

3123. Also, petition of Gray Silver, Charles A. Lyman, and T. C. Atkeson, of Washington, D. C., favoring the enactment of the Capper-Hersman bill; to the Committee on Agriculture.

3124. By Mr. EMERSON: Petition of transportation committee of the Cleveland Chamber of Commerce, in relation to the coal situation and car shortage; to the Committee on Interstate and Foreign Commerce.

3125. By Mr. FULLER of Illinois: Petition of Local Union No. 303, United Mine Workers of America, Orient, Ill., favoring amnesty for political prisoners and the repeal of the espionage law; to the Committee on the Judiciary.

3126. Also, petition of the Chicago Carton Co., favoring the repeal of the excess-profits tax, etc.; to the Committee on Ways and Means.

3127. Also, petition of the Women's Auxilliary of Walter Craig Post, American Legion, Rockford, Ill., relative to the bonus for the ex-service men and women of the World War; to the Committee on Ways and Means.

3128. Also, petition of the Business Men's Association of Peru, Ill., regarding the unsatisfactory postal service, etc.; to the Committee on the Post Office and Post Roads.

3129. Also, petition of the United Indian War Veterans, for increase of pension; to the Committee on Pensions.

3130. By Mr. GALLIVAN: Petition of Roger Casement Branch, Friends of Irish Freedom, of Boston, Mass., favoring the freedom of Ireland; to the Committee on Foreign Affairs.

3131. Also, petition of Howes Bros. Co. and Purity Oats Co., of Boston, Mass., regarding taxation; to the Committee on Ways and Means.

3132. Also, petition of Women's Educational and Industrial Union of Boston, Mass., regarding legislation for State censorship of motion pictures; to the Committee on Ways and Means.

3133. Also, petition of American Legion, Ludlow Post, No. 52, of Ludlow, Mass., and 10 other citizens of Boston, Mass., favoring cash bonus for soldiers; to the Committee on Ways and Means.

3134. Also, petition of Federal Employees' Local, of Boston, Mass., favoring retirement for civil-service employees; to the Committee on Reform in the Civil Service.

3135. Also, petition of F. L. & J. C. Codman Co., Joseph E. Sager, George Mortimer & Co. (Inc.), opposing the Steagall bill, H. R. 12379; to the Committee on Banking and Currency.

3136. By Mr. HILL: Petition of the city Council of Spokane, Wash., for the enactment of House bill 10518, to create a Federal urban mortgage bank; to the Committee on Banking and Currency.

3137. By Mr. JOHNSTON of New York: Petition of Wooden Box Manufacturers' Association of New York, favoring a revision of the antitrust laws; to the Committee on the Judiciary.

3138. By Mr. KELLEY of Michigan: Petition of Mrs. J. G. Rulison and 70 other residents of Lansing, Mich., in favor of legislation to provide maternity and infant-welfare aid; to the Committee on Interstate and Foreign Commerce.

3139. By Mr. LINTHICUM: Petition of Emory L. Stinchcomb, Baltimore, Md., relative to the claims against the United States Railroad Administration; to the Committee on Interstate and Foreign Commerce.

3140. Also, petition of Hynson, Westcott & Dunning, Baltimore, Md., relative to House bill 12976; to the Committee on Ways and Means.

3141. Also, petition of Morgan Millwork Co., Baltimore, Md., protesting against House bill 12379, also House bill 12646; to the Committee on Banking and Currency.

3142. Also, petition of Baltimore Chapter of the Southern Association of College Women, favoring legislation creating a Federal department of education; to the Committee on Education.

3143. Also, petition of Charles D. Jones, L. W. Passano, Mont-faucon Post, American Legion, and Burton H. Erdman, all of Baltimore, Md., favoring enactment of legislation granting a bonus to ex-service men; to the Committee on Ways and Means.

3144. Also, petition of J. Arthur Nelson, Baltimore, Md., relative to the repeal of certain sections in the revenue act of 1918; to the Committee on Ways and Means.

3145. Also, petition of the Maryland League for National Defense, Baltimore, Md., urging universal military training, etc.; to the Committee on Military Affairs.

3146. By Mr. MERRITT: Petition of executive committee of the Connecticut Bankers' Association, opposing the passage of the Steagall bill, H. R. 12379; to the Committee on Banking and Currency.

3147. By Mr. O'CONNELL: Petition of Navy Legal Aid Association of New York, favoring immediate action by the House on the Wadsworth bill; to the Committee on Military Affairs.

3148. By Mr. RAKER: Petition of Fred S. Bebergall, department adjutant, American Legion, San Francisco, Calif., urging the passage of House bill 13293; also House bill 13291; to the Committee on Interstate and Foreign Commerce.

3149. Also, petition of Trinity Post, No. 163, Weaverville, Calif., urging the support of the bill giving bonus to the ex-service men of the World War; to the Committee on Ways and Means.

3150. Also, petition of Gray Silver, Charles A. Lyman, and T. C. Atkeson, of Washington, D. C., urging the support of the Capper-Hersman bill; to the Committee on Agriculture.

3151. By Mr. ROWAN: Petition of Navy Legal Aid Association of New York, favoring immediate action by the House on the Wadsworth bill; to the Committee on Military Affairs.

3152. By Mr. SINCLAIR: Petition of the Playground Club of Kenmare, N. Dak., indorsing the Sheppard-Towner maternity bill; to the Committee on Interstate and Foreign Commerce.

SENATE.

THURSDAY, April 22, 1920.

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

Almighty God, we come to our task to-day with thought of the splendid achievements of our fathers, who with brave hearts and unconquerable spirit and devotion to the high principles of justice and reverence toward Thy name laid strong and well the foundations of our national life. We pray that we may, emulating their example, follow on to accomplish that which they so well began. Give us Thy blessing to-day to this end. We ask for Christ's sake. Amen.

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

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 12460. An act to authorize the coinage of 50-cent pieces in commemoration of the one hundredth anniversary of the admission of the State of Maine into the Union;

H. R. 12824. An act to authorize the coinage of 50-cent pieces in commemoration of the one hundredth anniversary of the admission of the State of Alabama into the Union;

H. R. 13138. An act to amend section 8 of an act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914, as amended May 15, 1916; and

H. R. 13227. An act to authorize the coinage of 50-cent pieces in commemoration of the three hundredth anniversary of the landing of the Pilgrims.

The message also announced that the House disagrees to the amendment of the Senate to the bill (H. R. 12775) to amend an act entitled "An act for making further and more effectual provisions for the national defense, and for other purposes," approved June 3, 1916, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. KAHN, Mr. ANTHONY, Mr. MCKENZIE, Mr. DENT, and Mr. FIELDS managers at the conference on the part of the House.

The message further announced that the House disagrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate numbered 53 to 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, further insists upon its disagreement to the amendment of the Senate numbered 53 to the bill, asks a further conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. WOOD of Indiana, Mr. WASON, and Mr. SISSON managers at the further conference on the part of the House.

The message also announced that the Speaker of the House had signed the following enrolled bills:

S. 806. An act conferring jurisdiction on the Court of Claims to hear, determine, and render judgment in claims of the Iowa Tribe of Indians against the United States; and

S. 2442. An act authorizing and directing the Secretary of the Interior to convey to the trustees of the Yankton Agency Presbyterian Church, by patent in fee, certain land within the Yankton Indian Reservation.

PETITIONS AND MEMORIALS.

Mr. McLEAN presented a petition of sundry citizens of New Haven and Danbury, in the State of Connecticut, praying for the enactment of legislation to incorporate the International Association of Rotary Clubs, which was referred to the Committee on the Judiciary.

He also presented a memorial of the Connecticut Bankers' Association, of Hartford, Conn., remonstrating against the enactment of legislation permitting banks to make an exchange charge of 10 cents per \$100 or fraction on checks drawn on themselves presented through the Federal reserve banks, which was referred to the Committee on Banking and Currency.

He also presented a petition of the United Irish Societies of Bridgeport, Conn., and a petition of the Ancient Order of Hibernians of America, of Willimantic, Conn., praying for the freedom of Ireland, which were referred to the Committee on Foreign Relations.

He also presented a petition of Local Union No. 123, American Flint Glass Workers, of Waterbury, Conn., praying for the protection of the glass industry, which was referred to the Committee on Finance.

He also presented a petition of Allan M. Osborn Camp, No. 1, United Spanish War Veterans, of New Haven, Conn., praying for the enactment of legislation granting pensions to Spanish War Veterans, which was ordered to lie on the table.

He also presented a petition of Mather Post, No. 25, Grand Army of the Republic, Department of Connecticut, of Deep River, Conn., praying for the enactment of legislation granting pensions to soldiers of the Civil War and their widows, which was ordered to lie on the table.

He also presented a memorial of the Chamber of Commerce of Hartford, Conn., remonstrating against any change in the present standards of weights and measures, which was referred to the Committee on Standards, Weights, and Measures.

He also presented a petition of the Chamber of Commerce of East Hartford, Conn., and a petition of the Employers' Association of Hartford County, Conn., praying for an increase in the salaries of postal employees, which were ordered to lie on the table.

He also presented petitions of the Kiwanis Club, the Business Men's Association, the Chamber of Commerce, and the Bridgeport Screw Co., all of Bridgeport; of the Chamber of Commerce of Middletown; and of sundry employees of the D. M. Reed Co., of Bridgeport, all in the State of Connecticut, praying for the enactment of a daylight-saving law, which were referred to the Committee on Interstate Commerce.

He also presented a memorial of the Fairfield County Farm Bureau, of Danbury, Conn., remonstrating against the enactment of a daylight-saving law, which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Connecticut State Retail Jewelers' Association, praying for the repeal of the excise tax on jewelry, which was referred to the Committee on Finance.

He also presented a petition of Excelsior Lodge, International Association of Machinists, of Derby, Conn., praying for the repeal of the espionage law, which was referred to the Committee on the Judiciary.

He also presented petitions of Newton S. Manross Post, No. 57, Grand Army of the Republic, Department of Connecticut, of Forrestville; of Nathaniel Lyon Post, No. 2, Grand Army of the Republic, Department of Connecticut, of Hartford; and of Robert O. Tyler Post, No. 50, Grand Army of the Republic, Department of Connecticut, of Hartford, all in the State of Connecticut, praying for the enactment of legislation granting pensions to Civil War veterans and their widows, which were ordered to lie on the table.

He also presented memorials of the Foreign Legions of New Haven, Hartford, Derby, Meriden, and Madison, all in the State of Connecticut, remonstrating against the granting of a bonus to ex-service men with the exception of those who are disabled and the dependents of soldiers killed in the war with Germany, which were referred to the Committee on Military Affairs.

DEFICIENCY APPROPRIATIONS.

Mr. WARREN. From the Committee on Appropriations I report back favorably with amendments the bill (H. R. 13677) making appropriations to supply a deficiency in the appropriations for the Federal control of transportation systems and to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1920, and for other purposes. I

give notice that I shall take an early opportunity to call up the bill for consideration.

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

DUTIES ON IMPORTS.

Mr. THOMAS. I present the views of the minority—Report No. 510, part 2—on the bill (H. R. 10918) to provide revenue and encourage domestic industries by the elimination, through the assessment of special duties, of unfair foreign competition, and for other purposes. The report bears the signature of the Senator from Idaho [Mr. NUGENT] and myself, and I ask that it be received and printed.

The VICE PRESIDENT. Without objection, it is so ordered.

REPORTS OF COMMITTEE ON INDIAN AFFAIRS.

Mr. CURTIS, from the Committee on Indian Affairs, to which were referred the following bills, reported them each with an amendment and submitted reports thereon:

A bill (S. 1521) authorizing the Cowlitz Tribe of Indians residing in the State of Washington to submit claims to the Court of Claims (Rept. No. 532); and

A bill (S. 3716) conferring jurisdiction on the Court of Claims to determine and report upon the interest, title, ownership and right of possession of the Yankton Tribe of Indians to the Red Pipestone Quarries, S. Dak. (Rept. No. 533).

Mr. CURTIS, from the Committee on Indian Affairs, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (S. 3164) authorizing the Northern Arapahoe Tribe and the Northern Cheyenne Tribe of Indians to submit claims to the Court of Claims (Rept. No. 534);

A bill (S. 3307) authorizing the Ottawa and Chippewa Tribes of Indians of Michigan to submit claims to the Court of Claims (Rept. No. 535);

A bill (S. 4046) to cancel an allotment made to Mary Crane, deceased, embracing lands on the Winnebago Reservation in Nebraska (Rept. No. 536);

A bill (S. 4047) authorizing and directing the Secretary of the Interior to make an allotment to Pessa, a member of the Comanche Tribe of Indians in Oklahoma (Rept. No. 537);

A bill (H. R. 9615) authorizing the Secretary of the Interior to correct an error in an Indian allotment (Rept. No. 538); and

A bill (H. R. 13139) for the sale of isolated tracts in the former Fort Berthold Indian Reservation, N. Dak. (Rept. No. 539).

Mr. CURTIS, from the Committee on Indian Affairs, to which were referred the following bills, reported them severally with amendments and submitted reports thereon:

A bill (S. 192) authorizing the Crow Tribe of Indians, residing in the State of Montana, to submit claims to the Court of Claims (Rept. No. 540);

A bill (S. 804) authorizing the Ponca Tribe of Indians, residing in the States of Oklahoma and Nebraska, to submit claims to the Court of Claims (Rept. No. 541);

A bill (S. 1023) for the relief of certain nations or tribes of Indians in Montana (Rept. No. 542);

A bill (S. 2298) for the relief of the Flathead Nation of Indians (Rept. No. 543); and

A bill (S. 2800) authorizing the Coos Bay, Umpqua, and Siuslaw Tribes of Indians, in the State of Oregon, to submit claims to the Court of Claims (Rept. No. 544).

ACTIVITIES OF FOURTH ASSISTANT POSTMASTER GENERAL.

Mr. KING. If I may have the attention of the Senator from Michigan [Mr. TOWNSEND] I should like to inquire whether he has reported from the Committee on Post Offices and Post Roads the resolution to which he called my attention yesterday?

Mr. TOWNSEND. I am obliged to the Senator for referring to the matter. I ask the privilege of making that report now. From the Committee on Post Offices and Post Roads, to which was referred the resolution (S. Res. 309) directing the Postmaster General to furnish information in regard to alleged circularization of agriculturists in the United States, I report it without amendment.

Mr. KING. I ask unanimous consent for the present consideration of the resolution.

The VICE PRESIDENT. Is there any objection?

Mr. JONES of Washington. I ask that the resolution may be read.

The resolution (S. Res. 309) was read, as follows:

Whereas it has been reported that the Fourth Assistant Postmaster General has circularized hundreds of thousands of agriculturists in the United States, and submitted questionnaires to them relating to divers subjects: Therefore be it

Resolved, That the Postmaster General be, and he is hereby, directed to inform the Senate what authority said Fourth Assistant Postmaster General had for his said action and what appropriation had theretofore been made to cover the expenses of such proceedings upon his part.

Mr. KING. Mr. President, just a word in explanation of this resolution. Complaints were made to me that the Fourth Assistant Postmaster-General had sent out tens of thousands of circulars and questionnaires to the farmers of the United States. The statement was made that he was seeking to get information to enable him to engage in an experiment which I conceive to be outside of the domain or purview of the Post Office Department. My information is that there was no authority for his action, and no appropriation from which he could draw to carry on the circularization program upon which he had entered. If the information sought was desirable, then the Agricultural Department should have obtained it. There is a disposition upon the part of too many officials to indulge in fads and experiments, and to undertake matters not authorized by law. There should be a stop to this course. Executive officials are to execute the laws, not to make the laws. I desire to find out what authority the Post Office Department had to engage in the work referred to in the resolution. Let me say frankly it is my purpose to curb wherever possible the unauthorized activities of executive agencies. Many of the agencies and employees of the Government want to extend their authority and jurisdiction, and they use funds of the Government for improper purposes, and seek for information that they are not entitled to obtain or assume undertakings not authorized or desired.

Mr. DIAL. Mr. President, I will state to the Senator that I can furnish him with the information he desires. I have it in my office.

Mr. KING. Does the Senator object to my getting it from the department?

Mr. DIAL. I would request the Senator to let the resolution go over for the present, as I desire to secure further information.

Mr. KING. I want the information to come from the official himself, and I should like it to come to the Senate directly, and not indirectly from the Senator from South Carolina.

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

Mr. DIAL. I object to the consideration of the resolution at this time.

The VICE PRESIDENT. Objection is made. The resolution will go over.

BILLS INTRODUCED.

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

By Mr. NELSON:

A bill (S. 4273) to amend an act entitled "An act to amend section 1, chapter 209, of the United States Statutes at Large, volume 27, entitled 'An act providing when plaintiff may sue as a poor person and when counsel shall be assigned by the court,' and to provide for the prosecution of writs of error and appeals in forma pauperis, and for other purposes," approved June 25, 1910 (36 Stat., 866); to the Committee on the Judiciary.

By Mr. HENDERSON:

A bill (S. 4274) to provide for the acquisition of a site and the erection thereon of a Federal building at Ely, Nev.; to the Committee on Public Buildings and Grounds.

A bill (S. 4275) to protect certain wild animals in Humboldt National Forest, in Nevada; to the Committee on Forest Reservations and the Protection of Game.

By Mr. GRONNA (for Mr. LA FOLLETTE):

A bill (S. 4276) for the relief of Poul Albert Jensen; to the Committee on Naval Affairs.

By Mr. LENROOT:

A bill (S. 4277) for the relief of the Wisconsin Band of Pottawatomie Indians, and for other purposes; to the Committee on Indian Affairs.

By Mr. FRELINGHUYSEN (by request):

A bill (S. 4278) to further amend the interstate-commerce act, as amended; to the Committee on Interstate Commerce.

By Mr. KING:

A bill (S. 4279) to regulate grazing conditions on national forests; to the Committee on Public Lands.

PENSIONS AND INCREASE OF PENSIONS.

Mr. SPENCER submitted an amendment intended to be proposed by him to the bill (H. R. 9369) to revise and equalize rates of pension to certain soldiers, sailors, and marines of the Civil War, to certain widows, former widows, dependent parents and children of such soldiers, sailors, and marines, and to certain Army nurses, and granting pensions and increase of pensions in certain cases, which was ordered to lie on the table and be printed.

RIVER AND HARBOR APPROPRIATIONS.

Mr. KING submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was ordered to lie on the table and be printed.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles and referred to the Committee on Banking and Currency:

H. R. 12460. An act to authorize the coinage of 50-cent pieces in commemoration of the one hundredth anniversary of the admission of the State of Maine into the Union;

H. R. 12824. An act to authorize the coinage of 50-cent pieces in commemoration of the one hundredth anniversary of the admission of the State of Alabama into the Union; and

H. R. 13227. An act to authorize the coinage of 50-cent pieces in commemoration of the three hundredth anniversary of the landing of the Pilgrims.

H. R. 13138. An act to amend section 8 of an act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914, as amended May 15, 1916, was read twice by its title and referred to the Committee on the Judiciary.

FREDERIC J. HASKIN—GOVERNMENT PUBLICATIONS.

Mr. SMOOT. Mr. President, on Friday, April 2, 1920, I made a statement in relation to the distribution of certain public documents and referred to Mr. Frederic J. Haskin. Mr. Haskin, in order that the Senate and the country may know the character of his business, would like me to read a letter I received from him in explanation. The letter is dated April 9, 1920, and reads as follows:

APRIL 9, 1920.

My attention has been called to your remarks on the floor of the Senate concerning the conduct of my business and the charge that it leads to a waste of Government literature.

I feel that you would not have made this criticism if you had possessed a more complete understanding of my operations, and I wish to offer a statement explaining them.

In addition to my work as a correspondent, I am the director of an information bureau, which is supported by over 100 representative newspapers for the free use of the public.

The service I render as a free agent is quite varied. I make investigations for editors, answer questions to subscribers, and arrange for the free distribution of educational literature, a great deal of which is not governmental.

My use of Government bulletins is usually under some such conditions as the following: There may be an epidemic of influenza, and it may be obviously advisable that the latest bulletin of the Public Health Service be widely distributed. There may be a coal strike which threatens to freeze the country and a consequent necessity of getting to the people a bulletin such as the Bureau of Mines publishes on the economic use of fuel. The garden season may be opening, and it may be evident that vegetables are going to be scarce, necessitating a wide distribution of the garden bulletin issued by the Department of Agriculture.

In the case of any of these emergencies, or any similar one, I volunteer the services of my agency to help reach the public quickly. If a bulletin exists giving the necessary facts, I may offer to distribute it, or the governmental agency having it may ask me to distribute it.

You were in error when you informed the Senate that the advertising was done in my name, and that I offered for a 2-cent stamp to send any public document the reader might ask for. The advertising is done by the newspaper in its own name and at its own expense. Each advertisement refers only to the particular offering named therein. I never advertise any bulletin unless the supply is previously arranged for. The 2 cents is used to pay the return postage. If the inquirer sends too much postage, the excess is returned to him.

In this connection I will read what I stated:

Mr. Frederic J. Haskin, located on U Street, I think, is a newspaper correspondent and a representative of—I can not state how many papers in the United States. I suppose Senators have received a copy of their home paper and in the paper noticed inserted an advertisement of Mr. Frederic J. Haskin, in which it is stated that if the reader will clip the advertisement out of the paper and attach to it a 2-cent stamp and send it to Mr. Frederic J. Haskin he will send in return any public document that the sender may ask for.

I ask that this advertisement, taken from the paper just as it appeared, be printed in the RECORD to show who does the advertising and how.

The advertisement is as follows:

GARDEN BOOK FREE.

"I like to see 'em grow!"

That's what a man said when a friend asked him why he put in an hour every afternoon grubbing away in his back yard with a hoe. The man might also have truthfully replied that his garden gave him better vegetables for less money, and that chopping up the face of the earth with a hoe saves doctor's bills.

Grow a garden. Follow the directions in the official illustrated Garden Book, published by the United States Department of Agriculture. You can get this by writing the Detroit Journal Information Bureau, at Washington. Send for it to-day. It is free.

THE DETROIT JOURNAL INFORMATION BUREAU,
Frederic J. Haskin, Director, Washington, D. C.:

I inclose herewith two-cent stamp for return postage for a free copy of the Garden Book.

Name.....
Street address.....
City..... State.....

Mr. SMOOT. The letter then proceeds:

No profit is made by anyone on any of my transactions. I receive no income except the salary paid me by the newspapers, and the newspapers have no return, except the good will of their subscribers and the satisfaction of promoting public welfare.

On this point I said:

I do not think Mr. Haskin charges anything for the documents. He requires, however, that a 2-cent stamp be sent to him before he will send any document. Of course, there are a lot of farm bulletins among them, which it never costs 2 cents to send, but I am not saying that Mr. Haskin is making money out of these documents, because I do not know it. However, I think it gives him a standing with a clientele of people in the United States by the free distribution of these documents, which he uses in order to secure the appointment as representative of newspapers from all parts of the country.

Then Mr. Haskin proceeds:

I note that you told the Senate that I procured 1,329,475 copies of Government publications in a little over a year, and that you found in the list as high as 82,715 copies of one document.

If you could have taken the time to have informed yourself more fully, you might have told the Senate that my participation in this distribution was usually at the request of a Cabinet officer or bureau chief, and that the assistance of the newspapers was invariably welcomed and appreciated by Government officials rather than opposed by them.

You might have told the Senate that the large quantity I used of one particular document was a bulletin on the treatment and prevention of influenza issued by the Public Health Service when the epidemic was raging. In this national emergency my newspapers responded to the request of Dr. Blue to advertise this bulletin.

Upon another occasion I sent out to my papers reproductions of letters from both Dr. Blue and Secretary Baker, asking for cooperation in the fight against the spread of venereal disease. In this instance, and in many others which might be cited, neither I nor my editors had any interest except to promote public welfare, there being many subjects more attractive in character, and not of governmental origin, which were at our disposal.

You are mistaken in the idea that my distribution of governmental literature is a trespass upon congressional privilege. On the contrary, it is an aid to it.

This is what I said in that regard:

Mr. President, these documents are printed for distribution by the departments and Senators and Representatives, and the intention originally was that they should be sent to the constituents of Senators and Representatives.

Mr. Haskin's letter proceeds:

Widespread publicity for a campaign for better babies or garden planting or fruit canning calls the attention of many people to the subject who otherwise would know nothing about it, or be so indifferent as not to act. Once these persons are made acquainted with the benefits they may receive from their Government, they are likely to remain in closer contact with it thereafter.

One certain outcome of the war, and the tremendous publicity given the various drives for financing, increased production, efficient management, etc., is that millions of citizens have learned how to cooperate more closely with their Government and benefit from its many activities. This condition naturally argues for an increased appropriation for the dissemination of educational literature, rather than a restriction of it such as you propose.

When the Government expends vast sums of public money for scientific research, which is of great practical value if its results can be put in the hands of people who can profit by it, surely that distribution by any agency that is proper and economical should not be restricted.

You have only to inquire to find that as a practitioner before the Government I am in good standing, and there is no question as to the economy of my service, because it is free.

My work does not interfere with the distribution of governmental literature by Members of Congress. They are recognized both by the departments and by me as the ones who have the first right to the distribution of this literature. But the Members of Congress have only limited facilities for advising the public what is available in the way of governmental literature. If several hundred thousand copies of a bulletin on corn culture have been printed, for example, because the Department of Agriculture believes that number should be distributed, and if only one-half of these are distributed through Members of Congress, it can scarcely be argued that any waste is involved in the distribution of the remainder through my service.

This is typical of my operations. I get my supplies, as a rule, only after all demands from Members of Congress have been satisfied. My work begins where theirs ends. I give circulation to an immense mass of printed matter which would otherwise not attain any circulation at all, and I put it in the hands of persons who would otherwise never have heard of it. Many Members of Congress have recognized the value of this work, and none, before you, has seen in it any trespass upon the routine methods of distribution, or has considered a free and widespread circulation of such valuable literature, in excess of what Congress can itself distribute, a waste of public money.

Very truly, yours,

FREDERIC J. HASKIN.

Mr. President, I now state that if I have the power I am going to stop the distribution of millions of Government publications that now go into the wastebaskets of the country. My mail of late has simply been clogged with letters sending to me samples of the waste of paper in the way of documents sent to them unsolicited, and the recipients had no interest whatever in the subject matter. In the future this practice will at least be curtailed, because now even the departments can not issue more than 50 copies to any individual or corporation without the consent of the Joint Committee on Printing.

I cast no reflection upon Mr. Haskin as a man or upon his business in any way. He has complied many times with direct requests of heads of the Government. All I want to do is to bring about, if possible, the saving of millions and hundreds of millions and billions of publications sent indiscriminately to the people of the United States who do not want them.

Mr. KING. Will my colleague yield?

Mr. SMOOT. Certainly.

Mr. KING. I should like to ask the Senator how this will be stopped so long as Congress makes appropriations to the various departments and bureaus and Federal agencies which they may expend in publishing all sorts of trash and misinformation, as well as many foolish and alleged scientific documents, which pour forth from executive departments in a perennial stream?

Mr. SMOOT. I will say to my colleague that one way this is going to be enforced is that we are going to enforce the law which is upon the statute books to-day limiting the number of publications that can be printed by any one department. In the past they have paid no more attention to the law than if it was the whistling of the wind. The limit is 5,000 copies, but I know of documents where they have printed over a million copies.

The Senator is correct when he speaks of appropriations made; but take almost any of the deficiency appropriation bills and you will find appropriations covering deficiencies for printing and binding.

Mr. PHELAN. Mr. President—

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from California?

Mr. SMOOT. I yield to the Senator.

Mr. PHELAN. Mr. President, I have been in receipt of many requests for copies of the report of the Commission on Classification. That is a report which interests everybody in the service of the United States. I was informed that only one copy was allowed to each Member of the Senate. It occurred to me that a document for which there is so great a demand should be made available for the public even if it was necessary to require the payment of a certain price. I should like to ask the chairman of the Joint Committee on Printing what is the policy of the committee with respect to the distribution of the report of the Classification Commission?

Mr. SMOOT. I think the Senator has been wrongly informed, in the first place, that each Senator is entitled to only one copy. Whenever a document is printed each Senator is allowed two copies of the document.

Then, in the next place, the commission itself has authority to print them. I do not know whether they spent all their money in paying salaries or not and did not print the necessary number of the reclassification report. However, I will simply say to the Senator that wherever there is a legitimate demand—and this is the first I have heard of the question—the Joint Committee on Printing has no idea of restricting it except within limits. This is the first time I have heard the question mooted.

Mr. PHELAN. May I ask what was the size of the edition of the report printed?

Mr. SMOOT. The usual number was printed.

Mr. PHELAN. Five thousand?

Mr. SMOOT. No; 1,464.

Mr. PHELAN. Do I understand that the document is available to those who desire to purchase it from the Superintendent of Documents?

Mr. SMOOT. I do not think it will have to be purchased. Of course, we are not going to print copies sufficient to give to every boy and girl and man and woman in the employ of the United States. That would take 775,000 copies. It is true that before the war we had less than 300,000 employees, but to-day we have 775,000. Any reasonable call, I will say to the Senator, is going to be complied with.

Mr. PHELAN. I am obliged to the Senator for the information.

PURCHASE OF FABRICS BY BUREAU OF STANDARDS.

Mr. SMOOT. Mr. President, while I am on my feet I wish to call the attention of the Senate to another matter.

I have before me a letter from the Department of Commerce, Bureau of Standards, signed by E. M. Michelsen, textile section of the Bureau of Standards, dated April 10, 1920, and addressed to a manufacturer. I wish to read this letter to the Senate, and then I want to make just a few comments upon it.

DEPARTMENT OF COMMERCE,
BUREAU OF STANDARDS,
Washington, April 10, 1920.

GENTLEMEN: The textile section of this bureau would like to establish an organization enabling members of the bureau staff to purchase staple fabrics for their personal use, and would be pleased to have your cooperation.

Our plan is as follows: On receipt of sufficient requests to make up one or more bolts, prices and 1 square yard samples will be obtained and tested in our laboratories. Consideration of quality, price, and delivery will enable us to place our orders, terms being cash on delivery.

We will in no way mention the name of the selling agent or manufacturer in connection with the testing or selling of the fabrics, unless requested to do so by the seller.

We wish to purchase fabrics of good quality only, and would be pleased to have you send us samples and prices on white madras shirt-ing. We understand that you have mill ends which you sell, but if possible we would like to obtain the full pieces.

Very truly, yours,

E. M. MICHELSEN,
Textile Section.

Mr. President, if the Government of the United States is going into the business of purchasing of goods to be furnished to all of its employees, there ought to be an establishment where all of the employees may be treated alike and which will furnish the goods they want. This is only a sample of the letters that I have received.

Mr. McCUMBER. Mr. President—

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from North Dakota?

Mr. SMOOT. I yield.

Mr. McCUMBER. May I ask the Senator if the Government is going into that line of business, why should not the benefits be given to all the people in the United States? Why should they be limited to the employees of the Government?

Mr. SMOOT. Mr. President, there is wisdom in the question asked by the Senator from North Dakota, but what I want to do at this particular moment is to call the attention of the Senate to the fact that if all the bureaus and departments of the Government are going to undertake to purchase all kinds of goods from the manufacturers and distribute them at retail to the Government employees in the respective bureaus and departments it is going to cost the Government of the United States tens of millions of dollars.

In the first place, these letters are written upon the letterheads of the Department of Commerce. Not only is the time of the employees of the department taken up in writing the letters but in receiving the goods, in the examination of them, and, more than likely, in delivering the goods to each individual purchaser. It is going to cost the Government of the United States much more in dribbling these purchases out than it would if we had one place for all the employees to go and purchase the goods at cost.

Mr. McCUMBER. Mr. President—

Mr. KING. Will my colleague yield to me?

Mr. SMOOT. I yield, first, to the Senator from North Dakota, and then I will yield to my colleague.

Mr. McCUMBER. Mr. President, the Senator from Utah has suggested that he desired to call these facts to the attention of the Senate. Will the Senator now go just a little further and call to the attention of the Senate the law authorizing the bureaus of the Government to go into the retail clothing business?

Mr. SMOOT. Of course, Mr. E. M. Michelsen, of the textile section of the Bureau of Standards, will immediately answer and say that it is not the Bureau of Standards that is doing this, but that it is the employees of the Bureau of Standards. It is just such activities as this, however, that require the unusual number of employees in all of the departments. If they will attend to the business of the respective departments, we can, in a great number of instances, cut the number of employees in two and have the work done a great deal better than it is done today. Now I yield to my colleague.

Mr. KING. The letter that my colleague has just read would be construed by some as a proceeding somewhat smacking of blackmail. This is rather a harsh word; but, as I understand, the gentleman who writes this letter is at the head of a bureau or an agency of the Government that has to do with testing and examining textile fabrics produced in the United States.

Mr. SMOOT. It is engaged in testing them in Government laboratories.

Mr. KING. If I understand the communication just read, the Bureau of Standards is a Government agency, is supported by the Government, and persons employed therein paid by the Government. The Government furnishes laboratories and other instrumentalities for the purpose of testing fabrics as well as other products and commodities. The stamp of approval by the Bureau of Standards upon any product is important to the manufacturer and vendor. The relations between the producer and the Bureau of Standards in a sense brings the employees of the bureau and the manufacturers into an antagonistic position; that is to say, the manufacturer and producer are desirous of obtaining a certificate from the Government that their products are of a high and superior grade. The employees of the bureau are there for the purpose of serving the public and administering in a fair and just manner the rules and regulations promulgated for their guidance. In a sense they are judges, or courts, to pronounce judgment upon the work and labor and products of others. It seems to me that it is a gross impropriety for employees of the Bureau of Standards to have commercial dealings with those whose products are submitted to be tested and examined and passed upon. As I interpret the letter just read,

it would seem that it is in a sense a species of intimidation and extortion. The letter clearly declares that the employees of this Government agency want to form a combination to obtain goods at a low price. They state to the persons to whom the letter is directed that they will send orders and pay cash, and that the products of the manufacturer will be tested "in our laboratories." Of course, these employees have no laboratory. It would seem that the clear purpose of the writer was to secure for himself and others manufactured products at a very low price, and that an important factor in determining the price resulted from the fact that the proposed purchasers and the Government organization with which they were connected could help or hurt the manufacturer to whom they communicated. Can anyone doubt that the reception by the ordinary manufacturer of a letter such as the one before us would impel him to name an exceedingly low price, far below the market, for articles proposed to be purchased? He could not deal at arm's length in an independent way with the writer of the letter, or, at any rate, he could not deal with that freedom that would characterize his procedure if the proposition to purchase emanated from some wholesale dealer or broker. If my interpretation of this letter is correct, the author of the letter is not only guilty of a grave indiscretion but his conduct calls for investigation, and, if the facts are as the letter seems to indicate, his dismissal from the service should follow.

Mr. SMOOT. Mr. President, there is another part of this letter which I do not like at all, and that is the part, which reads:

We will in no way mention the name of the selling agent or manufacturer in connection with the testing or selling of the fabrics unless requested to do so by the seller.

What does that mean? It means, "If you will let us have these shirtings as requested, if you want us to advertise the fact, we will do so"; or, in other words, "If you will let us have these shirtings, perhaps at a price greatly below cost, you will get paid the price you quote us and receive in addition advertisement such as the Bureau of Standards will give you." That is wrong in principle; it is unjustifiable.

Mr. President, I hope that calling the attention of the Senate to this particular case will stop the practice in all of the departments of the Government engaged in this same class of work.

Mr. THOMAS. Mr. President, the Senator from Utah is quite an optimist this morning. I do not think it will stop it at all.

Mr. SMOOT. I only express the hope; but I will say to the Senator from Colorado that I am a little fearful that my hope will not be realized.

Mr. KING. If my colleague will yield to me, I desire to say that I do not think he will have done his full duty unless he communicates with the head of the organization from which this letter emanates and requests that an investigation be had. If the facts are as the letter indicates, the employee of the Government who wrote the letter ought to be summarily discharged from the service.

Mr. SMOOT. Mr. President, I have merely called attention to the letter which I have read. I have paid no particular attention to the others, for they were not so specific in their requests; yet I do know that a similar practice is going on in other departments of the Government; and I hope when it is called to the attention of the heads of the departments that the practice will cease.

PENSIONS AND INCREASE OF PENSIONS.

Mr. McCUMBER. I move that the Senate proceed to the consideration of House bill 9369, the Fuller pension bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 9369) to revise and equalize rates of pension to certain soldiers, sailors, and marines of the Civil War, to certain widows, former widows, dependent parents and children of such soldiers, sailors, and marines, and to certain Army nurses, and granting pensions and increase of pensions in certain cases.

Mr. REED. Mr. President, I wish to inquire of the Senator from North Dakota whether he expects to keep the bill which he has just called up before the Senate only during the usual morning hour, or whether he intends to hold it here during the day?

Mr. McCUMBER. I hope we will get through with it during the morning hour to-day. If we do not, the river and harbor bill really has the right of way, and if the Senator having that bill in charge insists on it he would be entitled to proceed after 2 o'clock. If the pension bill is not completed before that time, I hope to make it the unfinished business following the river and harbor bill; but until the river and harbor bill is disposed of, if this bill is not disposed of sooner, I shall try to call it up each morning after the close of the routine morning business.

Mr. REED. I will say to the Senator that my reason for inquiring was that I expected to address the Senate this morning on the river and harbor bill. If the Senator is going on with this bill after 2 o'clock, of course I can make my remarks on the river and harbor bill at this time. I would prefer to do it, however, when the bill is formally before the Senate.

Mr. McCUMBER. I think the Senator would just as soon wait until 2 o'clock, would he not, and then discuss that matter when the river and harbor bill is really before the Senate?

Mr. REED. Very well.

The VICE PRESIDENT. The pending amendment is the amendment of the Senator from Colorado [Mr. THOMAS], which will be stated.

The ASSISTANT SECRETARY. On page 2, line 25, before the words "Civil War," it is proposed to insert the words "War with Mexico, the Spanish-American War, or the."

Mr. KING. Mr. President, how would it read then?

The ASSISTANT SECRETARY. So that section 3 will read:

That from and after the approval of this act all persons whose names are on the pension roll, and who, while in the service of the United States in the Army, Navy, or Marine Corps, during the War with Mexico, Spanish-American War, or the Civil War, and in the line of duty, shall have lost one hand or one foot or been totally disabled in the same, shall receive a pension at the rate of \$60 per month; that all persons who, in such service and in like manner, shall have lost an arm at or above the elbow, or a leg at or above the knee, or been totally disabled in the same, shall receive a pension at the rate of \$65 per month; that all persons who, in such service and in like manner, shall have lost an arm at the shoulder joint or a leg at the hip joint, or so near the shoulder or hip joint, or where the same is in such condition as to prevent the use of an artificial limb, shall receive a pension at the rate of \$72 per month; and that all persons who, in such service and in like manner, shall have lost one hand and one foot, or been totally disabled in the same, shall receive a pension at the rate of \$90 per month.

The VICE PRESIDENT. The question is on the amendment of the Senator from Colorado.

Mr. SMOOT. Mr. President, I understood that that amendment was voted on last evening.

The VICE PRESIDENT. The Chair was here, and it was not voted on.

Mr. THOMAS. I supposed it was.

Mr. SMOOT. So did I.

The VICE PRESIDENT. It was not voted on. The roll was called and failed to disclose the presence of a quorum.

Mr. McCUMBER. Mr. President, my information is that the RECORD shows that the Chair put the question, and the Chair announced that the "noes" seemed to have it, but went no further than that. Then the absence of a quorum was suggested.

The VICE PRESIDENT. Yes.

Mr. McCUMBER. And therefore I assume that the question is still open.

The VICE PRESIDENT. It is.

Mr. KING. Mr. President, I should like to ask the Senator having this bill in charge the reason why the provision suggested by the Senator from Colorado was not included in the original bill. I am asking for information.

Mr. McCUMBER. Mr. President, that is because we are including in this bill only those things which relate peculiarly to the soldiers of the Civil War. They are a much older class than the soldiers of the Spanish War and the soldiers of the late war. However, provision has been made for similar disabilities when incurred in service by the soldiers of the late war.

The Senator will easily understand, for instance, that the loss of an arm below the elbow in the case of a man 20 years of age will not be exactly the same impediment against his earning a living that it would be in the case of a man 80 years of age, because he can still earn a living. There is no question but that his earning capacity has been greatly reduced, but the man 80 years of age can not earn any living at all; and therefore we felt that it was better to deal with that question when the Spanish War veterans' bill should come before the Senate.

I call attention also to another matter—for instance, loss of leg at the hip joint. The first pension that was granted to soldiers of the Civil War for that disability was \$15 a month, on June 6, 1866. That was increased to \$24 from June 4, 1872, to \$37.50 from March 3, 1879, to \$45 from August 4, 1896, and to \$55 from March 2, 1903. So it will be observed that we gave the soldiers of the Civil War nothing like this amount until they are given it in this bill at a very advanced age.

Of course, we will all agree that if they were all about the same age and in the same war, the same rules should apply without reference to their ages; but it was thought by the committee that we ought to deal with the soldiers of each war separately. At the present time the soldiers of the Spanish War are receiving the same amount for like injuries and loss of limb

that soldiers of the Civil War, who are very much older, are receiving; but the committee felt that it was better to leave an increase for those of the Spanish War until the time when we should consider a bill relating to that war.

Mr. CHAMBERLAIN. Mr. President, I offered an amendment for the same purpose as the amendment proposed by the Senator from Colorado, but in a different way. It was to strike out the words "during the Civil War." That would make the bill applicable, if adopted, to those covered by and included in the amendment proposed by the Senator from Colorado; so that if the amendment which I propose and which is also pending is adopted, section 3 will read as follows:

SEC. 3. That from and after the approval of this act all persons whose names are on the pension roll, and who, while in the service of the United States in the Army, Navy, or Marine Corps, and in the line of duty, shall have lost one hand or one foot or been totally disabled in the same, shall receive a pension at the rate of \$60 per month; that all persons who, in such service and in like manner, shall have lost an arm at or above the elbow, or a leg at or above the knee, or been totally disabled in the same, shall receive a pension at the rate of \$65 per month; that all persons who, in such service and in like manner, shall have lost an arm at the shoulder joint or a leg at the hip joint, or so near the shoulder or hip joint, or where the same is in such condition as to prevent the use of an artificial limb, shall receive a pension at the rate of \$72 per month; and that all persons who, in such service and in like manner, shall have lost one hand and one foot or been totally disabled in the same shall receive a pension at the rate of \$90 per month.

I think the amendment of the Senator from Colorado or, better, that offered by me, ought to be adopted. I am going to ask the Secretary to read a copy of a letter which I received after I offered the amendment proposed by me. I do not give the name because I am sure the party who wrote it would prefer not to have his name submitted, but I will say for him that he is one of those who lost a leg in the Spanish-American War.

The VICE PRESIDENT. In the absence of objection, the Secretary will read as requested.

The Assistant Secretary read as follows:

WASHINGTON, D. C., April 17, 1920.

HON. GEORGE E. CHAMBERLAIN,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I want to congratulate you on the fairness of your amendment to H. R. 9369, as reported out by the Senate Committee on Pensions.

The brutal discrimination of this measure as it came from the committee, it seems to me, ought to be apparent to everyone who takes the trouble to examine it. Your amendment very properly takes notice of the fact that the bill as reported to the Senate seeks to discriminate between men of identical disabilities, making a preferred class of one and allowing the other to go limping along in the struggle of life, getting on as best they can because few in numbers and therefore handicapped in enforcing any demands for relief.

I would like to call your attention to one noteworthy fact, and that is that never to this time in the history of pension legislation has there been enacted by Congress a law which discriminated between men who had lost arms or legs in the military or naval service of the United States.

While this and that law has been enacted in behalf of the Civil War and the Mexican War veterans suffering from partial disabilities, ignoring the men who served in the Spanish-American War and the Regular Establishment (meaning the Regular Army of peace times), the laws have always dealt evenly with men who had suffered the loss of hands or feet.

The present bill now seeks to depart from that rule and to increase the pension of the Civil War veteran and of some other classes who have lost legs and arms and to leave out of its benefits men of identical disabilities sustained in the Spanish-American War or in the Regular Establishment. Frankly, I think you will have to agree with me that the proposed legislation is an affront to every man who suffered such an injury in the Spanish War or the Regular Service. These pensioners are now receiving equal treatment, drawing their pensions under the same act, regardless of the time or character of their service.

Can it be that the committee which reported this bill reasons that the crutch operates more soothingly in the armpits of men who lost their legs in the Spanish-American War or in the Regular Establishment, or that the stumps of their maimed legs and arms are less likely to chafe than those of veterans of other service?

In the report accompanying this bill the Senate committee justifies the proposed pension increases to certain classes of veterans on the ground that the cost of living has mounted skyward in the last few years. For example, they cite the increase in the cost of ham from 15 cents a pound in 1913 to 55 cents in 1920. Can it be that this committee imagines that injured veterans of the Spanish-American War or the Regular Army are still buying ham for 15 cents a pound? If so, it might have been well for them to summon some crippled Spanish War veteran or Regular before them before reporting this bill. In any case, I hope this letter will set the members of the committee right on these points.

It is a notorious fact that men who were injured in the Regular Service or in the smaller wars have been grudgingly recognized by Congress, and, certainly, it is unfortunate that there should be such a flagrant demonstration of this tendency just at a time when preparations are being made to build a larger standing army.

Can it be that with the Great War over, the public mind is again reverting to that common contempt for the man who wears a uniform in time of peace? No one will deny that it has always been true—true in this country as well as in others. The bill which has been reported to the Senate is but the first sign of return to that peace-time state of mind which regards the Regular soldier as a necessary evil.

When Rudyard Kipling wrote the poem entitled "Tommy Atkins" he most faithfully portrayed the radically diverse moods of the public

toward the regular soldier in peace and in war. He knew his subject when he wrote:

"Oh, it's Tommy this and Tommy that,
And Tommy go away;
But it's thank you, Mr. Atkins,
When the band begins to play."

The action of the Senate committee reflects a reversion, now that the war has been fought to a successful conclusion, to the spirit of the first two lines of the foregoing verse.

As one of the 600 or more veterans proscribed by this measure as unworthy, I thank you.

