers a substitute, which the Clerk will report.

The Clerk read as follows:

Strike out "\$2,500" and insert "\$1,716."

The SPEAKER. The question is on the amendment offered by the gentleman from Massachusetts [Mr. WALSH].

The amendment was agreed to.

The SPEAKER. The Clerk will report the further committee amendment.

The Clerk read as follows:

After the word "as" in line 6 insert the word "full."

The SPEAKER. The question is on agreeing to the amendment. The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time.

The SPEAKER. The question is on the passage of the bill.

Mr. MANN of Illinois. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN of Illinois. There was a committee amendment, and that amendment was amended by a substitute. Did the Clerk get it that the committee amendment was then agreed to?

The SPEAKER. The Clerk states that he did. The question is on the passage of the bill.

The question was taken, and the bill was passed.

On motion of Mr. MACGREGOR, a motion to reconsider the vote by which the bill was passed was laid on the table.

#### APPOINTMENT OF CONFEREES ON NAVY PAY BILL.

The SPEAKER announced the appointment of Mr. BRITTEN as one of the managers on the part of the House on the disagreeing votes of the two Houses on the bill H. R. 11927, the Navy pay bill, to fill the vacancy caused by the death of Mr. BROWNING.

#### FIRST NATIONAL BANK OF NEW CARLISLE, IND.

The next business on the Private Calendar was the bill (H. R. 8881) authorizing the Secretary of the Treasury to reimburse the First National Bank of New Carlisle, Ind., for the loss of war-savings stamps and thrift stamps.

The SPEAKER. Is there objection?

Mr. GARD. Reserving the right to object, is anyone particularly in charge of the bill?

Mr. HICKEY. I know something about the facts of the case.

Mr. GARD. What I wanted to call the attention of the gentleman to was that if we expect to follow the same rule that we have followed in cases of this kind it certainly would be necessary to add to the gentleman's bill the fact that the surety bond should be given as required by the Treasury Department of the United States.

Mr. HICKEY. For what purpose should a surety bond be given, in the opinion of the gentleman? For the purpose of indemnifying the Government if the stamps are found?

Mr. GARD. For indemnifying the Government against loss if the stamps are found.

Mr. HICKEY. I am perfectly willing to have that amendment, but it would seem—

Mr. GARD. I will state to the gentleman that the very next bill on the calendar provides that where certificates of indebtedness were stolen from a York County savings bank in May, the bank is to first file with the Treasury Department a bond in a sum double the amount of principal in order to save harmless the United States from any loss on account of the savings stamps.

Mr. HICKEY. If the gentleman from Ohio will read the report he will observe that the bank deposited with one of the Federal reserve banks the sum of \$1,000 in bonds, and that the Government had been reimbursed by the sale of those bonds to the extent of the value of the stamps.

Mr. GARD. The Government has been reimbursed?

Mr. HICKEY. Yes; to the extent of the value of the stamps.

Mr. GARD. It would not be necessary, then, to offer the amendment?

Mr. HICKEY. It would seem not.

The SPEAKER. Is there objection to the present consideration of the bill. [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the First National Bank of New Carlisle, Ind., agents of the Treasury Department, for the sale of war-savings stamps and thrift stamps, the sum of \$923.25, to reimburse said bank for war-savings stamps and thrift stamps lost on account of burglary during the month of April, 1918.

The SPEAKER. The question is on the engrossment and third reading of the bill.

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

The SPEAKER. Without objection the title will be amended in accordance with the text.

There was no objection.

On motion of Mr. HICKEY, a motion to reconsider the vote whereby the bill was passed was laid on the table.

The SPEAKER. The Clerk will report the next bill.

#### YORK COUNTY SAVINGS BANK, OF BIDDEFORD, ME.

The next business in order on the Private Calendar was the bill (S. 2811) for the relief of the York County Savings Bank, of Biddeford, Me.

The title of the bill was read.

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

Mr. BLACK. Reserving the right to object, I would like to ask whoever has knowledge about this bill a question or two about it. In looking over the testimony in this case I find that the postmaster, in order to arrive at the amount of stamps that he lost, gives the amount that he had on hand in the previous quarter, and it is—

Mr. KELLY of Pennsylvania. The gentleman is referring to the wrong bill, I believe.