Very truly, yours,

Mr. CHAMBERLAIN. Mr. President, I favor the pension bill as reported out of the committee and will vote for it, whether the amendment suggested by the Senator from Colorado or that suggested by myself is adopted or not. I do not believe I have voted against any general pension legislation since I have been a Member of the Senate.

I do not agree at all with my distinguished friends from Colorado [Mr. THOMAS] and Utah [Mr. KING] and some others who so bitterly oppose these pension bills. I feel that the Government of the United States is doing only justice to the veterans of all wars when they vote to them pensions and increase the pensions as the years go by and the veterans become enfeebled and helpless.

This bill recognizes only the veterans of the Civil War. I favor that. Why not recognize them all, Mr. President? In the Civil War, as has been stated here, there were 2,151,789 men who were under 21 years of age and there were 628,516 men over that age. That was all of the 31,443,321 of population of the United States in 1860 who went to the war and preserved the Union. The men who were willing to do that—and most of them were volunteers—ought to have their services recognized in some substantial way, even if it is necessary to go down into the pockets of some of the men who stayed at home and profited during the time the war was waging. There were many of military age and fitness who declined to participate in that war, Mr. President, and finally the draft was resorted to by Congress, as it was by the Southern Confederacy, in order to compel all within the military age to go to the front and bare their breasts to the bayonets of the enemy.

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

Mr. CHAMBERLAIN. I yield to the Senator.

Mr. KING. I do not want to be captious at all. I do not think there is any objection particularly on the part of anybody to pensioning those who did bare their breasts to the enemy, who did actual military service, who were wounded or suffered disabilities or incurred disabilities which have incapacitated them for the duties of life. But the Senator certainly ought to distinguish between men of that character and the camp followers, and the thousands and tens of thousands and hundreds of thousands of men who came into the service during the Civil War who were not within 100 miles or 1,000 miles of any battle field, who never saw the smoke of battle, who were exposed to no danger. Many of them, indeed, had a delightful jaunt for 30 to 90 days or 4 months.

Mr. THOMAS. Some were substitutes.

Mr. KING. Some were substitutes, as the Senator says. Those men are not to be put in the same category with soldiers who fought upon the battle field, who lost legs and arms, who were wounded, who incurred disabilities, and who suffered. Those men ought to be distinguished, it seems to me, from the multitude of children and grandchildren and uncles and aunts and widows to the third and fourth generation and nth power, thousands and tens of thousands and hundreds of thousands of whom are now upon the pension rolls.

As a matter of fact, if the Senator will just pardon me one moment, the records show that upon the pension roll to-day there are more of the latter class than there are of men who were nominally and actually within the military and naval service of the Government. The figures are as follows:

The total number of survivors of the Civil War is 271,391; that is, those who were on the rolls February 6, 1920. I will modify that statement.

Mr. McCUMBER. Will the Senator correct that? I think that while the statement of the number is correct, that was the number on the rolls June 30, 1919.

Mr. KING. I stated that I would modify it. I will read the statement as I have received it from the Commissioner of Pensions. He states that the total on the Civil War pension rolls June 30, 1919, was 568,343; survivors, 271,391; widows, and so forth—"and so forth" will cover a large number of individuals and classes—296,952. Of course out of the survivors only a comparatively small number, my information is, actually were upon the battle field, actually bared their breasts to the bayonets of the enemy, to use the expression of the Senator.

I ask the Senator again, Does he not distinguish between those men who did serve their country upon the battle field,

who were wounded, who did incur disabilities, and the aunts, the uncles, and the widows to the third and fourth degree, and the descendants and progeny and the alleged dependents in the ascending and the descending lines?

Mr. CHAMBERLAIN. Mr. President, I am in total disagreement with the Senator. This legislation must be general in its nature and character, and I stand for it. I care not whether it be popular or unpopular. If the Senator's view be taken as the correct one, it is an unpopular proposition, and I am on the unpopular side. If it is popular legislation and only advocated by politicians for selfish purposes, then I am fortunate in being on the popular side. That is immaterial to me, and I resent the imputation, no matter where it comes from, whether from this side of the Chamber or the other, that men who vote for these measures do it for political and selfish purposes. I do it as a matter of principle, and the men who are opposing these appropriations as a rule, Mr. President—I do not mean in the Senate, but I mean in the country at large—the men who are opposing such appropriations because it increases their taxation are not the men who have their little farms and homes with small incomes; they are not the men who earn moderate salaries, as we in the Senate do. They are the extremely rich and the men as a rule who profited during the civil and other wars, and who now object to large appropriations to pay to these men who saved and preserved the Union their just dues.

I stand for the pension policy, Mr. President, as a matter of principle. I am not only for this bill but I am going to vote for whatever is proper, reasonable, and right for the young men of this World War, whether they bared their breasts in conflict on the battle fields of France or whether they remained in the cantonments and camps of America, ready to go whenever their country said the time was appropriate for them to go. Let those pay for it who must. I am perfectly willing to give a part of my salary and income every year for this purpose, and so are the great mass of our people.

The same charge of political influence and motive is made, Mr. President, because some of us here in the Senate vote for appropriations to improve the rivers and harbors of this country. I have stood for those appropriations. My State has stood for them, and has shown its faith in work which goes to improve our country's waterways by contributing dollar for dollar for every cent that is appropriated to it by Congress for this purpose. My State will stand for this legislation, Mr. President, because the people of Oregon feel as I do, that we owe it to these old veterans of the Civil War to see that they shall not be in want in their old age. They stand, too, for paying the young men who were in this World War whatever is right and just.

The Senator says there were a lot of camp followers in the Civil War. Probably there were. If there were any camp followers, they were there for the purpose of making money, and they and their descendants, with millions pocketed by them and rung from the troops who were at the front, are now the men who kick, as a rule, against the payment of any taxes to meet the appropriations made by Congress.

There were killed and died of disease and wounds in the Civil War 400,000 men. The South had at least 1,500,000 men engaged, and their losses were proportionate to those of the North.

Mr. REED. Mr. President, does not the Senator think that the Pension Bureau is so organized now that practically every case of fraud has been eliminated and that a rigid examination has been had with reference to every case, so that mere camp followers and creatures of that kind are to all intents and purposes taken from the pension rolls?

Mr. CHAMBERLAIN. I do not think there is any question about that, and I am glad to have the Senator make the suggestion. The Senator served with me for a long time on the Military Affairs Committee, and the Senator knows there were many claims which came before the Military Affairs Committee where the committee felt that the War Department had been so strict in the enforcement of the law and in their investigations that they had excluded very many worthy men.

Mr. THOMAS. Mr. President—

Mr. CHAMBERLAIN. I yield to the Senator from Colorado.

Mr. THOMAS. The operation of the Pension Bureau may be, as the Senator suggests, but those whose claims are rejected seldom fail—there may be some exceptions—to come to the Congress of the United States and there, by special bill, secure the pension just the same.

Mr. CHAMBERLAIN. If the Senator will pardon me for differing from him, I will tell him now that as chairman of that committee I have gone over the record many, many times, and where one was allowed there were ten disallowed by the committee or not acted on at all.

Mr. THOMAS. I am not referring to the Committee on Military Affairs. That is the committee having to do with bills for correcting records of service. I know that the vetoes of President Cleveland first exposed that situation, but the practice long ago has been abandoned—in fact, it did not survive. President Cleveland—and the special pension bill has been the salvation of the soldier whose claim for pension was turned down by the Pension Bureau.

Mr. CHAMBERLAIN. Does the Senator remember whether President Cleveland had a substitute in the service or not?

Mr. THOMAS. I think he had a substitute; but that is aside from the question. His substitute may have been pensioned. The other day I received a letter from a substitute asking me to introduce a special bill to secure a pension for him.

Mr. REED. Mr. President, if the Senator will pardon a further interruption, I suppose there is no doubt about the fact that at one time the pension business of the country was run pretty loosely. I suppose there is no doubt that attorneys, who were then paid fees for getting pensions through, were very active, and they got results that were unjustifiable in many instances. The character of the gentlemen who engaged in that business as attorneys was not of the highest for the most part, but I think, from my observation and experience, that the pension rolls have been pretty thoroughly purged.

But, now speaking of private pension bills, I have introduced, as has every other Senator, many private pension bills. I never introduced one that did not seem to me to have some merit, and it has been a rare thing to get one of those bills approved. I have known a number of instances where it seemed to me that every principle of equity called for the enactment of the bill, but where the committee, under some rigid rule, rejected it.

May I be permitted to have the time of the Senator to add that the Civil War army is getting pretty old and the ranks are getting pretty thin? They are marching on into the great beyond very fast, and I do not believe we will add anything to the patriotism of our country by a niggardly policy.

Mr. CHAMBERLAIN. Mr. President, I am thoroughly in accord with the Senator from Missouri in that regard. I do not know that I would have said anything to-day, except that it is continually insisted here by a few of my colleagues, whom I esteem most highly, that those of us who favor these pension bills are doing so for political purposes. I do it, Mr. President, as a matter of principle. I have always done it. In the 10 years I have been in the Senate I do not remember ever voting against a general pension measure, because, although I was born and reared in the South, and my brother and other relatives in the South fought under the flag of the Southern Confederacy, I still think that we owe a debt of gratitude to the men who fought under the Stars and Stripes for the preservation of the Union that we can never fully pay. The men outside of the Senate who are now objecting to the increase of taxes that will be necessary to meet these appropriations owe the very fact that they are able to pay taxes to those men who labored and sacrificed all, and whose widows and children in many instances became dependent because those men either lost their lives or became permanently disabled.

The only objection I have to the bill is that it does not go far enough to include the Regular soldier in the section under consideration. There is a disposition to hold in disrepute in large measure the man who wears the uniform of his country, and there is no better evidence of that than the fact that the Regular soldier is discriminated against in this bill.

There are a great many men in the Regular Army who, both before and since the Spanish-American War, have become permanently disabled in the service, and they are just as much entitled, where their injuries came in the line of duty, to a pension as the men who actually became disabled as a result of a saber cut or a bullet in the Civil War or in any of the wars of our country.

I have watched our boys returning from France, and it has distressed me greatly to see magnificent divisions of Regulars from overseas landing in New York with little show of rejoicing. There was practically no one to meet them and they marched down the streets unheralded and without acclaim. There was not a braver body of men in the world than those Regulars who came over from France, and if I recall—I tried to find it this morning, but I failed to do it—there was only one unit mentioned by special name in Gen. Pershing's report, and that was a unit of Regulars. Why not recognize the man in the Regular Army, whether in the Civil War or since, whether in the Spanish-American War or since, or at any time, who has lost a limb and has become incapacitated to earn his own support and the support of his family because he was injured in the line of duty?

Mr. President, there were, in round numbers, 4,000,000 troops raised for the overseas war. Many of these boys were volunteers; many of them went over under the selective-service act; many of them could have claimed exemption, but did not do it. In other words, there were practically 33 per cent of the population of the United States that went over in defense of civilization and to make the world safe for democracy. Can not the 96.5 per cent of the people of the United States go down in their pockets and reward these young men—call it a bonus or whatever you please—who were willing to offer up their lives upon the altar of their country?

Can not that thing be done? Can we not advocate such a policy without being charged with playing politics in order to gain the good will and favor of those young men? I deny the charge. It is wholly unworthy of Members of this Senate. Because we happen to differ from some of our colleagues on the principle involved here we, forsooth, must be charged with playing politics, although it has been the policy of our lives, some of us, to stand for just such legislation.

The Senator from Michigan [Mr. TOWNSEND] will remember the fate of the retired volunteer officers' pay bill. The United States held out promises to those old men when they went into the service. Congress has never redeemed its promise to those men. We have reported the bill out from our committee more than once, but it always fails either here or in the House of Representatives. That debt ought to be recognized before the beneficiaries of it pass to the great beyond.

Mr. President, I have said more than I intended to say. Let some of the 95 per cent of the population who remained at home when the World War was being fought consent to do justice to the soldiers of that war. There were great fortunes made out of it. While our boys were reddening with their blood the plains of France and laying down their lives to preserve our institutions, the profiteer was at work here at home, and he ought to be compelled to pay something out of the fortune he made and achieved as a result of all the sacrifices that were made in order to make the present condition of the young soldiers better and happier.

I hope the Senator from North Dakota [Mr. McCUMBER] will accept the amendment and let the Regular soldiers, if you please, share the benefits of the legislation. There are not very many of them. There have been in the Regular Establishment only 369 men who would come under that provision. There are only 167 of them who were engaged in the War with Spain, and only 11 of them in the war of 1917. Why not appropriate for them, and let Congress do justice to them all?

The strange thing about the present situation is that while we contribute to one class of our soldiers and sailors, we make the Regular pay his own way after he becomes incapacitated. The only institution in this Government that I know anything about that pays its way and asks nothing from Congress is the National Home for Soldiers here in Washington, to which the soldier contributes so much each month to take care of himself and his comrades when they become incapacitated. Even out of the small salary of \$13 a month he received at one time, he used to have to turn a portion of it over for the purpose of maintaining an institution where he might some day go, but where he knew many of his old comrades must eventually find an asylum. Let us treat them all alike. I beg the Senator will accept these amendments, so that all may be treated justly and alike.

Mr. McCUMBER. Mr. President, I wish to consider just briefly the amendment offered by the Senator from Colorado [Mr. THOMAS] and my reasons for saying that it should not be made a part of this particular bill. I listened with considerable interest to the letter which was read, written by a Spanish war veteran. This veteran seems to have a misconception entirely of the purpose of pension legislation. The main purpose of all pension legislation is to make good the loss occasioned by the service. In addition to this we grant a pension for the old and helpless, because of our gratitude for his war services.

This legislation is based, therefore, upon disability. The writer of the letter seems to fail to take into consideration that the bill now pending is based not only upon the loss of limb as a disability but advancing age as a disability. It will be admitted, of course, that if two soldiers in the Civil War lost a leg below the knee both should receive exactly the same pension.

That is true of the soldiers of the Spanish-American War and of the war of 1917; but the soldier who loses a portion of his leg, say, below the knee, and who is but 20 years of age, often can use an artificial limb, and can still partially earn his living; he is not totally disabled. There is no question but that the Government should deal most liberally with him in making good the loss, and even going beyond that, for a

thousand inconveniences and sufferings that can never be compensated for by any pension; but the man who is 80 years of age, who has suffered a like physical disability, and who can not earn one penny, is not exactly in the same position. We have provided for an addition to the pensions of the soldiers of the Civil War at this time more particularly because they have reached an age at which their earning capacity has long since been passed. That is why we make a rule relative to the soldiers of the Civil War which we have not yet applied to the soldiers of the war of 1898, because the soldiers of the Civil War are from 30 to 40 years older than the soldiers of the latter war, and because their condition requires greater assistance on the part of the Government.

I wish the Senate further to remember that we have also reported from the Committee on Pensions, favorably, the Sells bill, which deals with the Spanish-American War veterans. I hope that the Senator from Colorado [Mr. THOMAS] or the Senator from Oregon [Mr. CHAMBERLAIN] will offer the amendment to that particular bill, rather than press it on this bill, for there is where it belongs.

I am not certain that I would not agree with them that it ought to be made a part of that bill; but I want to weigh it in connection with the age and condition of the soldiers of that war just as exactly as I weigh a like loss in connection with the age and physical condition of the old soldiers of the Civil War. The Sells bill is on the calendar of the Senate, and will come up in due course; but I think it appropriate to make a little allowance for the age of the old veterans of the Civil War, and that it is proper that we should consider the soldiers of that war in a class by themselves. I propose, so far as my vote can go and so far as my voice can go, to see that justice, and full justice, is done the soldiers of the War with Spain and the World War. I think, Mr. President, that the amendment ought not to be pressed on this particular bill.

Mr. CHAMBERLAIN. May I ask the Senator from North Dakota what is the status of the bill to which he has just referred?

Mr. McCUMBER. It is on the calendar.

Mr. CHAMBERLAIN. Is that bill for the benefit of the Spanish-American War veterans?

Mr. McCUMBER. It is entirely for their benefit; it pertains exclusively to the soldiers of the Spanish-American War.

Mr. CHAMBERLAIN. I have not read that bill, but may I ask the Senator if it contains any provision relative to the loss of limbs by soldiers?

Mr. McCUMBER. No; there is no provision in the bill relating to the loss of limbs by soldiers, but an amendment can be applied to that particular bill just as well as it can be added to the pending bill.

Mr. CHAMBERLAIN. But in order to make an amendment apply to that bill there would have to be a whole section added to it, such as the one which is included in this bill.

Mr. McCUMBER. Of course, it is just as easy to add a whole section as it is to change a word. The only question is as to where the provision properly belongs, and I think it properly belongs to the bill relating to the Spanish War soldiers.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Colorado [Mr. THOMAS].

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

The VICE PRESIDENT. The Secretary will call the roll.

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

Ashurst	Harrison	McCumber	Smith, S. C.
Ball	Henderson	McKellar	Smoot
Calder	Hitchcock	McNary	Spencer
Capper	Jones, N. Mex.	Nelson	Sterling
Chamberlain	Jones, Wash.	New	Sutherland
Comer	Kellogg	Nugent	Swanson
Curtis	Kendrick	Overman	Thomas
Dial	Keyes	Page	Townsend
Dillingham	King	Phipps	Trammell
Frelinghuysen	Kirby	Reed	Underwood
Gerry	Knox	Sheppard	Wadsworth
Gronna	Lenroot	Simmons	Warren
Harris	Lodge	Smith, Ariz.	Wolcott

Mr. SWANSON. My colleague [Mr. GLASS] is unavoidably detained from the Senate. I ask that this announcement stand for the day.

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

The VICE PRESIDENT. Fifty-two Senators have answered to the roll call. There is a quorum present. The question is on the amendment of the Senator from Colorado.

The amendment was rejected.

Mr. McCUMBER. I should like to ask if any other Senator wishes to speak on the pending bill at this time? One of the

Senators has notified me that he desires to speak on the bill in the morning for a brief period, and if no other Senator wishes to speak on it this afternoon I will ask that the bill may go over until to-morrow, when I will call it up at the close of the morning business. In the meantime, the Senator from Washington can call up the river and harbor bill at this time.

The VICE PRESIDENT. Without objection, the pending bill, which has been under consideration, will be passed over.

Mr. McCUMBER. I suggest the absence of a quorum, unless the Chair holds that the presence of a quorum has already been determined.

The VICE PRESIDENT. The Chair is inclined to rule that within two minutes of the appearance of a quorum it is not in order to call the roll for a quorum, but after the lapse of any reasonable time the Chair holds it might be called.

Mr. McCUMBER. I withdraw the suggestion.

RIVER AND HARBOR APPROPRIATIONS.

Mr. CURTIS. I move that the Senate proceed to the consideration of the river and harbor appropriation bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11892) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

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

The VICE PRESIDENT. The amendment will be stated.

The READING CLERK. On page 4, after line 21, it is proposed to insert:

St. Jones River, Del.: The provisos attached to the items making appropriation for the improvement of St. Jones River, Del., in the river and harbor acts of June 23, 1910, and February 27, 1911, are hereby modified to read as follows: "Provided, That no part of said amount shall be expended for the excavation of any cut-off until a satisfactory title to the land required for that cut-off shall have been transferred to the United States, free of cost."

Mr. KING. Mr. President, my recollection is that the Senator from Delaware was to have a conference with the senior Senator from Utah [Mr. SMOOT] with respect to the amendment. I should like to ask whether the matter of difference between the Senator from Delaware and the senior Senator from Utah [Mr. SMOOT] has been adjusted so that the amendment may be disposed of?

Mr. WOLCOTT. Mr. President, I have nothing to say on the amendment. I regret that the senior Senator from Utah is not present at this moment. I conversed with him for a little time this morning, and he said to me that he was obliged to leave to keep an engagement. I said I would see him later and discuss the question further, but he replied that in case I should not do so, he would make no objection, or something to that effect. So that I am quite sure, from the way he talked, that the senior Senator from Utah no longer has any objection to the amendment, although I wish he were here that he might state his position for himself.

Mr. KING. Let me suggest to the Senator that we take a vote on the amendment, and if upon the return to the Chamber of the senior Senator from Utah he desires to reconsider the action taken, a motion to reconsider may be accepted as a matter of course.

Mr. WOLCOTT. That is entirely agreeable to me.

Mr. JONES of Washington. I think there will be no trouble about that.

Mr. WOLCOTT. I ask that the question be put.

The PRESIDING OFFICER (Mr. CAPPER in the chair). The question is on the amendment offered by the Senator from Delaware.

The amendment was agreed to.

Mr. HARRISON. Mr. President, I offer an amendment to be known as section 6.

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. It is proposed to add to the bill a new section, as follows:

SEC. 6. That as to the lands investigated, surveyed, or reported on under authority of a provision of the river and harbor act approved July 25, 1912, a full report of which is set out in House Document No. 1010, Sixty-second Congress, third session, and wherein the recommendation is made that the title to said lands be acquired by the United States for their use in river improvement, the owners thereof may institute suit against the United States in the Court of Claims to ascertain the value of said lands before their damage or destruction, and said court shall render judgment therefor: *Provided, however*, That in the trial of said suits said court shall permit any party who at any time since the damage or destruction of such lands owned or held title thereto or any interest therein, and who has become dispossessed thereof by reason of foreclosure proceedings, or otherwise compelled to sacrifice title thereto as a result of said injuries to appear as a party claimant by filing petition setting up their former interest therein, and said court shall consider the claims of all of said parties and render judgment for whatever amount said court considers equitably or justly due the respective parties.

Mr. JONES of Washington. Mr. President, this amendment was put on the river and harbor bill some years ago at the request of the Senator from Mississippi [Mr. WILLIAMS]. I think myself it is a very serious matter, and I am not willing to accept it. I am willing to have the Senator from Mississippi present the facts with reference to it, and let the Senate pass upon it.

I will say that so far as I have been able to look up the matter, it involves the adjudication of claims for lands which the engineers recommend should be taken in connection with the Mississippi River levee improvement, and so forth, that in 1912 I think it was estimated would cost something over \$6,000,000. How much the cost will be at this time I do not know.

I am willing to have the Senator present the matter to the Senate, but I do not feel that I can accept the amendment.

Mr. HARRISON. Mr. President, this is an amendment, known as the Williams amendment, that was adopted by the Senate during the consideration of the river and harbor bill last year, and I am requested by my colleague to offer it in his absence.

Some years ago levees were constructed on the western side of the Mississippi River. On the eastern side there was a ridge practically in the form of a levee that protected the people behind that ridge; but along the route of the ridge on the eastern bank of the Mississippi there were openings where people had long lived and cultivated their crops. When the levee on the western side of the river was constructed, it threw the waters in times of overflow and high waters on the eastern side through these openings in this natural ridge and destroyed the property of these people.

It does not amount to a great deal, and so back some years ago, I think in 1912, this whole matter was referred by an act of Congress to the Army Board of Engineers to make an investigation, with their recommendations as to the damage and what Congress should do, and in their report they made their findings, with the suggestion that the matter go to the Court of Claims, and so forth. Therefore I have offered this amendment, which merely allows these people who have been damaged through the building of this levee on the western bank of the Mississippi River a day in court, so that they might file their claims with the Court of Claims and let the matter be heard there.

It seems to me that it is a very just matter. No opposition has been raised in the Senate before, I think, and I hope the amendment will be adopted.

Mr. LENROOT. Mr. President, as I recollect, this amendment was adopted at one time by the Senate, but was never recommended by the Commerce Committee. I do not think it was ever considered by the Commerce Committee. As I recollect, it was put upon the bill as an amendment very late one evening upon the floor. If I am wrong about that, I should be very glad to be corrected; but certainly a matter of this importance, involving several million dollars, particularly in view of the present condition of the Treasury, ought not to be put on this bill in this way. At least, the Committee on Commerce should fully consider it; and it was never even presented, I think, to the committee in connection with this bill.

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

Mr. LENROOT. Yes.

Mr. KING. I ask purely for information. Is there anything in the record that would imply either a legal or a moral obligation on the part of the Government?

Mr. LENROOT. Absolutely nothing that I know of. It is merely a recommendation, as I understand, upon the part of the engineers, that this property be acquired. Congress is under no obligation, as I understand, to acquire the property.

Mr. KING. Are there any paramount utilitarian reasons that would warrant the acquisition of these lands by the Government?

Mr. LENROOT. None that I am aware of; but I will say to the Senator that I am not aware that any committee of Congress has ever investigated the merits of this question.

Mr. HARRISON. Mr. President, here is the act of Congress which authorized this investigation. I find it in House Document No. 1010, Sixty-second Congress, third session:

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, November 30, 1912.

From: The Chief of Engineers.
To: The Secretary of War.
Subject: Mississippi River east bank surveys.

1. There is submitted herewith, for transmission to Congress, report dated October 26, 1912, by the Mississippi River Commission, made in pursuance of the following provision in the river and harbor act approved July 25, 1912:

"The Mississippi River Commission is hereby authorized and directed to make an examination and survey of all the lands, subject to overflow from the Mississippi River, situate on the east bank of the river between Brunswick, Warren County, Miss., and Baton Rouge, La., and between

Bessie, Lake County, Tenn., and Memphis, Tenn., for the purpose of ascertaining the location, quantity, character, and value of such lands, and for the purpose of ascertaining what portions of such lands, if any, it would be advisable to protect from overflow by levee construction, and the cost of such construction, and for the purpose of ascertaining the cost of acquiring such portions of said lands as it would not be advisable to protect from overflow by levee protection. The commission is further directed to prepare topographic maps of the lands so examined and surveyed, and to make its report on such examination and survey, with its recommendation thereon, to the Chief of Engineers before the 1st of November, 1912, and the Chief of Engineers shall transmit the said report to Congress on or before the first Monday of December, 1912. The sum of \$30,000, or so much thereof as may be necessary, is hereby appropriated for the purpose of making and reporting the foregoing prescribed examination and survey."

2. Attention is invited to the provision requiring that this report should be submitted on or before the 1st Monday in December, 1912.

H. TAYLOR,
Lieut. Col., Corps of Engineers,
Acting Chief of Engineers.

Then the report follows.

Mr. LENROOT. Mr. President—

Mr. HARRISON. I yield to the Senator from Wisconsin.

Mr. LENROOT. I wish to say that I did not mean to be understood as saying that Congress had never authorized the investigation.

Mr. HARRISON. I understand.

Mr. LENROOT. But that, so far as I was aware, no committee of Congress has ever acted upon that matter.

Mr. HARRISON. I think the Senator is right in saying that the committee had not acted on it. This matter was brought up during the consideration of the bill last time, as I stated, by my colleague [Mr. WILLIAMS], and there was some discussion at that time about it. He explained it briefly, as I have tried to explain it at this time. Although he had introduced his bill, and it was pending before the Commerce Committee of the Senate, I do not think they had had a hearing on the proposition.

These lands that are in dispute were overflowed by the Mississippi River, not at the instance of these individual owners at all. They had acquired them. They had lived there peacefully for years. They had not been overflowed by the Mississippi River. They could cultivate their crops, their children could go to school, they could have their schools and their churches there. They were not affected in the slightest by the overflow; but when it became necessary for the levee on the western bank to be constructed, naturally that raised the water and threw it back on these people.

It is not a large amount, and it would seem to me that since this happened away back yonder—this report has been filed since 1912—they should be permitted at least to go into the Court of Claims and present the matter, and let the court pass upon it. That is all that my amendment proposes.

Mr. JONES of Washington. Mr. President, this amendment apparently commits the Government to the payment of any judgment that the court may find. It says:

The owners thereof may institute suit against the United States in the Court of Claims to ascertain the value of said lands before their damage or destruction, and said court shall render judgment therefor.

There does not seem to be any question left for the court to determine as to the liability of the United States, but simply the question of ascertaining the amount of damage, and rendering judgment therefor. It does not seem to me, even if Congress should do anything with reference to this matter, that we should pass a provision of that character. It does seem to me that there ought to be some determination as to the liability of the United States for this damage.

I have not had an opportunity to look over this report. I find, however, that it closes in this way:

In view of recent sales of lands in the basins, and prices that have been quoted from time to time, it is the opinion of the commission that an estimated value of \$10 per acre may be regarded as the average price at which the lands whose protection is impracticable can be acquired. The total cost of such acquisition on that basis would amount to \$6,226,210.

In other words, there seem to be about 622,000 acres of land involved, whose value was estimated in 1912 at \$10 an acre. We have no idea as to what it is estimated at now. It might be \$20 or \$30 an acre, so that the claim might amount to thirteen or eighteen or twenty million dollars. This seems to be for lands that can not be protected from overflow by reason of the erection of levees. These levees on the Mississippi River are constructed primarily for the purpose of protecting the lands from overflow. In other words, they are constructed primarily for the especial benefit of the people whose lands are adjacent to the river. Of course, navigation is important. My recollection is that where the Government has appropriated \$1, the people there have been required to put up, I think, \$2, showing that the main thing to be accomplished by these levees—I think

that is plain to everybody—is the protection of the lands from overflow.

It appears that here are some lands that can not be protected locally from overflow, and therefore, in the construction of these levees, the water is backed up over these lands. It seems to me that the Government ought not to have to stand all of the damage. The Government ought not to be liable for all of the damages, if damages are to be paid for. This damage should be taken care of, it strikes me, in proportion, at any rate, to the interests that are benefited by the construction of the levees. That is a matter that ought to be gone into, I think, very carefully before Congress passes a provision under which a court is to fix the judgment that is to bind the Government.

As the Senator from Wisconsin has suggested, this matter has not been considered by the committee. It was not presented to the committee, at any rate at this time, and I think it would be very unwise to force the provision on the bill, especially in the form in which it is now proposed.

Mr. HARRISON. If the Senator will permit me, he understands that the levees, when constructed, are not constructed at the instance of people who have been damaged, because these people were in Mississippi, and the levees were constructed in Louisiana, on the western side of the river.

Mr. JONES of Washington. That is probably true; but there ought to be some way by which the interests which were really protected by the construction of the levees should be responsible for a part of the damage. It does not seem to me that the United States ought to bear all of it, if it bears any part of it.

Mr. HARRISON. If this whole matter is referred to the Court of Claims, the Court of Claims will consider all those propositions, and any damage which the United States might be held liable for.

Mr. JONES of Washington. I think not; under the Senator's amendment, anyhow. The amendment reads:

That as to the lands investigated, surveyed, or reported on under authority of a provision of the river and harbor act approved July 25, 1912, a full report of which is set out in House Document No. 1010, Sixty-second Congress, third session, and wherein the recommendation is made that the title to said lands be acquired by the United States for their use in river improvement, the owners thereof may institute suit against the United States in the Court of Claims to ascertain the value of said lands before their damage or destruction, and said court shall render judgment therefor.

The only question to be submitted to the court is the value of the land.

Mr. HARRISON. These people have been held out of the money a long time. I do not know how they will ever get their money unless we can legislate in some way regarding the matter.

Mr. JONES of Washington. I do not know that anybody is to blame for not having the matter brought to the attention of the committee and giving the committee an opportunity to investigate it and get all of the facts, and see what form a provision should take, if it was deemed wise to have a provision inserted. But the matter was not called to the attention of the committee, and the committee has not given it any consideration at all, at least at this session.

Mr. HARRISON. I do not think the Commerce Committee had any hearings.

Mr. JONES of Washington. The Commerce Committee had no hearings with reference to the river and harbor bill, except the engineers.

Mr. HARRISON. I so understood, because there were several matters I wanted to bring to the attention of the committee if it held hearings. I very much hope the amendment will be agreed to, and that it may be allowed to go to conference.

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

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

The PRESIDING OFFICER. The Clerk will call the roll.

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

Ball	Jones, Wash.	Nelson	Sterling
Capper	Kellogg	New	Swanson
Chamberlain	Kendrick	Nugent	Thomas
Curtis	Keyes	Overman	Townsend
Dial	King	Ransdell	Trammell
Dillingham	Knox	Reed	Underwood
Gerry	Lenroot	Sheppard	Wadsworth
Gronna	Lodge	Simmons	Watson
Harris	McCumber	Smith, Ariz.	Wolcott
Harrison	McKellar	Smith, S. C.	
Henderson	McNary	Smoot	
Jones, N. Mex.	Moses	Spencer	

Mr. GERRY. I wish to announce that the Senator from Nevada [Mr. PITTMAN] is detained on official business.

The PRESIDING OFFICER. Forty-six Senators have answered to the roll call. There is not a quorum present. The Clerk will call the names of the absent Senators.

The Reading Clerk called the names of the absent Senators, and Mr. HALE and Mr. PITTMAN answered to their names when called.

Mr. McCORMICK, Mr. PAGE, Mr. CALDER, Mr. PHELAN, Mr. POMERENE, Mr. SUTHERLAND, and Mr. WARREN entered the Chamber and answered to their names.

The PRESIDING OFFICER. Fifty-five Senators have answered to the roll call. There is a quorum present. The question is on the amendment offered by the Senator from Mississippi.

Mr. GRONNA. I ask that the amendment be stated.

The PRESIDING OFFICER. The Secretary will read the amendment.

The READING CLERK. It is proposed to add a new section, as follows:

SEC. 6. That as to the lands investigated, surveyed, or reported on under authority of a provision of the river and harbor act approved July 25, 1912, a full report of which is set out in House Document No. 1010, Sixty-second Congress, third session, and wherein the recommendation is made that the title to said lands be acquired by the United States for their use in river improvement, the owners thereof may institute suit against the United States in the Court of Claims to ascertain the value of said lands before their damage or destruction, and said court shall render judgment therefor: *Provided, however,* That in the trial of said suits said court shall permit any party who at any time since the damage or destruction of such lands owned or held title thereto or any interest therein, and who has become dispossessed thereof by reason of foreclosure proceedings, or otherwise compelled to sacrifice title thereto as a result of said injuries to appear as a party claimant by filing petition setting up their former interest therein, and said court shall consider the claims of all of said parties and render judgment for whatever amount said court considers equitably or justly due the respective parties.

Mr. HARRISON. Mr. President, I have a modification to suggest, because of the criticism of the Senator from Washington [Mr. JONES]. Has the Senator any objection to letting the amendment go over, in the hope that we may be able to get together on something that will be agreeable to him?

Mr. JONES of Washington. Of course, the Senator can withdraw his amendment, and then offer it later.

Mr. HARRISON. Then I withdraw the amendment for the present.

The PRESIDING OFFICER. The amendment of the Senator from Mississippi is withdrawn. The bill is still in Committee of the Whole and open to further amendment.

Mr. JONES of Washington. There is a committee amendment which has not been acted upon.

Mr. REED. The first committee amendment?

Mr. JONES of Washington. Yes; the committee amendment to strike out "\$12,000,000" and to insert "\$20,000,000." I understood the Senator from Mississippi [Mr. HARRISON] had offered an amendment to raise the amount to \$24,000,000.

Mr. HARRISON. Yes; I have offered an amendment to the committee amendment to raise it to \$24,000,000.

Mr. REED. I wish the Senator would make his amendment to the amendment read \$27,000,000 instead of \$24,000,000. I could offer such an amendment, but under the parliamentary situation the pending amendment is an amendment to an amendment, and I would be barred from the opportunity of offering such an amendment.

Mr. JONES of Washington. I suggest to the Senator that, of course, if the amendment of the Senator from Mississippi is defeated, then he could offer his amendment to the amendment.

Mr. REED. Oh, yes; but after you have defeated a \$24,000,000 amendment there would be a good chance to pass a \$27,000,000 amendment.

Mr. JONES of Washington. I just wanted to suggest that that course is possible.

Mr. REED. Will the Senator from Mississippi be willing to withdraw his amendment to the amendment?

Mr. HARRISON. It is perfectly agreeable to me, because of the parliamentary status, to withdraw my amendment.

Mr. REED. I thank the Senator from Mississippi, and I am much obliged to the chairman of the committee. I move to make it "\$27,000,000" instead of "\$24,000,000," as proposed by the Senator from Mississippi.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Missouri to the amendment of the committee.

[Mr. REED addressed the Senate. See Appendix.]

On the conclusion of his speech,

Mr. REED said: Mr. President, I decline, of course, to go on under these circumstances. There are actually in the Chamber

now five Senators. One of them is the chairman of the committee. Another is my colleague [Mr. SPENCER], and I know how he is going to vote. I refuse to be the chief actor in the prolongation of this particular farce, and I move that the Senate adjourn.

The PRESIDING OFFICER (Mr. ASHURST in the chair). The question is on the motion of the Senator from Missouri that the Senate adjourn.

On a division, the Senate refused to adjourn.

Mr. POMERENE. Mr. President, I will ask the Senator from Missouri whether he is going to proceed further to-night?

Mr. REED. Why, certainly I am not going to proceed further in the absence of the Senate. I do not think the chairman of the committee or anyone else has any right to ask the Senate to proceed under these circumstances. If the chairman is going to go on with this bill, he ought to get a quorum here, or he ought to allow us to adjourn.

Mr. POMERENE. Mr. President, I desire to say that I am not any more enamored of talking to empty benches on a proposition of this kind than is the Senator from Missouri. There are a few facts that I had intended to call to the attention of the Senate, but I would rather undertake to persuade Senators to my way of belief than empty seats. I had some experience along this line several weeks ago, when a bill was before the Senate which provided for the inauguration of a plan involving an expenditure of over a billion and a half of dollars. I do not like it myself.

Mr. JONES of Washington. Mr. President—

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

Mr. POMERENE. Yes; I yield.

Mr. JONES of Washington. The Senator likes it just as much as I do.

Mr. POMERENE. I am not complaining of the Senator from Washington, because he is one of the Senators who conceives it to be his duty to stay on the job.

Mr. JONES of Washington. If there is any way by which we can get Senators here, I am perfectly willing to adopt it; and if the Senator will just make the suggestion we will do our best to get them here.

Mr. POMERENE. I have been informed that there is a greater attraction elsewhere this afternoon.

Mr. JONES of Washington. I am perfectly willing to have the Sergeant at Arms go to that attraction and bring the Senators here.

The PRESIDING OFFICER. Does the Senator make that as a motion?

Mr. JONES of Washington. No. If Senators desire to have a quorum here, it can be procured.

Mr. POMERENE. I think under the circumstances I shall renew my motion to adjourn.

The PRESIDING OFFICER. The Senator from Ohio moves that the Senate adjourn.

On a division, the Senate refused to adjourn.

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

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

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

Ashurst	Jones, Wash.	Nelson	Spencer
Bal	Kellogg	New	Sterling
Brandegge	Kendrick	Overman	Swanson
Calder	Keyes	Page	Thomas
Capper	King	Phelan	Trammell
Chamberlain	Knox	Ransdell	Underwood
Comer	Lenroot	Reed	Warren
Curtis	Lodge	Sheppard	
Dillingham	McCumber	Smith, Ariz.	
Hale	McNary	Smoot	

Mr. UNDERWOOD. I desire to announce that the junior Senator from Mississippi [Mr. HARRISON] is absent on official business.

Mr. SHEPPARD. The Senator from Delaware [Mr. WOLCOTT] is absent on official business.

The PRESIDING OFFICER. Thirty-seven Senators having answered to the roll call, there is not a quorum present. The Secretary will call the roll of absent Senators.

The Reading Clerk called the names of the absent Senators, and Mr. MOSES, Mr. SIMMONS, and Mr. SMITH of South Carolina entered the Chamber and answered to their names when called.

Mr. KIRBY, Mr. SUTHERLAND, Mr. POMERENE, Mr. GRONNA, and Mr. MYERS entered the Chamber and answered to their names.

The PRESIDING OFFICER. Forty-five Senators only having answered to their names, a quorum of the Senate is not present.

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

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

Mr. WATSON, Mr. McLEAN, Mr. FRELINGHUYSEN, and Mr. WOLCOTT entered the Chamber and answered to their names.

The PRESIDING OFFICER. Forty-nine Senators have answered to their names. A quorum of the Senate is present.

LEGISLATIVE, ETC., APPROPRIATIONS—CONFERENCE REPORT.

Mr. WARREN. I submit the conference report on the legislative, executive, and judicial appropriation bill, which I ask may lie on the table and be printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered. The report is as follows:

The committee of conference on the disagreeing votes of the two Houses on a certain amendment of the Senate to 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, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment 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 re-appointment. 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 them. 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 whenever directed by either House of Congress or requested by the heads of such services 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 or subcommittee thereof of either House having jurisdiction over appropriations, or expenditures. Administrative 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."

And the Senate agree to the same.

F. E. WARREN,
REED SMOOT,
LEE S. OVERMAN,

Managers on the part of the Senate.

WM. R. WOOD,
EDWARD H. WASON,
T. U. SISSON,

Managers on the part of the House.

Mr. WARREN. I ask the Chair to lay before the Senate the action of the House of Representatives on the conference report on the legislative, executive, and judicial appropriation bill.

The PRESIDING OFFICER (Mr. ASHURST in the chair). The Chair lays before the Senate the action of the House of Representatives disagreeing to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to 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, further insisting upon its disagreement to the amendment of the Senate No. 53, and requesting a further conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. WARREN. Mr. President, I move that the Senate recede from its amendment. There is but one amendment in controversy.

Mr. POMERENE. Let us know what that amendment proposes.

Mr. THOMAS. What is the amendment in controversy?

Mr. WARREN. It is the amendment relating to the Bureau of Efficiency. The House will not join us in caring for that as we wish to now, but expect us, and desire us for that matter, to cover it in some substantial way in the budget bill. The House Members seem to fear that to put it in the appropriation bill might leave us negligent in regard to the budget bill.

Mr. SMITH of South Carolina. What division is that?

Mr. SMOOT. When the legislative appropriation bill was before the Senate I offered an amendment transferring the Bureau of Efficiency to the jurisdiction of Congress, so that Congress could have some agency whereby it could investigate estimates made by the different departments as to whether they were really needed or not. The House objects to this amendment and gives as a reason why that the budget bill is to be acted upon by the Senate in a very few days, and they want this provision or a similar one incorporated in the budget bill and made even stronger than the Senate amendment in the legislative appropriation bill.

I took the position that it was very easy, if such a provision was incorporated in the budget bill, to repeal that part of the appropriation bill transferring the Bureau of Efficiency to the jurisdiction of Congress, but I am quite sure there was a feeling in the House that the budget bill might not pass at this session of Congress, and felt if this amendment was taken out of the legislative appropriation bill it would be an incentive on the part of the Senate to pass the budget bill, including the amendment.

I make that statement with no hesitancy from statements that I have had made to me by Members of the House.

Mr. POMERENE. Mr. President, I very much regret that the Senate conferees have receded from this amendment. I do not know, of course, what influence this action will have upon the House, and I have no observation to make, but the defeat of the amendment will result in preventing some Senators from getting certain information which they may want.

Mr. SMOOT. I want to be perfectly frank and say that every one of the House conferees on the legislative appropriation bill wanted to retain the provision in that bill, but the vote in the House was to the effect that the House desired to have it eliminated.

To the Senator from Ohio I wish to say that the general practice in the past has been that wherever a legislative item is put in an appropriation bill by the Senate and there is a disagreement between the two Houses, and the House, in which the bill originated, positively refuses to agree to the Senate amendment, the Senate generally recedes.

Mr. WARREN. May I say that that is especially the case where it is a matter of distinct legislation? Of course, we had it in conference the second time, and the House in the meantime had voted very largely against it. There is but one way to arrive at the composing of differences on appropriation bills in conference, and that is to follow certain, perhaps unwritten rules, but good rules nevertheless; and those rules are that if the House transgresses in putting in new legislation and we will not submit to it, they must eventually take it out; and, on the other hand, if we add legislation of that kind, under similar circumstances, and the House will not consent, we must take it out in order to arrive at a final conclusion.

Mr. THOMAS. May I ask the Senator from Utah [Mr. SMOOT] if the House voted against the acceptance of the amendment before the conferees had acted, or if they instructed their members of the conference committee not to agree to the amendment?

Mr. SMOOT. The House members of the conference were virtually instructed not to agree to amendment No. 53 before a conference was held. Following that there was a vote taken upon it by the House, and it disagreed to the amendment and sent the conference report back for a further conference. A further conference was held, and at that conference the conferees on the part of the House reported back to the House the same provision, modified along the lines suggested by the Secretary of War, making but few changes in the wording of the provision agreed to by the Senate, and that was taken back to the House and the House disagreed to it.

Mr. THOMAS. It is a fact, is it not, that the budget bill, so called, has not yet been reported and placed on the calendar?

Mr. SMOOT. It is on the calendar now.

Mr. THOMAS. Is it also on the calendar of bills reported to the House?

Mr. SMOOT. It has passed the House.

Mr. WARREN. It passed the House some 10 days ago.

Mr. SMOOT. The Senate committee struck out all after the enacting clause and inserted a new budget plan. I think we

can accomplish the same purpose by adding this provision to the budget bill.

I want to say frankly that my whole object in offering the amendment to the legislative appropriation bill was to save the Government of the United States not a million dollars, not \$50,000,000, but hundreds of millions of dollars within the next few years. The fact is that estimates are made up by the departments of the Government and Congress is asked to appropriate money based upon those estimates, and when the Appropriation Committees of the House and Senate ask for any information as to why such estimates should be appropriated for, the same men who make up the estimates come before the committees and give them the only information obtainable.

Everybody knows that the members of the Appropriations Committee can not go into an investigation of all estimates submitted. The object of the provision in the legislative appropriation bill was to transfer the Bureau of Efficiency to the control of Congress, and let it direct the Bureau of Efficiency to make investigations as to whether the estimates for appropriations were too high. That was the object of the legislation. I am told by Members of the House that they are in favor of the plan, but thought if we included it in the legislative appropriation bill and then put a similar provision in the budget bill, it would appear like we were acting on legislation one day and repealing it the next day.

Mr. SMITH of South Carolina. If the Senator will permit me, I should like to ask if it is intended that the different departments are to report to the Efficiency Bureau, and they are to make an investigation?

Mr. SMOOT. No; the Efficiency Bureau has nothing whatever to do with any investigation unless the Committee on Appropriations of the House or the Senate ask them to make investigation.

Mr. SMITH of South Carolina. Whenever the estimates are sent in from the department and there is any question, they are referred to the Bureau of Efficiency?

Mr. SMOOT. We ask the Bureau of Efficiency to make an investigation and report to Congress. They are responsible to Congress, and they are to report to Congress. Nobody can remove them unless they are removed by the President of the Senate and the Speaker of the House.

Mr. SMITH of South Carolina. Do I understand that the Bureau of Efficiency, during the session of Congress and during a recess, familiarize themselves with the workings of the different departments?

Mr. SMOOT. If the Congress directs them to do so. If the Congress of the United States asks them to make an investigation of the duplication of work in the different departments of the Government, they make that investigation and report to Congress.

Mr. SMITH of South Carolina. That is one of the objects I had in view, because there has been so much complaint of duplication of work, and there is doubtless a very wasteful duplication in the different departments. I was wondering if the Bureau of Efficiency would have jurisdiction over that question or, at least, a recommending power as to how we might iron out those difficulties.

Mr. SMOOT. The Congress had jurisdiction, and has it now, but they would use the agency of the Efficiency Board to get the information. That is all that was contemplated by the amendment.

Mr. KING. I would like to ask my colleague if he intends to support the motion to recede? So far as I am concerned, I think if the provision is so meritorious we ought not to recede.

Mr. SMOOT. I will say to my colleague that under the circumstances I think it is best to recede. I have not, and I do not think any Senator has, any pride in how the legislation is secured. If the House wants it upon the budget bill, well and good; let it go there.

Mr. OVERMAN. The House defeated it twice. Why send it back again? They will defeat it the third time. If we can put it on the budget bill, we can possibly get it through.

Mr. SMOOT. Yes; and we have to have this appropriation bill.

Mr. OVERMAN. Certainly.

Mr. WARREN. Mr. President, may I give in a few words the history of this matter, which was put in with, I think, the unanimous desire of the committee on the part of the Senate? The House rule is different from ours. In order to have a bill go to conference it has to be taken from the table by unanimous consent, and when that was asked for, in this case, some Members of the House expressed a desire that it might not be agreed to until it was brought back to the House for further examination and information. The House committee therefore felt

bound to take it back. They were not instructed, as they sometimes are regarding an item, to repudiate it entirely. But they were instructed to bring it back.

As my colleague on the committee has said, the conferees on the other side were willing, with the amendments that were offered and agreed to, to stand by it. I do not think the matter of the budget bill was discussed very much on the floor, but it had been discussed in committee and had been talked about in the lobbies, and the conferees who worked with us were full of the idea.

Mr. SMOOT. It was referred to on the floor also.

Mr. WARREN. Yes; to some extent.

My idea, from what I have seen, from what I have read of the discussion on the floor, which was not so very extensive, and from the spirit of these men—and I have talked also to the chairman of the House committee, who was not a member of the conference—is that they agree that something ought to be done; and, in case of the failure of the passage of a budget bill, which they do not contemplate, or if the matter is not cared for in such a measure, I believe it can be provided for at some later time. However, now does not appear to be the appropriate time to press this matter further; in fact, it would avail us nothing to do so. Therefore I ask that the Senate recede from the amendment.

Mr. KING. Mr. President, it is to be regretted that no legislation will be enacted during the present session of Congress to promote efficiency and economy in the executive branches of the Government. It has been obvious for a long time to those who are familiar with executive departments, bureaus, and agencies of the Government that radical changes and important reforms were imperatively needed. The departments as a rule are operating under laws enacted years ago. Changed conditions have not brought modifications and changes in the statutes and regulations controlling executive officials. There should be a complete overhauling of the executive departments of the Government. There should be numerous transfers of bureaus and executive activities from the departments now controlling them to other departments. Under some departments there are executive agencies whose duties are entirely inconsistent with the purpose of the department which controls them. Duplication of work is found in every executive department of the Government. Inefficiency, waste, and extravagance have characterized the executive departments for 50 years. Needed reforms, reforms recognized as desirable, have not been made. Within some of the departments there are reactionary forces and elements which oppose efficiency and progress. There is a devotion by many of the employees of the Government to obsolete, defective, and absurd regulations and policies for which no defense can be offered.

I have given some little attention to the work of the executive departments of the Government and have conferred with hundreds of the employees therein. A great many splendid and progressive men and women holding positions in the departments have voluntarily come to see me and to protest against the extravagance and waste and inefficiency and duplication which are found within these departments. I know of bright young men and women who have severed their relations with the Government service because of the improper administrative methods and the fact that for weeks and months they had but little to do. My attention has been repeatedly called to the jealousies and contentions upon the part of the officials within departments and the disinclination of heads of bureaus and executive branches to work economies and bring about proper and legitimate and authorized reforms. It is a matter of common knowledge that there has been a determination upon the part of many holding positions of trust and responsibility in the departments to keep as many employees as possible. The war more than doubled the number of Federal employees within the District and it materially increased the number of employees of the Government in all parts of the country. It was understood that thousands and tens of thousands of employees should be separated from the service when the war ended, because there would be no necessity of longer retaining them. But months have gone by and there are still thousands of employees retained in the Government service who should have been released and returned to their homes long ago. There are within the Government service thousands of the finest men and women that can be found in our country. They deplore the duplication of work, the incompetency of officials and employees, the waste and extravagance and inefficiency. They have pride in their work and are ambitious to effectuate reforms and are sincerely desirous of faithfully serving their country.

Many of this class have conferred with me and have detailed numerous instances of the indefensible methods employed and policies adhered to in executive branches of the Government.

The civil-service law and its administration have proven a shield and protection to inefficient and defectives and to the unambitious and those who were satisfied if they only could hold their positions. I have conferred with a number of men and women employed in the departments who have declared that when they sought to perform an honest day's work they would be remonstrated with by employees and urged to slacken their efforts because if they carried out their purposes and did their full duty it would result in the dismissal from the service of unnecessary employees. Other employees have protested because promotions too often were the result of long years of service rather than efficiency. Many Senators and Representatives during the past few years have denounced the conditions existing in the executive departments of the Government and have insisted that administrative reforms should be initiated, consolidations of agencies and bureaus brought about, and needed changes for the good of the service and the welfare of the people made. But Congress only has debated and criticized, and has failed to enact needed legislation.

Some time ago a bill was introduced having for its object the promotion of efficiency in executive departments, bureaus, boards, commissions, and agencies of the Federal Government. This bill was denounced by some employees and their agents. There is no question but what there are some who hold positions in the Government who are opposed to reform, to efficiency, and to economies. The bill to which I have just referred provided that the chief of the bureau should be appointed by the Speaker of the House of Representatives, and that it should be the duty of the bureau over which the chief presided, in addition to the various duties imposed by law to "conduct a thorough and detailed examination of the personnel requirements of the various departments and department offices, to ascertain whether and to what extent any such department or department office has too large or too small a number of employees to enable it to perform its duties properly, and to determine what employees, if any, are so unfit or inefficient as to warrant their discharge or transfer to other duties."

It is not my purpose to discuss the bill or its provisions. The amendment which was offered to the measure now before us and which the conference committee has not accepted, was calculated, in my opinion, to promote efficiency, and it is to be regretted that the amendment or some other adequate provision was not accepted by the conferees. As I understand, the contention is that the Budget Committee, which is now considering important legislation, will deal with this subject.

Mr. President, members of the Appropriations Committee of the Senate as well as other Senators have repeatedly stated that there are thousands of Federal employees within the District of Columbia who should be separated from the service. I do not understand why, in view of the position of Senators, that they should continue to make appropriations providing for these unnecessary employees.

Mr. WARREN. Mr. President, the Senator from Utah [Mr. KING] was not present, I think, when the legislative bill was under consideration. That bill provides for many less clerks than have hitherto been provided for; in fact, it made a greater reduction than was ever known in a similar bill. We are moving in that direction. Of course, this bill does not do away with the work of the Bureau of Efficiency. The proposal was to place that bureau entirely in the hands of Congress.

Mr. KING. Mr. President, I appreciate the statement made by the Senator from Wyoming, and understand the matter in controversy. I submit most respectfully, however, that efficiency and economy will be promoted if legislation shall be enacted creating a bureau, board, or commission responsible to the legislative branch of the Government. The present Bureau of Efficiency is hampered and has been obstructed in some instances in its efforts. It is an executive agency, not a legislative one. It is inferior in power and strength and in the number of its employees to the departments and to many of the bureaus and executive agencies of the Government. Some bureau chiefs and other employees of the Government resent any investigation as to their work by this or other executive agencies. There should not be, however, any such mental attitude upon the part of executive boards or agencies. There should be a hearty cooperation in promoting the public welfare and in securing reforms and the highest degree of efficiency and economy.

Unfortunately there has grown up a spirit in some branches of executive departments that is intolerant of any control or direction by the legislative branch of the Government. It is the history of all executive departments of all governments that they tend to crystallization, to bureaucratic and autocratic methods, to stagnation, and dead and destructive monotony. Senators and Congressmen are almost daily confronted with evidences of departmental tyranny. Bureaus and executive

agencies become static and immobile. They resist progressive measures and rational and needed reforms. There is a tendency to increase authority and to extend their powers and jurisdiction even to the extent of violating law and encroaching upon other branches of the Government. There are many executive officials who will resent any control by Congress of executive departments. They want to enact the laws, fix their own compensation, and determine their authority, jurisdiction, and power. Organized for a particular purpose, some executive agencies seek to expand and to usurp authority and power. It is not a question of partisanship that determines the conduct of those pursuing the course suggested. The party affiliations of employees, generally speaking, do not bring diversity of views in respect to authority and power and importance of executive officials and Federal executive agencies.

Mr. President, let me say in passing that in most countries of the world to-day the legislative branches of the government are the ones which speak the voice of the people. As liberalism and democracy spread throughout the world and legislative power is enlarged the executive authority is diminished. But it seems that in this Republic the executive agencies of the Government are assuming larger powers, usurping authority, encroaching upon the legislative branch of the Government, and attempting to establish a tyrannous and deadly bureaucracy and a dangerous and destructive paternalism. In Great Britain the executive power is shrinking and the authority of the House of Commons is increasing. As the people speak so Parliament acts, and its decrees bind the nation. Here executive departments and agencies seek to dominate Congress, dictate legislation, and control the functions and policies of the Republic. With the most brazen effrontery executive officers carry on extensive propaganda throughout the United States in the interests of legislation or policies which they think will promote their interests or aggrandize their organization.

Mr. President, I would condemn in my own party as I would in the Republican Party executive inefficiency or usurpation upon the part of executive officials. I might add, facetiously, that the Democratic Party knows better and it deserves more severe condemnation than would be bestowed upon the Republican Party. The Democratic Party is professedly the party of economy, the party of progress, of reform, of efficiency in its administrative policies; in a word, the Democratic Party calls for the highest efficiency and an economical administration of all public affairs. I believe, Mr. President, that if a law were passed creating an efficiency and economy bureau responsive to Congress its work would be productive of the highest good and result in an annual saving of tens of millions of dollars to the Government. I sincerely hope that at an early date this important subject will be considered by Congress and that suitable legislation will be enacted that will effectuate administrative reforms and coordinate and integrate Federal agencies of the Government and bring about economies in all branches of the public service.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Wyoming that the Senate recede from its amendment numbered 53.

The motion was agreed to.

RIVER AND HARBOR APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11892) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. SWANSON. The river and harbor bill being now under consideration, I desire to offer an amendment to it.

The PRESIDING OFFICER. The Chair will state that there is an amendment now pending.

Mr. SWANSON. Then I will ask that amendment may be considered after the pending amendment is disposed of.

The PRESIDING OFFICER. The Secretary will state the pending amendment.

The READING CLERK. In the committee amendment, on page 1, line 3, it is proposed to strike out "\$20,000,000" and insert "\$27,000,000."

Mr. KING. I rise to inquire is that the total, or is it proposed to add another section to the bill carrying the amount indicated.

The PRESIDING OFFICER. The total amount carried by the bill, the Chair is advised, is \$20,000,000. The amendment to the amendment proposes to increase the total to the amount stated by the Secretary.

Mr. SMOOT. The committee amendment has not been acted upon by the Senate?

The PRESIDING OFFICER. No. The pending question is on agreeing to the amendment to the committee amendment.

Mr. KING. I suggest that it might be wise to defer voting on the total until we have passed upon all the amendments.

Mr. REED. As I understand, all the amendments have been passed upon.

Mr. KING. I understand the Senator from Virginia desires to offer an amendment.

Mr. LODGE. Mr. President, I ask unanimous consent to be present at this time an amendment providing for a survey.

The PRESIDING OFFICER. The Senator from Massachusetts presents an amendment, which will lie on the table.

Mr. LODGE. It simply provides for a survey, and I ask unanimous consent that the amendment be considered now.

The PRESIDING OFFICER. The Senator from Massachusetts asks unanimous consent that the amendment presented by him be now considered. Is there objection? The Chair hears none. The Secretary will state the amendment.

The READING CLERK. On page 4, after line 1, it is proposed to insert:

Boston Harbor, Mass.: South Bay from point of Fort Point Channel, Federal Street Bridge, to Massachusetts Avenue.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Massachusetts.

The amendment was agreed to.

Mr. SWANSON. I ask unanimous consent for the consideration of the amendment which I send to the desk. It merely provides for the survey.

The PRESIDING OFFICER. The Senator from Virginia asks unanimous consent for the present consideration of an amendment similar in character to that just agreed to. Is there any objection?

Mr. POMERENE. I will reserve an objection until I hear what the amendment is.

The PRESIDING OFFICER. The Secretary will state the proposed amendment.

The SECRETARY. On page 5, between lines 22 and 23, it is proposed to insert "Warwick River, Va."

Mr. POMERENE. I object to that.

Mr. SWANSON. It merely provides for a survey.

Mr. POMERENE. I understand it merely provides for a survey, but there is a survey item on page 5, above where it is proposed that the amendment just offered shall come in, the action on which I desire to have reconsidered before we get through with this matter. I do not know anything about this proposition, but while I am on the subject I may say—

Mr. SMOOT. The river for which the Senator from Virginia desires a survey was discovered last week, was it not?

Mr. SWANSON. It is as important as any. Is the Senator from Ohio going to object to all survey items?

Mr. POMERENE. No, sir; but I am going to object to the one I have indicated until I know something more about it. I desire to make an observation in regard to one which was provided for here the other day, and I might just as well do so now. On page 5 there appears this amendment, proposed by the committee:

Northwest River, Va.-N. C.: With a view to securing a channel 6½ feet deep at mean low water, and 50 feet wide on the bottom on the bar at the mouth and over the shoal 2 miles above the mouth.

Do I understand that that amendment has been adopted?

Mr. JONES of Washington. It has been adopted.

Mr. POMERENE. I ask unanimous consent that the vote whereby the amendment was agreed to may be reconsidered.

Mr. SWANSON. I object.

Mr. SMOOT. I will suggest to the Senator from Ohio that when the bill gets into the Senate we can at least have a vote upon it.

Mr. POMERENE. There is a pending amendment, and, therefore, the motion to reconsider would probably not now be in order. I am going to ask, however, although I am afraid I may not be here, because of an engagement I have elsewhere, to reserve a vote upon this amendment in the Senate. Personally I have no information about this matter, but I have some information which I believe to be thoroughly reliable, and I think it is proper that I bring it to the attention of the Senate at the present time, so that if I am misinformed about it those who are interested will have a right to present that evidence to the Senate.

This on its face appears to be a survey for a navigable stream. My information about it is that it is not a navigable stream; that it never can be made a navigable stream; and that the project is one of private interest alone. If I am misinformed about that, those who were instrumental in having it brought here will have an opportunity to correct me; and I want to ask the Senator from Washington, at whose instance it was presented.

Mr. JONES of Washington. Mr. President—

Mr. SWANSON. Mr. President, I introduced the amendment, and I should like the Senator to furnish me the information to which he has referred, so that I can send it to the people at home in order that they may reply to it.

Mr. POMERENE. I am just about to do that, and I want to say in advance that I acquit the Senator from Virginia of having any improper purpose in mind when this amendment was presented; but if my information is correct he has been grossly deceived.

The other day a gentleman came to my office and asked to see me. I had met him once before. He is a business man. His name is Mr. John Seip, of Chillicothe, Ohio. He brought to me a map of conditions in Virginia in this locality, and this particular amendment relates to a tract of swamp land containing 25,000 acres. Mr. John Seip some years ago had a part interest in it. It is now owned in part, if not entirely owned, by a gentleman from Camden, N. J. The fall of this little streamlet—it is not a river—is such that it would be absolutely impossible to make it navigable by an ordinary scow. Mr. John Seip tells me that he has no interest whatsoever in this land. He owns to the south of it, and some distance from it, 10,000 acres of similar swamp land. He bought it as an investment. He is draining it, improving it, and selling it out as a private enterprise; but it is no more a private enterprise than is the 25,000-acre tract owned by this New Jersey gentleman.

I asked Mr. Seip if he would be willing to put in writing the facts as he presented them to me. He said he would, and I have his written statement here, signed by himself. He tells me that he has no interest whatsoever in this legislation, save and except such as any other public-spirited citizen would have. And now, for the information of the Senate, I send this statement to the desk and ask that it may be read.

The PRESIDING OFFICER. In the absence of objection, the Secretary will read as requested.

The reading clerk read as follows:

Mr. John Seip, of Chillicothe, Ohio, made the following statement: The item on page 5 of H. R. 11892, Report No. 513, with reference to the dredging of Northwest River, in Virginia and North Carolina, to make a channel 6½ feet deep, 50-foot bottom, is intended altogether for the drainage of Pleasant Grove district in Norfolk County, Va., which is a private enterprise, and should be paid by private capital instead of at public expense.

The land in that district is a very rich black loam, and without drainage has no value, in fact, it is a liability as it lies. With the dredging out of Northwest River this land becomes exceedingly valuable for agricultural purposes.

The writer has no interest whatever in any land in that district, in fact, has no interest in any land in Virginia, but formerly owned a half interest in that portion of the land represented on the map as being owned by the Norva Land & Lumber Co. That land is now in the name of the Norfolk Farms Co., and is owned and controlled by David Baird, of Camden, N. J.

The river has no uses for navigation purposes; in fact, never has had and never can have. The river for the first 9 miles, running from west to east, has a fall too great ever to be used for navigation purposes.

Other property in that vicinity is being developed on a large scale at private expense, and all land embraced in the Pleasant Grove drainage district, amounting to about 25,000 acres, will be benefited by the dredging of the Northwest River and should be paid by the owners thereof.

JOHN SEIP.

APRIL 21, 1920.

Mr. POMERENE. Mr. President, this Northwest River, as I am informed, enters Tull Bay. It is due to those who are interested either to disprove these statements or to bring to the Senate such information as will justify this enterprise at public expense.

I want to repeat, I am satisfied that the Senator from Virginia knew nothing about these facts, if they are facts, and I believe them to be facts.

I think that is all I care to say on that subject at the present time.

Mr. SWANSON. Mr. President, I am not acquainted with this river. I ask the privilege of putting in the RECORD all the correspondence I had in connection with this matter.

The PRESIDING OFFICER (Mr. KENDRICK in the chair). Without objection, it is so ordered.

The matter referred to is as follows:

HICKORY, NORFOLK COUNTY, VA., March 26, 1920.

At a mass meeting held at Stewart's store, near Benefit, Norfolk County, at 10 a. m., March 26, 1920, the following resolution was unanimously adopted:

"Resolved, That the Hon. CLAUDE A. SWANSON, United States Senator from Virginia, is hereby requested to introduce an amendment to the rivers and harbors bill, if it is not too late, in effect as follows:

"SURVEY.

"Northwest River, Va.-N. C. From its mouth to as far upstream as the Norfolk Southern Railway bridge, so as to admit boats drawing 6½ feet of water and a width of not less than 45 feet.

"Resolved further, That Senators SIMMONS and OVERMAN of North Carolina be also requested to the same effect, and also that Hon. E. E. HOLLAND and JOHN H. SMALL be requested to look out for the matter in the House."

A. O. LYNCH, Secretary.

JNO. P. WALLACE, Jr., Chairman.

PORTSMOUTH, VA., March 26, 1920.

HON. CLAUDE A. SWANSON,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I attended a meeting as noted in the attached paper to-day and I was requested to forward it to you.

You will find that Senator Martin had an amendment passed as to the Northwest River survey in Sixty-fifth Congress, first session, and also at second session, as to this stream a considerable distance up toward its source, but it was only recommended for approval as far upstream as the Norfolk Southern Railway bridge. While there has been two surveys and the Army Engineers' office has the data and could give an estimate of cost, the law requires, I am informed, that another survey will have to be authorized. I have before me House Document No. 198, Sixty-fifth Congress, first session, which will give you all the information desired. Also there is another House document at second session, but I do not remember the number. However, the last report of the engineer was during war times, and the people concerned did not push the matter. But now, if it is not too late, the people in the southern part of Norfolk County would appreciate it if you would make an effort to amend the river and harbor bill. Instead of wording the amendment as stated in the attached resolution, I suggest that it would be better to word it as noted in the recommendation of Col. Jervey, Army Engineer, as follows in substance:

"Northwest River, Va.-N. C. Survey of bar at the mouth and of the shoal 2 miles above its mouth in order to determine the cost of dredging channel 6½ feet deep at mean low water and 50 feet wide on the bottom at these points for navigation," as you will see by his report the removal of the points mentioned will give navigation for 6½ feet to Norfolk Southern bridge.

The mouth of the Northwest River and some distance upstream is in North Carolina, but up in the vicinity of Northwest Railway Station is in Virginia, therefore it is suggested that the Members of the Senate in North Carolina and Mr. SMALL should be interested. Also attention of Mr. HOLLAND is called to this. I think Senator EDGE, if called to his attention, would assist you, as a friend of his—ex-Senator Baird, formerly Senator from New Jersey—owns a considerable acreage of land near this river some distance upstream. Senator Martin, I understand, when he got through the survey before had both of the New Jersey Senators to assist him.

If you will give this matter your attention I will thank you very much.

I am glad to see by the papers that Mrs. Swanson has improved in health.

With best wishes and kindest regards, I am,
Very sincerely, yours,

R. E. B. STEWART.

You will note that Hon. John G. Wallace, Jr., member of house of delegates from Norfolk County, presided at the meeting.

Mr. KING. Mr. President, I rise for information. Is an amendment pending, offered by the Senator from Virginia, to include this item in the bill?

The PRESIDING OFFICER. It is already in the bill.

Mr. POMERENE. It is already in the bill. I have reserved the right to take another vote upon that amendment when the bill comes into the Senate.

Is it the purpose of the Senator in charge of the bill to proceed further to-night? I intended to take up another subject.

Mr. JONES of Washington. I move that the Senate adjourn. The motion was agreed to; and (at 4 o'clock and 40 minutes p. m.) the Senate adjourned until to-morrow, Friday, April 23, 1920, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

THURSDAY, April 22, 1920.

The House met at 12 o'clock noon.

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

Father in heaven, life of our life, spirit of our spirit, author of all good, our hearts go out in profound sympathy for the stricken people in the cyclone districts. Many are dead. More are injured and maimed for life.

Homes are destroyed. Hearts are broken. Their land is desolate. We thank Thee that loving hearts and helping hands have gone to the rescue. For what hurts one, hurts all; what helps one, helps all, for Thou hast so bound us together in ties of kinship.

Increase our faith and confidence in the overruling of Thy providence for the eternal good of all.

That nothing walks with aimless feet;
That not one life shall be destroyed,
Or cast as rubbish to the void,
When God hath made the pile complete.

In Christ Jesus our Lord. Amen.

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

HON. CHAMP CLARK.

Mr. ASWELL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing an editorial from a New Orleans paper on Hon. CHAMP CLARK.

The SPEAKER. The gentleman from Louisiana asks unanimous consent to extend his remarks in the RECORD by printing

an editorial concerning the gentleman from Missouri [Mr. CLARK]. Is there objection?

There was no objection.

The editorial is as follows:

[From the New Orleans Item, Apr. 15, 1920.]

SPEAKER CHAMP CLARK THE STRONGEST NOMINEE FOR DEMOCRACY.
(By Marshall Ballard.)

Millions of Americans, regardless of party affiliation, felt at the time of the Baltimore convention that Speaker CHAMP CLARK was done a grave political injustice by being denied a nomination he had earned by his sweeping majorities in the primary voting and by his clear majorities in the convention itself.

The Speaker accepted the result of that convention as a philosopher, although political enemies, many of whom had betrayed both his friendship and their own pledges, immediately began trying to destroy any further public career for him. But he volunteered his immediate support to his victorious opponent, took the stump for him, and wrote letters to all Clark followers urging their loyal support of Wilson.

Ever a staunch and loyal party man, the Speaker accepted the situation with good grace, went about the work of building the party up, of holding it together, and of aiding in making it a proper vehicle for legislation on behalf of the people.

He differed openly from the administration on the Panama Canal tolls issue, a matter whereon he felt that the party's platform, mandate, and national interests dictated his course.

After the Baltimore convention friends had seriously urged on him that he accept a place on the Progressive ticket with Roosevelt, their idea being that as these two were personal friends, each with an immense personal following, they could therefore sweep the country.

Roosevelt had lost at Chicago and split his party. CLARK lost at Baltimore and loyally turned in to help save his party.

President Wilson was nominated on a one-term platform. As his first term neared its end Speaker CLARK's friends wanted him to become a candidate for the nomination against Wilson. By that time many of the powerful politicians who had knifed or betrayed CLARK were at odds with Wilson. At a word of encouragement from Speaker CLARK, these men would have sought his nomination in the primaries.

The Speaker would not permit this. He felt that any such move would destroy any chance the President might have of reelection. Instead he pursued a course of loyal support of Wilson, sacrificed every possible moment of his time to the campaign, and aided as a factor in the reelection of the President.

War was impending when Mr. Wilson began his second term. The Democratic Party was in the minority in the House of Representatives. Such was the esteem in which the Speaker was held that he and his friends were able to muster a majority of the House in favor of a Democrat's candidacy and to organize the House for Democratic cooperation with the head of the Nation.

Following the declaration of war, the administration switched from a position against even the amount of military preparedness advocated by former Secretary of War Garrison to a position favoring conscription. Speaker CLARK took the view that armies could be gathered more quickly and organized more effectively on a volunteer basis. Many of his closest friends and advisers disagreed with this view, but the Speaker was convinced that he was right.

Having given his pledge to stand by his associates, he took the floor of the House and spoke against the pending conscription bill. He knew that in taking this stand he would concentrate violent and bitter criticism on himself.

His speech was suppressed, misrepresented, and garbled. Through these misquotations of the speech it was represented to the country as an attack on the President, on the war, and on the caliber of the armies which were to be formed under the universal service act. It is doubtful whether in the heat of war excitement one person in a hundred thousand who discussed the speech took the trouble to read its text.

The Speaker at the same time fought and helped kill the press-gag bill. No man ever led a fight for free speech under more trying circumstances.

Ambitious politicians, eager to curry favor with the administration by propaganda against the Speaker, later tried to defeat him for the minority leadership on the ground that they wanted House leadership that would be absolutely subservient to President Wilson. This move was made in the absence of the President from the country. It is not on record that it ever received encouragement from either the President or from anyone authorized to speak for him. For, contrary to propaganda constantly spread trying to make trouble between the President and the Democratic leader of the House, the relations between these two have been satisfactory. At any rate, Speaker CLARK's friends cite the fact that the House and the Executive got along through these trying times equally as well as has the Senate and the Executive.

None of those friends maintain the theory that Congress should be without opinion and without expression or without difference with the Executive.

The function of a party leader in the House, whether his party is in the majority or the minority, is to keep the party together, to prevent needless friction with the executive branch of the Government, and to handle the legislation as effectively as possible in the interest of the country.

Strong men are not influenced unduly by patronage, politics, or friendship in the performance of their duties. Speaker CLARK, although the simplest and most unpretentious of men, has a high conception of the dignity and importance of the House of Representatives. He has been at all times unwilling to fall in with the conception that the duty of a party member is to vote, act, or follow blindly any influence other than that of his own conscience.

It is noteworthy that under his leadership the Democrats of the House have been largely harmonious and without bitter factions for the past 15 years.

In other words, with his lifetime of dealing with men, his long experience with legislation, and his own unquestioned reputation for judicial fair-mindedness, for conciliation and adjustment, he has been able to aid in the creation of real teamwork in his party in the House.

Although the Speaker despises the demagogue and demagoguery and is plain-spoken and blunt to a degree, and although he is without the small political and theatrical arts which are generally supposed to make for popularity, he has achieved an almost unique standing among the membership of the House with his own party; and although he is famed as a Democratic regular and party man, it is doubtful if any

man who has occupied his position has been personally more highly respected and more popular with the Members of the opposition party.

That personal and political popularity extends in turn to the masses of the voters of the country.

Missouri, always a close State politically, has recently swung into the Republican column. Speaker CLARK's district has been for years one of the closest politically in the State. Yet there, as everywhere he has contested for votes, the element of confidence exists among those who know him, who have followed his unremitting years of work, who know his record. In his own district he has pulled through many Republican landslides and shown strength enough to poll a safe majority of votes for over 20 years.

Just now Democratic political leaders are attempting to test the sentiment of the voters and to decide on a man who would make a successful campaign and who would satisfy the needs of the country as an executive.

There is a sober realization of the fact that in spite of the party's great and brilliant record in many particulars, there is a reaction against many things done and attempted. The most of these were rendered necessary by war. There is a desire for sane and substantial progress; there is a desire for economy running current with a desire for relief from many of the burdens and restrictions which war has placed on the business and life of the people.

Some Democrats diagnose the needs of the future as a need of a return to old-time Democratic simplicity in government. They do not feel that unknown and untried men, faddists, or innovators are desirable at the head of the Government during the next four years. They want a man who has performed long enough in the public service to be known. They want a candidate whose personality will harmonize with the party, add strength to it where it may be weak, and hold and consolidate the position it has gained through eight years of legislation, much of it radical and progressive. He must aid it in shaping up, pruning down, and improving that part of the legislation which has been created through the emergency of war. Much of this is no longer needed for the peace-time purposes of a peace-loving democracy.

Although it is customary for those who bring unknown or untried men out as candidates to surround them with an air of mystery and to attribute to them supernatural powers or qualifications, there are many to-day who believe that a known man would make the best appeal to the voters. Stunt goers, spectacular performers, and mystery men do not appeal as strongly as they did during the hysteria of war.

Contact with legislation and with legislators extending over a period of years enables a President to deal harmoniously with Congress. Many years of study of all the machinery employed by the Government and of all of its legislation enables a man to avoid mistakes and to accomplish results.

There is nothing theatrical or mysterious about Speaker CLARK. He is better known as a legislator and as a leader of a great element of his party than is any man in America. He has many friends and few enemies of a type who would do him harm before the voters of the country. As a candidate, as a vote getter for the Democratic Party, he is to-day the most logical choice for that party among those who seek its preferment and success at the polls.

The Newberry trial in Michigan was not needed to make the American people feel that enormous primary campaign expenditures are undesirable. Speaker CLARK in contesting for the Democratic nomination at Baltimore refused to allow his managers to seek campaign funds from those who might possibly seek legislation. Less than \$50,000 in all was contributed to his campaign fund. The deficit he made up largely from his earnings as a writer and lecturer.

Over four times this amount was spent in behalf of President Wilson's campaign. All other candidates collected and spent far more than CLARK.

Had he been willing to leave his duties in Washington and the country, had he been willing to authorize his managers to seek the financial support of those moneyed men and great influences who furnish the material for campaigns, he would have been President of the United States for four if not eight years. No one can read the chapter on the Baltimore convention in his recently printed book without realizing this fact.

In spite of the many favorite sons' booms existing at present, and in spite of the great merits of many of those mentioned for the nomination, the cold fact remains that no one discussed to-day has the general eligibility for getting electoral votes for the party in November that ex-Speaker CLARK has.

The same qualities which made a great body of Democrats turn to him as their leader eight years ago have an even stronger appeal to-day, for he has shown in eight years of added party and patriotic service that he can serve as well as command and that he is neither elated in victory nor downcast in adversity.

Throughout these years the simple and rugged Americanism of the man has shown forth. The great interests which contribute gigantic campaign funds and propaganda bureaus in behalf of candidates have interests of an international character which is not common to the interests of the masses of the American people. In combination they can force nominations on political parties, but they can not force elections. As a rule they try to place a Republican President in office, but try to insure themselves by either nominating an impossible Democrat or by destroying the chances of nominating a Democrat of standing with the masses.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed the bill (S. 1353) for the relief of the McClintic-Marshall Construction Co., in which the concurrence of the House of Representatives was requested.

The message also announced that the Senate had passed without amendment the bill (H. R. 13387) to extend the time for the construction of a bridge across the St. Louis River between the States of Minnesota and Wisconsin.

The message also announced that the Senate had passed with amendment the bill (H. R. 12775) making further and more effectual provisions for the national defense, and for other purposes, had requested a conference with the House of Representatives on the bill and amendment, and had appointed Mr. WADSWORTH, Mr. SUTHERLAND, Mr. NEW, Mr. CHAMBERLAIN, and Mr. THOMAS as the conferees on the part of the Senate.

ENROLLED BILLS SIGNED.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 2442. An act authorizing and directing the Secretary of the Interior to convey to the trustees of the Yankton Agency Presbyterian Church, by patent in fee, certain land within the Yankton Indian Reservation; and

S. 806. An act conferring jurisdiction on the Court of Claims to hear, determine, and render judgment in claims of the Iowa Tribe of Indians against the United States.

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that April 21 they had presented to the President of the United States for his approval the following bill:

H. R. 11578. An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1921, and for other purposes.

THE LATE REPRESENTATIVE BROWNING.

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the House set aside Sunday, May 16, 1920, for addresses on the life, character, and public services of the late Representative BROWNING.

The SPEAKER. The gentleman from New Jersey asks unanimous consent that Sunday, May 16, be set apart for memorial exercises for his late colleague, Mr. BROWNING. Is there objection?

There was no objection.

Mr. CLARK of Missouri. Mr. Speaker, I ask unanimous consent to address the House for one minute.

The SPEAKER. The gentleman from Missouri asks unanimous consent to address the House for one minute. Is there objection?

There was no objection.

Mr. CLARK of Missouri. Mr. Speaker, the time for these memorial services on Sundays ought to be fixed either at 10 o'clock in the morning or 2 o'clock in the afternoon, because when we meet at 12 o'clock it makes everybody late for dinner. If they began at 10 o'clock, we would be through before noon. I have nothing to present now on this subject, although I am going to introduce a rule, and I want to notify the House of that fact.

ORDER OF BUSINESS.

Mr. HENRY T. RAINEY. Mr. Speaker, I ask unanimous consent to address the House at this time for one hour on the subject of financing the soldiers' bonus.

Mr. WOOD of Indiana. I will ask the gentleman from Illinois to withhold that request until after I present a conference report on the legislative bill.

The SPEAKER. There is already a special order for to-day, that the gentleman from Oklahoma [Mr. HOWARD] may address the House for 20 minutes.

Mr. HENRY T. RAINEY. As soon as the business on the Speaker's table is disposed of?

The SPEAKER. Yes.

Mr. HENRY T. RAINEY. Then I ask that at the conclusion of his address I may address the House for one hour on the subject of financing the soldiers' bonus.

Mr. MONDELL. Mr. Speaker, I regret to have to object, but I shall have to do so. There is a rule coming in for the consideration of a bill that ought to be passed to-day, and that, together with the consideration of the conference report on the legislative bill, will consume most of the day. If the gentleman desires to address the House at the conclusion of the consideration of the Crow Indian bill under the special rule, there will be no objection, and I do not know but what he could secure half an hour in connection with the consideration of that bill. There is to be some general debate.

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

Mr. MONDELL. Yes.

Mr. GARRETT. The rule provides, as drawn, that that debate shall be confined to the bill; but I want to ask the gentleman if it is not a fact that that rule to which the gentleman refers was reported wholly because the leadership of the House found itself without anything else to present to the House to-day and that there is no great urgency for its passage?

Mr. MONDELL. That is not altogether true; but I will say to my friend if we have time to consider the Crow bill and also listen to the gentleman from Illinois for an hour I am sure we will be glad to do it, but if the gentleman from Illinois speaks immediately after the gentleman from Oklahoma speaks we will take up the Crow bill late in the afternoon.

Mr. GARNER. I presume it is the gentleman's purpose to go on with the Private Calendar to-morrow?

Mr. MONDELL. That was the intention.

Mr. GARNER. Have you got a program already arranged for Saturday?

Mr. MONDELL. A good many of the brethren seem to be quite desirous of wending their way homeward to primaries and other important occasions on Saturday.

Mr. GARNER. I merely asked the gentleman the question, anticipating his answer. I think it is evident on its face that the time can be had during this week to discuss almost any subject that the minority or the majority may want to discuss.

Mr. MONDELL. I think so.

Mr. GARNER. It would not keep gentlemen from going home Friday night if we merely wanted to come back here Saturday and have some general debate. I do not know whether the gentleman from Illinois desires to make that arrangement or not.

Mr. HENRY T. RAINEY. I would not like to do that.

Mr. MONDELL. I think that would hardly be fair to the gentleman from Illinois, to have it understood that all we would do Saturday would be to have some general debate, because while many gentlemen would no doubt be glad to listen to the gentleman from Illinois, if no vote is to come up on Saturday there are likely to be a good many gentlemen absent. It should not take a very considerable time to dispose of the Crow bill.

Mr. GARNER. Suppose you allow an hour before you start in on the Crow bill, because the rule on that bill provides that the debate must be confined to a discussion of the bill.

Mr. MONDELL. Is there objection on that side to modifying the Crow rule?

Mr. GARRETT. I think there will be none. That would restore it to what it was originally. As the proposition was first laid before the committee there was provision for two hours' debate, an hour on a side, to be confined to the bill, but upon the suggestion of the majority members of the Committee on Indian Affairs that time was cut down to an hour.

Mr. MONDELL. May I suggest to the gentleman from Tennessee that he modify the Crow rule so that the general debate shall occupy an hour and a half, and that an hour be given to the gentleman from Illinois [Mr. HENRY T. RAINEY], and then 15 minutes on a side in addition to that for general debate.

Mr. POU. The rule would also have to be modified in respect to the provision which requires the debate to be confined to the subject matter of the bill.

Mr. GARRETT. That can be done.

Mr. POU. With that amendment I do not think there would be any objection to it.

Mr. GARNER. There is really no controversy about the Crow bill, is there?

Mr. MONDELL. Not that I know of.

Mr. EVANS of Montana. None at all.

Mr. CAMPBELL of Kansas. I suggest, inasmuch as there seems to be a general consent, that the rule be modified as indicated.

Mr. GARRETT. I think that would be a satisfactory arrangement. Let there be an hour and a half of general debate, with the understanding that it shall not be confined to the bill, and with the understanding that one hour of that shall be given to the gentleman from Illinois [Mr. HENRY T. RAINEY]. The gentleman from North Carolina [Mr. POU], I believe, desires 10 minutes on the rule.

Mr. POU. That can be eliminated by asking unanimous consent of the House to address the House for eight minutes, which I do.

Mr. SNELL. Reserving the right to object, are we to have any debate on the rule?

Mr. POU. There will be no debate on the rule as far as I am concerned.

Mr. SNELL. Suppose we do not present the rule, but ask unanimous consent for consideration of the bill.

Mr. POU. There will be no objection on this side.

Mr. MONDELL. Mr. Speaker, I suggest that the gentleman in charge of the rule ask unanimous consent for the consideration of the Crow bill, with the arrangement for debate that has been suggested, to follow the consideration of the conference report on the legislative bill.

Mr. CLARK of Missouri. Mr. Speaker, we could have passed the Crow bill while they have been talking about this thing. Nobody is going to fight it.

Mr. SNELL. Mr. Speaker, I ask unanimous consent that immediately after the conference report on the legislative bill is disposed of it may be in order to go into Committee of the Whole House on the state of the Union to take up the Crow Indian bill, S. 2890; that there be an hour and a half general debate, of which the gentleman from Illinois [Mr. HENRY T. RAINEY] shall have 1 hour, the gentleman from North Carolina [Mr. POU] 10 minutes, and the balance for debate on the bill.

Mr. HASTINGS. That will not interfere with the remarks of my colleague, Mr. HOWARD?

Mr. SNELL. Oh, no.

The SPEAKER. The gentleman from New York asks unanimous consent that after the consideration of the report on the legislative bill it shall be in order to go into Committee of the Whole House on the state of the Union for the consideration of the Crow Indian bill; that there shall be 1 hour and 30 minutes of general debate, of which 1 hour shall be allotted to the gentleman from Illinois [Mr. HENRY T. RAINEY], 10 minutes to the gentleman from North Carolina [Mr. POU], and the other 20 minutes on the bill. Is there objection?

There was no objection.

DEVELOPMENT OF OKLAHOMA.

The SPEAKER. The gentleman from Oklahoma [Mr. HOWARD] is recognized under the special order for 20 minutes.

Mr. HOWARD. Mr. Speaker, 31 years ago to-day in the great Southwest several thousand sturdy pioneers were at this very moment of that day engaged in a mad race for homes in a most virgin part of this country. That, sir, marked the beginning of what is to-day one of the greatest States of this Union. That race for homes marked the start of the construction of the great State of Oklahoma. That fertile country which was inhabited in the morning by the occasional cowboy and the coyote at eventide of that same day boasted of cities of thousands and a total population running well-nigh to the hundred-thousand mark. The selection of "Oklahoma" for this great State's name could not be improved upon—Oklahoma being of Indian origin, and meaning "Happy home of the red man."

Recently in this House the Hon. CHAMP CLARK, in speaking of Oklahoma, said:

Of the many things I have done in my 26 years of service in the House, there are many upon which I look back with pride and pleasure. One of these is that for years I did my best to bestow the boon of statehood upon Oklahoma. Two of the most pleasant weeks of my life were spent in that beautiful land hunting and fishing. I drove over it in a spring wagon and viewed the landscape o'er with ever-increasing delight. Anybody could tell that it would some day be a great agricultural State, but the chances are that in that far-away day even the most imaginative and enthusiastic of boomers never dreamed what a rich and mighty commonwealth she would become within two decades, with fair prospects of becoming one of the greatest and wealthiest States of the Union. Neither Jules Verne nor any other novelist ever wrote a tale so fetching as the history of Oklahoma. Her population is composed of the very cream of the peoples of the older States—the young, the vigorous, the adventurous, the daring.

In that statement the honored gentleman from Missouri stated a truth of development which is the marvel of the world and paid a compliment to our people which we Oklahomans appreciate very highly.

And it is to enlarge upon that statement and to tell more minutely of the development of that Commonwealth that I have sought to address you on this anniversary of the laying of its foundation. In the past to people who have not studied Oklahoma there has been some amazement expressed at her rapid development, but too many, I fear, have looked upon her as a nonimportant Commonwealth, located in an arid or semiarid region, rich in natural resources but barren to a great extent as to the greatest of all assets—that of agriculture and agricultural enterprise.

You have heard of our great oil wells, from which to-day there is being produced a large per cent of the crude petroleum of the world; you have been told of the great deposits of lead and zinc and other minerals produced within her borders; some of you probably know that during war time probably more of the lead used in the manufacture of ammunition was produced in the district I represent in this Congress than in any other part of the country. Some of you may have been told that within her borders are located the greatest deposits of rock asphalt in the entire country, and that to-day it is being developed and is to become a very important factor in the building of hard-surfaced roads throughout this country. But I dare say that few of you and few of your constituents realize that the agricultural development of Oklahoma has kept pace, and that last year she stood tenth among the States of the Union in the matter of the value of her agricultural production, and it is of this that I want to address my remarks for a few moments.

Recently the State board of agriculture of Oklahoma, through its president, took an invoice and made some comparisons relative to Oklahoma's agricultural possibilities and development which, even to Oklahomans, was amazing. This invoice disclosed the fact that Oklahoma's prosperity is not dependent chiefly on corn, wheat, and oats, as in the corn belt, nor on cotton, as in the far South, nor yet on hay and potatoes, as in the East. Corn is over 50 per cent of the total crop value in some States; wheat is over 50 per cent in still others. A failure in any one of these crops in these States is very disastrous.

Oklahoma's leading crop is only 36 per cent of the total crop value of the State. Hence failure in one or two crops affects us less seriously. We not only grow the leading field crops of most sections, but for many of them our farmers get more dollars per acre than the average of either the United States or of the State that leads in production of the crop. The price of an acre of Oklahoma's average plowland is shown to be half that of the United States, although the acre income from crops exceeds the average of the whole United States. [Applause.] Thus the farmers of Oklahoma have made the remarkable record of producing more dollars an acre from the 12 leading crops than the estimated price of the land on which these crops grew.

WEALTH MADE ON CHEAP LANDS.

To illustrate and analyze by way of comparison, we find that the highest-priced plowland in America is throughout the State of Iowa, which State has an average price of \$169 for average plowland, \$129 for poor plowland, and \$196 per acre for good plowland, showing an average price per acre for plowland for that State of \$164.50, with an average production last year of \$49.92 per acre. Oklahoma, with a plowland value of \$38 per acre for average plowland, \$24 per acre for poor plowland, and \$51 per acre for good plowland, or an average for all plowland per acre of \$38, showed an earning average in her 12 leading crops of \$39.50 per acre.

Thus, Oklahoma farmers received last year from crops alone a gross income of \$1.50 an acre more than the estimated price of the land. The average price of plowland for Oklahoma in 1907 was \$22.49 an acre, while in 1919 it was \$38 per acre. The increase has been 70 per cent in 10 years, or an annual increase of 7 per cent. This is showing splendid results on the investment, even though the profits from farm operations be not counted. Oklahoma farmers received from 12 field crops \$3.65 an acre more than the average of the United States for the same crops. Yet the price of average plowland in Oklahoma is barely half that of the average value of plowland throughout the United States. Average plowland in Iowa is nearly four and one-half times that in Oklahoma, yet Iowa's leading field crops produced only \$2.70 an acre, or 7 per cent more than Oklahoma's 12 leading crops. It may also be surprising to you to know that Oklahoma produced more broom corn than all other States combined during last year.

Likewise, a comparison of Oklahoma's agricultural record in 1919 with that of her neighbor, the great State of Missouri, is very favorable to the State of Oklahoma. The two States are practically the same size, and they grow practically the same crops. Missouri is 100 years old, while Oklahoma's first settlement was made 31 years ago. Missouri's average plowland is listed as nearly twice that of Oklahoma's. It devotes nearly one and one-half million acres more plowland to growing its 12 leading field crops than Oklahoma devotes to her 12 leading field crops. Yet Oklahoma farmers received \$7.38 an acre more for these crops than did Missouri farmers receive for theirs. And on their large acreage in cultivation Missouri's total crop value, including cotton seed, was \$551,056,000. Oklahoma's total was \$547,758,000. These figures give Oklahoma tenth place among the States in total value of crops.