Mr. BLACK. I beg the gentleman's pardon. I thought this was the postmaster's bill.

Mr. KELLY of Pennsylvania. No. This is to return to a bank certificates of indebtedness.

Mr. BLACK. It was to another bill that I had reference. I withdraw my reservation of an objection, Mr. Speaker.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to redeem certificate of indebtedness of the United States of America No. 13867, denomination of \$5,000, of the issue dated August 6, 1918, and maturing December 5, 1918, with interest at the rate of 4½ per cent from August 6, 1918, to December 5, 1918, in favor of the York County Savings Bank, of Biddeford, Me., without presentation of the certificate, the said certificate of indebtedness having been lost or destroyed: *Provided*, That the said York County Savings Bank, of Biddeford, Me., shall first file in the Treasury Department of the United States a bond in the penal sum of double the amount of the principal and interest of said certificate of indebtedness of the United States of America in such form and with such sureties as may be acceptable to the Secretary of the Treasury to indemnify and save harmless the United States from any loss on account of the lost or destroyed certificate of indebtedness hereinbefore described.

The SPEAKER. The question is on the third reading of the Senate bill.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. KELLY of Pennsylvania, a motion to reconsider the vote whereby the bill was passed was laid on the table.

The SPEAKER. The Clerk will report the next bill.

Mr. GARD. Mr. Speaker, I make the point of order that there is no quorum present.

Mr. BLAND of Indiana. Will the gentleman withhold that for a moment? There are only a few more bills on the calendar.

The SPEAKER. The gentleman from Ohio makes the point of order that there is no quorum present. The Chair will count.

#### ADJOURNMENT.

Mr. GLYNN. I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 37 minutes p. m.), the House, under its previous order, adjourned until Monday, April 5, 1920, at 12 o'clock noon.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Chief Scout Executive, transmitting the annual report of the Boy Scouts of America for the year ending December 31, 1919 (H. Doc. No. 708); to the Committee on Education and ordered to be printed.

2. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Honolulu Harbor, Hawaii; to the Committee on Rivers and Harbors.

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. HASTINGS, from the Committee on Indian Affairs, to which was referred the bill (H. R. 517) amending an act to provide for drainage of Indian allotments of the Five Civilized Tribes, approved March 27, 1914 (38 Stat., 310, Public, No. 77), reported the same without amendment, accompanied by a report (No. 784), which said bill and report were referred to the House Calendar.

Mr. BARBOUR, from the Committee on the Public Lands, to which was referred the bill (S. 2789) for the consolidation of forest lands in the Sierra National Forest, Calif., and for other purposes, reported the same with amendments, accompanied by a report (No. 785), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SINCLAIR, from the Committee on Indian Affairs, to which was referred the bill (H. R. 13139) for the sale of isolated tracts in the former Fort Berthold Indian Reservation, N. Dak., reported the same with amendment, accompanied by a report (No. 786), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the joint resolution (S. J. Res. 30) to permit the disposition of certain lands in Montana ceded by the Crow Indians, reported the same without amendment, accompanied by a report (No. 787), which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

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

By Mr. WATSON: A bill (H. R. 13400) authorizing the Secretary of War to donate to Glenside Post, No. 248, of the American Legion, Glenside, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13401) authorizing the Secretary of War to donate to Montgomery County Post, No. 248, of the American Legion, Glenside, Pa., two German cannons or fieldpieces; to the Committee on Military Affairs.

By Mr. BARBOUR: A bill (H. R. 13402) for the purchase of land occupied by experiment vineyards near Fresno and Oakville, Calif.; to the Committee on Agriculture.

By Mr. IRELAND: A bill (H. R. 13403) establishing a bureau of war benefits in the Department of the Interior; to the Committee on Interstate and Foreign Commerce.

By Mr. BLAND of Indiana: A bill (H. R. 13404) donating a captured German cannon or field gun and carriage to the town of Loogootee, Ind., for decorative purposes; to the Committee on Military Affairs.

By Mr. TILSON: A bill (H. R. 13405) terminating certain powers of the President in respect to fuel; to the Committee on Interstate and Foreign Commerce.

By Mr. MAPES (by request of the Commissioners of the District of Columbia): A bill (H. R. 13406) to regulate within the District of Columbia the sale of milk and certain milk products, and for other purposes; to the Committee on the District of Columbia.