The farmers of Oklahoma have used every method and means at their command to bring out such successful results as I have pointed out. The average income to Oklahoma farmers last year from farm products was \$3,600. In addition to this, their tables were supplied with home-grown fruit and vegetables, milk and butter, poultry and eggs, ham and bacon, and occasionally a tender steak or a roast from a fat yearling. These farmers paid no gas or light bills; no house rent; no street car fares; many bought no fuel; they have daily mail delivery. Many have rural phones and do their visiting and shopping in autos. They enjoy the year-around outdoor life, with the health-giving sunshine and pure air of Oklahoma.

STATE DEVELOPMENT CLEARLY SHOWN.

A comparison of crop production for 1919 with that of 1907, the year Oklahoma was made a State, indicates fairly well the development of the State. It happens that the two years were very similar in weather conditions, and the yield per acre of various crops differs but little. Even allowing for differences in prices for crops in the two years, a large balance in favor of 1919 remains. This indicates new land brought into cultivation, and there is yet a large amount of raw land to be brought under the plow. The value of the four leading crops in 1907 was \$114,958,000. In 1919 these same crops sold for \$424,923,000. In 1907 the live stock of Oklahoma brought, in round figures, \$116,998,000, while the live stock in 1919 brought \$214,181,000. Or, in other words, the four leading crops in 1919 have a value that is 370 per cent, or nearly four times that of 1907. The livestock value for 1919 was 183 per cent, or nearly twice that of 1907.

Farm hands in Oklahoma were paid a monthly wage of \$60.60 in 1919. This, according to the Government statistics, is \$4.31 more than the average of the United States. It is more than is paid in the Corn Belt States and exceeds their average by \$5.88. It is more than is paid in any other of the 16 States that comprise the South Atlantic and the South Central groups, and is \$15.35, or 35 per cent more than the average wages paid in these States. Only seven States in the United States paid higher harvest wages than Oklahoma.

The question naturally arises, What has brought this about? To those who know the State intimately the record is not at all surprising. Oklahoma is over 400 miles long from east to west, extending from the foothills of the Rockies in Colorado to the Ozark Mountains of Arkansas. Its elevation slopes from 4,000 to 400 feet. It has many kinds of soils and the precipitation varies from 55 inches on the eastern border to 20 inches on the western border. It overlaps the grain and live-stock regions of the North and the cotton regions of the South. It is the meeting place and overlapping grounds of all crops, all conditions, all peoples. From each region have come pioneer men and women to seek homes in a new and growing country. Naturally time is required to succeed in farming where conditions are strange. Progress for some years is necessarily slow. Yet the interchanging of ideas as naturally results from such a condition is very beneficial, and under the stimulus of war production and high prices Oklahoma farmers exerted themselves to unusual efforts. Often one or more of the great variety of crops is a partial failure. It so happened that in 1919 every one of the many different field, orchard, or garden crops of the State produced a fair yield. Thus Oklahoma had the combination of an unusual incentive for every farmer to produce the greatest possible yield, with a season favorable to every crop grown in the State and high prices were obtained for everything.

While such a combination of favorable conditions can not be expected as a regular thing, yet it shows the latest possibilities for financial success in farming Oklahoma soil. Development in the future is very apt to continue even more rapidly than in the past.

A brief summary discloses the following facts:

Oklahoma crops for the year 1919 were worth \$547,758,000.

Value of Oklahoma live stock for 1919 was \$214,181,000.

Oklahoma now ranks tenth among the States in the value of all crops.

The average income of the 200,000 families on Oklahoma's farms for 1919 exceeded \$3,600.

Last year's acre value of Oklahoma's 12 leading field crops exceeded the estimated acre price of its average plow land.

Last year's acre value of Oklahoma's 12 leading field crops exceeded the average of the United States for the same crops.

For each of nine leading field crops the acre income for Oklahoma last year exceeded the average of the United States for the same crops.

Oklahoma received more dollars per acre from each of nine leading field crops for 1919 than was received by the various States that lead in total production of these crops.

The crop value in 1919 was nearly four times the crop value in statehood year, 1907.

The live-stock value was nearly twice the live-stock value in statehood year, 1907.

Our farmers paid for farm help one-third more per month than the average paid in the 16 States comprising the South Atlantic and the South Central groups.

Half the farms are under oil lease, and from these leases last year landowners received \$52,000,000.

Oklahoma landowners received last year from crops, royalties, and live stock the total sum of \$840,939,000.

Mr. Speaker, this is only a brief and hurried outline of the developments of Oklahoma. Oklahoma has taken her place as one of the great States of the Union; her hills and valleys are dotted with schools and churches, where the children of these sturdy pioneers are being educated and where we worship God according to the dictates of our own beliefs. Her citizens are comprised of the very best blood from the East, from the West, from the North, and from the South, and to others who desire to make Oklahoma their home they extend a friendly and welcoming hand. [Applause.] They are not jealous of their blessings and prosperity, and those who journey there will find a wide field before them, where their efforts will be crowned with success if they but persevere. For does not the very name "Oklahoma" assure to them contentment and prosperity—Oklahoma, the land of "happy homes"? [Applause.]

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL—
CONFERENCE REPORT.

Mr. WOOD of Indiana. Mr. Speaker, I call up conference report on the bill H. R. 12610, the legislative, executive, and judicial appropriation bill.

The Clerk read the conference report, as follows:

The committee of conference on the disagreeing votes of the two Houses on a certain amendment of the Senate to 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, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

Amendment numbered 53: That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment 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 them. 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 whenever directed by either House of Congress or requested by the heads of such services 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 or subcommittee thereof of either House having jurisdiction over appropriations and expenditures. Administrative 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."

And the Senate agree to the same.

WM. R. WOOD,
EDWARD H. WASON,
T. U. SISSON.

Managers on the part of the House.

F. E. WARREN,
REED SMOOT,
LEE S. OVERMAN,

Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on Senate amendment No. 53 to 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, submit the following written statement in explanation of the effect of the action agreed upon by the conferees as to the said amendment:

On No. 53: Inserts the paragraph, proposed by the Senate, transferring the Bureau of Efficiency from the executive branch of the Government to the jurisdiction of Congress and modifies the Senate amendment in the following manner: Provides that the chief of the bureau may be removed from office by joint action of the President of the Senate and the Speaker of the House instead of by concurrent resolution; limits the investigations of the bureau relating to the organization, activities, or methods of business of the administrative services of the Government to those which may be directed by either House of Congress or those which may be requested by the heads of such administrative services; limits the special investigations and reports which may be required by either House or any committee thereof to those requested by committees having jurisdiction over appropriations or expenditures and extends the authority for requesting such investigations to any subcommittee of either House having jurisdiction of appropriations and expenditures.

WM. R. WOOD,
E. H. WASON,
T. U. SISSON,

Managers on the part of the House.

Mr. WOOD of Indiana. Mr. Speaker, on behalf of the conferees, I desire to make a brief statement with reference to our action. It is not the purpose or desire of the conferees to do anything contrary to the wishes of this House. We were instructed to further disagree to the proposal in the legislative bill by way of a Senate amendment for the transfer of the Bureau of Efficiency to the jurisdiction of Congress. We did that, and as a result of a further disagreement an amendment was proposed. That amendment has been reported by the Clerk. It is in substance the amendment that was suggested by the War Department. We took away from that amendment the manner in which the Chief of the Bureau of Efficiency might be removed. The amendment provides that he may be appointed by the joint action of the Speaker of the House of Representatives and the President of the Senate. In its original form he could only be removed by a joint resolution. That we amended, and now it reads "may be removed by the same authority that made the appointment."

It also provides that the Bureau of Efficiency may be put in motion by any of the activities of the Government, by direct action of Congress through its instruction, through the request of any committee on appropriations or expenditures, or through the request of any subcommittee of the committees I have mentioned.

Mr. BLANTON. Will the gentleman yield right there?

Mr. WOOD of Indiana. Yes.

Mr. BLANTON. Is the gentleman aware of the fight which is now and has been going on for some time made upon the Chief of the Bureau of Efficiency by Mr. Luther C. Stewart and his affiliated organization of Government employees?

Mr. WOOD of Indiana. Yes; I know something about that fight, but I desire in this connection to say that the very opposition that is being offered to this proposal ought to be the best possible argument why it should be adopted. I think we ought to have a bureau of efficiency independent of the claims or demands of any clique or class, men who are bound to do their duty as they understand it under their oaths, owing obedience to no one save the Congress of the United States, who will be responsible for their creation and continuance in office.

Mr. BLANTON. The gentleman did not permit me to finish my statement. The chief of the Bureau of Efficiency to amount to anything, as I am sure the gentleman from Indiana will agree, will incur the hostility of various parties from time to time. That is true, is it not?

Mr. WOOD of Indiana. Absolutely true.

Mr. BLANTON. Beyond any question he will incur the hostility and the animosity of employees; and does the gentleman think it wise to leave it to just two people to remove him?

Mr. WOOD of Indiana. I do not think there would be any danger in lodging this authority in the Speaker of the House and the President of the Senate. I have sufficient confidence in the President of the Senate and the Speaker of the House at the present moment to think that they would not yield to any influence that would be detrimental to the good of the service, and I have enough confidence in those who will occupy those offices in the future to feel the same way in respect to them. The way in which this proposal came to us it would take very nearly the same machinery and the same trouble to remove this officer as it would to impeach a public officer.

Mr. BLANTON. The gentleman has no more confidence in the Speaker of this House and the President of the Senate than I have, yet the gentleman would not leave it to those two officials to remove the heads of bureaus or Cabinet officers without any other hearing than their own initiative.

Mr. WOOD of Indiana. I would say in answer to that that the Director of the Bureau of Efficiency would be an officer of the House and he would be responsive to the House, and I think the agreement of the conferees on that proposition is very good.

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

Mr. WOOD of Indiana. Yes.

Mr. HUDSPETH. I understand that this is left to the Speaker of the House and the President of the Senate. Does that mean the Vice President of the United States?

Mr. WOOD of Indiana. It means the Vice President, if there be a Vice President.

Mr. MILLER. Can the gentleman state how many employees there are now employed in this Bureau of Efficiency?

Mr. WOOD of Indiana. I do not know exactly how many there are. There are quite a number. The fact is that the force is not sufficient at the present moment to meet the demands. I happen to be in a position to know that there are demands from some of these departments at this time for this Bureau of Efficiency, and that they can not comply with those demands be-

cause they have not sufficient force at the present to do all they are called upon to do.

Mr. MILLER. Is the status of each of these employees now fixed under the civil service?

Mr. WOOD of Indiana. No. As I understand it, they are not fixed by the civil service.

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

Mr. WOOD of Indiana. Yes.

Mr. SISSON. In answer to the question, I would state that the employees of this department, aside from those men who actually do the work, the expert accountants, the employees used by this bureau are, many of them, in the departments which they are investigating. This is for the manifest purpose, first, of not having a permanent and unnecessary pay roll, and, second, because by working the employees in the departments they are able to impress upon them the forms and economies which they desire to have put in practice.

Mr. MILLER. We are taking on no new employees?

Mr. SISSON. No; no new employees, and no increase of salaries.

Mr. WOOD of Indiana. The amendment provides that the present employees shall be transferred to the jurisdiction of the Congress. I am informed, and I think I am not misstating the facts, that the vast majority of the membership of this House is in favor of this Bureau of Efficiency being responsive to the Congress, and that the Congress should have to do with putting it in motion and directing its course, so that the bureau may act as an independent agent. As has been suggested by the gentleman from Texas [Mr. BLANTON], the very activity of the Bureau of Efficiency incurs displeasure sometimes by reason of its going crosswise to the practices established in the various bureaus of the Government or with the ideas of those on the outside. We all know that there is necessity for efficiency; that there is room for very great improvement in every bureau in the city of Washington. The only objection I have heard offered, and I think the only tenable objection that may be made—and I can not see that that is well taken—is that if this Bureau of Efficiency is transferred to Congress, as is proposed, it will have a deterring effect on the possible passage of a budget system. As I stated the other day, I am heartily in favor of the establishment of a budget system. We all know how much it is needed. I do contend, however, that the establishment of this Bureau of Efficiency will in no-wise interfere with the establishment of the budget system. It will all the more demonstrate the necessity of the budget system.

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

Mr. WOOD of Indiana. Yes.

Mr. HUSTED. Will the gentleman state the scope of the activities of this Bureau of Efficiency?

Mr. WOOD of Indiana. It was meant under its creation that this Bureau of Efficiency should be what it is called—a Bureau of Efficiency—and that they might go into these different departments at the solicitation of the heads of the bureaus and of the departments and assist them in getting greater efficiency, not only as to method but as to execution.

Mr. HUSTED. Where did the employees of this bureau get the training and experience that would enable them to go into the departments here and straighten them out?

Mr. WOOD of Indiana. They are selected by reason of their peculiar fitness for that character of work. This Bureau of Efficiency has been in existence in some form or other, as I understand it, since 1913, and they have in their employ now some very efficient men. They have done some very, very valuable service, which all will admit who know anything about the scope of their work, but the bureau is so handicapped by reason of obstacles thrown in its way that its work has been very much obstructed. We all know that our system of doing business here is archaic, that there is not a business establishment in the Nation that could last any time if it employed the same methods for the conduct of its business that are employed in the District of Columbia, but this course has been followed here so long, and they have become so used to it, that any suggested change or advice toward a change is bitterly resented by some of the departments. There are many exceptions to this, however. The Post Office Department is the best business department in the city of Washington to-day [applause], and it was made so by reason of Postmaster General Burleson inviting this Bureau of Efficiency into that department and having it make a complete revolution and renovation. Likewise, in the Treasury Department great reforms have been brought about by reason of the activity of this bureau, with the cooperation of the Secretary of the Treasury. They are now working there, and I am gratified to say to you that by reason of the establish-

ment of modern methods in the dispatch and conduct of the business of that department, since the close of the war, through this Bureau of Efficiency, in one division alone they have been able to reduce their clerical force by more than 500. If the same cooperation was had in all of these other branches of the Government, there might be no need of this proposition.

But unfortunately outside of the Government activity there is an activity that is bent on destroying efficiency, that has no sympathy whatever with the introduction of efficiency in any of these departments. They would like to destroy, if you please, not only the man who is at the head of the present Bureau of Efficiency, but they would like to destroy the entire system itself, preferring that all engaged in Government work serve the smallest period of time and get the greatest amount of return for it. Now, as I was stating a while ago, the only opposition we have heard to this proposal in this House is that it will have a bad effect upon the possibility of the passage of the so-called budget system. I am willing to agree, if the gentlemen who are friendly to the budget system will agree, that in the event that this proposal is adopted and a budget system is enacted into law during the present Congress or at any other Congress, embodying, if you please, the same machinery or in substance the same that will do the work—that is all we are after, the result—that there will be no objection made from any quarter to a clause repealing this law. Now, it strikes me that is a fair proposition, and I think that it would be proper for the reason that we do not want duplication of effort even in the efficiency business. We have duplication of effort in all these departments and we are trying to get rid of it through the instrumentality of this Bureau of Efficiency; so in the event a budget system is adopted, and I hope it will be before this Congress ends or even before we recess, there could be very easily inserted in that measure a clause repealing this law, and in the event that by reason of some unfortunate circumstance the passage of the budget system be delayed until the next session of Congress, why this activity can go on, and there is necessity for its going on every hour, for by reason of its not being permitted to operate fully there are thousands and millions of dollars of the taxpayers' money that is being needlessly and uselessly wasted. Now, I have said all I desire to say. I have brought to you all the information that your committee has on this subject with the recommendation that this report be adopted for the reasons I have tried to offer.

Mr. MONDELL. Mr. Speaker—

The SPEAKER. Does the gentleman from Indiana yield?

Mr. WOOD of Indiana. I yield. I yield 10 minutes to the gentleman from Wyoming.

The SPEAKER. The gentleman from Wyoming is recognized for 10 minutes.

Mr. MONDELL. Mr. Speaker, I very much regret to be compelled to oppose the conference report, but I do not believe that this conference report should be adopted, and for many very excellent reasons. The gentlemen will remember that when this committee brought in their conference report providing for an agreement on all of the items in controversy save this one their report was adopted and with regard to this particular item the House unanimously advised the conferees to disagree to the Senate amendment. The conferees have seen fit to agree to the Senate amendment somewhat modified. I do not desire to criticize the conferees for that action. They have, I am sure, exercised their best judgment by doing what in their opinion should be done. I am sorry I can not agree with them. Gentlemen may not believe that the fate of the budget and the budget system depends on our action relative to this matter, but I am firmly convinced that while the adoption of this amendment will not necessarily and of itself prevent the adoption of wise and proper budget legislation, I very greatly fear that the adoption of this amendment in any form will place a serious obstacle in the way of thoroughgoing budget legislation. Whether that was the intent of anyone interested in the matter I do not know, and I do not pretend to say, but that, in my opinion, will be its effect. It strikes me that at a time when the entire matter of the budget is still under consideration by the Congress and still in an unfinished state it is not logical that we shall adopt as an amendment on an appropriation bill partial legislation on that subject. What is proposed to do here, what would be done under the Bureau of Efficiency if this legislation were adopted, would, of course, be done under a budget system, or should be, but if we make this provision at this time for these efficiency examinations it is an excuse for not adopting a budget system or that we adopt a budget system that is not complete, rounded out, full-fledged, and workable along all lines. It may be that the gentlemen of the conference are of the opinion that they were justified in accepting the Senate

amendment, notwithstanding the attitude of the House, with the changes and modifications that have been made.

In my opinion those changes have not helped the amendment, but have weakened it. If we are to have a thoroughgoing system of efficiency examinations under the control of the Congress in connection with a budget system, they should be provided for in connection with the budget law, and they should be broad and carry sufficient authority for all investigations proper to be made and necessary to be made.

Mr. WOOD of Indiana. Will the gentleman yield?

Mr. MONDELL. In just a moment. Now, the amendment as adopted will not render possible the regular continuous attention to the disbursements of the executive officers which there should be, and under the amendment as it has been modified these examinations could only be made when ordered by committees or subcommittees. They would have to do only with certain transactions of the departments. They would not give us those general, all-embracing, thoroughgoing examinations as to the character of expenditures that we should have. I yield to the gentleman.

Mr. WOOD of Indiana. I think if the gentleman will study the amendment we have made and the original proposal he will find that there is not any activity but what may be investigated, and that the functions of the Bureau of Efficiency when put in motion are so comprehensive that not only Congress but every committee and subcommittee, either on expenditures or appropriations, as well as the heads of all these various activities, can have those matters investigated.

Mr. MONDELL. I am sure the gentleman desires to have full investigation, but I do not believe the amendment as it is now before us would accomplish that result. It is not so satisfactory as the amendment which the House agreed unanimously to reject. I have been one of those who believe that one of the most important features of the budget system is the independent audit and the examination of expenditures by authority of Congress which would be carried on in connection with an independent audit. I think that is a more important feature of the budget system than the submitting of estimates by the Executive because if the Congress is at all times armed and fortified with information secured by its agents relative to the activities of the various bureaus and departments we then can meet all the arguments, meet all of the suggestions put forward by the departments, with arguments and suggestions coming from our own agents who are as fully informed or even better informed than the representatives of the departments who appear before the appropriating committees.

There is nothing we need so badly as to have at the elbow of the chairmen of appropriation committees men thoroughly informed with regard to the transactions, the activities, and expenditures of the departments, and that information can only be secured in connection with an independent audit and an efficiency system that will be part of it. And all of that should be and will be provided for in the budget. Now it is proposed, before the Senate has passed the budget bill, long before it has gone to conference, while it is still in a formative state, to adopt as a part of an appropriation bill, contrary to the usual rule, a provision that has to do with the general budget scheme. It is not wise. It is not sound legislation, and it is not safe. If we are really devoted to the adoption of a thoroughgoing budget system, the only way to meet the situation is, I regret to say, to vote down the conference report.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MONDELL. May I have two minutes more?

Mr. WOOD of Indiana. I yield two minutes more to the gentleman.

Mr. MONDELL. And if that is done, my purpose, if no one else does it, is to again make the motion to nonconcur in the Senate amendment. I realize the embarrassment of our conferees. They meet with Senate conferees who are very earnest about this matter, who may have some pride of authorship, who may be more insistent upon the legislation than they would otherwise be because they have been somewhat criticized here and elsewhere with regard to it. I have no doubt but that our conferees met with stern insistence upon the part of the gentlemen they conferred with in regard to this provision; and it was probably, as they saw it, rather essential in the maintenance of a proper spirit of compromise between the two bodies to agree temporarily and for the time being to this amendment as modified. It should not embarrass them if the House still adheres to the view it has once expressed. It may make it easier for gentlemen elsewhere to now agree to the view which the House has taken, a view which the House under legislative practice has the right to insist upon—the rule that the body

that proposes legislation on an appropriation bill must give way if the other House is insistent.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. WOOD of Indiana. Mr. Speaker, I yield to the gentleman from Iowa [Mr. Good] if he desires some time.

Mr. GOOD. I am opposed to the conference report, but if there is no argument advanced more than has been advanced, I do not care for time. If there is additional argument, I shall be glad to use some time.

Mr. SISSON. Mr. Speaker, I have no choice as to when I shall speak. I imagine the membership of the House will not be carried away like a jury, with the last speech.

Mr. GOOD. I will say to the gentleman I was not present and did not hear all of the statement of the gentleman from Indiana [Mr. Wood], and in order to answer all the argument I would like to know what the argument is in regard to it.

Mr. SISSON. Having agreed to this conference report, I agree with the gentleman from Indiana that we would be entitled technically to close the argument.

Mr. WOOD of Indiana. How much time does the gentleman want?

Mr. SISSON. Five or ten minutes.

Mr. WOOD of Indiana. I yield 10 minutes to the gentleman from Mississippi.

Mr. SISSON. Mr. Speaker, your conference committee brought this item back to the House, and at the time it was brought back to the House it did not suit the conferees of the House. But we amended it, as the gentleman from Indiana [Mr. Wood] told you, so that this Bureau of Efficiency comes absolutely under the control of the Houses of Congress. I see no objection to that method of selection. Arguments have been made from various sources as to the activity of this bureau. Your committee agreed to these amendments, that this bureau should function when requested by either branch of Congress, by any committee of Congress, or any subcommittee of Congress having jurisdiction of the matter. The departments desired also that they may use this Bureau of Efficiency, and they asked that the amendment contain the language "and when requested by the head of a department," showing that the heads of the departments realize the good that this bureau has been doing.

I know there has been a good deal of criticism of this bureau. And let me tell my Democratic friends as well as my Republican friends if there was not some severe criticism of this Bureau of Efficiency I would be everlastingly against it. If this Bureau of Efficiency is efficient, if this Bureau of Efficiency is down in a department where the bureau chief and the chief clerk are not conducting the business of the bureau efficiently and this Bureau of Efficiency criticizes them and bring their report back to Congress, you naturally make the bureau chief and chief clerk angry with you. And I want to say that while the Bureau of Efficiency has not worked any miracles, those of you who have been on the legislative committee, those of you who have had to deal with these departments must admit, if you are fair, that they have done a great deal of good. Even the chairman of the committee will not say that they have not accomplished a great deal of good. But let me appeal to this House now, to the Agricultural Committee, the Military Affairs Committee, the Naval Affairs Committee, any of you gentlemen that have to make up these appropriation bills, are you not confined absolutely to such estimates as the department send up to you? You may send for certain gentlemen and they come before you, but you get only such information as those men holding these positions want to give you. Now, the subcommittee of which I am a member has to deal with more departments, has to deal with more bureau chiefs, with more clerks than all other committees of the House, and I know of the need of having some information other than that which comes directly from the bureau itself.

If I want to know how many clerks they need in The Adjutant General's office, I would like to have some expert investigation of that department. I would want that expert information obtainable at any time I needed it. Then when I sent for clerks or bureau chiefs in The Adjutant General's office I would want to be able to ask any one of them why he does not do the business in this particular way and save the services of so many clerks.

Let me give you a sample illustration of how a vast amount of money already could have been saved. It looks so simple that we wonder that anybody else had not thought of it. The Adjutant General was called upon to make a record of every soldier of the late war in the United States Army. As I said the other day, Gen. Harris is an accomplished officer, and all the members of this committee are his friends. We also required by law

that he should make a complete record of the soldiers for the States. He put a lot of clerks to work on that record. This Bureau of Efficiency simply suggested to him, "Why have you not a machine to make both cards at the same time by using a carbon process?"

But by doing that, except for a little lost motion in putting in your carbons, you could save nearly 50 per cent on clerk hire alone. I might go into details to show many of the suggestions of this bureau that saved money, but I will refrain on this occasion for lack of sufficient time. I believe in efficiency. If you believe that Congress has the right to have accurate information, so that it can intelligently control these matters; if you believe that the Congress should have the information so that it can direct these activities, you will not deny that Mr. Taft did a good thing when he organized this Bureau of Efficiency, even though it has not done all that was expected. If that has proven advantageous heretofore, you will realize that it will be worth infinitely more if you have Congress to directly control the activities of these men. Your conference committee having agreed to this, we feel that we have done our duty by the House, because the Senate yielded to us on these matters where objections had been made.

The distinguished gentleman from Wyoming [Mr. MONDELL], the leader of the majority in this House, said in so many words that Congress needed this information. Where is he going to get it? Oh, he intimates we will get it from the bureau that is to be established in connection with this new budget system. In the first place, you do not know whether you are going to have a new budget system established or not; if you do not get the budget system, you certainly need this. Your conferees are assured that the Senate conferees favor the budget system. They so said; and they said, in order to meet the objections of the House, that they themselves would personally do everything they could in the Senate to put this arm of the service into the budget bill, so that there could be no conflict and no duplication.

Mr. GARNER. Mr. Speaker, will the gentleman yield for a question?

Mr. SISSON. Yes.

Mr. GARNER. The gentleman has probably investigated the work of the budget as it is outlined in the bill which passed the House and is familiar with it?

Mr. SISSON. Yes.

Mr. GARNER. That has a budget bureau in it?

Mr. SISSON. Yes.

Mr. GARNER. Would you put two in that?

Mr. SISSON. No; I certainly would not. But you do not know just in what shape your budget is going to be in. You know what budget the House has agreed to now, and if we get this now and the budget bill passes at this session of Congress, in the name of God will it not be easy to put this item in that bill? Then you will have done no harm. If you do not get your budget bill you are just where you started.

Now, I do know personally the great need for this sort of an item under our control and direction, and if you do not have it you can not get the information that you need. I would like to have the head of this bureau, as soon as this session of Congress adjourns, with the direction of the chairman of the subcommittee, to go and make an investigation of several of these departments, and I would like for the chairman of the committee, with the sanction of the subcommittee, to give him the order to do it, and have the head of the bureau come back to the committee in December and report, so that we might know what they needed and what work they are doing; and then if we had that information, if there is a great difference of opinion, we can do as we did with Gen. Harris, when we had Gen. Harris and his corps come and sit on one side and the Bureau of Efficiency sit on the other side of a table and let the matter be tried out before the committee. No harm can come from that. Only great good can come from it. I entertain no fears of it, because I believe that the Senators were telling the truth when they told us that we could inform the House that nothing was further from their intention than in any way to endanger or embarrass the budget legislation, and that is the only reason that anybody has assigned here as to why this provision should not become law.

Mr. MOORE of Virginia. Mr. Speaker, will the gentleman yield?

Mr. SISSON. Yes.

Mr. MOORE of Virginia. Assuming that the budget legislation is in the right direction, and assuming that the Bureau of Efficiency functions in the right direction, does not the gentleman concur in the view that we ought to widen out the work and correct the defects in departmental conditions that everybody admits exist?

Mr. SISSON. Yes. I agree with the gentleman; and in doing that, Congress can have some accurate information developed, so that when we do legislate we can legislate wisely and efficiently.

Mr. MOORE of Virginia. Another question. The gentleman will remember that last February that view was expressed on both sides of the House?

Mr. SISSON. Yes.

Mr. MOORE of Virginia. And the statement was made that a resolution would be brought in to provide for a survey of departmental conditions and such action as might be thought necessary. A resolution was introduced, but nothing has happened, although we had the promise that the resolution would be definitely supported.

Mr. SISSON. I do not recollect the details of it, but we did have a promise that a review of all the departments would be made with a view to bringing about more economy.

Mr. SMITH of Idaho. Mr. Speaker, will the gentleman yield?

Mr. SISSON. Yes.

Mr. SMITH of Idaho. To what bureau or Government establishment does this Bureau of Efficiency now make report as to the conduct of a department?

Mr. SISSON. They make a statement now, say, for the Treasury Department, in case they take up an investigation there. Suppose an investigation is made of the Treasurer's office. They make their report and recommendations to the Treasurer, who adopts it or not, as he sees proper. If Congress asked them to make an investigation of any department, they would make the investigation and report to us. So that I think the conferees have acted wisely in agreeing to the amendment. I hope the House will not vote down this whole conference report.

Mr. WOOD of Indiana. Mr. Speaker, how much time have I remaining?

The SPEAKER. The gentleman has five minutes remaining.

Mr. WOOD of Indiana. Mr. Chairman, I yield five minutes to the gentleman from Tennessee [Mr. BYRNS].

The SPEAKER. The gentleman from Tennessee is recognized for five minutes.

Mr. BYRNS of Tennessee. Mr. Speaker, I had occasion a few days ago, when this amendment was before the House, to express my opinion in regard to it. I do not want to do anything more on this occasion than to emphasize what I had to say then. I regret very much, entertaining the views that I do and which I expressed on that occasion, that I can not support this conference report. I regret it because I hold the gentlemen who represented the House in the conference in high personal esteem, and I know that those gentlemen would not have reported it had they not felt that it was to the interest of the public service. But, Mr. Speaker, as I view this amendment, it threatens to interfere with the passage of the budget legislation, and for that reason I am opposed to it. There is no doubt in my mind but that if this amendment is adopted those who are opposed to budget legislation will use it as one of the arguments why a fully rounded budget measure should not be enacted, as was sought to be done in the bill which passed the House. We can not have complete and proper budget legislation unless Congress has the control of its expenditures, and that is what the bill which passed the House last October sought to do.

Mr. BLANTON. Mr. Speaker, will the gentleman yield for a question for information?

Mr. BYRNS of Tennessee. In a moment. Now, let me read to you just what was carried in that bill. It provided for a comptroller general, to be appointed by the President, by and with the advice and consent of the Senate, and that he should not be removed except by a vote of both Houses of Congress.

It provided, among other things—

That the comptroller general shall investigate, at the seat of government or elsewhere, all matters relating to the receipt and disbursement of public funds, and shall make to Congress, at the beginning of each regular session, a report in writing of the work of the accounting department, containing recommendations concerning the legislation he may deem necessary to facilitate the prompt and accurate rendition and settlement of accounts and concerning such other matters relating to the receipt and disbursement of public funds as he may think advisable. In such regular report, or in special reports at any time when Congress is in session, he shall make recommendations looking to greater economy or efficiency in public expenditures. He shall make such investigations and reports as shall be ordered by either House of Congress or by any committee of either House having jurisdiction over revenue, appropriations, or expenditures. The comptroller general shall also, at the request of any such committee, direct assistants from his office to furnish the committee such aid and information as the committee may request. The comptroller general shall specially report to the Congress every expenditure or contract made by any head of a department in any year in excess of the appropriation to such department and in violation of law.

Now, that bill went to the Senate last October, and very recently the Senate committee having jurisdiction over it has

submitted a report recommending a different bill; but if you will examine it on page 31, section 27, you will find practically the same provision. So that we may be certain that if budget legislation passes at this session it will contain some such provision as I have read; and I submit, gentlemen, that this amendment relating to the Bureau of Efficiency covers substantially the same thing. Now, certainly if we are interested in a budget system, one of whose principal features is to cut out duplications in the service, we do not want to put ourselves in the attitude here at this moment of providing for duplication by enacting a law providing that the Bureau of Efficiency shall do something that the budget bill will require another agency to perform. I do not question the value of the work being performed by the Bureau of Efficiency. I would be glad to see it made a part of the organization created under the budget bill. But this amendment is legislation on an appropriation bill. It should be considered in connection with the budget legislation now pending in the Senate. For that reason I hope that this report will not be adopted.

Mr. WOOD of Indiana. I yield 10 minutes to the gentleman from Iowa.

Mr. GOOD. I do not think I want more than five minutes.

The SPEAKER. The gentleman from Iowa [Mr. Good] is recognized for five minutes.

Mr. GOOD. Mr. Speaker, it must be remembered that the conference report has been adopted. The only thing in dispute is this one item. The conferees were not able to agree to eliminate it in accordance with the expressed wish of the House.

I have a great deal of sympathy with House conferees on appropriation bills, and I do not want what I have to say to be considered in any way as a reflection upon the splendid work that the House conferees have done with regard to the legislative bill.

The gentleman from Mississippi [Mr. Sisson] speaks of the need of efficiency bureaus and an efficiency arm of the Government. I agree with him. I agree that the Bureau of Efficiency has done a great deal of good work. There is need for a bureau of efficiency that can be more independent than the present bureau can be without fear of removal. What the gentleman from Tennessee [Mr. BYRNS] has just said is the thing that is in my mind regarding efficiency. We rightly criticize the departments for duplication in the Government service. We have had pointed out to us numerous instances of such duplication. There is a public health service in almost every one of the executive departments. These duplications abound in the departments, and we are demanding that they be eliminated; and it was because of the demand in the Congress and in the country that there shall be an elimination of all the duplications that we have put the budget bill through the House. That budget bill provides for an efficiency bureau in the office of the comptroller general. We criticize the executive departments for duplication, and now by the proposed legislation here we seek to set up a duplication right in the Congress itself.

Mr. SISSON. Will my friend yield?

Mr. GOOD. Yes; I yield.

Mr. SISSON. I stated that the Senate conferees assured the House conferees that if that bill should become a law they would immediately repeal this provision in this bill.

Mr. GOOD. And in that connection let me remind the gentleman, who has been on a number of conferences, that when we go to the Senate on a conference and ask for a provision that changes existing law, the Senate conferees will never agree to it. Six months ago to-morrow we passed through the House a bill for a budget, and this amendment is the only action taken by the Senate of the United States on that subject except to appoint a committee which has only a few days ago made a report. You say you will not have budgetary legislation. If the demand of this House is, as I believe it is, for budgetary legislation at this session of Congress, you will have an opportunity to adopt the budget bill again as a part of the sundry civil appropriation bill, and there will be no appropriation bill without budgetary legislation. But let us not duplicate the service right here in the House. There is too much of that in the executive departments. Let us keep our skirts clear; and I will say to the gentleman from Indiana [Mr. Wood] and to the gentleman from Mississippi [Mr. Sisson] that I am willing to go far enough to have the Bureau of Efficiency transferred over entirely, as a bureau in the office of the comptroller general of the United States. The bill itself provides for an efficiency arm of the Congress, and I think goes far enough, but I have no objection to a transfer. It should have it. I shall work with the gentleman from Indiana [Mr. Wood] and the gentleman from Mississippi [Mr. Sisson] to bring that about, but let us not lay at our doors the same criticism that we and the public have laid at the doors of the executive departments.

To vote down this conference report does not mean to defeat the conference report with regard to the appropriations. That has been adopted. The only thing now is whether the House, standing by its guns, will refuse to let three Senators of the United States dictate to the House what kind of budgetary legislation we shall have. [Applause.] I am not in favor of it.

Mr. WOOD of Indiana. I move the previous question on the adoption of the conference report.

The SPEAKER. The gentleman from Indiana moves the previous question on the adoption of the conference report.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The question being taken, the conference report was rejected.

Mr. GOOD. Mr. Speaker, I move that the House still further insist on its disagreement to Senate amendment numbered 53.

The SPEAKER. The gentleman from Iowa moves that the House still further insist on its disagreement to Senate amendment 53.

The motion was agreed to.

The SPEAKER. Does the gentleman from Indiana [Mr. Wood] ask for a further conference?

Mr. WOOD of Indiana. Yes.

The SPEAKER. The gentleman from Indiana moves that the House ask for a further conference with the Senate.

The question was taken, and the Speaker announced that the ayes appeared to have it.

Mr. WALSH. I ask for a division, Mr. Speaker.

The House divided; and there were 46 ayes and 1 no.

So the motion was agreed to.

Mr. GOOD. Mr. Speaker, I move that the House further disagree to the entire language found in Senate amendment 53 or to any substitute that provides for the Bureau of Efficiency.

The SPEAKER. The gentleman from Iowa moves that the House be instructed to disagree to the entire language of Senate amendment 53 or to any language that provides for a Bureau of Efficiency.

Mr. WALSH. I reserve a point of order.

Mr. SISSON. Mr. Speaker, I really do not see any further object of a conference. This bill went back to conference and the conferees have done the very best they could with the Senate conferees who insisted on this amendment. We made an effort to eliminate these differences which have been argued on the floor. The House having voted the conference report down on account of this one item, there is not much necessity for any further conference. If the gentleman proposes to take it out of conference, there is one thing that he can do, and that is to make a motion to adhere. If the House has made up its mind to adhere, and if he makes the motion and the bill goes back to the Senate, they can let the bill fail.

Mr. GOOD. We have not reached that parliamentary stage of procedure when a motion to adhere is in order. The bill went back on a motion to insist. The next act is for the House to further insist, and after that action has been taken then the motion to adhere is in order.

Mr. SISSON. I do not agree with the gentleman that that is absolutely the rule. As a matter of courtesy it might be as the gentleman suggests, but the House would have a right to move to adhere in the first place.

Mr. BYRNS of Tennessee. Mr. Chairman, this is a question of legislation pure and simple. There has never been a conference, so far as I know, in which there was a disagreement on matters of legislation on an appropriation bill between the two Houses that the House proposing the legislation did not and was not compelled under the rule to yield to the other House. So I do not believe that the gentleman will have much trouble when we get back into conference.

Mr. GOOD. Mr. Speaker, on inquiry I think there will be no question but that the conferees will be able to bring back an agreement, and I therefore withdraw my motion.

The SPEAKER appointed as conferees on the part of the House Mr. Wood of Indiana, Mr. WASON, and Mr. SISSON.

ARMY REORGANIZATION BILL.

Mr. KAHN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 12775, the Army reorganization bill, disagree to the Senate amendment, and agree to the conference asked for by the Senate.

The SPEAKER. The gentleman from California asks unanimous consent to take from the Speaker's table the Army reorganization bill, disagree to the Senate amendment, and agree to the conference asked for by the Senate. Is there objection?

Mr. WALSH. Reserving the right to object, has the bill been printed with the Senate amendment?

Mr. KAHN. I am so informed. There is but one Senate amendment.

Mr. WALSH. And that is an amendment striking out all after the enacting clause. Has it been printed in that form?

Mr. KAHN. It has been printed.

Mr. WALSH. I would like to ask the gentleman if he knows whether or not a part of that Senate amendment consists of a provision that aliens who have been in the country one year may upon taking four months' training become eligible for immediate naturalization?

Mr. KAHN. I am informed that there is some such provision in the bill. I want to say to the gentleman that there is also a similar bill pending on the House Calendar reported from the Committee on Military Affairs.

Mr. WALSH. Does the gentleman think that this is similar language to that bill?

Mr. KAHN. I have not been able to compare the two.

Mr. BEE. Will the gentleman yield?

Mr. KAHN. If I have the floor.

Mr. BEE. Has the Army reorganization bill attached to it a bill for the revision of the court-martial proceedings proposed by Senator CHAMBERLAIN?

Mr. KAHN. I am informed that that is attached to the bill. Mr. BEE. That is in the reorganization bill that we are asked to send to the conference?

Mr. KAHN. Yes.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER appointed as conferees on the part of the House Mr. KAHN, Mr. ANTHONY, Mr. MCKENZIE, Mr. DENT, and Mr. FIELDS.

Mr. GARRETT. May I ask the gentleman from California if a conference on this bill was requested by the Senate?

Mr. KAHN. Yes.

Mr. GARRETT. So it will come back to the House first?

Mr. KAHN. Yes.

EXTENSION OF REMARKS.

Mr. KAHN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting a letter I have received from The Adjutant General upon the question of the military rolls, which was considered when we had the Army appropriation bill before the House; also, a letter from the Acting Chief of Engineers regarding the clerks required by the respective bureaus, which clerks and employees were provided for in the Army appropriation bill.

Mr. CLARK of Missouri. Are you adding new clerks?

Mr. KAHN. No; I will say to the gentleman from Missouri that the gentleman from Indiana made a point of order on some language that was in the bill, which point of order was sustained, and these officers want to explain why they went to the Military Committee for this appropriation.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The letters referred to follow:

WAR DEPARTMENT,
THE ADJUTANT GENERAL'S OFFICE,
Washington, April 21, 1920.

Hon. JULIUS KAHN,
Chairman Committee on Military Affairs,
House of Representatives.

MY DEAR MR. KAHN: My attention has been called to the statement made on the floor of the House and printed in the CONGRESSIONAL RECORD of the 14th and 15th instant, pages 5676-5679 and 5688-5691, to the effect that I had requested the Committee on Military Affairs to appropriate or reappropriate money for work in The Adjutant General's office that was covered by the legislative, executive, and judicial bill now in conference. It was asserted that if the provision reported by the Committee on Military Affairs becomes a law, The Adjutant General's office would have for the fiscal year ending June 30, 1921, about \$600,000 more than The Adjutant General stated he would require in his hearing on the legislative, executive, and judicial appropriation bill. There was a clear intimation, if not a direct accusation, that The Adjutant General had intentionally deceived the Committee on Military Affairs or the Appropriations Committee, or both.

The following is an extract from my statement before the subcommittee of the Appropriations Committee which is printed on pages 1751-1752 of the hearing on the legislative, executive, and judicial bill:

"The work of The Adjutant General's office may be divided into three broad classes—that connected with the existing Military Establishment, that connected with the demobilized Army, and that connected with the selective-service records and the furnishing of statements of service to adjutant generals of States. The work will be discussed on these lines:

CLASS A. EXISTING MILITARY ESTABLISHMENT.

"At the present time there are, in round numbers, 1,100 clerks in The Adjutant General's office engaged upon work connected with the present Military Establishment. This number will, it is hoped, be reduced during the next month or so to about 1,000, or 417 in addition to the number (583) provided for on the statutory roll. A further reduction in this force for the remainder of the fiscal year or for the fiscal year 1921 can not be made without causing an arrearage of work that will seriously interfere with the administration of the Army."

"One thousand may therefore be taken as the minimum number of clerks required for the active Army during the next fiscal year. This is less than twice the number of clerks (583) in The Adjutant General's Department during the fiscal year 1917, when the strength of the Regular Army was approximately 100,000.

CLASS B. DEMOBILIZED ARMY WORK.

"There are at present about 1,290 clerks on the additional roll engaged on work connected with the demobilized army, and it is not believed that any force less than that now engaged upon the work of reporting to the War Risk Bureau, the Auditor for the War Department, the Director of Finance, to other Government agencies, and the public generally would be sufficient to properly perform that work.

"The work of that character is not likely to decrease, but, on the contrary, it will probably increase as legislative or other action affecting the former soldiers is taken.

CLASS C. SELECTIVE-SERVICE RECORDS AND FURNISHING OF STATEMENTS OF SERVICE TO ADJUTANT GENERALS OF STATES.

"There are at present about 1,500 clerks employed on work connected with the selective-service records and the furnishing of statements of service to the adjutant generals of the several States. These clerks are being paid from an appropriation of \$3,500,000 provided by the act of Congress approved July 11, 1919. This appropriation is sufficient to complete the work specifically provided for in that act and no additional appropriation will be asked for this work.

With reference to the appropriation that will be required for The Adjutant General's office during the fiscal year 1921, I stated (p. 1758) that the total appropriation for the additional roll necessary for The Adjutant General's office during the fiscal year ending June 30, 1921, is \$2,094,970, or \$355,301 less than the amount (\$2,450,271) necessary to properly conduct the pressing public business during the current year. The statutory roll estimate is the same for both years.

The sum needed for the additional roll was arrived at in the following manner:

CLASS A. EXISTING MILITARY ESTABLISHMENT.

417 clerks	-----	\$414,100
(This is in addition to the 583 clerks on the statutory roll.)		
CLASS B.—DEMOBILIZED ARMY—WORK CONNECTED WITH FURNISHING REPORTS TO THE WAR RISK BUREAU, AUDITOR FOR THE WAR DEPARTMENT, DIRECTOR OF FINANCE, AND OTHER CURRENT WORK CONNECTED WITH THE DEMOBILIZED ARMY.		
1,290 clerks	-----	\$1,572,000
119 subclerical employees at	-----	78,870
		2,094,970

This shows clearly that my estimate of \$2,094,970 did not include funds for work connected with the selective-service records and the furnishing of statements of service to the adjutant generals of the several States.

With reference to the preparation of statements of service for the adjutant generals of States, I stated (p. 1752):

"In order to complete this work before July 1, 1920, it will be necessary to increase our force by about 1,100 clerks. The chairman of your committee suggested at a hearing on January 2 that it would be far more economical and better in every way for Congress to make the unexpended balance of that appropriation available during the next fiscal year. I informed the Secretary of War of the suggestion and he heartily agreed with the chairman of the committee, and the Secretary directed me to confine my efforts in the future to increasing my force by the employment of only such clerks as may be released from other bureaus of the War Department or other departments in this city."

Having discontinued my efforts to complete the work during the fiscal year at the suggestion of the chairman of the Appropriation Committee, it did not occur to me that that committee would offer any objection to the reappropriation of the unexpended balance of the \$3,500,000 appropriated for this specific work and the work connected with the draft records. As to whether this reappropriation should be made by the Committee on Appropriations or the Committee on Military Affairs it would be presumptuous on the part of a layman to express an opinion. The original appropriation was carried in the Army appropriation act, and for that reason I made my request for the reappropriation of this money to the Committee on Military Affairs.