By Mr. ROGERS: A bill (H. R. 13407) to transfer to the Bureau of War Risk Insurance of the Treasury Department the care of the discharged sick or disabled soldiers, sailors, and marines provided by the United States Public Health Service, and to transfer the vocational rehabilitation of disabled persons discharged from the military or naval forces of the United States from the Federal Board for Vocational Education to the Bureau of War Risk Insurance of the Treasury Department; to the Committee on Interstate and Foreign Commerce.

By Mr. EMERSON: Joint resolution (H. J. Res. 326) authorizing and directing the Secretary of War to loan tents to cities to relieve the housing situation; to the Committee on Military Affairs.

By Mr. PORTER: Joint resolution (H. J. Res. 327) terminating the state of war declared to exist April 6, 1917, between the Imperial German Government and the United States, permitting on conditions the resumption of reciprocal trade with Germany, and for other purposes; to the Committee on Foreign Affairs.

By Mr. MACGREGOR: Memorial of the Legislature of the State of New York, disapproving of the St. Lawrence ship canal project; to the Committee on Foreign Affairs.

By Mr. ROWAN: Memorial of the Legislature of the State of New York, urging upon Congress the necessity of sufficient ap-

propriation to employ 1,500 men at the Watervliet Arsenal; to the Committee on Military Affairs.

By Mr. GOLDFOGLE: Memorial of the Legislature of the State of New York, urging upon Congress the necessity of sufficient appropriation to employ 1,500 men at the Watervliet Arsenal; to the Committee on Military Affairs.

By Mr. O'CONNELL: Memorial of the Legislature of the State of New York, urging upon Congress the necessity of sufficient appropriation to employ 1,500 men at the Watervliet Arsenal; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

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

By Mr. BRUMBAUGH: A bill (H. R. 13408) granting a pension to Julia C. Wharton; to the Committee on Invalid Pensions.

By Mr. CALDWELL: A bill (H. R. 13409) granting a pension to Mary L. Lewis; to the Committee on Pensions.

By Mr. KEARNS: A bill (H. R. 13410) granting a pension to Sarah E. Kennison; to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R. 13411) granting an increase of pension to Thomas T. Hurdle; to the Committee on Invalid Pensions.

By Mr. VAILE: A bill (H. R. 13412) granting an increase of pension to David A. Gardner; to the Committee on Pensions.

By Mr. WATSON: A bill (H. R. 13413) granting a pension to Clara H. Farnsworth; to the Committee on Invalid Pensions.

By Mr. WELTY: A bill (H. R. 13414) granting a pension to Celestine Schaeffer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13415) granting a pension to Alvaro Sunderland; to the Committee on Pensions.

By Mr. HUTCHINSON: Resolution (H. Res. 509) for the relief of May Carroll; to the Committee on Accounts.

PETITIONS, ETC.

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

2733. By the SPEAKER (by request): Petition of numerous citizens of Chicago, Ill., asking recognition of the Irish republic; to the Committee on Foreign Affairs.

2734. Also (by request), petition of Roxbury Post, No. 44, American Legion, Massachusetts, favoring \$50 per month bonus for service men; to the Committee on Ways and Means.

2735. By Mr. GALLIVAN: Petition of Cleaveland A. Chandler, of Boston, Mass., opposing House bill 12976; to the Committee on Ways and Means.

2736. Also, petition of Lever Bros. Co., of Cambridge, Mass., opposing amendments to Federal reserve system; to the Committee on Banking and Currency.

2737. Also, petition of Gillette Safety Razor Co., favoring development of parcel-post treaty with Cuba; to the Committee on the Post Office and Post Roads.

2738. Also, petition of 5,000 members of the South Dakota Federation of Women's Clubs, favoring appropriation for the United States Interdepartmental Social Hygiene Board; to the Committee on Appropriations.

2739. Also, petition of sundry citizens of Chicago, Ill., favoring recognition of the Irish republic; to the Committee on Foreign Affairs.

2740. By Mr. LUFKIN: Petition of the Central Labor Union of Haverhill, Mass., urging an investigation into the activities of the Bureau of Immigration; to the Committee on Immigration and Naturalization.

2741. By Mr. MACGREGOR: Petition of the Federal Employees' Union, No. 19, of Buffalo, N. Y., relative to the privileges of Government employees, etc.; to the Committee on the Judiciary.

2742. Also, petition of employees in the custodian service in the Federal building at Buffalo, N. Y., urging the bonus for Federal employees, etc.; to the Committee on Appropriations.

2743. Also, petition of the United States engineer office at Buffalo, N. Y., urging support of an amendment in House bill 11892, rivers and harbors bill; to the Committee on Appropriations.

2744. Also, petition of the Builders' Association Exchange of Buffalo, N. Y., urging the defeat of House bill 12320; to the Committee on Immigration and Naturalization.

2745. By Mr. MAPES: Petition of Samuel T. Fry and 7,500 citizens of the United States, opposed to universal military training; to the Committee on Military Affairs.

2746. By Mr. MOONEY: Petition of the Air Service Post, No. 137, of Cleveland, Ohio, urging the passage of House bill 10835; to the Committee on Military Affairs.

2747. By Mr. MOTT: Petition of citizens of the city of Watertown, N. Y., protesting against the murder of Thomas MacCurtain, lord mayor of Cork, Ireland; to the Committee on Foreign Affairs.

2748. By Mr. O'CONNELL: Petition of James H. Rhodes & Co., of New York, opposed to House bill 12379; to the Committee on Banking and Currency.

2749. By Mr. ROWAN: Petition of the American Commission of Irish Independence, of Cook County, Ill., relative to Ireland; to the Committee on Foreign Affairs.

2750. Also, petition of the National Board of Farm Organizations, opposing the memorial introduced by the Philadelphia Board of Trade, etc.; to the Committee on Interstate and Foreign Commerce.

2751. Also, petition of the Corman Co., of New York City, opposing House bill 12976; to the Committee on Ways and Means.

2752. Also, petition of the Kelley-Clarke Co. (Inc.), of New York, opposed to House bill 12909; to the Committee on the Territories.

2753. Also, petition of the Harvey & Outerbridge Co., of New York, opposed to House bills 12379 and 12646; to the Committee on Banking and Currency.

2754. By Mr. TAGUE: Petition of the Horrigan & Doe Co., of Boston, Mass., opposed to House bills 12379 and 12646; to the Committee on Banking and Currency.

2755. Also, petition of the Tri-Mountain Garrison, No. 98, Army and Navy Union, urging the passage of House bill 6862; to the Committee on Naval Affairs.

2756. Also, petition of the Sylpho-Nathol Co., of Boston, Mass., urging the 1-cent drop postage; to the Committee on the Post Office and Post Roads.

2757. Also, petition of the Roxbury Post, No. 44, American Legion, Roxbury, Mass., urging adjusted compensation for the ex-service men, etc.; to the Committee on Ways and Means.

2758. By Mr. WASON: Petition of W. H. Cadwell and 2,514 residents of Nashua, N. H., employees of the Nashua Manufacturing Co., urging the daylight savings law, etc.; to the Committee on Interstate and Foreign Commerce.

2759. By Mr. WINGO: Petition of R. C. Hatcher and others of Van Buren, Ark., protesting against universal military service, etc.; to the Committee on Military Affairs.

## SENATE.

FRIDAY, April 2, 1920.

(Legislative day of Thursday, April 1, 1920.)

The Senate reassembled at 12 o'clock noon, on the expiration of the recess.

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

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

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

Beckham	Harrison	Moses	Smoot
Calder	Henderson	Myers	Spencer
Capper	Jones, Wash.	Nelson	Sterling
Comer	Kellogg	New	Sutherland
Culberson	Kendrick	Norris	Thomas
Cummins	Keyes	Nugent	Townsend
Curtis	Kirby	Overman	Trammell
Dial	Knox	Page	Underwood
Dillingham	Lenroot	Phipps	Wadsworth
Fernald	Lodge	Pomerene	Warren
France	McCumber	Sheppard	Watson
Gay	McKellar	Smith, Ariz.	
Gronna	McLean	Smith, Md.	
Hale	McNary	Smith, S. C.	

Mr. GRONNA. I desire to announce that the senior Senator from Wisconsin [Mr. LA FOLLETTE] is absent, due to illness. I ask that this announcement may stand for the day.

Mr. McNARY. I wish to announce the absence of my colleague [Mr. CHAMBERLAIN] on account of illness.