In the discussions on the floor of the House a member of the Appropriations Committee quoted the following from my statement before the subcommittee on the legislative, executive, and judicial bill:

"The estimates for the office were revised by a War Department board convened for the purpose of considering the financial needs of the various bureaus of the department. That board allotted to this office \$1,345,000 for the additional roll on the assumption that \$750,000 of the \$3,500,000 appropriated for the care and custody of the selective-service records and for the furnishing of statements of service to the adjutant generals of States would be made available for the payment of salaries of the additional roll during the fiscal year ending June 30, 1921. This sum will not be available for that purpose. But for this erroneous assumption it is presumed that the \$2,094,970 needed by the office would have been approved by the board, as the sum of \$1,345,000 tentatively allotted and the \$750,000 before referred to is \$2,094,970, the amount necessary to properly conduct the business of the office."

The purpose of that statement of mine was to show the committee why the estimate of the Secretary of War as to the needs of The Adjutant General's office for the next fiscal year was less than my own estimate. The War Department board referred to called upon me for a statement showing the amount that I would spend for the employment of clerks from the special appropriation, \$3,500,000. From my reply that I would require \$2,750,000 for that purpose the board erroneously assumed that there would be an unexpended balance of this appropriation of \$750,000. This \$750,000 was required for the payment of delayed claims from draft boards; employment of mechanics and laborers in the unpacking and setting up the filing cases; for the purchase of new filing cases and equipment; for the employment of engineers, firemen, watchmen, messengers, and other nonclerical help; and for repairs and alterations to the building containing the selective-service records.

The experience of the preceding year, and particularly the last three months, convinces me that the \$1,850,000 carried in the legislative, executive, and judicial appropriation bill for the use of this office will be insufficient to properly conduct the work connected with the existing Military Establishment (previously designed class A work) and the

work of reporting from the records of the demobilized Army (designated class B); and consequently there will be no money from this appropriation available for the care and custody of the selective-service records and the furnishing of statements of service to the adjutants general (designated class C work). Unless the unexpended balance of the \$3,500,000 is reappropriated and made available it will be impossible to complete the work last mentioned.

Trusting that this explanation will convince you that I did not deceive intentionally or unintentionally either the Committee on Military Affairs or the Committee on Appropriations, I am,

Very truly, yours,

P. C. HARRIS,
The Adjutant General.

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, April 20, 1920.

HON. JULIUS KAHN,

Chairman Committee on Military Affairs,
House of Representatives.

MY DEAR MR. KAHN: 1. It has been brought to my attention that the proviso carried in last year's Army appropriation act authorizing the use of field funds carried under the various military appropriations for the employment of skilled draftsmen, civil engineers, etc., in the office of the Chief of Engineers was stricken from the Army appropriation act as passed by the House on a point of order made by Mr. Wood.

2. Having noted the strong objections made to this action by yourself and Mr. ANTHONY, I wish to further substantiate your statements by correcting an impression Mr. Wood had that these employees were provided for elsewhere in the legislative, executive, and judicial bill. Mr. Wood also stated as follows:

"Mr. Wood of Indiana. Mr. Chairman, the point of order is that it is legislation on an appropriation bill, and it is providing for an appropriation to pay expenses of skilled draftsmen and civil engineers and other services in the office of the Chief of Engineers, which is for the defraying of clerical expenses in the District of Columbia, the office of the Chief of Engineers being in the District of Columbia."

In the first place, Mr. Wood was in error in stating that this proviso is new legislation, for it has been carried in Army appropriation bills heretofore. He is further in error in stating that it was in the nature of an appropriation of funds to pay expenses, for it is not in any sense an appropriation item, but merely an authorization to use field funds within the District of Columbia for the sole reason that the work to be done can only be done effectively within the District on account of the necessity of frequent conferences with the various heads of the Army bureaus on all matters of development work upon which these employees are engaged.

3. Mr. Wood further stated as follows:

"Mr. Wood of Indiana. Yes; and the legislative appropriation committee gave them a great amount of money for this same service. There is no question but that the point of order is well taken, because it is for clerical services."

Mr. Wood was in error in this statement in that no funds have been appropriated in the legislative, executive, and judicial act to take care of this work, although representation was made before the Appropriations Committee that this should be done.

4. A letter has been written by me to Senator WADSWORTH calling attention to these facts and requesting that this item be restored to the bill, and I would be much obliged if a similar statement be furnished by you to Mr. WADSWORTH as to the necessity of this action, for under the restriction placed upon the Chief of Engineers by the omission of this proviso it will be absolutely impossible for him to effectively carry out the development work essential for the Army's welfare.

Very respectfully,

H. TAYLOR,
Colonel, Corps of Engineers, Acting Chief of Engineers.

ALLOTMENT OF LANDS OF CROW INDIANS.

MR. RHODES. Mr. Speaker, a parliamentary inquiry.

THE SPEAKER. The gentleman will state it.

MR. RHODES. Mr. Speaker, in the absence of the chairman of the Committee on Indian Affairs, I was requested to take charge of the consideration of the bill S. 2890, and was informed that a special rule would be brought in under which to proceed. I am now advised that the rule will not be reported, but that by unanimous consent the bill is to be considered. Am I correct in that?

THE SPEAKER. It was agreed by unanimous consent that it should be in order to move to go into Committee of the Whole House on the state of the Union to consider that bill, and the gentleman is recognized for that purpose.

MR. RHODES. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration 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.

MR. WALSH. Mr. Speaker, pending that motion, what is the understanding with respect to the time for debate?

THE SPEAKER. By unanimous consent, 1 hour and 40 minutes was allowed for general debate. The question is on the motion of the gentleman from Missouri.

The question was taken; and on a division, demanded by Mr. BLANTON, there were—ayes 102, noes 0.

MR. BLANTON. Mr. Speaker, I make the point of order that there is no quorum present.

THE SPEAKER. The gentleman from Texas makes the point of order that there is no quorum present. Evidently there is no quorum present. The question is on the motion of the gentleman from Missouri that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill S. 2890. The Clerk will call the roll.

The Clerk called the roll; and there were—yeas 284, nays 0, answered "present" 2, not voting 141, as follows:

YEAS—284.

- | | | | |
|-----------------|------------------|-------------------|-----------------|
| Anderson | Foster | Layton | Reed, N. Y. |
| Andrews, Nebr. | Frear | Lea, Calif. | Rhodes |
| Anthony | French | Lee, Ga. | Ricketts |
| Ashbrook | Fuller, Ill. | Lehbach | Robison, Ky. |
| Aswell | Gallagher | Linthicum | Romjue |
| Ayres | Gallivan | Little | Rouse |
| Babka | Gandy | Loneragan | Rowe |
| Bacharach | Ganly | Luce | Rubey |
| Barbour | Gard | McAndrews | Rucker |
| Bee | Garland | McArthur | Sanders, Ind. |
| Begg | Garner | McClintic | Sanders, N. Y. |
| Black | Garrett | McDuffie | Sanford |
| Bland, Mo. | Good | McFadden | Scott |
| Bland, Va. | Goodall | McGlennon | Sells |
| Blanton | Goodykoontz | McKenzie | Siegel |
| Boies | Graham, Ill. | McKeown | Sims |
| Bowers | Green, Iowa | McKiniry | Sinclair |
| Bex | Greene, Mass. | McKinley | Sinnett |
| Briggs | Greene, Vt. | McLaughlin, Mich. | Sisson |
| Brooks, Ill. | Griest | McLaughlin, Nebr. | Slemp |
| Brooks, Pa. | Griffin | MacCrate | Small |
| Buchanan | Hadley | MacGregor | Smith, Idaho |
| Burdick | Hardy, Colo. | Magee | Steenerson |
| Burroughs | Hardy, Tex. | Maher | Stephens, Miss. |
| Butler | Harrell | Major | Stephens, Ohio |
| Byrnes, S. C. | Harrison | Mann, S. C. | Stevenson |
| Byrns, Tenn. | Hastings | Mansfield | Stiness |
| Caldwell | Hawley | Mapes | Strong, Kans. |
| Campbell, Kans. | Hayden | Martin | Summers, Wash. |
| Candler | Hays | Mays | Sumners, Tex. |
| Cannon | Hernandez | Mead | Sweet |
| Carss | Hersey | Merritt | Tague |
| Carter | Hersman | Michener | Taylor, Ark. |
| Casey | Hickey | Miller | Taylor, Colo. |
| Chindblom | Hoch | Milligan | Taylor, Tenn. |
| Christopherson | Holland | Minahan, N. J. | Thomas |
| Clark, Mo. | Houghton | Monahan, Wis. | Thompson |
| Clason | Howard | Mondell | Tillman |
| Cleary | Huddleston | Montague | Tilson |
| Coady | Hudspeth | Moon | Tincher |
| Connally | Hull, Iowa | Mooney | Tinkham |
| Copley | Hull, Tenn. | Moore, Ohio | Towner |
| Crago | Humphreys | Moore, Va. | Treadway |
| Crisp | Husted | Morgan | Upshaw |
| Crowther | Hutchinson | Mudd | Vestal |
| Cullen | Ireland | Neely | Vinson |
| Dale | Jacoway | Nelson, Wis. | Voigt |
| Dallinger | James | Nicholls, S. C. | Voistead |
| Darrow | Jefferis | O'Connor | Walsh |
| Davey | Johnson, Ky. | Ogden | Walters |
| Davis, Minn. | Johnson, Miss. | Oldfield | Watson |
| Davis, Tenn. | Johnson, S. Dak. | Oliver | Watkins |
| Dickinson, Mo. | Johnson, Wash. | Osborne | Watson |
| Dickinson, Iowa | Johnston, N. Y. | Padgett | Weaver |
| Donovan | Jones, Pa. | Park | Webster |
| Doughton | Jones, Tex. | Parrish | Welling |
| Dowell | Juul | Pell | Welty |
| Dunbar | Kahn | Peters | Wheeler |
| Dupré | Kearns | Platt | White, Kans. |
| Dyer | Keller | Pou | White, Me. |
| Echols | Kelley, Mich. | Purnell | Wilson, Ill. |
| Edmonds | Kendall | Quin | Wilson, La. |
| Emerson | Kincheloe | Radcliffe | Wingo |
| Evans, Mont. | Kinkaid | Rainey, Ala. | Wise |
| Evans, Nebr. | Klecza | Rainey, H. T. | Woods, Va. |
| Fairfield | Knutson | Rainey, J. W. | Woodyard |
| Ferris | Kraus | Raker | Wright |
| Fields | Lampert | Randall, Calif. | Yates |
| Fisher | Lanham | Randall, Wis. | Young, N. Dak. |
| Focht | Lankford | Rayburn | Young, Tex. |
| Fordney | Larsen | Reber | Zihman |

NAYS—0.

- ANSWERED "PRESENT"—2.
 Nelson, Mo. Robinson, N. C.

NOT VOTING—141.

- | | | | |
|---------------|---------------|----------------|--------------|
| Ackerman | Denison | Hoey | O'Connell |
| Almon | Dent | Hulings | Olney |
| Andrews, Md. | Dewalt | Igoe | Overstreet |
| Baer | Dominick | Kelly, Pa. | Paige |
| Rankhead | Dooling | Kennedy, Iowa | Parker |
| Barkley | Doremus | Kennedy, R. I. | Phelan |
| Bell | Drane | Kettner | Porter |
| Benham | Dunn | Kiess | Ramsey |
| Benson | Eagan | King | Ramseyer |
| Blackmon | Eagle | Kitchin | Reavis |
| Bland, Ind. | Elliott | Kreider | Reed, W. Va. |
| Booher | Ellsworth | Langley | Riddick |
| Brand | Elston | Lazaro | Riordan |
| Brinson | Esch | Leshar | Rodenberg |
| Britten | Evans, Nev. | Longworth | Rogers |
| Browne | Fess | Lufkin | Rose |
| Brumbaugh | Flood | Luhring | Rowan |
| Burke | Freeman | McCulloch | Sabath |
| Campbell, Pa. | Fuller, Mass. | McLane | Sanders, La. |
| Cantrill | Glynn | McPherson | Schall |
| Caraway | Godwin, N. C. | Madden | Scully |
| Carew | Goldfogle | Mann, Ill. | Sears |
| Clark, Fla. | Goodwin, Ark. | Mason | Sherwood |
| Cole | Gould | Moore, Ind. | Shreve |
| Collier | Graham, Pa. | Morin | Smith, Ill. |
| Cooper | Hamill | Mott | Smith, Mich. |
| Costello | Hamilton | Murphy | Smith, N. Y. |
| Cramton | Haugen | Murphy | Smithwick |
| Currie, Mich. | Heffin | Newton, Mo. | Snell |
| Curry, Calif. | Hicks | Nichols, Mich. | Snyder |
| Dempsey | Hill | Nolan | Stegall |

- | | | | |
|-------------|------------|-------------|------------|
| Stedman | Swope | Venable | Winslow |
| Steele | Temple | Ward | Wood, Ind. |
| Stoll | Timberlake | Whaley | |
| Strong, Pa. | Vaile | Williams | |
| Sullivan | Vare | Wilson, Pa. | |

So the motion was agreed to.
 The Clerk announced the following pairs:
 Until further notice:
 Mr. LONGWORTH with Mr. KITCHIN.
 Mr. MANN of Illinois with Mr. DEWALT.
 Mr. SHREVE with Mr. CARAWAY.
 Mr. CURRY of California with Mr. DRANE.
 Mr. NEWTON of Missouri with Mr. BELL.
 Mr. MCPHERSON with Mr. IGOE.
 Mr. DENISON with Mr. BANKHEAD.
 Mr. SNYDER with Mr. GOODWIN of Arkansas.
 Mr. ACKERMAN with Mr. DOOLING.
 Mr. CRAMTON with Mr. BLACKMON.
 Mr. ESCH with Mr. BRUMBAUGH.
 Mr. FESS with Mr. DENT.
 Mr. DEMPSEY with Mr. CAMPBELL of Pennsylvania.
 Mr. COSTELLO with Mr. McLANE.
 Mr. BROWNE with Mr. LESHAR.
 Mr. CURRIE of Michigan with Mr. BRAND.
 Mr. KENNEDY of Iowa with Mr. JONES of Texas.
 Mr. ANDREWS with Mr. CANTRILL.
 Mr. KIESS with Mr. O'CONNELL.
 Mr. BENHAM with Mr. CAREW.
 Mr. LANGLEY with Mr. HOEY.
 Mr. BRITTON with Mr. LAZARO.
 Mr. KING with Mr. FLOOD.
 Mr. BLAND of Indiana with Mr. ALMON.
 Mr. KENNEDY of Rhode Island with Mr. HEFLIN.
 Mr. LUFKIN with Mr. BENSON.
 Mr. HULINGS with Mr. BRINSON.
 Mr. GOULD with Mr. BARKLEY.
 Mr. HAUGEN with Mr. CLARK of Florida.
 Mr. GLYNN with Mr. COLLIER.
 Mr. HILL with Mr. DOMINICK.
 Mr. FREEMAN with Mr. EAGLE.
 Mr. KREIDER with Mr. DOREMUS.
 Mr. HAMILTON with Mr. BOOHER.
 Mr. GRAHAM of Pennsylvania with Mr. EAGLE.
 Mr. LUHRING with Mr. EVANS of Nevada.
 Mr. MADDEN with Mr. GODWIN of North Carolina.
 Mr. NICHOLS of Michigan with Mr. HAMILL.
 Mr. MURPHY with Mr. GOLDFOGLE.
 Mr. PARKER with Mr. OLNEY.
 Mr. MOTT with Mr. OVERSTREET.
 Mr. NOLAN with Mr. PHELAN.
 Mr. RAMSEY with Mr. KETTNER.
 Mr. MASON with Mr. RIORDAN.
 Mr. MOORES of Indiana with Mr. SHERWOOD.
 Mr. PORTER with Mr. ROWAN.
 Mr. REAVIS with Mr. SABATH.
 Mr. RODENBERG with Mr. VENABLE.
 Mr. SCHALL with Mr. WHALEY.
 Mr. TEMPLE with Mr. SANDERS of Louisiana.
 Mr. WARD with Mr. STEDMAN.
 Mr. VARE with Mr. WILSON of Pennsylvania.
 Mr. WILLIAMS with Mr. SEARS.
 Mr. SNEEL with Mr. SCULLY.
 Mr. WINSLOW with Mr. SMITH of New York.
 Mr. SMITH of Michigan with Mr. STEELE.
 Mr. WOOD of Indiana with Mr. SULLIVAN.
 Mr. ROSE with Mr. STEGALL.
 Mr. McCULLOCH with Mr. STOLL.
 Mr. SMITH of Illinois with Mr. SMITHWICK.

The result of the vote was announced as above recorded.
 The SPEAKER. A quorum is present. The Doorkeeper will open the doors. The House resolves itself into the Committee of the Whole House on the state of the Union, and the gentleman from Pennsylvania [Mr. CRAGO] will take the chair. [Applause.]

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of bill S. 2890, with Mr. CRAGO in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill S. 2890, which the Clerk will report.

The Clerk read as follows:

S. 2890. An act to provide for the allotment of lands of the Crow Tribe, for the distribution of tribal funds, and for other purposes.

Mr. RHODES. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none. Under the unanimous-consent agreement there is to be 1 hour and 40 minutes of general debate.

Mr. RHODES. Mr. Chairman, I desire to say that under the unanimous-consent agreement the gentleman from Illinois [Mr. RAINEY] is entitled to the floor for one hour.

The CHAIRMAN. Under the unanimous-consent agreement, as stated, the gentleman from Illinois is entitled to one hour, and the gentleman is recognized. [Applause.]

Mr. HENRY T. RAINEY. Mr. Chairman, I will ask the Chair to advise me when I have consumed 45 minutes of my time. I ask unanimous consent that the Clerk read in my time the article from this morning's Washington Post which I now send to the Clerk's desk.

The CHAIRMAN. Without objection, the Clerk will read the article to which the gentleman refers.

The Clerk read as follows:

YANK RELIEF BILL UP FOR VOTE MAY 3—\$1.25 FOR EACH DAY'S SERVICE, EXCLUDING TWO MONTHS, G. O. P. PLAN.

After a conference yesterday, Republican leaders in the House said soldier relief legislation would be taken up in the House May 3 under a suspension of the rules, with debate limited to 40 minutes, and permission refused for the offering of either amendments or substitutes.

Yesterday's conference was said by the leaders to have showed that the "insurgent" Republicans, who have called a party conference for to-night because of dissatisfaction over certain features of the proposed bill, could not block the original plan.

The Ways and Means Committee is expected to report a composite bill to the House next week providing for cash compensation at \$1.25 for each day's service, excluding the first two months.

Telegrams were sent yesterday to all absent Republicans directing them to be present on May 3 and urging as many as possible to return for the conference to-night. Although much opposition is expected to develop in the conference over the proposal to raise necessary revenues through a gross sales tax, leaders expressed the belief that the plan would be approved.

Mr. HENRY T. RAINEY. Mr. Chairman, I ask unanimous consent to print without reading at this point in my speech the news item which appeared this morning in the Washington Herald in reference to the same subject.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to insert in the RECORD without reading the news item to which he referred. Is there objection? [After a pause.] The Chair hears none.

The article, is as follows:

DEMAND BONUS TO INCLUDE ALL—DEMOCRATS WANT EVERY PERSON CONNECTED WITH SERVICE TO SHARE—MAY TAKE IN WOMEN—WOULD PAY REGULAR ARMY MEN, OFFICERS, AND EVEN THE YEOMEN (F).

Extension of the benefits of soldier-aid legislation to all men and women who served in the Army, Navy, or Marine Corps during the war will be demanded by Democrats in the House, Representative GARNER, of Texas, Democratic whip, declared yesterday.

The Democrats also will fight for the plan of raising the revenue by heavy levies on war profits, instead of a tax of one-half of 1 per cent on all sales, he said.

GARNER asserted that the Democrats are opposed unalterably to the program of Republicans on the House Ways and Means Committee which would limit aid to about 3,000,000 of the 4,800,000 service men.

Apparently the Democrats are virtually solid behind the plan of Representative HENRY T. RAINEY, of Illinois, to raise the bonus revenue by big taxes on war profiteers.

Republican leaders of the House have agreed to call up soldier-aid legislation on May 3. Plans are to push it through under a suspension of the rules, so as to prevent amendments to the Republican plan of raising the necessary funds by a sales tax.

Mr. HENRY T. RAINEY. Mr. Chairman, three years ago this great Republic mobilized for war. For the first time in the history of nations one of the world's great nations pledged all its resources for war. And then there came the call to arms, the tramp, tramp of the boys marching down to examining boards in the county seats of this land, 10,000,000 strong, while the world looked on and wondered. For the first time in the history of nations a nation of the white race had within its boundaries 10,000,000 men between the ages of 21 and 30—10,000,000 fighting men. We were without a merchant navy with which to transport our armies across the seas, but we built one; and to-day upon the seas of the world, as the result of the mobilization of our resources, the flag floats over a thousand merchant ships. We ranked third, they said, upon the seas in the number of our fighting ships. To-day, as the result of the quick mobilization of our resources, these great floating steel forts of ours constitute the greatest war Navy on the seven seas. We were without officers, but we educated them, and they headed our armies and rendered upon the field of battle the magnificent service that officers of American troops have rendered in all our wars. We were a peaceful Nation given over to commerce, but we mobilized our factories, we worked men in three shifts, and it was not long until the lighted windows in 10,000 factories across the land flashed back a greeting to the lights on the midnight express as it speeded across the continent. In the history of the world no nation ever mobilized as we did in order to take our position among the nations on the battle front in the war for civilization. And

then the boys commenced to cross the seas. Experts on troop movement crossing the sea had said that 500,000 troops could not be transported across the Atlantic in three years of time. In less than two years we sent 2,000,000 trained soldiers to the battle front in France, and in less than two years there were 2,000,000 more under training in our great military training cities, which sprang up as if by magic over night. These boys were carried safely across the seas in great islands of ships, surrounded by the fighting ships of our own Nation and by the fighting ships of the allied nations, and they were carried safely—all of them. The god of battles seemed to be with us, and I can almost imagine that out on the danger line where our fighting ships sailed there floated through the air the pale ghosts of the heroes of all our wars. And I can imagine that as these armies of ours approached the shores of France there came out to meet them and to guarantee to them safe conduct through the danger zone the pale ghosts of the armies of Lafayette. They landed at the ports of France and marched rapidly toward the front.

While this troop movement was proceeding, on the farms of the West we were producing foodstuffs for our armies, foodstuffs for the demands of our allies, foodstuffs for the people of the countries which had been devastated by war. The god of battles fought on our side. It was not long until, if the planet Mars is inhabited, and if they have there telescopes no stronger than ours, and if they had looked down in this direction, they could have seen the color come and go in the wheat fields of Illinois, of Missouri, of Oklahoma, of Nebraska, and the other great wheat States of ours. We produced record crops in this period of the Nation's sacrifice and mobilization, crops in abundance, greater than we had ever produced before even on these fertile farms of ours. And then the boys commenced to reach the front, and as we feverishly read in the daily papers the news from the war zone of northern France, anxiously we looked for the death list of the boys who fought in the greatest battles ever staged in the history of the world. With boundless pride we heard from them at Belleau Wood, at Chateau-Thierry, and in the wood of the Marine brigade.

And then, in the month of October, 1918, there commenced the great Argonne offensive, and we knew where these boys of ours were. They were in the line, and the Germans knew where they were, and opposite them in the line they placed the shock troops of the German Empire, the trained veteran soldiers of the greatest military nation the world ever saw; they placed opposite these untrained boys of ours the Prussian Guard, devoted to all its traditions—the Prussian Guard, which in the century of its existence never retreated before an equal or even superior force. After the great shock came, the Germans commenced to move slowly back, and then with white, trembling lips they passed the word down the long German lines, "The Americans are in the line; the Americans are in the line. They have met the Prussian Guard. The Americans have defeated the Prussian Guard." [Applause.] And then the retreat of the great armies of the greatest military nation the world ever saw became a rout, which ended only with the armistice of November 11, 1918.

The boys are home again, back from the stirring incidents and scenes of awful battle. They have returned to their places in the great army of industry in this land. They are the anchor to windward of this Nation at the present hour, when it is threatened with new danger, when communism raises here in our midst its hideous head. We sent them to war without asking their consent. Members of this House sat here in their seats and voted for the measure which compelled these boys to go to war. A million of them volunteered. Many of them were rejected on account of physical defects. But at the request of the membership of both branches of the National Congress these boys participated in this awful war 3,000 miles away across the seas and saved the civilization of the world. [Applause.]

To-day they have formulated their requests, and they have submitted them to the membership of both branches of the National Congress. They have asked the men in the Congress of the United States, who gave them no option, who took them away from the peaceful pursuits in which they were engaged, not for a bonus—I deny that any brave soldier who ever wore the uniform of this country has asked this Nation for a gift—they have asked you to compensate them in a slight measure for the financial losses they sustained. [Applause.] They have asked you out of the abundance of the Nation's resources to give to them the mere pittance of \$1 a day—or a little more than that if the money is to be used for the purchase of homes and for the purchase of farms or for procuring an education—for the number of days they served in the armies of their country. And during that period of time—they call our attention to the fact—

those who remained at home were making money; those who remained at home were receiving salaries greater than were ever paid before in industry in this land. Those who remained at home and pursued their ordinary business avocations made returns fabulous in amounts. During the period of this war we developed in this country 23,000 new war millionaires. During the period of this war we developed in this country 69,000 men whose income in 1914 exceeded \$20,000 a year, and whose income during the war years had developed to such an extent that their income was \$3,000,000,000 more than it was during the three prewar years. During this period, when these boys were at the front, the corporations of this country made during the years 1917, 1918, 1919, and during the year 1920, which was really a war year—corporations of this country made, and in their tax returns they admit they made, \$3,800,000,000 more than they did in the same number of prewar years. In other words, the excess-war income of corporations—and they were making enough before then, making more than they ever made in the history of this Nation—the excess of the war incomes of the corporations of this land over an equal number of prewar years was \$3,800,000,000.

Mr. ROBSION of Kentucky. Will the gentleman yield for a question?

Mr. HENRY T. RAINEY. For one question.

Mr. ROBSION of Kentucky. Is that net income of which you are speaking?

Mr. HENRY T. RAINEY. Yes, sir; in order that there may be no mistake about it, I quote the exact language of the Government actuary:

Mr. McCoy estimates that the aggregate net income of all corporations for the years 1917, 1918, 1919, and 1920 in excess of four times the average net income for the prewar period plus the income, excess profits, and war profits taxes paid during 1917, 1918, 1919, and 1920, is \$3,800,000,000. If you exclude from this computation corporations whose average net income for the years 1917, 1918, 1919, and 1920 do not exceed \$100,000, the excess income is not more than \$2,000,000,000.

During the three prewar years I have mentioned the corporations of this land whose average yearly income before the war exceeded \$100,000, and that is a corporation which is not entitled to much sympathy, at the present time, when it comes to levying taxes, earned an excess war income aggregating \$2,000,000,000.

I remember that after our declaration of war the great Ways and Means Committee of the House of Representatives, which is charged with the duty of preparing revenue bills, met, and during the awful months of that war the members of this committee were in continuous session, in session almost daily, and often they worked late in the night. With a feeling of pride I recall that in the hour of the Nation's danger, in the hour when our financial resources were strained as they had never been before, we forgot partisanship. The Democrats were in a majority, a sufficient working majority of this House, and could have carried through any of their propositions. But we discarded that kind of partisanship. For the first time in the history of the work of that great committee we invited the minority members—at that time the Republicans were in the minority in this House—we invited minority members to consult with us and to participate with us in the preparation of these great war bills. We had the benefit of their counsel and the benefit of their advice, many suggestions made by the Republican members of that committee found their way into the laws of the land—the laws which made it possible to win this war—and every one of these great war measures, the greatest ever reported out of this body, the greatest ever enacted into law in the history of the world, came out with the unanimous support and with the unanimous report of the members of that great committee.

There never was a dissenting vote in the committee on any one of these war measures. If any member of the minority objected to any of the features, and we never knew they did until we commence to hear from them now on the hustings in this land, they did not make it known there in the committee. They agreed with all the other members of the committee. And if they had made it known there, and if their objection was tenable, and if a majority of the committee had been able to agree with them, if a majority of the Republicans, even, had agreed with them, that item would never have gone into any one of those bills. I make that statement without the slightest fear of successful contradiction.

The war is not over yet. An armistice has merely been declared. In the nations of the world war still continues. No man can tell how soon we will be engulfed again in these world struggles with these new world issues. The membership of this House has changed. The majority sits on that side of the aisle, not where it sat during the years of the war. And already, with the approach of the campaign, the majority as

represented on the great Ways and Means Committee, forgetting the generosity of the Democratic majority during the war, anxious only to seize a mean, small partisan advantage, have excluded from their deliberations the Democratic members of that committee, and are to-day engaged in framing the most important war bill, because that is what it is, that has ever been presented since this war started, since we became involved, a bill to comply with the request of 4,500,000 of our brave soldiers, and they propose now to say to these young men—and nearly all of them will be voting this fall—they propose to say to these young men, "A Democratic Congress sent you to the war, but a Republican Congress has framed this bill for your relief. A Republican Congress is giving you now the equalized pay that you have requested. The Democrats have had nothing to do with it. We have excluded them from our committee rooms."

So they proceeded to draft a bill, and Republican Members have been summoned from far and near to respond to the party whip and the party mandate and make it possible for the Republican Party to fool 4,500,000 young men, and to say to them, "We gave you this bonus."

On behalf of those young men I repudiate the insult tendered by the Republican majority in this House. [Applause on the Democratic side.] I deny that they can be fooled by any such mean, poor, little tactics as those on the part of the Republican majority. Oh, you can not help it. In these days of danger here, danger to our institutions and danger abroad, the cloven foot appears as it always has in the history of your party, and as it always will. [Applause on the Democratic side.] You are in a position to-day, after the meeting of your steering committee yesterday—the results of which were announced in the papers this morning—you are in the position, and unblushingly you occupy it, of saying to the 4,500,000 brave soldiers and sailors, brave boys who can see into these things as clearly as you can, "The Republican Party in the approaching elections are offering you \$1.25 a day for your votes this fall."

Do you suppose when they find out the nature of that bribe, when they know that you who sit here—

Mr. CAMPBELL of Kansas. Mr. Chairman, I call the gentlemen from Illinois to order. It is an insult to the membership of the House on both sides. [Applause on the Republican side.] The Republican majority of the Committee on Ways and Means have not offered an insult to anybody, and the gentleman from Illinois well knows it. [Applause on the Republican side.]

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from Kansas?

Mr. HENRY T. RAINEY. No; I do not.

Mr. CAMPBELL of Kansas. I call the gentleman to order.

Mr. HENRY T. RAINEY. I want to say to the gentleman that I do not want to offend the gentleman at all. I do not want to do it. I will only state the facts, then, and the country can draw its own conclusions. [Applause on the Democratic side.] I will not comment on them. [Applause on the Democratic side.] If it hurts the feelings of gentlemen on that side—and many of you are my friends—I may say that I hope many of you, perhaps the majority of you, do not agree with the conclusions reached by your steering committee and by the majority members of the Committee on Ways and Means. I say that when Democrats are not permitted to participate in these deliberations you can not expect, no matter if you subconsciously want to do it, to have the 4,500,000 brave boys fail to see through such a subterfuge as that as the elections approach.

Let me tell you what you have done: If we are to believe the statements you have given out to the morning papers, you propose to collect this tax, this bonus, by resorting to a general sales tax, the character of tax which has not been extensively imposed in the world since the feudal ages, the character of tax which no nation in the world attempts to any degree to impose at the present time except unfortunate, misgoverned Mexico and the small populations of the Philippine Islands.

It is here you find your precedents. I know you gentlemen; I understand your methods. You will put some cushions in this bill. You will put something in there that taxes to a slight degree, perhaps, tobacco, or the stock exchanges in our cities, or you may make a slight increase in some portion of the income tax. But you are going to yield to the demands of Wall Street. You are going to yield to the demands of the millionaire war profiteers of this country and impose the sales tax they want imposed, because they think that when imposed once we will never be able to get rid of it, because they want to escape some portion of the taxes on the immense incomes they are enjoying at the present time. A tax on sales means an increase in the cost of living. A tax on sales such as you propose, if it is a tax on turnovers, means an increase in the cost of living of 25 per cent. A tax on the ultimate retailers will be a resort

to the merchant sales taxes of the feudal ages, when armed soldiers of feudal thieves and barons were able to terrorize the merchants of those unfortunate countries and to impose the burden of taxes upon them and maintain in that way their great military establishments. It is the merchant tax you propose—condemned by Adam Smith, condemned by Roescher, condemned by every political economist who has ever written in the last hundred years—you, in your anxiety to protect the rich of this land, have resorted to the old merchant tax of the feudal ages.

At this point, Mr. Chairman, without reading, I ask permission to extend my remarks by printing in the RECORD the criticisms of the great economic writers of the world for the last 50 years on this character of a tax.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to insert in the RECORD the data he has mentioned. Is there objection?

Mr. CAMPBELL of Kansas. Mr. Chairman, reserving the right to object, what is it that the gentleman proposes to insert in the RECORD?

Mr. HENRY T. RAINEY. I intend to insert in the RECORD extracts from Roescher, Adam Smith, J. P. Hobson, and statistical writers of the present day in the magazines of Europe, discussing the kind of tax which the majority members of the Committee on Ways and Means expect to impose upon the citizens of this country.

Mr. CAMPBELL of Kansas. About how much space will it probably cover?

Mr. HENRY T. RAINEY. Perhaps less than a page of the RECORD.

The CHAIRMAN. Is there objection?

Mr. JOHNSON of South Dakota. Reserving the right to object, will the gentleman insert the page number of the magazines and the books for the benefit of the House?

Mr. HENRY T. RAINEY. Yes; I will be glad to do it.

At this point I desire to dwell briefly upon the constitutionality of the taxation plan I desire to submit to the House for its determination. The objection has been made that you can not tax incomes that have been already taxed under the Constitution of the United States; that the proposition I am suggesting is unconstitutional for the reason that it is retroactive. In reply to this I merely desire to call attention to the case of *Stockdale v. Insurance Companies* (20 Wall., 323, 331) and the language used by the Supreme Court of the United States in that case in passing on this very question. I read from the opinion:

The right of Congress to have imposed this tax by a new statute, although the measure of it was governed by the income of the past year, can not be doubted; much less can it be doubted that it could impose such a tax on the income of the current year, though part of that year had elapsed when the statute was passed. The joint resolution of July 4, 1864, imposed a tax of 5 per cent upon all income of the previous year, although one tax on it had already been paid, and no one doubted the validity of the tax or attempted to resist it.

The above case is cited briefly and approvingly in the case of *Brushaber v. United States Pacific Railroad* (240 U. S., 2).

Income-tax laws are frequently retroactive. The income-tax profits of our tariff act of 1913 were retroactive. They imposed taxes from December, 1913, to December, 1914, and thereafter but they were also retroactive and covered the period from March 1, 1913, to December, 1913, and this bill became a law on October 3, 1913. The retroactive operation of this law was challenged in the case to which I have last called attention. The courts held that we could have made the taxes retroactive and extended them back to the time the sixteenth amendment became operative.

These statutes are constitutional. *Murray's Lessee v. Hoboken L. & I. Co.* (18 How., 272, 282); *Nichols v. United States* (7 Wall., 122); and other cases cited—page 5, *Union Pacific Railroad case* (240 U. S.).

The so-called retroactive feature is not objectionable. Previous statutes had like provisions; Twelfth Statute, pages 292, 473, 474; Thirteenth Statute, pages 223, 281, 283, 417; and other statutes cited page 8, *Union Pacific Railroad case*.

The text of the sixteenth amendment to the Constitution is this:

The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.

The statute was enacted October 3, 1913, and provided for a general yearly income tax from December to December of each year. Exceptionally, however, it fixed a first period embracing only the time from March 1 to December 31, 1913, and this limited retroactivity is assailed as repugnant to the due-process clause of the fifth amendment and as inconsistent with the sixteenth amendment itself. But the date of the retroactivity did not extend beyond the time when the amendment was operative, and

there can be no dispute that there was power by virtue of the amendment during that period to levy the tax, without apportionment, and so far as the limitations of the Constitution in other respects are concerned, the contention is not open. *Brushaber v. Union Pacific Railroad* (240 U. S., p. 20).

Other nations in the world propose to levy war taxes more drastic than anything we expect to present to this House. I desire to call attention in this connection to the memoranda by the board of inland revenue in England, which in its studies suggested that taxes be levied not only on "war incomes" but on "war-created wealth," exempting \$20,000.

Paragraph 57 of the report to which I am calling attention discusses this subject and presents the viewpoint of this important and conservative board. In paragraph 13 of the report this board calls attention particularly to war profits which favorably situated traders accumulated during the war by charging exorbitant prices for commodities sold to the Government or fellow citizens. They also suggest, in paragraph 15, that the increased wealth of individuals on account of the war should be taxed, not only the wealth which resulted from excessive profits but the increased money value of the assets which they owned prior to the war due to the anticipation of earning power in the future. In paragraph 26 the board of inland revenue announces that they view as practical a consideration of the aggregate wealth of individuals at the present time as compared with prewar wealth, and suggests a graduated levy upon the balance of the increase shown.

In paragraph 24 of this report they approvingly call attention to the propositions laid down by Mr. J. A. Hobson, the great English economist, in his new book on Taxation in the New State. This is the latest contribution on this important subject, and Mr. Hobson is one of the world's acknowledged conservative authorities. The proposition of Mr. Hobson, to which, in paragraph 24, the board of inland revenue approvingly calls attention, is a proposition to the effect that increases of wealth during the war have an exceptional "ability to pay," and that this ability increases as the ratio of the increase grows. In his book Mr. Hobson says "the increase has come into the hands of its owners as the result of fortuitous circumstances or even of culpable practices." He advocates the exemption of small proportionate increases.

In commenting upon this section of Mr. Hobson's book, they say that "it is upon such lines as these that a practicable duty would appear to be capable of construction."

I call attention also in this connection to what some of the leading writers on economic subjects are saying in the columns of conservative English magazines. Of course, in this country there are few magazines and newspapers which are not controlled by the interests, and no attention is given in the columns of these interest-controlled publications of ours to the discussion of the new methods of taxation which must come to the relief of a bankrupt world in the crisis which confronts all the nations, including our own.

The Statist of November 8, 1919, contains this frank statement: "Putting all hypocrisy and special pleading aside, it is absolutely necessary that a special taxation be laid upon the rich," and the statement I have just read is quoted approvingly in the English Review of December, 1919. In an article by A. Emil Davies, L. C. C., on "Capital levy and superlevy," in the English Review of December, 1919, page 542, Mr. Davies says (and I take the liberty of somewhat abridging his remarks):

While a levy on accumulated war profits would not produce sufficient to extinguish the war debt, yet properly worked such a levy would produce a very large sum.

It is proper to tax one man more than another because he happens to be cleverer or has better judgment, such judgment being based upon the belief that the war would benefit certain industries. (Id., p. 542.)

It is folly to abuse people for making large profits. Anyone would do it. But a belated war profits levy would redress the economic evils of the present system, which have been accentuated by the war. (Id., p. 544.)

I prophesy that the agitation against war fortunes, which is the root of the profound discontent operating in the minds of the industrial population in the country, will result sooner or later in a special levy upon accumulated war fortunes and in a general levy upon capital over a certain amount per head for the purpose of bringing about a drastic reduction of the national debt. (Id., p. 544.)

If nothing of this nature is done I prophesy so serious a financial breakdown that the present governing class will give up their job in despair, leaving it to a labor or, possibly, a revolutionary government to tackle a situation that may well be almost irremediable. (Id., p. 551.)

The recent labor disturbances are merely the first of a series of struggles whereby the rich on the one hand and the mass of the workers on the other are endeavoring to place the burden of the war upon each other. (Id., p. 551.)

On paper, the wealth of the Nation has increased from round about fourteen thousand millions in 1913 to about twenty thousand millions. (Id., p. 552.)

Most of that paper confers a lien over a great part of the labor of the workers of the country and is held by a comparatively small section of the community. Until at least one-half of that paper is wiped out, deflated, we shall have neither industrial peace nor increased production. (Id., p. 552.)

I studied political economy at Amherst College, Massachusetts, in a conservative New England town set down in a beautiful valley in the very center of that great industrial State, and I am sure that the professors in that institution, surrounded by the influences with which they were and are surrounded, presented to their students a textbook which was conservative. We were required to study the leading textbook in those days on political economy, and perhaps the leading textbook now, Roescher's Political Economy.

Without comment at this time, I desire to read some brief extracts from that distinguished author. I may comment on them hereafter in my speech. I read them now for the purpose of indicating how dangerous a proposition it is to adopt a system of taxes which makes more of the very rich and more of the very poor, and which destroys the great middle class in the Nation.

The element of danger and destruction is when "a whole nation falls into the hands of a few rich men and numberless proletarians." (Roescher's Political Economy.)

This most often happens as an "off-spring of a degenerated democracy." (Id.)

When this happens there comes a "disappearance of the great middle class." (Id.)

"Get rich," they cry to the famishing poor. (Id.)

In this sort of a democracy "capital takes the place of men and is valued more than men." (Id.)

All colossal fortunes are made at the expense of others—either with the assistance of the State powers or by speculation in the fluctuation of values. (Id.)

So great and one sided a difference is, for men too far removed from one another for real mutual love, doubtless one of the greatest of moral temptations. (Id.)

It is as easy a matter for the hopelessly poor to hate the law as it is for the overrich to despise it. (Id.)

At one time six men owned the entire Roman Provinces of Africa and Nero ruthlessly executed all of them, taking possession of their properties. (Id.)

I will not be making a mistake, I am sure, if at the present time I read from Adam Smith's book, entitled "Causes of the Wealth of Nations," inasmuch as the Republican majority of this House, if they follow the Republican members of the Ways and Means Committee, propose to return to the tax on merchants which was in force in the dark days of the Middle Ages. I read from Adam Smith:

During the barbarous times of feudal anarchy merchants, like all the other inhabitants of burghs, were considered a little better than emancipated bondsmen whose persons were despised and whose gains were envied. (P. 598.)

In those ignorant times it was not understood that the profits of merchants are a subject not taxable directly, or that the final payment of all such taxes must fall with a considerable overcharge upon the consumers. (Id., p. 598.)

Heavy taxes upon commodities which are real necessities of life must increase the expense of the sober and industrious poor and must consequently raise more or less the wages of their labor. (Id., p. 694.)

It must always be remembered, however, that it is the luxurious and not the necessary expense of the inferior ranks of people that ought ever to be taxed. (Id., p. 706.)

Now, I want to tell you why they exclude the Democratic members of the Ways and Means Committee from the consideration of this bill. We stand for the fourfold propositions of the American Legion, just as they have expressed themselves before the committee. We are anxious to put those propositions into workable shape, to provide suitable administrative sections so that they can be carried into effect. There is no difference between the Republican members and the Democratic members of the committee in that, except that the Republican members of the committee, in violation of the wishes of the American Legion and these other soldiers' organizations, propose to exclude officers and nurses and yeomanettes and field clerks who occupied positions of danger from participation in this bonus. We are in favor of including them just as these soldiers' organizations have suggested. [Applause.]

In that particular we stand firmly upon the demands made by the boys, because we think the time has come for the boys to command in this land. They and their friends who are demanding this bonus would make up the enormous number of 25,000,000 citizens of the United States, if we could make a complete and careful inventory. This is their country. They have fought to save it. They have expressed to us their desires, and to the Democrats on that committee that expression from these boys comes now as a command.

The CHAIRMAN. The gentleman desired to be informed when he had used 45 minutes.

Mr. HENRY T. RAINEY. Thank you. I am sorry my time is so nearly up.

The CHAIRMAN. The Chair will state for the information of the gentleman that the gentleman from North Carolina [Mr. POU], who had been yielded 10 minutes under the unanimous-consent agreement, yields back that time and states that the gentleman from Illinois may use it if he cares to do so. [Applause.]

Mr. HENRY T. RAINEY. Yes; I will be glad to have it. [Applause.] We propose to tax war profits to meet this request

of the boys. [Applause.] The request of the boys comes to us as a command. It does not impress you gentlemen in that way. As I express the views of the minority on that committee that this request comes to us as a command I notice that some of you gentlemen on the Republican side laugh and sneer. You are welcome to all you can get out of that. The tax you propose increases the cost of living. You propose to do that. The boys and their immediate families and friends will pay themselves one-fourth of the amount of their bonus. In other words, under this selfish desire manifested here in this House to protect war fortunes you propose to give them, you say, \$1.25 a day with one hand, and then with the other hand you propose violently to take away from them 25 per cent of that amount. That is the proposition against which we rebel, because we insist on an opportunity for this House to vote upon the question as to whether or not you ought to finance this soldiers' adjusted compensation out of the poor of the land or out of those who built up colossal fortunes during the war. You refuse to permit that to come to a vote in this House.

Your plan is this: On suspension day, which is May 3 next, to obtain recognition from the Speaker—and you can do that—to move to consider this great bill under suspension of the rules. The people of the country ought to know that this plan means that there will be no opportunity to amend the bill in any part, which, in secret caucus, the Republican members of the Ways and Means Committee are this afternoon preparing. We agreed, before you excluded the Democrats, upon the essential provisions of the bill. You knew we would not agree with you on the character of the taxes you propose, and for over a week the Republican members of the Ways and Means Committee, behind locked doors, alone have been figuring out how to impose this obnoxious sales tax in such a manner that war profiteers, whether individuals or corporations, will escape entirely from its burdens. When the matter comes on for a vote, under that plan and under the rules of this House, the vote must be on the combined motion to suspend the rules and pass the bill. After those who are opposed to your methods of taxation and your plan to protect war millionaires have been permitted to do nothing but discuss the matter, and to discuss the matter only 20 minutes, but after discussing it, no matter how long they discuss it, they can not under the rules vote to strike out your obnoxious sales-tax proposition and to insert therein a proposition to tax war profiteers. The only way to defeat the discreditable program you have adopted is to defeat the entire bill and then in the sanity which follows attempt to try to present the bill again, giving those of us an opportunity, on both sides of this Chamber, who are opposed to your antiquated, out-of-date sales-tax method, to propose to substitute for it a tax on war profiteers, and perhaps other sane, proper, unoppressive, up-to-date methods of levying taxes.

Mr. JOHNSON of South Dakota. Will the gentleman yield for a question?

Mr. HENRY T. RAINEY. Yes; I will be glad to do so.