Mr. McKELLAR. The Senator from Arizona [Mr. ASHURST], the junior Senator from Virginia [Mr. GLASS], the junior Senator from North Carolina [Mr. OVERMAN], the Senator from California [Mr. PHELAN], the senior Senator from North Carolina [Mr. SIMMONS], and the senior Senator from Virginia [Mr. SWANSON] are absent on official business.

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

### PETITIONS AND MEMORIALS.

Mr. CAPPER presented a petition of sundry citizens of Augusta, Kans., praying for the enactment of legislation providing

for the public protection of maternity and infancy, which was referred to the Committee on Public Health and National Quarantine.

He also presented a petition of sundry citizens of Topeka, Kans., praying for the enactment of legislation providing for the parole of Federal prisoners, which was referred to the Committee on the Judiciary.

He also presented a petition of the Sheep and Wool Growers' Association of Morgan County, Ohio, praying for the enactment of legislation providing for the labeling of substitutes for virgin wool in the manufacture of wearing apparel, which was referred to the Committee on Interstate Commerce.

Mr. LODGE presented a petition of sundry engineers of the General Electric Co., of Lynn, Mass., praying for the enactment of legislation to increase the salaries of the employees of the Patent Office, which was referred to the Committee on Patents.

He also presented a petition of the Massachusetts Society of Sons of the American Revolution, praying for the enactment of legislation to change the name of the Panama Canal to the Roosevelt Canal, which was referred to the Committee on Inter-oceanic Canals.

Mr. JONES of Washington presented a telegram in the nature of a petition from sundry citizens of Seattle, Wash., praying for the freedom of Ireland, which was referred to the Committee on Foreign Relations.

He also presented resolutions of the Central Labor Council of Tacoma, Wash., favoring an investigation into the activities of the Bureau of Immigration, which was referred to the Committee on Immigration.

Mr. TOWNSEND (for Mr. NEWBERRY) presented a petition of the Chamber of Commerce of Battle Creek, Mich., praying for the enactment of legislation to increase the compensation of postal employees, which was referred to the Committee on Post Offices and Post Roads.

He also (for Mr. NEWBERRY) presented a petition of the Engineering Society of Detroit, Mich., and a petition of the Board of Commerce of Detroit, Mich., praying for the enactment of legislation to increase the compensation of certain civil-service employees, which were referred to the Committee on Civil Service and Retrenchment.

He also (for Mr. NEWBERRY) presented a petition of the State Nurses' Association, of Bay City, Mich., praying for the enactment of legislation granting rank to Army nurses, which was referred to the Committee on Military Affairs.

### BACA FLOAT NO. 3, ARIZONA.

Mr. SMITH of Arizona, from the Committee on Public Lands, to which was referred the bill (S. 2728) for the relief of settlers and entrymen on Baca Float No. 3, in the State of Arizona, reported it without amendment and submitted a report (No. 498) thereon.

### BILLS AND JOINT RESOLUTION INTRODUCED.

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

By Mr. POMERENE:

A bill (S. 4179) for the relief of Elizabeth A. Sites; to the Committee on Military Affairs.

By Mr. SWANSON:

A bill (S. 4180) authorizing the Secretary of War to donate to the town of Schoolfield, county of Pittsylvania, Va., one German cannon or fieldpiece; to the Committee on Military Affairs.

A bill (S. 4181) for the relief of George T. Larkin; and

A bill (S. 4182) for the relief of George T. Larkin; to the Committee on Claims.

By Mr. SUTHERLAND:

A bill (S. 4183) granting a pension to John W. Jeffries; and  
A bill (S. 4184) granting an increase of pension to Calvin I. Newman; to the Committee on Pensions.

By Mr. HARDING:

A joint resolution (S. J. Res. 185) to provide for suitable memorials for persons who lost their lives while in the military or naval forces of the United States during the war with Germany; to the Committee on Military Affairs.

### ARMY REORGANIZATION.

Mr. PHELAN submitted an amendment intended to be proposed by him to the bill (H. R. 12775) to amend an act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, which was referred to the Committee on Military Affairs and ordered to be printed.

### AMENDMENT TO DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. SHEPPARD submitted an amendment proposing to appropriate \$2,000 to aid the Columbia Polytechnic Institute for