Mr. JOHNSON of South Dakota. Can the gentleman give the assurance that it will be possible for those of us on this side of the House who believe in taxing war profits to agree with the gentlemen on your side of the House who believe in taxing war profits—and there are many on your side who do not believe in it—can the gentleman give any assurance that we can agree on a motion to recommit, or to have a substitute that will tax war profits?

Mr. HENRY T. RAINEY. I will say that if the majority of the Ways and Means Committee will permit us to vote on that proposition, we will agree with those on that side who are courageous enough to do the right thing. [Applause.] I want to say to the gentleman from South Dakota [Mr. JOHNSON], who is my friend—I believe in handing flowers to men while they live—I want to say to him that he represents on this floor, as you and you and you do not, the real desires of the soldiers of this land [applause], because in the hour of danger he left his safe place here far from German guns and took his place among the boys of his State at the front. [Applause.] He bared his bosom to the bullets of the foe; and a young man who is courageous enough to do that, I predict, will not bow to a party mandate and assist in imposing upon the soldiers of this land and their friends the obligation of paying one-fourth of the bonus you are pretending to hand to them. [Applause.] And there are seven other men in this body if I remember correctly—they sit on both sides of this Hall—every one of whom left his safe place here and actively participated in the World War. They were all within military age, and they all wore the uniform of their country. They all crossed the seas and faced the bullets of the foe. I will be surprised if any of them, brave as all of them were, will yield to a party mandate and refuse to give this House the opportunity of determining one thing, and one thing

alone, and that is whether we will tax the wage earners of this land, and the soldiers of this land, to pay this soldiers' compensation, or whether we will tax these corporations of \$100,000 profits and over, who made war profits of \$2,000,000,000 during the last three years, or the 69,000 men, 23,000 of them new war millionaires, who made of war profits alone \$3,000,000,000 during the years of this war.

Mr. JOHNSON of South Dakota. Will the gentleman yield?

Mr. HENRY T. RAINEY. Yes.

Mr. JOHNSON of South Dakota. The gentleman agrees with me that there is but one great question involved in this law?

Mr. HENRY T. RAINEY. I do.

Mr. JOHNSON of South Dakota. And that is the method that we shall use in raising the money.

Mr. HENRY T. RAINEY. Yes; that is my position.

Mr. JOHNSON of South Dakota. And the gentleman agrees that if there could be presented to this House just that one concrete thing, we could agree on both sides of the House that we could accept the judgment of the Ways and Means Committee with reference to the other features of the bill. Is that true?

Mr. HENRY T. RAINEY. On behalf of the minority of this House, I will say that is true. [Applause.] There may be men, of course, on both sides of the House who will vote against the entire proposition.

I want to say to those men in this House who fought in this war that the time has come for you to help the other soldiers, and that you ought to demand of this millionaire steering committee which controls the destinies of this House that they cease their efforts to protect the war profiteers of this land by tenderly avoiding the necessity of taking away from them for this purpose any war incomes. [Applause.] And in order that the country may know who these gentlemen are who have framed up this proposition, who have controlled the policies of that side until now—I do not know whether they will control them any more or not—these are their names: THOMAS B. DUNN, of New York. [Applause on Republican side.] I hope you gentlemen will all applaud as I read them, because I shall have something to say about them when I get through. [Laughter.] MARTIN B. MADDEN, of Illinois. I see you have quit applauding. SAMUEL E. WINSLOW, of Massachusetts. [Applause on Republican side.] Thank you. NICHOLAS LONGWORTH, of Ohio. [Applause on Republican side.] I am delighted to note the acclaim with which you gentlemen hail the very mention of the names of this millionaire steering committee who are carefully steering the affairs of this Congress [applause] so that these corporations which made \$2,000,000,000 of excess war profits and these 69,000 men who made \$3,000,000,000 of excess war profits will be tenderly cared for and will not be compelled by this House to give up any of their war earnings. [Applause.]

These gentlemen whose names I have read are reputed to be millionaires, every one of them, and they have never been heard to deny it. [Applause and laughter on the Democratic side.]

On this side we follow the leadership of a great man who came from the ranks. In spite of the adverse action of a prior Democratic national convention, he towers to-day high upon the horizon of the Nation. [Applause.] We follow the leadership of a man whose career in this House has been longer than the career of almost any other Member of this House. He is my nearest congressional neighbor; we live just 35 miles apart. I know something about him. I knew him when he was a young lawyer making more money than he makes now. I knew him when he owned broad acres of fertile land and had his share of this world's goods; but after all these years of honest service for his country, if he will sit down and inventory his effects, he will find that he has not as much as he had when he entered this House.

Mr. JOHNSON of South Dakota. Will the gentleman yield?

Mr. HENRY T. RAINEY. Yes.

Mr. JOHNSON of South Dakota. All of us on this side of the House agree to the things the gentleman has said with reference to the Democratic leader.

Mr. HENRY T. RAINEY. I do not know whether all of you do or not, but those do who have good judgment. [Laughter.]

Mr. JOHNSON of South Dakota. Can the gentleman assure us that the minority leader will agree to this proposition and join with us in the proposal of what should be taxed?

Mr. CLARK of Missouri. If the gentleman from Illinois will yield, I assure the gentleman from South Dakota that every Democrat will vote for the proposition just urged by the gentleman from Illinois [Mr. HENRY T. RAINEY]. We will all line up. [Applause on the Democratic side.]

Mr. CAMPBELL of Kansas. Will the gentleman yield?

Mr. HENRY T. RAINEY. Yes.

Mr. CAMPBELL of Kansas. The gentleman's committee and party were in the majority when these gentlemen were making these billions that he speaks of, and we needed billions then to run the Government. Why did he not take them when they were making it rather than to borrow the money?

Mr. HENRY T. RAINEY. We did, and you helped us make the bills; we took all the Republican members of the Ways and Means Committee would permit us to take. [Applause on the Democratic side.]

Mr. CAMPBELL of Kansas. But the gentleman states that they made an excess of two or three billions. Why not take it at the time they were making it?

Mr. HENRY T. RAINEY. I am attempting to put nothing in the RECORD that has not been corroborated by the actuaries.

Mr. PLATT. Will the gentleman yield?

Mr. HENRY T. RAINEY. Yes.

Mr. PLATT. Does the gentleman mean to say that they made \$2,000,000,000 in excess, over and above the taxes that they paid?

Mr. HENRY T. RAINEY. No; I have read the exact language of the Government actuary; the figures are not my figures. Taxes heretofore paid are not included.

Mr. PLATT. Then it is all nonsense.

Mr. HENRY T. RAINEY. It is not nonsense, but it is nonsense to attempt to protect them from any further taxes. I would not leave anything of excess war profits if I had my way [applause on the Democratic side], and I would be in perfect harmony with what other nations of the world propose to do.

Of course, you would expect no other answer than what has just been made by the Democratic leader on this side. We follow also that other leader, poorer now than when he entered the House, who had enough courage to violate the advice of his physician and come to this House and speak in defense of the Constitution of the United States as forcefully as he always speaks, and who was carried from this building stricken by paralysis at the conclusion of his speech, carried on a stretcher, and who to-day is confined to his room in this city—the Hon. CLAUDE KITCHIN, of North Carolina. God speed his recovery, and may the time be not far distant when, completely restored to health, he will take his place again in this House. [Applause.] I am speaking to-day as the next ranking member on that committee in his place on this floor, but if he were here to-day he would rise in his place as our great leader has just risen and would agree with him on this proposition. You follow the leadership of this committee of distinguished gentlemen, gentlemen of high personal character, these gentlemen with millions of money to whom I have just called attention. You, or the majority of you, have so far followed them blindly.

I want to say to these four gentlemen who control you and your votes—and I make this challenge—if you gentlemen on this steering committee and you Republicans on the Ways and Means Committee—and there are three Republican millionaires on that committee, too—I make this challenge, that if you will tell what your income was in 1914 and will authorize a disinterested committee to investigate the returns up in the Treasury Department and will tell us what your income was during the war, we can tell whether you are war beneficiaries or not; and on behalf of myself, on behalf of the leader of this House, the gentleman from Missouri, on behalf of the gentleman from North Carolina [Mr. KITCHIN], and on behalf of the Democratic members of the Ways and Means Committee, I promise that if you accept this challenge we will do likewise. [Applause on the Democratic side.] And it may be when the results are compared and presented in the newspapers of this land, possibly then the soldiers and their friends will know why you propose on the 3d day of May to force the taxing features you have drafted down the throats of the people of this country if you can, without an opportunity to amend and after only 40 minutes' debate, and after we have only had 20 minutes on this side, and without an opportunity to lay any burdens, no matter how light they may be, on the war beneficiaries, on the war corporations who are so tenderly protected by the Republican leaders in this House. If you want to go into the approaching campaign with such a record as that, we accept the challenge. [Applause on the Democratic side.]

I charge that you know you can not get this bill through with these obnoxious provisions in it on the 3d day of May. You hope to be able to whip enough Republicans into line to show that more Republicans voted for it than Democrats, and then you intend to drop this bill until after the elections, so that you can go out and say, "These are the Democrats who voted against this proposition to protect the war beneficiaries of this land," except that you will not phrase it in that way, "and these are the few Republicans who voted that way." Therefore you

think the soldiers of this land can tell from that what they ought to do. You have hold of a proposition in your method of taxation which is so hot that you would like to let go of it, if you could, but you do not know how to do it, and in this manner you propose to kill the bill and you hope to escape the responsibility of killing it.

Mr. TINCHER. Mr. Chairman, will the gentleman yield?

Mr. HENRY T. RAINEY. For a very brief question.

Mr. TINCHER. I have in my hand H. R. 13156, introduced by the gentleman from Illinois [Mr. HENRY T. RAINEY]. I want to ask him if that is his idea of the way to raise the money to pay this bonus—his own bill introduced on March 19, 1920?

Mr. HENRY T. RAINEY. That is one of my ideas.

Mr. TINCHER. That is the plan that the gentleman is advocating now that the House should adopt?

Mr. HENRY T. RAINEY. I am not now advocating that plan in its entirety.

Mr. TINCHER. The gentleman introduced this bill.

Mr. HENRY T. RAINEY. I introduced that bill, and it is a better bill than any Republican Member of this House has introduced.

Mr. TINCHER. Does the gentleman know of anyone who has introduced the plan which he is advocating to-day?

Mr. HENRY T. RAINEY. Yes; part of it is included in that bill, and the proposition to tax also war corporations is in the bill introduced by the gentleman from South Dakota [Mr. JOHNSON], who is one of the Republican leaders of this House.

Mr. TINCHER. I want to study the gentleman's plan.

Mr. HENRY T. RAINEY. I will tell you what it is, and the gentleman can make a study of it with great profit to himself.

Mr. TINCHER. I have the gentleman's bill here.

Mr. HENRY T. RAINEY. My plan is to levy a tax upon those 69,000 war beneficiaries who received over \$3,000,000,000 in war profits, and upon those corporations who received over \$2,000,000,000 in war profits above their normal profits. I want to tax them. I want to be permitted by the majority of the Ways and Means Committee to have the opportunity upon the part of the Democrats of the House and the Republicans who are opposed to a sales tax to present here, if we can agree on it, and we can agree, a proposition compelling war beneficiaries among the corporations and the individuals of the land to contribute what they ought in good conscience to contribute to this great fund.

Mr. TINCHER. Mr. Chairman, will the gentleman yield again?

Mr. HENRY T. RAINEY. No; I can not yield further. I do not care if you put into your bill a tax upon certain luxuries, nor upon stock exchanges or things of that kind. You can put those in, if you want to; but what I want is the opportunity for free legislation in this House, the opportunity to present other suggestions than the proposition of tenderly protecting the war millionaires and the wealth of this country.

It is not necessary to disguise the situation. There is a contest on in this country to-day and throughout the world to find out who is going to bear the brunt of these stupendous war debts. Wealth, on the one hand, is seeking to avoid that burden, and through the sales tax of the Middle Ages and the merchant taxes of 700 years ago it is seeking to impose that burden upon the people of the land. They are endeavoring here to get through a scheme of taxes which will tax for this patriotic fund the man whose income is only \$500 a year just as much as the man whose income is \$1,000,000 a year. That is what you are proposing to do and that is what we want to prevent, if we can, and if we can persuade enough of you gentlemen to be fair enough to desert these millionaire committees of yours and vote down these obnoxious propositions on the 3d day of May, when the Republican millionaire steering committee tries to cram them down the throats of the farmers and the laboring men of this land, then we will be able to meet again after that sort of a discipline these Republican members of the Committee on Ways and Means around the council board, and we will be able at least to get them to consent and to get this millionaire steering committee of yours to consent after they have been so disciplined to permit us to submit here to this House the opportunity of determining, as the makers of the Constitution thought you ought to determine in this House, the character of taxes you want.

There is not anything new about the tax proposed in my bill, I will say to the gentleman from Kansas [Mr. TINCHER], and I am sorry I could not yield to him longer, for I do not want to be discourteous to any gentleman. This fight that I have described is going on all over the world. There is a fight in this country now to increase the number of the rich, to increase the number of the very poor, and to wipe out of existence the great middle class, to make a nation of a few rich men and of a numberless proletarian class, and that is the condition which has confronted

every great nation in the history of the world just before its dissolution. That is the condition this steering committee of yours is hurrying up in this country of ours by resorting to this method of taxation. They realize the danger now in England. In England in the month of October last the House of Commons appointed a special committee, which they called a committee to tax war wealth, and that special committee delegated at once to the board of inland revenue of England the task of making preliminary studies. The board of inland revenue made its preliminary study and made its report late in November. The board of inland revenue found in its report that war wealth can be taxed, and that war wealth should be taxed, and in that report, which you may now find at the bookstores in this country and at all of the bookstores in England, they make 48 suggestions as to methods of approaching this tax. They quote approvingly the work of F. A. Hobson, the greatest economic writer of the day, who has just issued from the press in London a new book on economic questions, which he calls "Taxation in the New State." He approves taxing war fortunes. In England they can do that; in this country we can not. In England, if they follow the suggestions contained in these preliminary studies, and they are still working on the proposition there and have not determined yet what to do, they will tax even war increases of wealth, reaching the increase in value of property on account of its supposed increased earning capacity due to the war.

In France they are still discussing not a tax on war incomes alone but they are discussing there a tax upon capital, and writers on economic subjects are insisting that if the problems of the present are to be solved they must be solved by resorting to a system of taxes new in the history of the world. You gentlemen are not up to the economic thought of the present day; you cling to the theories of long ago. You do not realize, so far are you behind the times, that you stand to-day in a new world, a world which faces bankruptcy, and we will follow the other nations rapidly along that course if your method of increasing millionaires and increasing the numberless proletarian class of this land is to prevail.

But the time has come in this body for constructive statesmanship—

Mr. JOHNSON of South Dakota. Will the gentleman yield?

Mr. HENRY T. RAINEY. I will.

Mr. JOHNSON of South Dakota. Would the gentleman from Illinois not agree with me that in order effectually to answer the argument put forth by the gentleman it will be necessary for anyone replying to him to show the relative merit of the consumption or sales tax?

Mr. HENRY T. RAINEY. Yes, indeed it would. [Applause on the Democratic side.] I am glad I am able to agree with my courageous young friend—

Mr. PLATT. Will the gentleman yield?

Mr. SMITH of Idaho. Will the gentleman yield?

Mr. HENRY T. RAINEY. I yield to the gentleman from Idaho.

Mr. SMITH of Idaho. I understand the gentleman is proposing—

Mr. HENRY T. RAINEY. I will say to the gentleman I would yield indefinitely if they would give me indefinite time.

Mr. SMITH of Idaho. Is it not true that these men who may have made great profits during the war have already paid into the Treasury 60 per cent of their income and have invested the remaining 40 per cent in enlarging their plants?—Are we to understand that you propose to compel them to turn this property into money and pay it into the Treasury. Would this not be confiscation? In what other way can you get the money?

Mr. HENRY T. RAINEY. Not at all.

Mr. SMITH of Idaho. How are you going to get it? On the assumption they have already invested their excess profits, how are you going to get the money?

Mr. HENRY T. RAINEY. Those are war profits—

The CHAIRMAN. The time of the gentleman has expired.

Mr. HENRY T. RAINEY. I am very anxious to answer questions, and I will ask unanimous consent to proceed for 20 minutes longer, and I will agree to answer all questions.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed—

Mr. HENRY T. RAINEY. I will occupy that time in answering questions and will be glad to do so.

The CHAIRMAN. The time was fixed by unanimous consent at 1 hour and 40 minutes.

Mr. CAMPBELL of Kansas. The time was fixed in the House by unanimous consent.

The CHAIRMAN. The Chair supposes, however, it would be in order for a request for unanimous consent.

Mr. HENRY T. RAINEY. Certainly; there is no question about it, if gentlemen on the Republican side really want to hear my answers to their questions.

Mr. WALSH. Certainly it would not be in order.

The CHAIRMAN. The gentleman is correct.

Mr. HENRY T. RAINEY. I regret that I have no more time.

Mr. RHODES. Mr. Chairman, I desire to make an agreement with the gentleman from Oklahoma [Mr. HASTINGS] with regard to the use of the 30 minutes of time now remaining. I will ask the gentleman if he desires that he be yielded half of that time?

Mr. HASTINGS. That is entirely satisfactory.

Mr. RHODES. Then I will state, Mr. Chairman, that one-half of the 30 minutes is to be controlled by myself and the remaining 15 minutes by the gentleman from Oklahoma [Mr. HASTINGS].

The CHAIRMAN. The Chair so understands.

Mr. RHODES. I now yield five minutes to the gentleman from Kansas [Mr. TINCHER].

Mr. TINCHER. Mr. Chairman, I ask unanimous consent to proceed out of order for the five minutes yielded me.

The CHAIRMAN. That is unnecessary, unless some one objects.

Mr. TINCHER. Mr. Chairman and gentlemen of the committee, the thought occurred to me while the gentleman from Illinois was speaking, in whom I have the greatest confidence as a financier, that he has introduced a bill to raise this money to pay the bonus, and I sent to the document room and got a copy of the bill that the gentleman himself has introduced, and I supposed that he would say that was the measure he favored, as it was introduced March 19, after he had sat in the Ways and Means Committee personally, not with closed doors, and heard testimony of the soldier boys who, as he terms it, demand this legislation. I supposed that I could depend upon that as his idea of raising this revenue, but for some reason he will not accept it. Why? Because it is along the same line as the speech he has just delivered in this House. It was not made for a law; it was made to catch votes. It provides a system of taxation on the man who paid the income tax during the war that would bankrupt every retail merchant in America who paid an income tax during the war. I agree with the gentleman that we should reach these millionaires who made the \$2,000,000,000. I condemn the administration that permitted them to filch from the American public during the war, and I will vote for a measure taking that money from them. We have hundreds of places to put it without paying it in a soldier bonus, but that will not afford an excuse for being against the soldiers that did not demand but asked for a bonus. We will still be in session and you can try out your 69,000 war profiteers fostered by your administration who were permitted to filch from the American public as they have done.

We can still pass laws to cover many deficiencies that exist now by reason of your mismanagement and still pass laws directing billions of dollars to pay those deficiencies. I say to the gentleman that he, as the now acting ranking minority member of the Ways and Means Committee, to a new Member of Congress stands in poor light in saying to me that I can not rely upon his plan which was introduced as late as March 19 for taxing the war profiteers. There is a lot of talk about this, and there is a lot of buncombe about your advocating a plan of taxes for war profiteers. Put your plan in writing. There is nothing in the world to hold the Democratic minority of the Ways and Means Committee from doing what you contemplated doing in March. Reduce your plan to writing for raising this or any other revenue and put it in the form of a bill.

Mr. HENRY T. RAINEY. Mr. Chairman, will the gentleman yield?

Mr. TINCHER. I have but five minutes, and I believe the gentleman declined to yield to me when he had 1 hour and 30 minutes.

Mr. HENRY T. RAINEY. I yielded to every gentleman, I think, on that side.

Mr. TINCHER. Here is a tax law introduced by the gentleman that proposes to go back and take the income tax returns of 1917, 1918, and 1919—take 50 per cent of the profits made by anyone in excess of \$20,000 away from him; no exceptions, except those whose incomes were large in 1914.

Your bill would not reach the really rich man, but would catch the medium business man.

Your bill makes no provision for a man who lost as much in 1919 as he made in 1917 and 1918 combined.

Your bill makes no effort to care for the retail merchant that must stand a loss whenever the articles on his shelves go down in price, as we all know they must go down.

I want to make this suggestion: I studied this bill when it was introduced. Why? Because that bill as a law would bankrupt every man in the United States engaged in the enterprise of producing live stock, and who paid an income tax those years.

In my district there is not a live-stock man but that piece of punk legislation, introduced for the purpose of catching flies, if enacted into law, would render bankrupt. I am just a little tired of hearing that kind of stuff and sitting still and not replying, and so I asked for this time of five minutes to refer to this bill offered by the gentleman, who took an hour and a half to defend his own plan, and then did not do it. [Applause on the Republican side.]

Mr. MONDELL. I think the gentleman ought to give the gentleman from Illinois [Mr. HENRY T. RAINEY] an opportunity to repudiate his bill.

Mr. TINCHER. He did practically repudiate it while speaking when I asked him about it.

Mr. RHODES. Mr. Chairman, I yield eight minutes to the gentleman from Montana [Mr. RIDDICK], the author of the bill.

Mr. RIDDICK. Mr. Chairman, S. 2890 as amended by the House Indian Committee is substantially the bill I introduced as H. R. 9709. It provides for the allotment of lands and other property belonging to the Crow Indian Tribe in Montana.

The Crow Indian Reservation is in the southeastern part of Montana. It is a small empire in extent, being nearly four times the size of the State of Rhode Island. It is a historic spot, the scene of Custer's last stand. It is a beautiful country with snow-capped mountains, picturesque valleys, and rolling plains. Its soil is fertile and it is well watered with mountain streams. Its grasses are so plentiful and so nutritious that the cattle which feed there are reported to be the finest grass-fed cattle that reach the Chicago market. This vast and rich territory, comprising nearly 2,000,000 acres, is occupied and owned in common by the 300 Indian families who reside there. There are about 1,700 of these Indians, all told, including adults and children.

In addition to owning this land in common there is also a tribal herd of cattle numbering more than 15,000 head. There is money in the bank belonging to this tribe of Indians amounting to over a quarter of a million dollars.

These Indians are held as wards of the United States Government, and their business is looked after for them under the direction of the Commissioner of Indian Affairs, in the Department of the Interior.

Although this tribe of Indians is possessed of great wealth, if one would visit this reservation one would see little evidence of prosperity or comfort. The Indians, most of them, live in poorly constructed shacks. They spend a great deal of their time in idleness or play, there being little individual incentive to go to work, and the population is decreasing.

A great many of these Indians are competent to look after their own personal and business affairs. They have had the privilege of years of schooling and of commingling with their white brothers in cities and towns and among neighboring ranches.

Some of these Indians have great wealth in their own right. Some are among the best-educated Indians in the country. The Indians are all dissatisfied with the present arrangement. For many years they have held frequent council meetings and have decided that they want to each own his own property in his own right. They do not want to longer be wards of the Government. They desire full citizenship and to stand on their own resources as soon as they are able to do so.

The simple purpose of this bill is to equitably divide this land and this other property, held in common by the tribe, and to give to each Indian his individual share, and to determine what Indians are fully capable of administering their own affairs. The bill provides that those who are competent shall be placed upon their own resources and be given all their property and all the rights and privileges of citizenship under proper safeguards. It also provides for those not yet fully competent, and that these may as rapidly as possible be made independent of the guardianship exercised over them by the United States Government, and be given that individual responsibility which is the ultimate achievement aimed at in the proper settlement of what is known as the Indian problem. This has been the wise and consistent policy of Congress in the past.

In the opinion of the Indian Committee, which recommends the passage of this bill, the Crow Indians have now reached a position where the ownership of their land and their property can be safely intrusted to them.

Exhaustive hearings have been given on this bill, both by the Senate Indian Committee and by the House Indian Committee.

Delegates of the Crow Indian tribe have been present at these committee meetings and are now here in Washington, and are unanimous in expressing the earnest desire that the Congress shall pass this bill in its present form as promptly as possible.

Ex-Secretary Lane, who was Secretary of the Interior when the hearings were begun upon this measure, asked that a cer-

tain amendment recommended by him should be incorporated in the bill, and with this change recommended its passage. This amendment recommended by Secretary Lane is one of the committee amendments now incorporated in the bill. Every member of the Indian Committee favors the passage of this bill. The Indian Department has cooperated with the Indian Committees of both the Senate and the House and the Crow delegates from the Crow council, and all have agreed upon the bill in its present form and recommend its passage.

Necessarily certain safeguards must be made for the mutual protection of the Indians of all degrees of competency, and to these provisions there has been given careful thought in the preparation of this bill. In the division of property which is now held in common ownership every individual Indian will receive more than a thousand acres of land. Each Indian family will receive an average of about 50 head of cattle, and each family will have an average credit in the bank of about \$1,000.

Of the 1,000 or more acres that will be allotted to each Indian there is a provision that 320 acres of his land shall not be sold for a period of 25 years. With the additional money that will go to these Indians from the rental or sale of their surplus lands all competent Indians may undertake the management of their own affairs under the most favorable circumstances.

One interesting provision in the bill is that such inherited Indian land as is held in trust by the United States Government on this reservation shall be sold to ex-service men who will make their residence upon the land on payments extending over 20 years' time.

There are 18 sections in the bill.

Section 1 indicates what lands shall be allotted and the procedure of making the division. About 400,000 acres of mountainous grazing land is reserved from allotment for grazing land for the tribal herd. The balance is all to be allotted.

Section 2 provides for individual development in that no sale of lands by an Indian shall be approved by the Secretary of the Interior to any person who owns 640 acres or more. Any sale to such a person, either directly or indirectly, shall be void and the purchaser deemed guilty of a misdemeanor and subject to a fine or imprisonment, or both.

Sections 3 and 4 provide for the Secretary of the Interior to make a complete official roll of the members of the tribe and protect the Indians against fraudulent allotment.

Section 5 reserves unallotted lands now being used for agency, school, cemetery, religious, and recreation purposes.

Section 6 reserves all oil and mineral rights for the benefit of the tribe for 25 years, and provides for the leasing of such land.

Section 7 appropriates \$50,000 of the Indians' money to cover the cost of making surveys and allotments and to meet other expenses.

Section 8 protects the Indian tribal funds, amounting to nearly \$2,000,000, that have been expended for irrigation, by providing that the irrigation cost, which averages about \$23 per acre, shall stand as a first lien against the 73,000 acres which are included in the several projects. This section also provides that no new irrigation projects shall be begun without the consent of the tribal council.

Section 9 provides that all laws of the United States prohibiting the sale of liquor in Indian territory shall continue operative in this territory.

Section 10 reserves unallotted the water-power sites for the benefit of the tribe. The committee amendment to this section, made by striking out the language in lines 5 and 6, on page 11, is made on the written request of ex-Secretary Franklin K. Lane, who wrote the chairman of the House Indian Committee, under date of October 24, 1919, that with this amendment he recommended the enactment of this bill.

Section 11 provides for an equitable division among the individual Indians of the tribal herd of cattle and for the protection and division of trust money belonging to the tribe. It also provides for the setting aside out of tribal funds of \$100,000 for the support of the agency school, \$50,000 for the permanent support of the agency hospital, and \$50,000 to be placed in a revolving fund to be used to furnish seed, animals, machinery, and so forth, when needed by individual Indians.

Section 12 provides that the Secretary of the Interior shall appoint a commission of three members. Two of the members are to be Indians to be selected by the Indians themselves and one is to be a representative of the Interior Department.

Section 13 provides that every member of the Crow Tribe shall designate as a homestead 640 acres of his land, and 320 acres of this homestead, including that part of the land upon which his buildings are located, he can not sell for 25 years.

Section 14 provides for the grouping of allotments so that members of a family may own their land in one body.

Section 15 provides that ex-service men who will actually settle on this land may purchase inherited Indian land held in trust by the United States on annual payments covering a 20-year period.

Section 16 grants to the State of Montana sections 16 and 36 in every township for school purposes, and provides for an appropriation to pay the Indians \$5 an acre for such land.

Section 17 provides for the establishment and sale of town sites within the reservation.

Section 18 provides for an appropriation of \$10,000, or so much thereof as may be necessary, out of tribal funds to pay the expense of Indian councils in looking after the affairs of the tribe.

This bill is prepared and is recommended by the Indian Committee and by the Indian Department in the belief that it is in the best interests of the Indians themselves and fully protects their interests in every particular.

Frank Yarlott, an educated Indian, who was sent to Washington to speak for his tribe, makes the following statement regarding this measure:

As the bill now stands, it has the unqualified indorsement of the entire tribe.

To the educated Indians who have closely watched events this seems the best solution to the long vexed "Indian problem." This means the gradual influx of white settlers, with whom the Indians will become acquainted and gradually absorb their methods of farming and cattle raising. They will come to understand the white temperament gradually and be friends.

It is the hope and desire of the Indians that their white friends will support this bill, as there was perfect harmony between the Indian Committee, the Office of Indian Affairs, and the Crow delegation. They are also anxious for the development of the reservation and believe this plan is best for all concerned.

[Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. HASTINGS. Mr. Chairman, this bill has been very carefully considered by the Indian Committee of the Senate, where extensive hearings were had, where the Indians were represented and the department was represented, and it passed the Senate and was referred to the House Committee on Indian Affairs, where it has been very carefully considered. And with certain amendments recommended by the House committee, it is unanimous in recommending the passage of the bill. The details of it have been carefully explained by the gentleman from Montana [Mr. RUDNICK], and I shall not consume the time of the House in the further discussion of it unless it be under the five-minute rule, when we take it up for consideration.

I will employ the remainder of my time in discussing another subject. I am going to discuss the proposed amendment to the Constitution empowering the President of the United States to veto separate items in an appropriation bill.

Mr. Chairman, the proposed amendment to the Constitution gives the President power to veto separate items of appropriation bills. Much consideration has been given to the reduction in public expenditures by this session of Congress. Estimates have been cut down and amendments lowering amounts appropriated in various items have been added. Everyone appreciates the necessity of reducing expenses wherever possible without crippling the public service. We must economize all along the line, beginning first with our personal expenditures and extending through town, county, State, and national affairs. I heartily approve the organization of every club that has for its purpose the reduction in the cost of living. Every cent spent unnecessarily and not for investment or production contributes to the high cost of living. The time has come when Congress must set the example for economizing.

The House passed a bill—H. R. 9783—on October 20, 1919, providing for a national budget system and an independent audit of Government accounts. That was six months ago. The country is demanding action upon this measure. The responsibility for inaction is upon the Senate and not upon the House. We have done our duty. I gave my hearty support to the bill when it was before the House for consideration. At the same time I invited the attention of the House to a proposed amendment to the Constitution, which would permit the President of the United States to veto separate items in any appropriation bill, that I had introduced and that had been referred to the House Judiciary Committee. I made some remarks upon this resolution at the time the budget bill was being considered. I have taken occasion to call it to the attention of the Members of the House at different times since.

Mr. BLANTON. Mr. Chairman, will the gentleman yield right there?

Mr. HASTINGS. I will.

Mr. BLANTON. The gentleman will remember the admonition given us by the chairman of the Appropriations Committee, that if we ever expected to have a budget passed at this

session we must put it on the next appropriation bill and insist on its going through on that measure?

Mr. HASTINGS. I heard some discussion of that, I believe, from the chairman of the Committee on Appropriations when some conference report on an appropriation bill was up for consideration some few days ago.

I think this proposed amendment is of the very greatest importance. I want to take up a little time of the House to impress upon you the necessity for passing this proposed amendment. It will not interfere with the budget system, but it will supplement it. There has been much criticism throughout the country against so-called "logrolling" among Members of Congress. It is frequently asserted that Members from various States secure places on committees for the purpose of getting appropriations for their particular districts or States, and that some appropriations are secured that are not justified or that could be postponed. We hear much of so-called "pork barrel" legislation. We have a good many omnibus appropriation bills. When a bill passes the House and the Senate and is sent to the President, he must either approve or disapprove the entire measure. He is not at liberty to veto any separate item. I am very much interested in public expenditures and want to do everything that will effectively limit them. Having that in view, I introduced the proposed amendment to the Constitution (H. J. Res. 238):

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following amendment to the Constitution be, and hereby is, proposed to the States, to become valid as a part of the Constitution when ratified by the legislatures of the several States, as provided by the Constitution:

Amend section 7, Article I, of the Constitution of the United States by adding the following paragraph at the end of said section:

"Every bill which shall have passed the House of Representatives and the Senate making appropriations of money embracing distinct items shall before it becomes a law be presented to the President of the United States; if he approves, he shall sign it, but if he disapproves the bill or any item or appropriation therein contained, he shall communicate such disapproval, with his reasons therefor, to the House in which the bill shall have originated. All items not disapproved shall have the force and effect of law according to the original provision of the bill. Any item or items so disapproved shall be void, unless repassed by a two-thirds vote, according to the rules and limitations prescribed in section 7, Article I, in reference to other bills."

We have a similar provision in the constitution of the State of Oklahoma. The governor is at liberty not only to veto but reduce the amount of any item in an appropriation bill. It has been suggested that this proposed amendment be changed so as to permit the President not only to veto any separate item but to reduce any item. I think that this suggestion should be followed.

Knowing that a number of the States have adopted new constitutions within the past few years, and desiring to get as much information as possible on the subject, since the introduction of the proposed amendment I wrote a letter to the governor of each State, advising that Congress was considering budget legislation. I inquired of them as to whether or not their State had a budget system and such an amendment authorizing the governor to veto separate items of appropriation bills, and whether it had been beneficial and had resulted in a saving. I found that quite a number of the States have such a provision in their constitution. Without exception, every governor replying, where there is such a provision in force, commended it.

This is a matter of such moment that I feel justified in putting into the RECORD some of the replies received from the various governors. All of them are short. They will be useful not only to Members of the House but to people throughout the country who are giving this subject serious consideration.

The reply from the governor of Arizona is a typical one. He is permitted to veto separate items in appropriation bills, but is not permitted to reduce any item; which emphasizes the suggestion heretofore made to amend the proposed constitutional amendment so as to permit the President to reduce as well as to veto items in appropriation bills. The governor's letter reads as follows:

STATE HOUSE, EXECUTIVE OFFICE,
Phoenix, Ariz., December 10, 1920.

Hon. W. W. HASTINGS, M. C.,
Washington, D. C.

MY DEAR MR. HASTINGS: Referring to your letter of the 4th instant in regard to the veto of items in the appropriation bills in Arizona, I cite you to Article V, section 7, of the constitution of the State of Arizona, which contains the authority similar to that in your proposed amendment to the Constitution of the United States.

It has been the experience of Arizona that this has tended toward the keeping down of expenditures by the State legislature where it is necessary to specify the appropriations by items. It is not unusual, however, to put through "lump" appropriations in a manner that makes it necessary for the executive to approve some expenditures against his will rather than to veto other items that are just and necessary.

At the last session of the legislature a budget bill was passed, copy of which is inclosed herewith, and under this law a detailed classification of all expenditures is necessary in requesting appropriations, and this will better enable the executive to exercise his judgment in passing on and either vetoing or approving the various items.

Sincerely, yours,

THOMAS E. CAMPBELL,
Governor of Arizona.

The State of Arizona has passed a bill providing for a budget system, and the governor indicates in his reply that the authority to veto separate items will be more helpful, now that the budget bill has been passed.

The State of Alabama has no such provision in its constitution, but recently a budget system has been provided, which is strongly commended by the governor, as follows:

STATE OF ALABAMA,
EXECUTIVE DEPARTMENT,
Montgomery, December 6, 1919.

Hon. W. W. HASTINGS,
House of Representatives, Washington, D. C.

MY DEAR MR. HASTINGS: Your letter of the 4th instant has been received. There are no provisions in the constitution of Alabama for a budget. However, the present legislature, at its January session, enacted a law creating a budget commission, copy of which I inclose herewith.

At the adjourned session in July the budget plan was put to a test, and it worked out to our entire satisfaction. In compliance with the terms of the law, a budget was prepared and presented to the legislature for its consideration at the adjourned session, with the result that no appropriations were made in excess of the amounts contained in the budgets, and with the further result, of course, that the appropriations were held within the income of the State as estimated by the budget commission. Provisions for a budget system will undoubtedly be incorporated by amendment to our constitution or in the writing of a new constitution at a not far distant date.

I believe the budget system is worth hundreds of thousands of dollars per year to the State of Alabama, and I believe a budget system for the United States would be worth hundreds of millions per year to the Government.

Very truly, yours,

THOS. E. KILBY,
Governor.

The State of Arkansas has such a provision in its constitution, but the governor has no authority to reduce any item.

EXECUTIVE CHAMBER, STATE OF ARKANSAS,
Little Rock, December 8, 1919.

Hon. W. W. HASTINGS,
National House of Representatives, Washington, D. C.

MY DEAR MR. HASTINGS: By reference to section 17, article 6, of the constitution of Arkansas, you will find the following language:

"The governor shall have power to disapprove any item or items of any bills making appropriations of money embracing distinct items; and the part or parts of the bills approved shall be the law, and the item or items of appropriations disapproved shall be void, unless repassed according to the rules and limitations prescribed by the passage of other bills over the executive veto."

Trusting that this is the part of the constitution that you have in mind and that it will serve your purpose, I am,

Yours, very cordially,

JNO. L. CARTER,
Private Secretary.

Mr. BLANTON. Right there, before the gentleman leaves that point, will he permit me to ask him a question in the nature of a suggestion?

Mr. HASTINGS. I would be glad to do so.

Mr. BLANTON. The gentleman's line of argument is good, and along that subject I want to call his attention to what we lawyers know as a remittitur. Where a judgment goes to an appellate court in a certain amount of money, and the appellate court thinks that judgment is too great, it says to the plaintiffs below that "if you will file a remittitur reducing the amount so much in a certain time we will affirm it; otherwise we will reverse it." Thus the President might require us to reduce appropriations.

Mr. WALSH. Does not the gentleman think that if it should be permitted the Executive to reduce the appropriations made by the legislative power, that would be practically conferring the power of legislation upon the Executive?

Mr. HASTINGS. No; and for this reason: It does not work that way. For instance, suppose an appropriation of \$100,000 is made for a particular purpose, and the governor of the State, or, if this proposed amendment is adopted, the President of the United States, thought \$75,000 was sufficient. He would veto the extra \$25,000. That item would come back to the House, and if the House thought that the sum ought to be \$100,000 instead of \$75,000, we would pass that extra \$25,000 over the President's veto.

Mr. WALSH. I did not understand the gentleman's statement at the outset. I thought he could reduce it without vetoing it. I see the distinction now.

Mr. HASTINGS. No. The action is to go back in every case either to the legislature, or, in this event, to the Congress of the United States.

Mr. STEVENSON. Mr. Chairman, will the gentleman yield to me?

Mr. HASTINGS. I will be glad to.

Mr. STEVENSON. I am interested in the gentleman's statement as to the different States. In my State since 1896 the governor of the State has had the right to veto any item in an appropriation bill, and frequently he does so, and they have run over his veto or it goes out. But two years ago they adopted the budget system there, and the result was that this past legislature, which was the first one since the budget system was adopted, took all that was included in the budget and passed a million dollars more, and the result was that while our appropriation was \$5,000,000 before, it ran up to \$6,000,000. Is there any way to get around that? They justified everything in the budget and then added \$1,000,000 more. Is there any way to get around that kind of procedure?

Mr. HASTINGS. That is no answer to budget legislation. I remember seeing the statement that during Washington's administration the annual appropriation was only \$3,000,000. Now it is about \$4,000,000,000. Our Government expenditures—municipal, State, and national—of course are growing more and more each year, and doubtless in the good State of South Carolina the State expenditures were perhaps not one-fifth 20 years ago what they are now. We are spending money for more things. We are doing a great deal more for the masses of the people of the country, and I doubt not that the expenditures—the legitimate expenditures—are greater in the State of South Carolina to-day, as they are in every other State, than they were 25 years ago.

Mr. STEVENSON. This increase is in one year and contemporaneous with the putting into effect of the budget system. They justified the first appropriations by putting them all into the budget and reporting the other amounts later.

Mr. HASTINGS. I have here a letter from the governor of South Carolina, in which he makes comment on the power of the veto of an item in an appropriation bill.

Mr. STEVENSON. That has been a very splendid provision. It has been used to safeguard the funds of the State frequently.

Mr. HASTINGS. The State of Colorado not only has the budget system but also has a provision in the constitution similar to the one proposed, permitting the governor to veto any item in an appropriation bill. The letter from the budget commissioner favorably commenting upon it states:

This section has proved very efficacious in holding down of State expenditures, as the governor has often exercised his right to cut various items from appropriation bills.

THE STATE OF COLORADO,
EXECUTIVE CHAMBER,
Denver, December 20, 1919.

Hon. W. W. HASTINGS, M. C.,
Washington, D. C.

DEAR CONGRESSMAN HASTINGS: Your favor of December 4 addressed to the governor of Colorado was referred to the undersigned. In reply to your query permit me to quote section 12 of the constitution of Colorado, which answers your question:

"Governor may veto items in appropriation bills—reconsideration. The governor shall have power to disapprove of any item or items of any bill making appropriations of money, embracing distinct items, and the part or parts of the bill approved shall be law, and the item or items disapproved shall be void, unless enacted in manner following: If the general assembly be in session, he shall transmit to the house in which the bill originated a copy of the item or items thereof disapproved, together with his objections thereto, and the items objected to shall be separately reconsidered, and each item shall then take the same course as is prescribed for the passage of bills over the executive veto."

This section has proved very efficacious in holding down of State expenditures, as the governor has often exercised his right to cut various items from appropriation bills.

Yours, very truly,

C. A. LEMMERS,
Budget Commissioner.

Within the time allotted to me I can not take time to go through a great number of these letters, but as I stated a few minutes ago I have no letter from any governor unfavorably commenting upon it.

The letter from the governor of Connecticut states that there is no such provision in the constitution of that State, but he heartily commends it in the following excerpt:

I am fully satisfied that he should have the power to express his disapproval of any particular item.

STATE OF CONNECTICUT,
EXECUTIVE CHAMBERS,
Hartford, December 9, 1919.

W. W. HASTINGS, M. C.,
Washington, D. C.

MY DEAR SIR: Your letter of the 4th instant is received. We have no provision in our constitution or statutes which permits the governor to veto any particular item in an appropriation bill; he must veto the whole bill or let it go. This is not as it should be. I am fully satisfied that he should have the power to express his disapproval of any particular item. I am,

Sincerely, yours,

M. H. HOLCOMB.

The State of Florida does not have such a provision nor does it have any provision for a budget.

STATE OF FLORIDA,
EXECUTIVE CHAMBER,
Tallahassee, December 10, 1919.

Hon. W. W. HASTINGS,
House of Representatives, Washington, D. C.

DEAR SIR: Your letter of the 4th has been received, and in reply to same desire to advise that we have no budget bill in this State.

With best wishes, I am,

Yours, very truly,

SIDNEY J. CATTS,
Governor of Florida.

Section 11, article 4, of the constitution of Idaho gives the governor the power to disapprove any item or items of any bill making an appropriation of money that embraces distinct items, and the part or parts not disapproved duly become a law. The item or items disapproved are void unless passed over his veto. The governor of Idaho commends this provision of the State constitution, as well as a budget system, although the budget system has not been in force long enough to give it a fair trial.

STATE OF IDAHO,
OFFICE OF THE GOVERNOR,
Boise, December 26, 1919.

Hon. W. W. HASTINGS,
House of Representatives, Washington, D. C.

MY DEAR MR. HASTINGS: Replying to your inquiry concerning the establishment of a budget system, under separate cover I am sending you copy of the constitution of the State of Idaho and cite you to Chapter IV, sections 10 and 11, page 20. Am also inclosing copy of senate bill No. 173, passed by the legislature of 1919 and approved by the governor March 12, 1919. This bill provides for the creation of a budget system in the State of Idaho and this is now in operation under the direction of the commissioner of finance.

We feel that the preparation of a budget as embodied in this act, to be submitted to the legislature, will be a wonderful improvement over the present method of introducing appropriation bills and will save the State many thousands of dollars. After the budget is presented to the legislature for consideration and action it will then go to the governor in the form of an appropriation bill for his approval or disapproval, as set forth in sections 10 and 11 of the State constitution.

I sincerely hope you will find the Idaho method of handling appropriations of interest and assistance. Of course, our budget system has not yet been given a fair trial, but we are very hopeful that it will prove a great success.

Very truly, yours,

D. W. DAVIS, Governor.

While the State of Iowa does not have such a provision in its constitution, the proposed amendment is strongly commended by the governor of that State.

COMMONWEALTH OF IOWA,
EXECUTIVE DEPARTMENT,
Des Moines, December 9, 1919.

Hon. W. W. HASTINGS,
House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN: I regret that we do not have in our State constitution such a provision as outlined in your favor of the 4th instant.

I wish that we did, as it would be most helpful in keeping down expenditures.

Cordially, yours,

W. L. HARDING.

The following very brief letter from the governor of Indiana shows that he is in favor of adopting the proposed amendment. He heartily commends it:

STATE OF INDIANA,
EXECUTIVE DEPARTMENT,
Indianapolis, December 6, 1919.

Mr. W. W. HASTINGS, M. C.,
Washington, D. C.

DEAR SIR: I have your letter of December 4. We have no such provision in our constitution, but upon my recommendation a proposed amendment almost identical with the one you propose passed our general assembly and will be submitted to the people for ratification.

I sincerely hope that the proposed amendment will pass Congress and be submitted to the general assembly.

Very truly, yours,

J. P. GOODRICH, Governor.

The constitution of the State of Illinois has such an amendment, and is highly commended by the governor as being helpful in keeping down expenditures:

STATE OF ILLINOIS,
OFFICE OF THE GOVERNOR,
Springfield, December 9, 1919.

Hon. W. W. HASTINGS,
House of Representatives, Washington, D. C.

MY DEAR MR. HASTINGS: I beg to acknowledge the receipt of your letter of December 4. Our constitution contains such a provision as you mention, and it has been very helpful in keeping down expenditures.

Very sincerely, yours,

FRANK O. LOWDEN.

The State of Kansas has such an amendment to its constitution, and is strongly commended in a letter received from the executive secretary, who states:

This provision of the constitution has been found to be effective in preventing pork-barrel appropriations. It also enables legislation to get through without being defeated by vicious riders.

STATE OF KANSAS,
Topeka, December 10, 1919.

Hon. W. W. HASTINGS,
House of Representatives, Washington, D. C.

MY DEAR SIR: Answering your letter of December 4, will say in 1904 our people passed a constitutional provision amending section 14 of article 2 of the constitution in these words:

"If any bill presented to the governor contains several items of appropriation of money, he may object to one or more such items while approving the other portion of the bill; in such case he shall append to the bill at the time of signing it a statement of the item or items to which he objects and the reasons therefor, and shall transmit such statement, or a copy thereof, to the house of representatives, and any appropriations so objected to shall not take effect unless reconsidered and approved by a two-thirds vote of the members elected to each house, and, if so reconsidered and approved, shall take effect and become a part of the bill, in which case the presiding officers of each house shall certify on such bill such fact of such reconsideration and approval."

This provision of the constitution has been found to be effective in preventing "pork-barrel" appropriations. It also enables legislation to get through without being defeated by vicious riders.

Very truly, yours,

C. W. SMITH,
Executive Clerk.

The governor of Minnesota advised that the proposed amendment is in substance the same as the provision in his State constitution. He strongly commends it as being wise, and suggests that the governor should also have authority to reduce appropriation items.

STATE OF MINNESOTA,
EXECUTIVE DEPARTMENT,
St. Paul, December 8, 1919.

Hon. W. W. HASTINGS,
House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN: Your letter of December 4 relative to the proposed amendment to the Constitution permitting the President to disapprove any item in an appropriation bill is received.

The proposed amendment is in substance the same as the provision in the Minnesota constitution. I think it is a very wise provision, but it would be still better if the Constitution provided that the Chief Executive might also reduce appropriation items.

There are a great many times when the executive feels that the amount allowed is too large, but he can not veto the item without stopping the work of an entire department or division of the government. Usually the appropriation bills are not presented to the governor until it is too late to send them back to the legislature for revision.

Very truly, yours,

J. A. A. BURNQUIST.

The State of Michigan has no provision of this kind in its constitution, but the legislature passed a budget bill last year.

STATE OF MICHIGAN,
EXECUTIVE OFFICE,
Lansing, December 6, 1919.

Hon. W. W. HASTINGS,
House of Representatives, Washington, D. C.

MY DEAR SIR: Gov. Sleeper directs me to say to you that we have no provision in our State constitution such as you quote in your letter to him of December 4.

The legislature of 1919, however, passed a budget bill, a copy of which I herewith inclose for your information. We have not yet had sufficient experience with the operation of this bill to make any very definite statement as to its value, but we are hopeful that it will mean a large saving to the State.

Very truly, yours,

ROLPH DUFF, *Secretary.*

Maine has no provision in its constitution permitting the governor to veto any item in an appropriation bill, but the governor is in favor of adopting such an amendment.

STATE OF MAINE,
OFFICE OF THE GOVERNOR,
Augusta, December 6, 1919.

Hon. W. W. HASTINGS,
House of Representatives, Washington, D. C.

DEAR MR. HASTINGS: I have read your letter of the 4th instant regarding the necessity for economizing in public expenditures with more than ordinary interest. Under the Maine constitution the governor has no power to veto an item in the appropriation bill passed by the legislature. I think that such a proposition is very essential and I am in favor of a constitutional amendment to that effect.

Very truly, yours,

CARL E. MILLIKEN.

In the absence of the governor of Mississippi from the capital, his private secretary wrote me that his State has no budget system, but that the governor has the right to veto any particular item in an appropriation bill:

MISSISSIPPI EXECUTIVE DEPARTMENT,
Jackson, December 6, 1919.

Hon. W. W. HASTINGS,
Chairman of Committee on Expenditures in the Interior Department, House of Representatives, Washington, D. C.

MY DEAR SIR: In the absence of Gov. Bilbo, who is absent from the State, and will not return for some days, I beg to acknowledge receipt of your inquiry of the 4th instant and beg to say:

Mississippi has no budget system as it is generally understood. However, the constitution, as I understand, gives the governor authority to affix a veto to any particular item of an appropriation bill, and he communicates to the house in which it originates his reasons for such disapproval, and the item disapproved or vetoed by him can only be given force and effect by a vote of two-thirds. The vetoed item stands in the same position that any act vetoed by him would. The parts of the appropriation bill not vetoed stand as passed.

If this does not answer your query sufficiently, let me know.

Yours, very truly,

W. J. BUCK,
Private Secretary.

Gov. Gardner, of Missouri, in his reply, stated that there is no provision in the State constitution for a budget, but that at the beginning of his administration he succeeded in getting through the legislature the tax-commission bill, a section of which provides that the commission must submit a budget to the legislature. He is in hearty sympathy with the movement

to establish a national budget, and will do everything possible in aiding it.

EXECUTIVE OFFICES,
STATE OF MISSOURI,
City of Jefferson, December 12, 1919.

Hon. W. W. HASTINGS,
House of Representatives, Washington, D. C.

MY DEAR MR. HASTINGS: I have your letter in regard to the matter of a budget. Unfortunately, we have no provision in our constitution for a State budget. Our legislature has the power to appropriate any amount they please.

However, in the beginning of my administration I succeeded in getting through the legislature, in connection with the tax-commission bill, a section which provided that the tax commission should submit a budget to the legislature. This budget was submitted to the second legislature held during my administration, and was found to be of inestimable value. It set forth clearly the anticipated revenue and explained in detail where this money should be expended. It was of great value to the appropriation committee of the legislature and also to the governor in adjusting the appropriations to meet the income.

I am in hearty sympathy with the movement to establish a national budget, and believe Congress and the States should cooperate to that end. I will do everything I can to further the movement.

Sincerely, yours,

FREDERICK D. GARDNER.

Gov. Boyle, of Nevada, states that no provision of this kind is contained in the constitution. He can see everything in favor of the proposed amendment.

STATE OF NEVADA,
EXECUTIVE CHAMBER,
Carson City, December 8, 1919.

Hon. W. W. HASTINGS,
House of Representatives, Washington, D. C.

MY DEAR MR. CONGRESSMAN: I have your letter of December 4 advising me of suggested budget legislation giving to the President the power to veto items in appropriation bills.

Unfortunately, we have no such provision in our own constitution. The general appropriation bills passed in the State legislatures and in Congress are no doubt the most widely used vehicles employed in carrying off the public funds.

I can see everything in favor of the amendment to the Constitution introduced by your amending section 7, Article I, suggested in your letter.

Very truly, yours,

EMMET D. BOYLE,
Governor.

Hon. Philip F. Bross, secretary of finance, State of Nebraska, states that the constitution has a provision permitting the governor of Nebraska to veto any item in an appropriation bill, and that it is a check upon the legislature in placing items of expense in appropriation bills that are not meritorious.

STATE OF NEBRASKA,
DEPARTMENT OF FINANCE,
Lincoln, December 13, 1919.

Hon. W. W. HASTINGS,
House of Representatives, Washington, D. C.

DEAR MR. HASTINGS: Your letter of December 4, addressed to the governor, has been referred to me for reply.

I inclose herewith copy of our constitutional provision providing that the executive may veto any item of an appropriation bill.

I think the executive has only availed himself of this right one or two times within the last 8 or 10 years, but having a constitutional provision giving the executive this power is without doubt a check upon the legislature in placing items of expense in appropriation bills unless they are quite sure that they meet the approval of the chief executive.

I am inclosing herewith part of the civil administrative code which was passed at the last regular session of the Legislature of Nebraska, establishing the department of finance. You will note that the department of finance, by this law, is given complete control over the accounts and expenditures of the departments which have heretofore carried on their work as boards and commissions under the governor. It also provides for a central purchasing department for the State, and for the preparation of a budget. The budget that we expect to prepare will be a work-program, cost-data budget, which will start in with total estimates for appropriations for departments, bureaus, and divisions within the department, and will be supported by schedules showing the need for the total amount, as distributed according to standard expense account. The supporting schedules will give complete and full details to show how the total for the unit is established, but the supporting schedules will not be included in the appropriation bill. Through this combination of appropriations in summarized form, with supporting schedules furnishing detail under main functions, the legislature and the public will be furnished the same detailed report of expenditures and estimates for appropriations as is contained in a segregated budget, without limiting administrative functions. The appropriations will be for stated purposes of expenditure, rather than for items of expenditure.

There will also be an estimate of the available resources of the State, and the budget, in this respect, will embody the first essential features of any budgetary system—the balancing of revenues and expenditures.

Under the civil administrative code we have standardized our salaries, so that employees doing the same class of work will receive the same compensation throughout all of the departments. This salary standardization plan provides for increases at certain periods and promotions from the lower to the higher grades.

In establishing the department of finance the State of Nebraska has a department which has no other functional activity outside of bookkeeping, accounting and auditing, and the preparation of the budget, and this department is given complete control over the expenditures of all the departments, so that not only the legality of an expenditure can be questioned but the department has the power to question the wisdom and necessity for an expenditure. You will note the departments must make a three months' estimate before they can make any expenditures, and all the bookkeeping has been taken away from the departments and is carried on in a uniform central bookkeeping department in the department of finance.

In your letter to the governor you ask whether he considers the provision in our State constitution is helpful in keeping down expenditures. As I have indicated above, while I think it has only been used

a few times in the history of our State, yet it has a tendency to keep the legislature from placing "riders" in appropriation bills which they have reason to think the executive might veto. However, under any republican form of government I think the executive and the legislative branches should have equal power and should not infringe upon each other. The legislature or Congress should be responsible to the people for both taxation and appropriations, and the executive should be responsible for the running of the executive government and for the expenditures in connection therewith. All appropriations for the legislative branch, for operating expense of the government, should be made from a work-program, cost-data budget submitted to the legislature by the chief executive, who will stand responsible for such budget. The expenditures from all appropriations made by the legislature should be under the control of the executive.

The budget submitted by the chief executive should be a business program, for which he would stand responsible to the legislature and to the people. The official under the executive who prepares the estimate should, with the executive's approval, have power to change the estimates as they come in from the various departments before the final budget is prepared and transmitted to the legislature. The executive budget when transmitted to the legislature should be handled by one committee in each house, where there are two houses of the legislature, and they should have before them all the information which the executive has when he prepares the budget, but they should depend for their information upon the executive rather than upon the heads of the departments. Final power should rest with the legislature to either increase or decrease any items contained in the budget. However, in order that the executive may be held actually responsible for his budget, the legislature should not have the power to increase estimates except by possibly a two-thirds vote. In establishing the budgetary system the power should not be taken from the legislature to make appropriations for new and special activities of the State that may not be contained in the executive budget. The legislature should be free to initiate legislation which would carry appropriations and for which no estimates were made by the executive. However, in such cases the legislature should provide at the same time for the raising of the revenue to meet each added appropriation.

In order to establish a correct budgetary system, a central book-keeping and accounting department should be established. The system should be simple and yet complete and comprehensive enough so that it would be a complete check on all appropriations, and it should show at all times the financial condition of the unit of government. The central uniform accounting system is necessary in any executive budgetary system, as through this accounting system the executive has an eye on all expenditures day by day, and in that way secures the necessary information for the intelligent preparation of the budget. The final audit for all expenditures of the executive in a republican form of government should, to my mind, rest with the legislative branch, through a general auditor appointed by the legislature, who will be familiar with the intents and purposes of the appropriations made by the legislature, and whose activity would be confined simply to the legality of the expenditure.

This financial system for a republican form of government would embody these necessary features: The chief executive responsible for all expenditures and responsible for the work-program cost-data budget submitted to the legislative body, showing both estimated resources and estimated expenditures for the operation of the government; the legislative body responsible for the financial policy of the government, but limited in certain respects in increasing the executive budget, and responsible, through its auditor, for the final audit and the enforcement of the proper application of moneys appropriated by the legislative body.

If you should be interested any further in the accounting system which we have established in the department of finance, I would be very glad to answer any questions in regard to the same.

Very truly yours,

PHILIP F. BROSS,
Secretary of Finance.

CONSTITUTION STATE OF NEBRASKA.

ART. 5, SEC. 15. (Bills—approval, veto): "Every bill passed by the legislature, before it becomes a law, and every order, resolution, or vote to which the concurrence of both houses may be necessary (except on questions of adjournment), shall be presented to the governor. If he approves, he shall sign it, and thereupon it shall become a law; but if he do not approve, he shall return it with his objections to the house in which it shall have originated, which house shall enter the objections at large upon its journal and proceed to reconsider the bill. If then three-fifths of the members elected agree to pass the same, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered; and if approved by three-fifths of the members elected to that house it shall become a law, notwithstanding the objections of the governor. In all such cases the vote of each house shall be determined by yeas and nays, to be entered upon the journal. Any bill which shall not be returned by the governor within five days (Sundays excepted) after it shall have been presented to him shall become a law in like manner as if he had signed it, unless the legislature by their adjournment prevent its return; in which case it shall be filed, with his objections, in the office of the secretary of state within five days after such adjournment, or become a law. The governor may disapprove any item or items of appropriation contained in bills passed by the legislature, and the item or items so disapproved shall be stricken therefrom, unless repassed in the manner herein prescribed in cases of disapproval of bills."

Gov. Runyon, of New Jersey, states that there is no provision in the Constitution like the proposed amendment to the National Constitution, but that the people of his State have come to the conclusion in recent years that such an amendment should be adopted.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
December 5, 1919.

Hon. W. W. HASTINGS,
House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN HASTINGS: I have your letter of the 4th instant setting forth the proposed amendment to the Constitution having to do with appropriations and asking as to any possible provision in our constitution covering the same matter.

In reply, I would say that there is no constitutional provision of such nature as you mention, but of recent years we have come to the budget idea in our State, and my feeling is that it is a very valuable adjunct to the State machinery and undoubtedly is tending to make State expenditures less in amount and better understood by the legislature and the public at large.

If there is anything further in which I may serve you, I shall be glad to do so, provided you make your wishes known.

Appreciating the work in which you are engaged and bespeaking for you great success therein, I am

Yours, very truly,

WM. N. RUNYON, Governor.

The governor of North Carolina strongly commends the provision and states that in his judgment such a law should be enacted by Congress and every legislature, as follows:

"I heartily approve the law that you quote, and think that such law certainly ought to be enacted by Congress and by every legislature."

STATE OF NORTH CAROLINA,
GOVERNOR'S OFFICE,
Raleigh, December 6, 1919.

Hon. W. W. HASTINGS,
House of Representatives, Washington, D. C.

MY DEAR SIR: Replying to yours of December 4, I beg to say that the governor of North Carolina has no veto power of any kind. You will, of course, remember that North Carolina was the first colony to kick up the devil and declare its independence of Great Britain. The people looked upon the governor as the successor to the King, and they were dead against him. They took pains in their constitution to tie him hand and foot. The only power that he has is that of moral suasion.

I heartily approve the law that you quote, and think that such law certainly ought to be enacted by Congress and by every legislature.

Sincerely yours,

T. W. BICKETT.

Gov. Cox, of Ohio, states that the constitution gives him authority to disapprove any item of an appropriation bill.

STATE OF OHIO,
EXECUTIVE DEPARTMENT,
Columbus, December 6, 1919.

Hon. W. W. HASTINGS,
House Office Building, Washington, D. C.

MY DEAR CONGRESSMAN: It gives me pleasure to send you under separate cover a copy of the constitution of Ohio, as amended September 3, 1912. I would call your attention to section 16, article 2, page 16, which gives the governor of the State authority to disapprove any item of an appropriation bill.

With kindest regards, I am,

Very truly yours,

JAMES M. COX.

Oklahoma has a provision in its constitution similar to the amendment proposed (sec. 12, art. 6), and the governor has exercised the power conferred upon him by withholding his approval from many items in various appropriation bills. Former Gov. Williams suggested that the proposed amendment should be so changed as to permit the President to reduce the amount of any item in any bill. The argument in favor of vetoing an item would, of course, favor the reduction of any item.

The letter of ex-Gov. Williams commending the proposed amendment reads as follows:

DEPARTMENT OF JUSTICE,
UNITED STATES DISTRICT COURT,
EASTERN DISTRICT OF OKLAHOMA,
JUDGE'S CHAMBERS,
Ardmore, Okla., October 24, 1919.

Hon. W. W. HASTINGS, M. C.,
Washington, D. C.

MY DEAR SIR: I notice that you have introduced a proposal to amend the Federal Constitution as to the vetoing of appropriations by the President. Press dispatches state that the proposal provides for the vetoing of separate items without affecting the entire bill.

Let me suggest that it should read this way:

"Every bill passed by Congress making appropriations of money embracing distinct items shall, before it becomes a law, be presented to the President. If he disapproves the bill or any item, or reduces any item or appropriation therein contained, he shall communicate such disapproval or reduction, with his reasons therefor, to the House in which the bill shall have originated; but all items not disapproved or reduced shall have the force and effect of law according to the original provisions of the bill. Any item reduced, unless repassed in the original amount by two-thirds vote, shall stand as reduced, and any item or items so disapproved shall be void unless repassed by two-thirds vote."

This is the rule in some of the States—I believe Pennsylvania. Whilst Pennsylvania has a constitutional provision similar to other States, yet under the construction given it by the Supreme Court the governor may reduce items, and such items as reduced will stand unless repassed by two-thirds majority. However, in the majority of States the courts hold that an item can not be reduced, but must be disapproved in the form in which it is passed. My experience as governor tells me this would be a wise provision.

Yours, truly,

R. L. WILLIAMS.

Discussing the matter further in a subsequent letter, he gives certain citations. I wish to insert same in the RECORD, in order that they may be brought to the attention of the committee having the proposed amendment under consideration. Mr. Williams is at present judge of the eastern district of Oklahoma. In addition to being governor of my State, he was a member of the constitutional convention of Oklahoma:

DEPARTMENT OF JUSTICE,
UNITED STATES DISTRICT COURT,
EASTERN DISTRICT OF OKLAHOMA,
JUDGE'S CHAMBERS,
Muskogee, Okla., November 9, 1919.

Hon. W. W. HASTINGS, M. C.,
Washington, D. C.

MY DEAR SIR:

With reference to the constitutional amendment, let me refer you to the case of Regents of State University v. Trapp, State Auditor (28 Okla., 33; 113 Pac., 910).

As I stated to you in the former letter, the Supreme Court of Pennsylvania has held the governor may reduce items, and such items as reduced will stand unless repassed by two-thirds majority.

See also *Fergus v. Russel* (270 Ill., 304; 110 N. E.), at the bottom of page 147, wherein it is said:

"Under the contention of the governor the legislature is given a choice, upon receipt of the veto message, not contemplated by the constitution—that of passing the item partially disapproved over the veto of the governor or of accepting an appropriation it had not made and had not intended should be made. This would result in an invasion by the governor of the functions of the legislative department (*State v. Holder*, 76 Miss., 158; 23 South., 643). While it is true that in one sense the governor, when engaged in considering bills, is acting in a legislative capacity, and is for that purpose a part of the legislative department of the State (*Fowler v. Peirce*, 2 Calif., 172; *Lukens v. Nye*, 156 Calif., 493; 105 Pac., 593; 36 L. R. A. (N. S.), 244; 20 Ann. Cas., 158; *People v. Bowen*, 21 N. Y., 521), he is exercising only a qualified and destructive legislative function and not a creative legislative power (*State v. Holder*, supra). The governor, as one of the executive department, is forbidden to exercise any legislative function except that expressly provided by the constitution. Under the provisions of the constitution he can never exercise a creative legislative power. The contrary view is taken in Pennsylvania, where it is held in *Commonwealth v. Barnett* (199 Pa., 161; 48 Atl., 976; 55 L. R. A., 882) that the governor may disapprove a part of an item appropriated; but the holding is based upon a provision of the Constitution of Pennsylvania which is construed to use the words 'item' and 'part' interchangeably and in the same sense. As will be noted, our constitution permits of no such construction, as the words 'item' and 'sections' alone are used as signifying the portions of an appropriation bill which may be approved or disapproved."

I thought I would call your attention to these cases, as they might be of some service to you when you have the matter up before the committee.

Yours, very truly,

R. L. WILLIAMS.

The governor of South Dakota has authority to disapprove any item or appropriation contained in appropriation bills.

EXECUTIVE DEPARTMENT,
STATE OF SOUTH DAKOTA,
Pierre, December 10, 1919.

Hon. W. W. HASTINGS,
House Office Building, Washington, D. C.

DEAR SIR: Acknowledging your letter of December 4, addressed to Gov. Norbeck, it is my pleasure to inform you that in South Dakota the governor has authority to disapprove of any item or appropriation contained in appropriation bills. Also those items not disapproved continue in force and effect according to the original provision of the bill.

Sincerely, yours,

KENNETH SELLERS, Secretary.

Gov. Cooper, of South Carolina, quotes a section of the State constitution showing that he has authority to veto any item or section in any bill.

STATE OF SOUTH CAROLINA,
EXECUTIVE CHAMBER,
Columbia, December 11, 1919.

Hon. W. W. HASTINGS, M. C.,
Washington, D. C.

MY DEAR MR. HASTINGS: In answer to your letter of December 4, I shall quote a provision of the South Carolina constitution:

"Section 23, Article IV.

"* * * Bills appropriating money out of the Treasury shall specify the objects and purposes for which the same are made and appropriate to them respectively their several amounts in distinct items and sections. If the governor shall not approve any one or more of the items or sections contained in any bill, but shall approve of the residue thereof, it shall become a law as to the residue in like manner as if he had signed it. The governor shall then return the bill with his objections to the items or sections of the same not approved by him to the house in which the bill originated, which house shall enter the objections at large upon its journal and proceed to reconsider so much of said bill as is not approved by the governor. The same proceedings shall be had in both houses in reconsidering the same as is provided in case of an entire bill returned by the governor with his objections; and if any item or section of said bill not approved by the governor shall be passed by two-thirds of each house of the general assembly it shall become a part of said law notwithstanding the objections of the governor. * * *"

I trust this will give you the information you desire.

Cordially, yours,

R. A. COOPER, Governor.

The governor of Utah quotes a part of the State constitution to the effect that he has authority to veto any item in an appropriation bill:

STATE OF UTAH,
EXECUTIVE OFFICE,
Salt Lake City, December 9, 1919.

Hon. W. W. HASTINGS,
House of Representatives, Washington, D. C.

DEAR SIR: Pursuant to the request in your letter of December 4, I am quoting that part of section 8, article 7, of the constitution of the State of Utah bearing upon legislation involving appropriations:

"If any bill presented to the governor contain several items of appropriations of money, he may object to one or more such items, while approving other portions of the bill; in such case he shall append to the bill at the time of signing it, a statement of the item or items which he declines to approve, together with his reasons therefor, and such item or items shall not take effect unless passed over the governor's objection as in this section provided."

Very truly, yours,

O. J. GRIMES,
Secretary.

Gov. Clement, of Vermont, states that the commission to propose amendments to the State constitution are giving con-

sideration to an amendment giving him authority to veto items in an appropriation bill:

STATE OF VERMONT,
EXECUTIVE DEPARTMENT,
Montpelier, December 15, 1919.

W. W. HASTINGS,
Chairman Committee on Expenditures in the Interior
Department, House of Representatives, Washington, D. C.

DEAR SIR: I am directed by Gov. Clement to reply to your letter relative to a proposed amendment to the constitution providing for a veto of items in an appropriation bill. In this State there is now no such provision, but the commission to propose amendments to the State constitution are giving consideration to such a provision to submit to the next Vermont Legislature, which meets in January, 1921.

Respectfully, yours,

HARVEY E. GOODELL.

The governor of Virginia has the power to veto any particular item or items of an appropriation bill.

COMMONWEALTH OF VIRGINIA,
GOVERNOR'S OFFICE,
Richmond, December 8, 1919.

Hon. W. W. HASTINGS,
House of Representatives, Washington, D. C.

MY DEAR MR. HASTINGS: Replying to your letter of December 4 addressed to Gov. Davis, I take pleasure in informing you that section 76 of the constitution of Virginia carries the following power:

"The governor shall have the power to veto any particular item or items of an appropriation bill, but the veto shall not affect the item or items to which he does not object. The item or items objected to shall not take effect except in the manner heretofore provided in this section as to bills returned to the general assembly without his approval."

Items of an appropriation bill and other bills may be passed over the governor's veto by a two-thirds vote of each house, including a majority of the members elected to each house.

I am inclosing a copy of the Virginia budget law, also a pamphlet discussing the advantages of our law, which I trust will give you the information desired. We are just in the midst of the preparation of the first biennial budget under the new law, which we hope to have ready for distribution by the 15th of January.

Yours, very truly,

LE ROY HODGES,
Aide to the Governor.

The governor of West Virginia states that there is a provision in the constitution for a budget system:

STATE OF WEST VIRGINIA,
EXECUTIVE DEPARTMENT,
Charleston, December 8, 1919.

Hon. W. W. HASTINGS,
House of Representatives, Washington, D. C.

DEAR SIR: Replying to your communication of December 4, in which you inquire as to whether there is a provision in the West Virginia constitution providing for a budget, I beg to answer in the affirmative and to inclose herewith amendment to the constitution submitted to the voters of the State by the legislature after I came into office and adopted by the electorate of this State in the November, 1918, election. It also affords me pleasure to inclose herewith copy of the 1919 budget and budget bill, the first submitted not only during my term of office but in the State following the adoption of the constitutional amendment in November, 1918.

Yours, very truly,

JOHN J. CORNWELL,
Governor.

The State of Wisconsin for six or eight years has enjoyed the benefits of a budget system and favors giving the governor the power to veto separate items:

EXECUTIVE CHAMBER,
Madison, Wis., December 12, 1919.

Hon. W. W. HASTINGS,
House of Representatives, Washington, D. C.

MY DEAR MR. HASTINGS: Gov. Philipp directs me to acknowledge receipt of your favor of the 4th instant, in which you call attention to the bill pending before Congress providing for a Federal budget.

The governor is greatly interested in this question and believes thoroughly in the plan which you outline. For a period of six or eight years Wisconsin has enjoyed the benefits of a budget system. While we have no provision that permits the governor to eliminate any particular item from the bill that may have passed the two houses, we endeavor to take care of this situation by separating all appropriations; that is, a separate bill is introduced to cover each and every appropriation called for. There are many arguments in favor of permitting the executive to eliminate items from the bill that may be presented to him.

The budget system in Wisconsin has proved very advantageous. Prior to the convening of the legislature the State board of public affairs prepares a budget which shows the expenditures by each department or institution covering a period of the past four years; the request of the department for the next biennium is included, together with the recommendation of the State board of public affairs upon the advisability of granting the appropriation requested.

The board of public affairs makes a thorough study of the requirements and needs of the departments and institutions, and is in a position to give valuable advice and suggestions to the legislature when the appropriations are being considered. The fact that a comparison of yearly expenditures can readily be made has proven to be most helpful. While Wisconsin's budget system may not be perfect in all its details, it is such a long step ahead of the old system that we would not think of abandoning it.

I look forward to the time when we shall have a Federal budget system.

Yours, truly,

L. C. WHITTEY, Secretary.

Gov. Carey, of Wyoming, states that the constitution gives him the right to veto any item or items or part or parts of any bill making appropriations of money or property embracing dis-

tinct items. I invite attention to the last paragraph of his letter commending the veto provision:

THE STATE OF WYOMING,
EXECUTIVE DEPARTMENT,
Cheyenne, December 8, 1919.

HON. WILLIAM W. HASTINGS,
House of Representatives, Washington, D. C.

DEAR SIR: Your letter of December 4 relative to the national budget received.

I note the amendment which you have made to section 7, article 1, authorizing the President to disapprove any item in the appropriation bill. I am much in favor of this amendment for the reason that I think it wrong to force the President of the United States to sign any bill which contains items which he can not approve, and also to cause him to perhaps veto an entire bill on account of some items of which he does not approve.

Article 4, section 9, of the Wyoming constitution gives the governor the right to veto items in appropriation bills. This section is as follows:

"The governor shall have power to disapprove of any item or items or part or parts of any bill making appropriations of money or property embracing distinct items, and the part or parts of the bill approved shall be the law, and the item or items and part or parts disapproved shall be void unless enacted in the following manner: If the legislature be in session, he shall transmit to the house in which the bill originated a copy of the item or items or part or parts thereof disapproved, together with his objections thereto, and the items or parts objected to shall be separately reconsidered, and each item or part shall then take the same course as is prescribed for the passage of bills over the executive veto."

I have made use of this section on a number of occasions, and believe by doing so I have been able to save unnecessary expenditures. Further, under the powers conferred by this section, I have cut down the amount of individual appropriations to what I thought was justified. I know of one other governor of the State, and there are perhaps others, who has pursued this same course.

Very truly, yours,

ROBERT D. CAREY.

These letters are from governors of the States who have had experience with appropriations for expenditures. It will be seen without exception they commend the budget system and this proposed amendment to the national Constitution. Their opinions are entitled to every consideration by Members of the House and members of the Judiciary Committee.

Every item making an appropriation of public funds should be closely scrutinized and the officials asking for the money should be required to justify the same, beginning with the heads of bureaus, Cabinet officers, and the bureau of the budget. There is no reason why the President should not have the power proposed to be conferred upon him by this amendment. No item ought to be included in an appropriation bill that can not be justified upon its own merits. The very fact that the President has the power to veto separate items will have a splendid effect in keeping items of doubtful merit out of appropriation bills.

The people are rightfully demanding economy. We are trying to reduce the cost of living. We are reducing our personal expenditures in every way. Our municipal governments and our State legislatures are economizing in every possible way. The Congress of the United States should set an example to the people of the country and to the various States pointing the way by which expenditures can be reduced.

This proposed amendment, it seems to me, needs no argument in its behalf. It will commend itself favorably, I am sure, to everyone who gives it thoughtful consideration. That such a provision has reduced expenditures in the various States where this power is given the governor there is no question, and that it will have a beneficial effect in reducing Federal expenditures, if adopted, I do not have the slightest doubt.

I want to invite the attention of the chairman of the House Judiciary Committee [Mr. VOLSTEAD] to it, and to press upon him the importance of its early consideration by his committee. I also want to invite the attention of the chairman of the Appropriation Committee [Mr. GOOD] to it, because in the last few months he has made a number of speeches in the interest of economy and reduction of public expenditures. I feel sure that when he carefully considers this proposed amendment, I shall have his hearty cooperation.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. RHODES. Mr. Chairman, has the gentleman from Oklahoma used his entire 15 minutes?

The CHAIRMAN. Yes. Two minutes of the time remain.

Mr. RHODES. Mr. Chairman, if the committee will permit, I desire to make a brief statement during this two-minute period.

In the first place, I am a member of no committee that has devoted as much time to the consideration of any one bill of this character as has been devoted to the bill under consideration. In the first place, both the Senators from the State of Montana appeared before the committee last October urging this legislation. The bill had already passed the Senate, and the House Committee on Indian Affairs, after having listened to a number of Indians from the reservation, decided to report the bill with certain amendments. The bill went upon the calen-

dar, and after remaining there some time objection arose to the bill on the part of certain Indians on the reservation. Those Indians sent a delegation to Washington, and the chairman of our committee accorded that delegation an additional hearing. As the result of that hearing, the chairman of the committee withdrew the bill. The committee again considered the bill and reported it unanimously with the amendments agreed upon, which have been printed as a part of the bill now before the committee.

I desire to say, too, Mr. Chairman, that this is a very important piece of legislation, because the bill, if the committee understands the true situation, has the approval of the Crow Indians, and these Indians have reached that condition of progress and development when they should have turned over to them their property and be allowed to administer their own affairs.

The CHAIRMAN. The time of the gentleman from Missouri has expired. All time has expired. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to cause to be allotted the surveyed lands and such unsurveyed lands as lie north of the line between townships 5 and 6 south, together with such unsurveyed lands contiguous to those now surveyed and within 2 miles therefrom as the commission hereinafter provided for may find to be suitable for allotment within the Crow Indian Reservation in Montana, not herein reserved as hereinafter provided, among the members of the Crow Tribe, as follows, namely, 160 acres to the heirs of every enrolled member, entitled to allotment, who died unallotted after December 31, 1905, and before the passage of this act; next, 160 acres to every allotted member living at the date of the passage of this act, who may then be the head of a family and has not received allotment as such head of a family; and thereafter to prorate the remaining unallotted allottable lands and allot them so that every enrolled member living on the date of the passage of this act and entitled to allotment shall receive in the aggregate an equal share of the allottable tribal lands for his total allotment of land of the Crow Tribe. Allotments made hereunder shall vest title in the allottee, subject only to existing tribal leases, which leases in no event shall be renewed or extended by the Secretary of the Interior after the passage of this act, and shall as hereinafter provided be evidenced by patents in fee to competent Indians, except as to homesteads as hereinafter provided, but by trust patent to minors and incompetent Indians, the force and legal effect of the trust patents to be as is prescribed by the general allotment act of February 8, 1887 (24 Stats., p. 388). Priority of selection, up to 325 acres, is hereby given to the members of the tribe who have as yet received no allotment on the Crow Reservation, and thereafter all members enrolled for allotment hereunder shall in all respects be entitled to equal rights and privileges, as far as possible, in regard to the time, manner, and amount of their respective selections: *Provided*, That Crow Indians who are found to be competent may elect, in writing, to have their allotments, except as herein provided, patented to them in fee. Otherwise trust patents shall be issued to them. No patent in fee shall be issued for lands of a husband unless the wife joins in the application, who shall be examined separately and apart from her husband and a certificate of the officer taking her acknowledgment shall fully set forth compliance with this requirement.

With committee amendments, as follows:

On page 1, after the word "lands," on line 5, strike out the words "as lie north of the line between townships 5 and 6 south, together with such unsurveyed lands contiguous to those now surveyed and within 2 miles therefrom."

The CHAIRMAN. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

Mr. BLANTON. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. Will the gentleman wait until we adopt the other committee amendments to the section?

Mr. BLANTON. Yes.

The Clerk read as follows:

Page 2, line 17, after the word "allottee," insert "at the time of making selection and reporting the selection to the agency office."

Mr. WALSH. Mr. Chairman, I desire to discuss the committee amendment.

The CHAIRMAN. The gentleman from Massachusetts is recognized.

Mr. WALSH. This will make the language read, "Allotments made hereunder shall vest title in the allottee at the time of making selection and reporting the selection to the agency office." Now, there may be a difference of time between those two events. You might make a selection one day and the report might not be made to the agency office for some little time thereafter. When would the title vest in such a case?

Mr. RHODES. Mr. Chairman, if I may be permitted to state, it was necessary to fix some time when the title was supposed to vest, and no better time was thought of than the time referred to in the amendment.

Mr. WALSH. There may be two different times. They may make a selection to-day, and it might not be reported for some days thereafter.

Mr. HASTINGS. If the gentleman will yield, when he goes to the office to select it he reports. He makes the selection and he makes the report.

Mr. WALSH. Then he can not make the selection at one office and the report at another?

Mr. HASTINGS. It is all done at one and the same office.

Mr. WALSH. He goes to that office?

Mr. HASTINGS. He goes to the agency office of that tribe.

Mr. RHODES. I think the gentleman misinterpreted the language, because the committee understood that there was no question but the proper time for the title to vest was the time when the selection was made—the date of the selection.

Mr. HASTINGS. He makes that selection through that particular agent.

Mr. WALSH. At that office?

Mr. HASTINGS. At that office.

Mr. WALSH. And not outside in the field?

Mr. HASTINGS. Not outside in the field. He makes it at that particular office of that agent, and the two things are done at one and the same time.

Mr. WALSH. There are two transactions, though, are there not?

Mr. HASTINGS. He has to make his selection, and to go to this office, where a record is made of it. He has not made any selection until it is recorded. He does the two things at the agency.

Mr. WALSH. I am satisfied with the gentleman's explanation, but I did not want any misapprehension about the language.

The CHAIRMAN. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 3, line 13, after the word "for," insert the word "homestead."

The committee amendment was agreed to.

Mr. BLANTON. Mr. Chairman, I move to strike out the last word. For fear that some of our constituents might drop in this evening and go away with the wrong impression about the House of Representatives sitting in Committee of the Whole, I would like to remark for their benefit that there is a reason for only about 14 Congressmen being present here this evening. We usually have 20. We ought to have 8 more here than there are now, but I do not want any of our constituents to go away thinking that we have only about 14 here every day, because we do have 7 or 8 more. But there is a good reason for those 7 or 8 being away, because after my distinguished colleague, the gentleman from Illinois [Mr. HENRY T. RAINEY] threw such a bomb into the ranks of our friends over there on the Republican side, I do not blame them for congregating their men outside somewhere in consultation. You know it is a very important case they have got to pass on. They have been 11 long months trying to diagnose it, and they have not diagnosed it yet.

Mr. TILSON. Will the gentleman yield?

Mr. BLANTON. I yield to the gentleman from Connecticut.

Mr. TILSON. I remember that on one occasion the gentleman found fault with my arithmetic when I occupied the chair.

Mr. BLANTON. The gentleman's arithmetic is always correct except when he is counting a quorum.

Mr. TILSON. The gentleman refers to 14 Members present. I have not attempted to count the gentlemen on the Democratic side, but if my count is correct there are 19 gentlemen on the Republican side. I will leave the gentleman from Texas to count the number on the Democratic side.

Mr. BLANTON. Oh, well, the gentleman from Connecticut has pushed the button and brought them in from the cloakroom and the byways and the highways, and of course he has found a few more.

Mr. TILSON. The gentleman can easily count those on the Democratic side. There are just three.

Mr. BLANTON. They make up in quality what they lack in quantity. [Laughter.] There are enough Democrats here to take care of the Republicans who are present.

Mr. WHITE of Kansas. Will the gentleman yield for an interruption?

Mr. BLANTON. Yes. I expect now every gentleman who is here will stand up, so that his constituents may know that he is present, so that he will not be considered absent inferentially.

Mr. WHITE of Kansas. Will the gentleman yield?

Mr. BLANTON. I yield to the distinguished gentleman from Kansas.

Mr. WHITE of Kansas. It can not be that the gentleman feels that the Republicans appreciate his remarks more than

the Democrats do, as a reason why there are so few Democrats here?

Mr. BLANTON. Oh, our Democratic friends are trying their best right now to solve problems that you gentlemen ought to have solved 11 long months ago, since you first met here—May 19, 1919—when you took charge of the reëns of government in Congress. The people have been depending on you, and you Republicans have been weighed in the balance and found wanting.

The CHAIRMAN. The time of the gentleman from Texas has expired. The Clerk will read.

The Clerk read as follows:

Committee amendment: Page 3, line 18, after the word "of," insert "agricultural and irrigable."

The committee amendment was agreed to.

The Clerk read as follows:

Committee amendment: Page 3, line 20, after the word "person," insert "company, or corporation."

The committee amendment was agreed to.

The Clerk read as follows:

Committee amendment: Page 3, line 21, after the word "owns," strike out "at least" and insert "at the time of approval more than."

The committee amendment was agreed to.

The Clerk read as follows:

Committee amendment: Page 3, line 22, after the word "of," insert "agricultural or irrigable."

The committee amendment was agreed to.

The Clerk read as follows:

Committee amendment: Page 3, line 24, after the word "reservation," insert "nor shall any sale be made by any Indian to any person, company, or corporation of more than 640 acres of agricultural or irrigated land."

The committee amendment was agreed to.

The Clerk read as follows:

Committee amendment: Page 4, line 9, after the word "imprisonment," insert "and no land shall be sold or offered for sale by any Crow Indian upon which there is an unexpired lease. Any sale made in violation of this provision shall be void: *Provided*, That the limitation made as to agricultural and irrigable land shall not apply to grazing land."

Mr. WALSH. Mr. Chairman, I desire to discuss the committee amendment.

I should like to ask the gentleman in charge of the measure if there is any defined distinction of record in the Indian Office or elsewhere between grazing land, irrigable land, and agricultural land? Might not grazing land come within the classification of irrigable land?

Mr. RHODES. Mr. Chairman, I will state for the information of the gentleman that these lands have been classified, and there is a well-known classification and record of the same in the Indian Office. The lands upon that reservation, as well as those upon all the other larger reservations, have been classified into irrigable lands, grazing lands, and agricultural lands, which I assume are comprehended within this general classification. That was done for the purpose of carrying into effect the legislation provided for through irrigation schemes and projects on the reservation. This language was agreed upon as proper language to go into the bill under the facts and existing law, to which the Indian Office gave full assent.

Mr. WALSH. Is there also a definition and classification in the Indian Office of agricultural land?

Mr. RHODES. I am not prepared to say whether there is a legal definition of the term "agricultural lands," but I do know there is such a classification.

Mr. WALSH. In the Indian Office?

Mr. RHODES. In the Indian Office. Furthermore, more than 30,000 acres of agricultural land on this reservation has gone under long-term leases made in pursuance of a contract entered into by the Indian Office and one J. M. Campbell, representing large agricultural interests. These lands have been reduced to agriculture and are being used as such in conformity with the rules and regulations of the Indian Office and the contract.

Mr. WALSH. That being so, I would like to ask what the purpose is of taking grazing lands out of the limitation that applies to agricultural and irrigable lands.

Mr. RHODES. I do not know what particular purpose the gentleman anticipates in asking this question, but I do know that under existing law and under these long-term leases the agricultural lands are under 10-year leases in many cases, and the grazing lands are only under 5-year leases. I know, further, that there is a difference between the income which the agricultural lands are supposed to yield and the income which the grazing lands are supposed to yield. One carries a much

higher per acre rental than the other. I am sure there is sufficient justification for it.

Mr. WALSH. If I understand the language of the committee amendment, it will permit the conveyance of grazing lands held by the Crow Indians being conveyed to companies or corporations who own more than 640 acres within the present boundaries of the reservation.

Mr. RHODES. I see the situation that the gentleman has in mind. The reason for that is this: It is not practicable to lease small areas for grazing purposes. Therefore the only way an Indian or a lessee could use to good advantage grazing lands would be by being able to control a large acreage. Neither would a prospective buyer pay a reasonable price for grazing land unless he could obtain a large acreage. In other words, it is not practicable to put a large number of cattle on a small area, and for that reason it is necessary to have a larger acreage, and this amendment seeks to accomplish that purpose.

Mr. WALSH. Would not you therefore prevent the grazing land from being developed as agricultural or irrigable land?

Mr. RHODES. The experience of those who have made an effort to farm on that reservation and the experience of the Indian Office is such that it is not considered practicable to attempt agriculture upon these grazing lands because of the vast acreage that lies beyond the irrigable area. In other words, there is an irrigation project—I believe two such projects—installed on this reservation, but none of these lands to which the gentleman refers are within the irrigated or irrigable area, and consequently there would be no danger in the suggestion of the gentleman from Massachusetts.

Mr. WALSH. There might be no danger, but the mere fact that these lands could be conveyed in such large tracts would, of course, prevent anybody from attempting to use them for agricultural purposes, because they would be held in such large areas. I was wondering if it would be wise to permit such large areas of grazing land to be taken up by a company or a corporation and thereby discourage any attempt to establish irrigation projects.

Mr. RHODES. You can establish irrigation projects on any of these lands, but at a very excessive cost. It would probably cost \$200 or \$300 an acre to put water on them.

Mr. HERNANDEZ. You could put water on any of these lands, but it would not be feasible. In the first place, you have to have water rights in connection with the storage of water, and unless you can put the water to good use you would not be allowed to take water from the streams on the high hills and store it.

Mr. WALSH. Mr. Chairman, I doubt the wisdom of the last proviso, but I shall not contest it.

Mr. McKEOWN. Mr. Chairman, on page 4, line 5, there is evidently a misprint, and I move to amend by striking out the word "grant" and inserting the word "grantee."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. McKeown: Page 4, line 5, strike out the word "grant" and insert the word "grantee."

The amendment was agreed to.

Mr. WATSON. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the committee whether or not the language on line 20, page 3, should not read "to any person or persons"?

Mr. RHODES. Mr. Chairman, there would be no objection to that, but I assume the word "person" would be comprehensive enough.

Mr. WATSON. In all legal documents the language is usually written "person or persons." There is no reason why five persons should not assemble together and purchase the property.

Mr. RHODES. I have no objection to that.

Mr. WATSON. Then, Mr. Chairman, I move that on page 3, line 20, after the word "person," the words "or persons" be inserted.

The CHAIRMAN. The gentleman from Pennsylvania offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. Watson: Page 3, line 20, after the word "person," strike out the comma and insert the words "or persons."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. WATSON. Mr. Chairman, also the following amendment: On page 3, line 25, after the word "person," insert the words "or persons."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. Watson: Page 3, line 25, amend the committee amendment, after the word "person," by inserting the words "or persons."

Mr. EVANS of Montana. Mr. Chairman, before that amendment is agreed to permit me to make a suggestion. The amendment, if adopted, will make the text read so that the Secretary of the Interior may not sell to any person, persons, company, or corporation more than 640 acres of agricultural land. If there were enough people, they could not sell over 640 acres to "persons," and they could not sell any at all.

Mr. WATSON. But in all legal documents the phrase reads "to any person or persons." Under the language as it was in line 20, five or six persons could jointly purchase a property from the Indians specified and still have a legal title in accordance with the law.

Mr. EVANS of Montana. Possibly so. I do not particularly object to the amendment, but I am figuring that it might make some complications, so that the Secretary of the Interior might interpret it that if six people went together they could not buy, if they were interested as copartners, 640 acres of land.

Mr. WATSON. But the Indian is not permitted to sell to a company or corporation, and a company or corporation is composed of persons. The amendment is simply to prevent half a dozen persons purchasing land from the Crow Indians.

The CHAIRMAN. Does the gentleman from Pennsylvania offer the amendment?

Mr. WATSON. Mr. Chairman, I offer the amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 25, amend the committee amendment after the word "person" by inserting the words "or persons."

Mr. RHODES. Mr. Chairman, on reflection, and as a result of the suggestion by the gentleman from Montana [Mr. Evans], I am inclined to think that this language in the bill should remain as it is. I think it a good reason; perhaps it is a matter to which the gentleman's attention has not been called. A very remarkable situation exists on that reservation. A large number of lessees are holding this land under long-term leases, and one of the objects of the committee in agreeing on this amendment was to preclude any lessee from obtaining any advantage as against any other prospective purchaser of these allotted lands after title passes to the allottee under the provisions of the act. Not only did your committee carefully consider the language, but the Assistant Commissioner of Indian Affairs was present and scrutinized every proposed amendment, and unless the gentleman insists upon urging his amendment, and can assign some additional reason, I should insist upon the committee allowing the language to remain in the bill as it is.

The CHAIRMAN. The Chair will call the gentleman's attention to the fact that the first amendment in line 20 has already been adopted, and he ventures the further suggestion that this is a limitation and perhaps the words "or persons" there would interfere with the meaning of the text and give it the opposite interpretation.

Mr. RHODES. Then I trust that the amendment will not be agreed to.

Mr. WATSON. Inasmuch as the first amendment has been agreed to, what procedure is necessary to restore the text as it was originally?

The CHAIRMAN. Without objection, the amendment just offered can be withdrawn.

Mr. WATSON. Then I ask unanimous consent to withdraw the amendment which I have just offered.

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. Without objection, the proceedings had in respect to amendment to line 20, page 3, offered by the gentleman from Pennsylvania [Mr. Watson], will be vacated.

There was no objection.

The Clerk read as follows:

Sec. 3. That the Secretary of the Interior shall, as speedily as possible, after the passage of this act, prepare a complete roll of the members of the Crow Tribe who died unallotted after December 31, 1905, and before the passage of this act; also, a complete roll of the allotted members of the tribe who at the date hereof are living and are heads of families but have not received full allotments as such; also, a complete roll of the unallotted members of the tribe living six months after the approval of this act who are entitled to allotments. Such rolls when completed shall be deemed the final allotment rolls of the Crow Tribe, on which allotment of all tribal lands and distribution of all tribal funds existing at said date shall be made. The rolls shall show the English, as well as the Indian, name of the allottee; the age, if living; the sex, whether declared competent or incompetent; the description or descriptions of the allotments; and any other fact deemed by the Secretary of the Interior necessary or proper. Said rolls shall be completed within one year after the approval of this act.

The following committee amendments were severally reported and severally agreed to:

Page 4, line 19, strike out the word "tribe" and insert in lieu thereof the words "Crow Tribe."

Page 4, line 19, strike out the word "at" and insert the words "six months after."

Page 5, line 8, after the word "act," insert the words "and allotments shall be completed within one year and six months from the date of the approval of this act."

Mr. McKEOWN. Mr. Chairman, I offer to amend, on page 5, line 5, after the word "allotments," by inserting the words "family relationship."

The CHAIRMAN. The gentleman from Oklahoma offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 5, line 5, after the word "allotments," insert the words "family relationship."

Mr. McKEOWN. Mr. Chairman, a number of us have had experience in an effort to determine the heirship of deceased Indians. In another portion of the bill a very wise provision is made for the sale of inherited lands to returned soldiers who may seek to buy them or settle thereon.

Now, you are making a permanent roll of this Indian tribe, and you are requiring it to have on it the Indian names. Why not fix in the roll the relationship of these allottees by setting it out in the roll, so when you go to determine the heirship you have no trouble in having a permanent, definite rule?

Mr. FRENCH. Would not the amendment better follow the word "incompetent" in line 4 or the word "allottee" in line 3. It seems to me that it would work in better there.

Mr. McKEOWN. That is probably true as to being a better location, but the thing I had in view was to have the roll show the relationship.

Mr. FRENCH. I think it is really quite important and it should be in one place or the other because—

Mr. McKEOWN. I will ask to modify my amendment by having it follow the word "allottee" in line 3.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent to modify his amendment. The Clerk will report the modified amendment.

The Clerk read as follows:

Modified amendment by Mr. McKEOWN: Page 5, line 3, after the word "allottee," insert the words "family relationship."

Mr. RHODES. Will the gentleman permit a question?

Mr. McKEOWN. Yes.

Mr. RHODES. What is the object the gentleman seeks by this amendment? What would he accomplish that is not accomplished in its present form?

Mr. McKEOWN. This is the purpose. The question of the title from the heirs of these Indians is quite important because they are allotted their lands in severalty, and when one is going to purchase lands from the heirs of deceased allottees there is going to be very much less difficulty by having a permanent record of the relationship before the question as to who is the heir to a piece of land arises. Now at the time of the enrolling, before death occurs and property rights come up to influence the testimony, is the best time to put down the relationship of these allottees, in my judgment.

Mr. HASTINGS. I was going to say, if my colleague will permit me, I believe after further consideration that he would not insist on that sort of an amendment being added. If he will notice, this bill only gives the Secretary of the Interior one year in which to make this roll. Now, of course, in nine-tenths of the cases persons in making the roll would determine the family relationships, would they not? I mean without any additional testimony or without any complicated testimony being taken, but in some of these cases where the allottees are off it may be a difficult question to determine the heirs. And another thing, if my colleague will remember, you are asking them here to determine the heirships and fix that without the heirs being heard. They might want to contest that. I never have known any Indian roll that has ever been made where the heirships have ever been determined in advance.

Mr. McKEOWN. That is not a determination of the heirship. I am simply asking that the family relationship be set out on the roll, because my colleague will remember that in the Indian territory one of the difficult things to do is to determine the question of heirships, because after the allottee is dead many heirs are encouraged by a hope to secure the estate, and the question of determining the true relationship is made very difficult. But this does not determine the heirship because—

Mr. HASTINGS. I do not understand what its purpose is, then, and I can not see any other object my colleague could have than to determine the question of heirship.

Mr. McKEOWN. Because there is nothing in this act that makes this roll at this time conclusive.

Mr. HASTINGS. Oh, yes; this is final.

Mr. McKEOWN. This is final, but not conclusive as to heirship.

Mr. HASTINGS. Then you have no need of putting the language in at all unless you make it conclusive.

Mr. McKEOWN. If you are going to sell these lands of deceased allottees to soldiers, sailors, and marines, which you propose over in section 15, the question of heirship is going to arise and ought to be determined easily by the man who is going to purchase, and he ought to have some place where he can go to find out whether the party proposing to convey the land has the right.

Mr. HASTINGS. But my colleague is too good a lawyer to believe you can determine that in advance without the heirs being heard. Now, you are going to determine the heirship of people without their being heard at all.

Mr. McKEOWN. I would not undertake to determine the heirship on this roll, but you have here something definite that the prospective purchaser can see and determine himself, and I will say to my colleague that the chances are that the relationship can be more easily and more accurately set out at the time this roll is made than at a later date.

Mr. HASTINGS. Well, I do not understand what my colleague means by the word "relationship." If he means to use that in the sense of determining the heirship—

Mr. McKEOWN. No.

Mr. HASTINGS. I do not believe it ought to be inserted in this bill.

Mr. McKEOWN. I want to say this: This amendment is offered to the bill at this time in the hope that it will be of some benefit to the people who are to buy these lands, and you will find in after years when this matter comes up that they will have the same difficulty that has confronted many of us who have had this same question to deal with.

Mr. RHODES. Mr. Chairman, with all due deference to the opinion of the gentleman from Oklahoma, I would remind him that under existing law ample opportunity is offered for the determination of heirs. As I remember, there are two distinct provisions of law relating to this particular matter, and, in my opinion, the amendment offered by the gentleman would have the effect of complicating existing law with regard to the determination of heirship rather than to help the matter. And for that reason I hope the amendment will not be adopted.

Mr. McKEOWN. Will the gentleman yield?

Mr. RHODES. I will.

Mr. McKEOWN. It has been decided by the Bureau of Indian Affairs that they can at any time set aside their findings, and they have done so, and men have purchased these Indian lands of deceased allottees, and 10 or 15 years after a man has gone in possession of it the department has found out it made a mistake and makes another adjudication and finds some other heir entitled to it. Now, if it became a final adjudication, and that method has become final, then it could be relied upon.

Mr. RHODES. Mr. Chairman, in response to that statement, I would insist that there is a definite method of determination and a method of adjudication. Therefore I can see no special object to be accomplished.

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from Oklahoma [Mr. McKEOWN].

The question was taken, and the amendment was rejected.

The Clerk read as follows:

SEC. 4. That any names found to be on the tribal rolls fraudulently, may, upon request of the tribal council, at any time within one year from the passage of this act, be stricken therefrom by the Commissioner of Indian Affairs, with the approval of the Secretary of the Interior, after giving all parties in interest a full opportunity to be heard in regard thereto; and any allotment made to such fraudulent allottee shall be canceled and shall then be subject to disposition under the provisions of this act: *Provided*, That nothing herein contained shall be construed to deprive any such persons of the protection in the premises provided under existing law.

Also the following committee amendment was read:

Page 5, line 12, after the word "may," strike out the words "upon request of the tribal council."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

SEC. 5. That such of the unallotted lands as are now used for agency, school, cemetery, or religious purposes shall remain reserved from allotment so long as such agency, school, cemetery, or religious institutions, respectively, are maintained for the benefit of the tribe: *Provided*, That the Secretary of the Interior, upon the request of the tribal council, is hereby authorized and directed to cause to be issued a patent in fee to the duly authorized missionary board or other proper authority of any religious organization heretofore engaged in mission or school work on the reservation for such lands thereon as have been heretofore set aside and are now occupied by such organizations for missionary or school purposes: *Provided further*, That not more than 640 acres may be reserved for administrative purposes at the Crow Agency, and such land shall be definitely described and made a matter of record by the Indian Office.

Also, the following committee amendment was read:

On page 6, line 12, after the word "Agency," strike out the words "and such land" and insert in lieu thereof the following: "And six tracts of not exceeding 80 acres each, in different districts on the reser-

vation, may be reserved for recreation grounds for the common use of the tribe, or purchased from the tribal funds if no tribal lands are available, and all such lands."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. WALSH. Mr. Chairman, in reference to this committee amendment, is it the intention that there shall be six tracts in different districts or one tract in six different districts?

Mr. RIDDICK. I will explain to the gentleman from Massachusetts that there are six big tribes and each has 80 acres in extent for recreation ground and park purposes.

Mr. WALSH. Would not this language permit six tracts of 80 acres each in each district?

Mr. RIDDICK. It provides for a tract of not exceeding 80 acres in each district. Each district will have a tract. That is the purpose of the bill.

Mr. WALSH. I think the language of the bill will permit a district to have six tracts.

Mr. RIDDICK. The Indian Committee and the Indian Department worked this out, Mr. Chairman, and it was the purpose to have one tract in each district.

Mr. WALSH. One tract not exceeding 80 acres in each of six different districts. That is the intention, I take it.

Mr. RIDDICK. Yes, sir.

Mr. WALSH. Well, that is the intention, but I think the language will permit a different construction.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 6. That any and all minerals, including oil and gas, on any of the lands to be allotted hereunder are reserved for the benefit of the members of the tribe in common and may be leased for mineral purposes, upon the request of the tribal council under such rules, regulations, and conditions as the Secretary of the Interior may prescribe, but no lease shall be made for a longer period than 10 years, but the lessees shall have the right to renewal thereof for a further period of 10 years upon such terms and conditions as the Secretary of the Interior may prescribe: *Provided, however,* That allotments hereunder may be made of lands classified as valuable chiefly for coal or other minerals which may be patented as herein provided with a reservation, set forth in the patent, of the coal, oil, gas, or other mineral deposits for the benefit of the Crow Tribe: *And provided further,* That at the expiration of 50 years from the date of approval of this act the coal, oil, gas, or other mineral deposits upon or beneath the surface of said allotted lands shall become the property of the individual allottee or his heirs.

Also the following committee amendment was read:

Page 6, line 21, strike out the word "mineral" and insert the word "mining."

The CHAIRMAN. The question is on agreeing to the amendment.

Also the following committee amendment was read:

Page 7, line 8, strike out the word "fifty" and insert in lieu thereof the word "twenty-five."

Mr. WALSH. Mr. Chairman, I do not know the reasons which prompted the committee in reducing this term to 25 years, but it seems to me it would be an unwise thing to do. I would like to hear from the gentleman in charge of the measure.

Mr. RHODES. Mr. Chairman, the intention, of course, of your committee was to throw around these lands proper restrictions in order to safeguard the interests of these Indians. It was the opinion of the committee, as well as of those representing the tribe, who appeared before the committee, with the advice and consent of the Indian Office, that 50 years is an unnecessarily long period of time. Therefore because of the advanced condition of these Indians, because of their intellectual attainments, and because of the progress they have made in industry and agriculture, your committee is of the opinion that it is not necessary to protect them beyond the period of 25 years, and for these reasons the period was reduced from 50 to 25 years. I concede, Mr. Chairman, that there are certain tribes that on account of their condition of progress, or, more properly speaking, lack of progress, and because of the physical condition of the property involved, where it might be necessary to throw around them such a safeguard as the gentleman has in mind. But your committee was of the opinion that 25 years is as long as is necessary to protect the rights of the Indians.

Mr. HASTINGS. If the gentleman from Missouri will permit me to remind him, I will state that also in this act of February 8, 1887, a trust patent issues in 25 years.

Mr. WALSH. Yes.

Mr. HASTINGS. And there is also a provision in this bill for a competency commission, and all minors will be of age then, and it was thought by the committee that in 25 years' time everybody would be of age and declared competent.

Mr. WALSH. Of course, the gentleman realizes that this is shortening the time when it goes to the individual Indian or his heirs. That reduction, it would seem to me, would bring it down within a limited time that might be considered unwise.

I think that, granting all that the gentleman from Missouri has said about the improvement and advancement of these Indians, it is to be doubted if we ought to shorten the time at the expiration of which these valuable lands shall become their individual property. It seemed to me that the original draft of the bill was more proper.

Mr. RHODES. Mr. Chairman, will the gentleman permit this observation?

Mr. WALSH. Certainly.

Mr. RHODES. I desire to call the gentleman's attention to the further fact that the appearance of this delegation of Indians from the reservation before your committee caused us to change this 50-year provision to 25 years. These Indians made us believe that they are anxiously awaiting the day when they might come into full possession of their property, and that they are prepared to care for it.

Mr. WALSH. Oh, all Indians are doing that. There is no doubt about that. Take any Indians all over the country; they are anxiously awaiting the day when they can come into possession of their property.

Mr. RHODES. Is not that a laudable ambition?

Mr. WALSH. Oh, certainly; but the gentleman probably saw the most intelligent and the most industrious and the most advanced portion of these people. Now, there may be, and probably will be, a great many of these Indians that will not be as intelligent or as industrious as those that the gentleman has recently seen, and it is quite a valuable concession to say that in view of the great improvements that have been made and the wonderful discoveries along mineral lines—

Mr. RHODES. No minerals have been discovered on this reservation.

Mr. WALSH. Well, you could have said that about some of the oil fields in Texas five years ago. At that time no oil had been discovered there, but they became very valuable overnight.

Mr. RHODES. I will remind the gentleman also that those Indians who were present spoke for those who were not present as well as for themselves.

Mr. WALSH. Yes; I have no doubt about that.

Mr. RHODES. And they said they were instructed by their tribe to state the objects they were seeking; and it is not only the desire of the Indians present that is reflected in this legislation, but we believe the amendment reflects the will of the majority of the Indians on the reservation.

Mr. WALSH. Well, of course, the gentleman appreciates that if we legislated along those lines in all Indian matters, very often in following out what they ask and seek we would not be doing what ought to be done for the Indians, because sometimes they have been known to make requests and demands for legislation that have not been in their best interests, and we are here to protect, of course, the public interest and also the interest of these wards of the Nation.

Mr. RIDDICK. Mr. Chairman, will the gentleman yield?

Mr. WALSH. Certainly.

Mr. RIDDICK. I think the observations of the gentleman from Massachusetts would be well taken if it were not for the fact that when these patents are issued in 25 years they will be issued in trust for the Indians if the Indians are not fully competent. On page 3, line 12, there is a provision dividing the Indians into competent and incompetent Indians, and only the competent are given the right to look after their own property.

Mr. WALSH. This language is broader than that, and does not, I think, come within that requirement. It says "that at the expiration of 50 years from the date of approval of this act the coal, oil, gas, or other mineral deposits upon or beneath the surface of said allotted lands shall become the property of the individual allottee or his heirs." That means that at the expiration of that time whatever valuable deposits there are in that land shall belong to the individual Indians, irrespective of the issuance of any trust patents or by means of any trust patents.

Mr. RIDDICK. This land will belong to the Indians, but the incompetent Indians will be subject to the Indian Department, just as they are now.

Mr. McKEOWN. Mr. Chairman, will the gentleman yield?

Mr. WALSH. Yes.

Mr. McKEOWN. Would it help the situation if it were provided that "said period of time may be extended by Congress"? Mr. WALSH. Congress could do that without the right being reserved. I am opposed to this committee amendment.

The CHAIRMAN. The question is on agreeing to the committee amendment.

Mr. FRENCH. Mr. Chairman, I desire to raise the question of the advisability of this last proviso being in the bill at all. It seems to me that the benefits arising from any coal, oil, gas,

or other mineral deposits should for all time go to the tribe and not to the individual Indian. I want to offer a motion to strike out—

Mr. WALSH. There is an amendment pending to perfect the text.

Mr. FRENCH. I will withhold my motion until the text is perfected.

The CHAIRMAN. The question is on agreeing to the committee amendment.

The question being taken, on a division (demanded by Mr. WALSH) there were—ayes 9, noes 5.

Accordingly the committee amendment was agreed to.

Mr. FRENCH. Mr. Chairman, I move to strike out, on page 7, line 7, all the language following the word "tribe" and all of lines 8, 9, 10, and 11.

The CHAIRMAN. The gentleman from Idaho offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. FRENCH: Page 7, line 7, after the word "tribe," strike out the remainder of the paragraph.

Mr. FRENCH. Mr. Chairman, it seems to me very inadvisable that we permit language to remain in the bill under which the coal, oil, gas, or other mineral deposits could go to the particular allottee at the expiration of 25 years. Any valuable deposits which are now there undiscovered belong to the entire tribe. It is understood that there are no such deposits known at this time. Consequently it is a mere matter of luck or chance what particular Indian shall be the one favored by being allotted land that may have underneath it vast deposits of oil or gas or coal, and under the language of the bill it would be very possible, if there should be such deposits, to make certain Indians millionaires overnight, while the value of the allotments to other Indians would remain merely such as would apply to the allotments through their agricultural character. It seems to me that the advisable thing to do is to allot the land for the Indians, so that they may see what they are getting for agricultural purposes, and then as to these possible deposits, of which no one can know anything at the time the allotment is made, that they be held forever as the property of the tribe instead of the individual Indian.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Idaho [Mr. FRENCH].

The question being taken, the amendment was rejected.

The Clerk read as follows:

SEC. 8. That any allotment, or part of allotment, provided for under this act, irrigable from any irrigation system now existing or hereafter constructed by the Government on the said reservation, shall bear its pro rata share, computed on a per acre basis, of the cost of constructing such system: *Provided*, That no additional irrigation system shall be established or constructed on the Crow Reservation until the consent of the tribal council thereto has been duly obtained. All charges against allotments authorized by this section may be reimbursed in not less than 20 annual payments, and the Secretary of the Interior may fix such operation and maintenance charges against such allotments as may be reasonable and just, to be paid as provided in rules and regulations to be prescribed by him. Unless otherwise paid, these latter charges may be paid from or made a charge upon his individual share of the tribal fund, when said fund is available for distribution; and if any allottee shall receive patent in fee to his allotment before the amount so charged against his land has been paid, such unpaid amount shall become and be a lien upon his allotment, of which a record shall be kept in the office of the superintendent of the reservation at the agency; and should any Indian sell any part of his allotment, with the approval of the Secretary of the Interior, the amount of such unpaid charges against the land so sold shall remain a first lien thereon, and may be enforced by the Secretary of the Interior by foreclosure as a mortgage. All expenditures for irrigation work on the Crow Reservation, Mont., heretofore or hereafter made, are hereby declared to be reimbursable under such rules and regulations as the Secretary of the Interior may prescribe, and shall constitute a lien against the land benefited, regardless of ownership, and including all lands which have heretofore been sold or patented. All patents or other instruments of conveyance hereafter issued for lands under any irrigation project on the said Crow Indian Reservation, whether to individual Indians or to purchasers of Indian lands, shall recite a lien for repayment of the irrigation charges, if any, remaining unpaid at the time of issuance of such patent or other instrument of conveyance, and such lien may be enforced or, upon payment of the delinquent charges, may be released by the Secretary of the Interior. In the case of lands under any project purchased in the bona fide belief on the part of the purchaser that by his purchase he acquired a right to have water from the system for the irrigation of the land purchased by him in the same manner as the Indian owner, the Secretary may, after notice to the Indians interested, determine the value of the land at the time of the purchase from the Indian, and give to the purchaser or his assigns credit on the charge for construction against the land to the amount of the difference between the price paid and the value as so determined, and shall withhold for the benefit of the tribe from the Indian or Indians of whom the purchase was made, an equal amount from any funds which may be due or distributable to them hereunder. Delivery of water to such land may be refused, within the discretion of the Secretary of the Interior, until all dues are paid: *Provided*, That no right to water or to the use of any irrigation ditch or other structure on said reservation shall vest until the owner of the land to be irrigated shall comply with such rules and regulations as the Secretary of the Interior may prescribe, and he is hereby authorized to prescribe such rules and regulations as may be deemed reasonable and

proper for making effective the foregoing provisions: *Provided, however*, That in no case shall any allottee be required to pay either construction, operation, or maintenance charges for such irrigation privileges, or any of them, until water has been actually delivered to his allotment: *Provided further*, That the Secretary of the Interior shall cause to be made immediately, if not already made, an itemized statement showing in detail the cost of the construction of the several irrigation systems now existing on the Crow Indian Reservation separately, the same to be placed at the Crow Agency, and with the Government farmers of each of the districts of the reservation, for the information of the Indians affected by section 7 of this act.

With the following committee amendment:

Page 7, line 24, after the word "constructed," insert "by the Government for the irrigation of Indian lands."

The amendment was agreed to.

The Clerk read as follows:

Committee amendment: Page 8, line 3, after the word "section," strike out the word "may" and insert the word "shall."

The amendment was agreed to.

The Clerk read as follows:

Committee amendment: Page 8, line 3, after the word "reimburse," insert "to the Crow Tribe of Indians."

The amendment was agreed to.

The Clerk read as follows:

Committee amendment: Page 8, line 23, after the word "reimbursable," insert "to the Crow Tribe."

The amendment was agreed to.

The Clerk read as follows:

Committee amendment: Page 10, line 20, after the word "by," insert the word "this."

The amendment was agreed to.

The Clerk read as follows:

Committee amendment: Page 10, line 20, after the word "section," insert "7 of this act."

The amendment was agreed to.

The Clerk read as follows:

SEC. 10. That any unallotted lands on the Crow Reservation chiefly valuable for the development of water power shall be reserved from allotment or other disposition hereunder, for the benefit of the Crow Tribe of Indians: *Provided*, That such lands shall not be leased or otherwise disposed of without the consent of the tribal council.

With the following committee amendment:

Page 11, line 4, after the word "Indians," strike out "*Provided*, That such lands shall not be leased or otherwise disposed of without the consent of the tribal council" and insert "*Provided*, That the Big Horn and Pryor Mountains shall be reserved from allotment."

The amendment was agreed to.

The Clerk read as follows:

SEC. 11. That so much of article 2 of the act of April 27, 1904, entitled "An act to ratify and amend an agreement with the Indians of the Crow Reservation in Montana, and making appropriations to carry the same into effect" (33 Stat., p. 353), as relates to the disposition of the trust funds of the tribe at the expiration of the 15-year period named in the act, to the purchase of cattle, to the distribution of cattle among the Indians of the reservation, to the purchase of jackasses, stallions, and ewes, to the building of fences, the erection of schoolhouses and hospitals, the purchase of additional cattle or sheep, the construction of ditches, dams, and canals, and to the establishment of a trust fund for the benefit of the Crow Indians thereunder, be, and the same is hereby, repealed: *Provided*, That all remaining trust funds arising under the terms of said agreement, or otherwise, with such interest thereon as may now be due, shall be set aside and draw interest at the rate of 4 per cent per annum until the same are distributed as provided by law: *Provided further*, That the Secretary of the Interior is hereby authorized to permit competent Indians who have received patents in fee and other Indians who have demonstrated their ability to properly care for live stock to withdraw their pro rata share of cattle out of the tribal herd within one year after the approval of this act, under such rules and regulations as the Secretary of the Interior may prescribe and on condition that said Indians shall execute a stipulation relinquishing all their right, title, and interest in said tribal herd thereafter: *Provided further*, That any Indian who has received his share of stock in accordance with the above provision and who has also demonstrated his ability to properly care for and handle live stock may also be permitted to withdraw the pro rata shares of his wife and minor children under the same rules and regulations as applied to the stock already issued to him and on condition that such cattle be branded with the individual brands of his wife and minor children, which shall be recorded in the names of the respective members of his family. It shall be the duty of the superintendent of the Crow Reservation to observe closely the manner in which such stock are handled and cared for, and in case of failure or neglect to properly care for the same the Secretary of the Interior is authorized to take charge of such shares and sell them for the benefit of the individual owners, to whose credit the proceeds of the sale shall be placed, or return them to the tribal herd or handle them with tribal cattle for the minor or incompetent owners and charge a fee to cover the cost of caring for them.

The following committee amendment was read:

Page 11, line 22, after the word "repealed," strike out the following language: "*Provided*, That all remaining trust funds arising under the terms of said agreement, or otherwise, with such interest thereon as may now be due, shall be set aside and draw interest at the rate of 4 per cent per annum until the same are distributed as provided by law" and insert the following: "effective from and after June 30, 1920: *Provided*, That all unexpended balances of trust funds arising under said agreement shall thereupon be consolidated into one fund to the credit of the tribe, the same to bear interest at the rate of 4 per cent

per annum: *Provided further*, That there shall be reserved and set aside from such consolidated fund, or any other funds to the credit of the tribe, a sufficient sum to pay the administrative expenses of the agency for a period of five years; \$100,000 for the support of the agency boarding school; \$50,000 for the support of the agency hospital, and not to exceed \$4,000 of this amount shall be expended in any one year for the support of said hospital; and \$50,000 for a revolving fund to be used for the purchase of seed, animals, machinery, tools, implements, and other equipment for sale to individual members of the tribe, under conditions to be prescribed by the Secretary of the Interior for its repayment to the tribe on or before June 30, 1925: *Provided further*, That the expenditure of the sums so reserved are hereby specifically authorized, except those for administrative expenses of the agency, which shall be subject to annual appropriations by Congress: *Provided further*, That after said sums have been reserved and set aside, together with a sufficient amount to pay all other expenses authorized by this act, the balance of such consolidated fund, and all other funds to the credit of the tribe or placed to its credit thereafter, shall be distributed per capita to the Indians entitled:

The committee amendment was agreed to.

The Clerk read the following committee amendment:

Page 13, line 13, after the word "of," insert the word "live."

The committee amendment was agreed to.

The Clerk read the following committee amendment:

Page 13, line 18, after the word "the," insert the word "live."

The committee amendment was agreed to.

The Clerk read the following committee amendment:

Page 14, line 5, after the word "for," strike out the word "them" and insert the words "such live stock."

The committee amendment was agreed to.

The Clerk read as follows:

SEC. 12. That upon the approval of this act the Secretary of the Interior shall forthwith appoint a commission consisting of three persons to complete the enrollment of the members of the tribes as herein provided for and to divide them into two classes, competent and incompetent, said commission to be constituted as follows: Two of said commissioners shall be enrolled members of the Crow Indian Tribe and shall be selected by a majority vote of three delegates from each of the districts on the Crow Reservation; and one commissioner shall be a representative of the Department of the Interior, to be selected by the Secretary of the Interior. Said commission shall be governed by regulations prescribed by the Secretary of the Interior, and the classification of the members of the tribe hereunder shall be subject to his approval. That within 30 days after their appointment said commissioners shall meet at some point within the Crow Indian Reservation and organize by the election of one of their number as chairman. That said commissioners shall then proceed personally to classify the members as above indicated. They shall be paid a salary of not to exceed \$10 per day each and necessary expenses while actually employed in the work of making this classification, exclusive of subsistence, to be approved by the Secretary of the Interior, such classification to be completed within six months from the date of organizing the commission.

Mr. McKEOWN. Mr. Chairman, I move to strike out the last word. I ask unanimous consent to extend my remarks in the Record on this section by printing a letter written by me to the Commissioner of Indian Affairs touching this matter.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The Clerk read as follows:

SEC. 17. That the Secretary of the Interior (with the approval of the Crow Tribal Council) is authorized to set aside for administrative purposes (at the Crow Agency and at Pryor subagency) such tracts for town-site purposes as in his opinion may be required for the public interests, not to exceed 80 acres at each town site, and he may cause the same to be surveyed into lots and blocks and disposed of under such regulations as he may prescribe; and he is authorized also to set apart and reserve for school, park, and other public purposes not more than 10 acres in said town sites; and patents shall be issued for the lands so set apart and reserved for school, park, and other purposes to the municipality or school district legally charged with the care and custody of the lands donated for such purposes. The purchase price of all town lots sold in town sites shall be paid at such time and in such installments as the Secretary of the Interior may direct.

The Clerk read the following committee amendment:

Page 18, after the word "purposes," insert: "*Provided, however*, That the present park at Crow Agency shall not be included in such town sites or be subject to such disposition."

The committee amendment was agreed to.

The Clerk read the following committee amendment:

Page 18, line 11, strike out the words "and in such installments."

The committee amendment was agreed to.

The Clerk read the following committee amendment:

Page 18, line 12, after the word "direct," insert the words "and placed to the credit of the Crow Tribe of Indians."

The committee amendment was agreed to.

The Clerk read as follows:

SEC. 18. That the sum of \$10,000, or so much thereof as may be necessary, of the tribal funds of the Crow Indians of the State of Montana is hereby appropriated to pay the expenses of the general council, or councils, or business committee, in looking after the affairs of said tribe, including the actual and necessary expenses and the per diems paid its legislative committee when visiting Washington on tribal business at the request of the Commissioner of Indian Affairs or a committee of Congress, said sum and the actual and necessary expenses to be approved by and certified by the Secretary of the Interior, and when so approved and certified to be paid.

The following committee amendment was read:

Page 18, line 19, after the word "expenses," strike out the words "and the per diems."

The committee amendment was agreed to.

The Clerk read the following committee amendment:

Page 19, line 1, after the word "paid," insert: "*Provided*, That not to exceed \$2,500 shall be expended in any one fiscal year."

The CHAIRMAN. The question is on the committee amendment.

Mr. WALSH. Mr. Chairman, I reserve a point of order on that. What is this proviso based on that we are going to appropriate \$10,000 each year for the visiting delegation to come to Washington?

Mr. RHODES. I think only so much of the \$10,000 as may be necessary. I will state that under existing law and under the practice the Department of the Interior makes an allowance every year of a reasonable sum to these Indians coming here annually on departmental business.

Mr. WALSH. That is carried in the Indian appropriation bill. Why do we add another \$10,000 for this particular tribe? It will last them about four years.

Mr. RHODES. That provision in the bill was very energetically urged by the delegation of Indians who appeared here.

Mr. WALSH. Of course, they like to come to Washington at the Government expense. However, Mr. Chairman, I will withdraw my reservation of a point of order.

Mr. RIDDICK. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amendment offered by Mr. RIDDICK: Page 19, after line 2, insert as a new section:

SEC. 19. That the sum of \$10,000, or so much thereof as may be necessary, is hereby appropriated out of the funds of the Crow Tribe of Indians to pay costs, expenses, and fees in suits that may be brought to recover the use and possession of any allotment, to which the allottee has been unlawfully dispossessed or denied the control of, and the United States District Court of Montana is hereby given jurisdiction to hear, try, and determine any such case with right of appeal as in other cases provided by law. The United States may be made a party to any such suit in the discretion of the court. An attorney or attorneys may be employed by the Crow Tribe of Indians, and the contract, fees, and expenses shall be approved by the said district court and as so approved shall be paid out of said appropriation.

Mr. WALSH. Mr. Chairman, I make the point of order against the amendment.

Mr. RHODES. Mr. Chairman, will the gentleman withhold that for a moment?

Mr. WALSH. Certainly.

Mr. RHODES. Mr. Chairman, this amendment is offered at the request of the gentleman from Pennsylvania [Mr. KELLY]. While I am not going to argue the point of order, yet in deference to him the amendment has been submitted for such action as the committee may see fit to take.

Mr. WALSH. Mr. Chairman, the amendment is clearly subject to the point of order.

The CHAIRMAN. The Chair sustains the point of order.

Mr. RHODES. Mr. Chairman, I move that the committee do now rise and report the bill to the House with the amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CRAIG, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration 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, and had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and the bill as amended do pass.

Mr. RHODES. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them en grosse. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and on a division (demanded by Mr. BLANTON) there were—ayes 28, noes 0.

So the bill was passed.

On motion of Mr. RHODES, a motion to reconsider the vote by which the bill was passed was laid on the table.

EXTENSION OF REMARKS.

Mr. THOMPSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD upon the print-paper situation.

The SPEAKER. Is there objection?
There was no objection.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted, as follows:

To Mr. ALMON, indefinitely, on account of illness.

To Mr. BLAND of Indiana (at the request of Mr. PURNELL), for 10 days, on account of illness.

ANNIVERSARY OF LANDING OF PILGRIMS.

Mr. WALSH. Mr. Speaker, I ask unanimous consent that to-morrow, after the reading of the Journal and the disposition of business on the Speaker's table, it may be in order to consider House joint resolution 302, which makes provision for Federal participation in the observance of the three hundredth anniversary of the landing of the Pilgrims. This resolution came up the other day on the call of the Calendar for Unanimous Consent. Objection was made to it, but the gentleman who objected has assured me that he has no further objection to the resolution. I have conferred with the majority leader, Mr. MONDELL, and the distinguished leader of the minority, Mr. CLARK. They assure me there is no objection to the matter being considered to-morrow. I do not think it will take any great length of time.

The SPEAKER. Is there objection to the consideration of the resolution?

There was no objection.

ORDER OF BUSINESS.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that after the consideration of the resolution just referred to the House may take up for consideration bills on the Private Calendar not objected to.

Mr. CLARK of Missouri. Mr. Speaker, I would like to inquire of the gentleman if to-morrow is not the regular day for the consideration of private bills.

Mr. MONDELL. It is; but I am making my request in order that gentlemen may understand that only bills not objected to will be considered.

Mr. CLARK of Missouri. There is one man, to my certain knowledge, who has been waiting for six weeks in order to object to one bill that is on that calendar. I have no objection to the request.

The SPEAKER. The gentleman from Wyoming asks unanimous consent that to-morrow bills on the Private Calendar not objected to may be taken up for consideration. Is there objection?

Mr. BLANTON. Mr. Speaker, reserving the right to object, my colleague, Mr. LANHAM, has a bill on that calendar that has the right to be called up under the regular Private Calendar day. He has been waiting for some time to have that bill called up.

Mr. MONDELL. Has it been objected to?

Mr. BLANTON. Yes; it was objected to. It is a case of a young girl who was thrown into a wire fence and injured very badly. He feels that, in view of the fact that other such cases have been passed on, his case ought to take its regular turn. He is not here right now.

Mr. MONDELL. My request is made for this reason: There are near the head of the calendar bills to which there is a very great deal of objection. I am afraid that if at this time we take up the bills in their regular order we will spend the entire day and accomplish nothing, and we would not reach the bill to which the gentleman has referred.

Mr. BLANTON. I was just trying to protect the interest of the gentleman from Texas in the matter.

Mr. CLARK of Missouri. Does the gentleman know who objected?

Mr. BLANTON. He is standing pretty close to the gentleman now.

Mr. WALSH. I did.

Mr. MONDELL. Just a little later I hope we will be able to take up the Private Calendar and pass upon the bills as we reach them.

Mr. BLANTON. Then, if this agreement is made, there will be no bills taken up to-morrow to which objection is lodged?

Mr. MONDELL. There will not.

Mr. BLANTON. Will there be another day on which bills will come up in their regular order during this session?

Mr. MONDELL. That is my purpose and expectation.

Mr. CLARK of Missouri. We will be here all summer, and there will be plenty of time.

Mr. MONDELL. I hope the gentleman from Missouri is not a prophet. I hope we will not be here after the 5th day of June.

The SPEAKER. Is there objection to the request of the gentleman from Wyoming? [After a pause.] The Chair hears none.

ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 14 minutes p. m.) the House adjourned to meet to-morrow, Friday, April 23, 1920, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Secretary of War, transmitting a report in connection with House bill 13500, to amend an act to provide a government for the Territory of Hawaii and to establish an Hawaiian homes commission, and for other purposes, was taken from the Speaker's table and referred to the Committee on the Territories.

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. VOLSTEAD, from the Committee on the Judiciary, to which was referred the resolution (H. Res. 521) directing the Federal Trade Commission to investigate whether any corporation is violating the antitrust laws touching sugar, reported the same with an amendment, accompanied by a report (No. 861), which said resolution and report were referred to the House Calendar.

Mr. CALDWELL, from the Committee on Military Affairs, to which was referred the joint resolution (H. J. Res. 336) authorizing the Secretary of War to loan to the Albert Sidney Johnston Camp, United Confederate Veterans, No. 1820, Fort Worth, Tex., 100 cots and blankets for the use of Confederate veterans at the reunion of said camp, June 24 to 27, inclusive, 1920, reported the same without amendment, accompanied by a report (No. 862), which said resolution and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SINNOTT, from the Committee on the Public Lands, to which was referred the bill (H. R. 10285) to authorize the purchase by the city of Myrtle Point, Oreg., of certain lands formerly embraced in the grant to the Oregon & California Railroad Co. and reverted in the United States by the act approved June 9, 1916, reported the same with amendments, accompanied by a report (No. 863), 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 bill (H. R. 13389) to authorize the Secretary of the Interior to dispose of at public auction certain isolated and fractional tracts of lands formerly embraced in the grant to the Oregon & California Railroad Co., reported the same with amendments, accompanied by a report (No. 864), 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 bill (S. 2792) to enlarge the boundaries of the Oregon National Forest, reported the same without amendment, accompanied by a report (No. 865), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. IRELAND, from the Committee on Accounts, to which was referred the joint resolution (H. J. Res. 320) providing for pay to clerks to Members of Congress and Delegates, reported the same with amendments, accompanied by a report (No. 866), which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 13621) granting a pension to Hiram L. Middlebrooks, and the same was referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

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

By Mr. HICKS: A bill (H. R. 13742) to amend sections 3 and 6 of the act of July 11, 1916, entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," as amended by sections 5 and 6 of the act of February 28, 1919, entitled "An act making appropriations for the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes"; to the Committee on Roads.

By Mr. SMITH of New York: A bill (H. R. 13743) to amend the bankruptcy act; to the Committee on the Judiciary.

By Mr. BABKA: A bill (H. R. 13744) amending Title II, section 1, of the national prohibition act by permitting the manufacture, production, use, sale, and transportation for beverage and other purposes, of beer, ale, and porter up to 4 per cent alcoholic content by volume, and wine up to 10 per cent by volume, in such States as shall so determine by referendum vote of the people; to the Committee on the Judiciary.

By Mr. GRIFFIN: A bill (H. R. 13745) to amend the revenue act of 1918 in regard to the computation of surtax on the income of individuals and the computation of war-profits and the excess-profits tax on the income of corporations; to the Committee on Ways and Means.

By Mr. MASON: Resolution (H. Res. 530) to investigate certain officers of the Department of Justice; to the Committee on Rules.

By Mr. EAGAN: Resolution (H. Res. 531) requesting the United States Government, in association with Governments of allied powers, to protect Armenia and to recognize its independence; to the Committee on Foreign Affairs.

By Mr. DALLINGER: Memorial of the Legislature of the Commonwealth of Massachusetts relative to the action of the United States Government in respect to certain Italian boundaries; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

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

By Mr. ASHBROOK: A bill (H. R. 13746) granting an increase of pension to William A. Hull; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13747) granting an increase of pension to Dayton P. Harrington; to the Committee on Pensions.

Also, a bill (H. R. 13748) granting an increase of pension to Cyrus B. Evans; to the Committee on Invalid Pensions.

By Mr. HAYS: A bill (H. R. 13749) granting a pension to Marie H. Dietz; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13750) granting an increase of pension to Julia E. Sherrill; to the Committee on Pensions.

By Mr. HERSEY: A bill (H. R. 13751) granting a pension to Jennie S. Avery; to the Committee on Pensions.

By Mr. HERSMAN: A bill (H. R. 13752) for the relief of Genevieve Pfeffer; to the Committee on Patents.

By Mr. KAHN: A bill (H. R. 13753) for the relief of Lieut. Commander Edward R. Wilson; to the Committee on Claims.

Also, a bill (H. R. 13754) for the relief of James H. Riley; to the Committee on Claims.

Also, a bill (H. R. 13755) granting an increase of pension to Phoebe A. Rawles; to the Committee on Pensions.

By Mr. KEARNS: A bill (H. R. 13756) for the relief of William Thomas Matingley; to the Committee on Military Affairs.

Also, a bill (H. R. 13757) to remove the charge of desertion from the military record of David Davis; to the Committee on Military Affairs.

By Mr. MCKINLEY: A bill (H. R. 13758) granting a pension to Francis M. Watrous; to the Committee on Invalid Pensions.

By Mr. PURNELL: A bill (H. R. 13759) granting a pension to Louvisa E. Harrison; to the Committee on Invalid Pensions.

By Mr. REED of New York: A bill (H. R. 13760) for the relief of Milton M. Fenner; to the Committee on Naval Affairs.

By Mr. ROBSON of Kentucky: A bill (H. R. 13761) granting a pension to Leander Thomas; to the Committee on Pensions.

By Mr. SUMMERS of Washington: A bill (H. R. 13762) for the relief of Robert G. Whitfield; to the Committee on Claims.

By Mr. TAYLOR of Tennessee: A bill (H. R. 13763) granting an increase of pension to Minta Green; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13764) granting a pension to John W. Linkous; to the Committee on Invalid Pensions.

By Mr. THOMAS: A bill (H. R. 13765) granting an increase of pension to Samuel J. Dearmond; to the Committee on Invalid Pensions.

PETITIONS, ETC.

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

3153. By Mr. BABKA: Petition of the Cleveland Chamber of Commerce, against the moving of coal in the summer months, etc.; to the Committee on Interstate and Foreign Commerce.

3154. Also, petition of Adolph Solomon, president of the I. L. G. W. U. and the United Cloth Hat and Cap Makers, Local No. 18, both of Cleveland, Ohio, favoring Senate joint resolution 171 and Senate bill 1233; to the Committee on the Judiciary.

3155. By Mr. CURRIE of Michigan: Petition of J. W. Wilson and 45 others of the State of Michigan, favoring the passage of House bill 1112; to the Committee on the Judiciary.

3156. By Mr. FULLER of Illinois: Petition of the Illinois Lumber and Builders' Supply Dealers' Association, favoring the readjustment of the salaries of the postal employees; to the Committee on the Post Office and Post Roads.

3157. Also, petition of W. P. Davis, C. F. Hanson, and J. H. Marks, of Earlville, Ill., favoring the passage of the Capper-Hersman bill; to the Committee on Agriculture.

3158. Also, petition of W. A. Burdick and other citizens of Rockford, Ill., favoring the passage of the Raker bill, House bill 1112; to the Committee on Military Affairs.

3159. By Mr. GALLIVAN: Petition of the Massachusetts Federation of Post Office Clerks, Springfield, Mass., urging an increase of salary for post-office clerks; to the Committee on Expenditures in the Post Office Department.

3160. Also, petition of National Federation of Post Office Clerks, Local No. 100, Boston, Mass., James F. Daley, of Dorchester, Mass., and John R. Forsyth, of Boston, Mass., favoring weekly pay for postal clerks; to the Committee on Expenditures in the Post Office Department.

3161. Also, petition of Massachusetts State Grange, Leslie R. Smith, master, of Boston, Mass., favoring the passage of the Capper-Hersman bill; to the Committee on Agriculture.

3162. Also, petition of Chelsea Post, No. 34, American Legion, Department of Massachusetts, favoring legislation for benefit of ex-soldiers; to the Committee on Ways and Means.

3163. Also, petition of Union Twist Drill Co., of Athol, Mass., opposing the passage of the Steagall bill, House bill 12379; to the Committee on Banking and Currency.

3164. Also, petition of International Association of Machinists, Boston Lodge, No. 264, favoring a release of all political prisoners who were opposed to war; to the Committee on the Judiciary.

3165. By Mr. HUDSPETH: Petition of El Paso Local, No. 180, N. F. P. O. C., relative to the postal wage commission; to the Committee on Expenditures in the Post Office Department.

3166. By Mr. KEARNS: Petition of Bank of Manchester, of Manchester, Ohio, regarding assignments of bonds; to the Committee on Banking and Currency.

3167. By Mr. O'CONNELL: Petition of Cloak and Suit Operators' Union of New York, favoring amnesty for political prisoners; to the Committee on the Judiciary.

3168. Also, petition of the veterans committee on soldiers' home and vice president of American Legion of Kissimmee and St. Cloud, Fla., favoring establishment of a national soldiers' home in that place; to the Committee on Appropriations.

3169. Also, petition of United Neckwear Makers' Union, of New York, favoring amnesty for political prisoners; to the Committee on the Judiciary.

3170. Also, petition of National Automobile Manufacturers' Association, of St. Louis, Mo., favoring appropriation for and continuance of daily bulletin and service of the Weather Bureau in giving reports on the conditions of highways; to the Committee on Agriculture.

3171. By Mr. SCULLY: Petition of Wooden Box Manufacturers' Association, of New York, favoring a revision of the anti-trust laws; to the Committee on Ways and Means.

3172. Also, petition of Phoenix Lodge, No. 315; Silk City Lodge, No. 188; and district No. 94, International Association of Machinists, of Paterson, N. J., regarding the prosecution and imprisonment, of a political nature, of men and women; to the Committee on the Judiciary.

3173. By Mr. TILSON: Petition of Connecticut Bankers' Association, opposing the passage of the Steagall bill, House bill 12379; to the Committee on Banking and Currency.

3174. By Mr. TINKHAM: Petition of the County Sligo Benevolent Association, of Greater Boston, Mass., urging the release of the Federal prisoners, both political and civil; to the Committee on the Judiciary.

3175. Also, petition of Robert J. Dyer, president Local No. 264, International Association of Machinists, Boston, Mass., urging the parole of the American civil and military prisoners; to the Committee on the Judiciary.