

First Lieut. Marcus Aurelius Smith Ming, Field Artillery. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of Marcus Aurelius Smith King.)

First Lieut. William Agnew Howland, Infantry. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of William Agnew Nowland.)

First Lieut. Peter Hanses, Quartermaster Corps. (Nominated March 11, 1921, and confirmed March 14, 1921 under the name of Peter Hansen.)

First Lieut. George Edward Huthsteiner, Cavalry. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of George Edward Huthsteimer.)

First Lieut. John Adams Hettinger, Cavalry. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of John Adams Nettinger.)

First Lieut. Oscar Nelson Schjerven, Field Artillery. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of Oscar Nelson Schierven.)

First Lieut. Paul Joseph Matte, Cavalry. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of Paul Joseph Matts.)

First Lieut. John Adams Ballard, Infantry. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of John Adams Bullard.)

First Lieut. Chester David Hilton, Quartermaster Corps. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of Chester David Milton.)

Second Lieut. Benjamin Mills Crenshaw, Infantry. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of Benjamin Mills Cronshaw.)

First Lieut. Robert Wilbar Wilson, Field Artillery. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of Robert Whipple Wilson.)

To be first lieutenants with rank from July 1, 1920.

Second Lieut. Lewis Dabney Hixson, Infantry. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of Lewis Dabney Bixson.)

Second Lieut. Tonnes Dennison, Field Artillery. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of Townes Dennison.)

Second Lieut. Louie Clifford Mallory, Air Service. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of Louis Clifford Mallory.)

Second Lieut. Hans Christian Jespersen, Infantry. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of Hans Christian Jespersen.)

Second Lieut. Engmann August Andersen, Quartermaster Corps. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of Engman August Anderson.)

Second Lieut. Benjamin Harrison Graban, Cavalry. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of Benjamin Harrison Graham.)

Second Lieut. Ernest Emery Harmon, Air Service. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of Ernest Henry Harmon.)

Second Lieut. Dean Bryan Belt, Air Service. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of Dean Bryan Bolt.)

Second Lieut. Christian Stephen Andersen, Coast Artillery Corps. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of Christian Stephen Anderson.)

Second Lieut. Gerald Bradford Devore, Infantry. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of Gerald Bradford Devere.)

Second Lieut. Albert Francis Hegenberger, Air Service. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of Albert Francis Regenberger.)

Second Lieut. Harold Farnsworth Hubbell, Signal Corps. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of Harold Farnsworth Rubbell.)

Second Lieut. Laurens Claude, Air Service. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of Laurence Claude.)

To be first lieutenants with rank from July 2, 1920.

Second Lieut. John Robert Culleton, Field Artillery. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of John Robert Cullston.)

Second Lieut. Morrison Page Chitterling, Coast Artillery Corps. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of Morrison Page Chittering.)

Second Lieut. George Honnen, Infantry. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of George Hennen.)

PROMOTIONS IN THE PHILIPPINE SCOUTS.

To be majors with rank from July 1, 1920.

Capt. Esteban Boadilla Dalao, Philippine Scouts.
Capt. Thomas Kenneth Collins, Philippine Scouts.
Capt. Conrad Skladal, Philippine Scouts.
Capt. Wellborn Dent, Philippine Scouts.
Capt. Vicente Lim, Philippine Scouts.

To be captains.

First Lieut. David Bernard Doty, jr., Philippine Scouts, from July 1, 1920.

First Lieut. James Donison Carter, Philippine Scouts, from July 21, 1920.

First Lieut. Fidel Segundo y Venturo, Philippine Scouts, from September 22, 1920.

First Lieut. Salvador Formoso Reyes, Philippine Scouts, from October 15, 1920.

To be first lieutenant with rank from July 17, 1920.

Second Lieut. Mariano S. Sulit, Philippine Scouts.

CORRECTING ERRORS IN NAMES OF NOMINEES.

This message is submitted for the purpose of correcting errors in the names of nominees.

To be captain with rank from July 1, 1920.

First Lieut. Louis Rada Salvosa, Philippine Scouts. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of Louis Rada Balvosa.)

To be first lieutenant with rank from July 1, 1920.

Second Lieut. Fermon Arthur Shults, Philippine Scouts. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of Furmon Arthur Shults.)

I desire the consent of the Senate to the appointment, under his true name, of Antonio Vazquez-Brune, captain, Infantry, with rank from July 1, 1920.

I desire the consent of the Senate to the appointment, under his true name, of Augustus Vigilant Noble, major, Quartermaster Corps, with rank from July 1, 1920.

CONFIRMATIONS.

Executive nominations confirmed by the Senate April 16 (legislative day of April 13), 1921.

SPECIAL REPRESENTATIVE OF GOVERNMENT AT INTERNATIONAL COMMUNICATIONS CONFERENCE.

Henry P. Fletcher to be special representative of the Government at International Communications Conference.

AMBASSADORS.

Myron T. Herriek to be ambassador extraordinary and plenipotentiary to France.

George Harvey to be ambassador extraordinary and plenipotentiary to Great Britain.

COMMISSIONER OF INDIAN AFFAIRS.

Charles H. Burke to be Commissioner of Indian Affairs.

FIRST ASSISTANT POSTMASTER GENERAL.

Hubert Work to be First Assistant Postmaster General.

SECOND ASSISTANT POSTMASTER GENERAL.

Edward H. Shaughnessy to be Second Assistant Postmaster General.

SENATE.

MONDAY, April 18, 1921.

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

Our Father, we recognize the hand that is blessing us. We recognize that goodness and mercy have been ministering unto us through the days. We humbly ask that this morning we may realize increased obligation to do our best in Thy service and for the welfare of our Nation. We pray in Christ's name. Amen.

The Assistant Secretary proceeded to read the Journal of the proceedings of the legislative day of Wednesday, April 13, 1921, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

Mr. CURTIS. Mr. President, I 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	France	Lodge	Sheppard
Ball	Frelinghuysen	McCumber	Simmons
Borah	Gerry	McKellar	Smith
Brandegee	Hale	McKinley	Smoot
Broussard	Harrell	McLean	Spencer
Bursum	Harris	McNary	Stanfield
Cameron	Harrison	Moses	Stanley
Capper	Heflin	Nelson	Sterling
Caraway	Hitchcock	New	Trammell
Colt	Jones, N. Mex.	Nicholson	Underwood
Culberson	Jones, Wash.	Norbeck	Wadsworth
Cummins	Kellogg	Norris	Walsh, Mass.
Curtis	Kendrick	Overman	Walsh, Mont.
Dial	Kenyon	Phipps	Warren
Dillingham	Keyes	Pittman	Watson, Ga.
Edge	Ladd	Polindexer	Willis
Ernst	La Follette	Pomerene	Wolcott
Fletcher	Lenroot	Ransdell	

Mr. CURTIS. I wish to announce that the Senator from Nevada [Mr. ODDIE] is detained on account of illness.

The VICE PRESIDENT. Seventy-one Senators having answered to their names, a quorum is present.

HOWARD SUTHERLAND, a Senator from the State of West Virginia, appeared in his seat to-day.

CHANGE OF REFERENCE.

Mr. UNDERWOOD. Mr. President, I desire to ask unanimous consent for a change in the reference of a bill. Some days ago I introduced the bill (S. 775) to confer jurisdiction on the Court of Claims to certify certain findings of fact, and for other purposes. I thought that I had noted on it a reference to the Committee on the Judiciary, but, as it appeared to be a claim, it seems to have been referred to the Committee on Claims. It is not a claim. A similar bill was before the Committee on the Judiciary in the last Congress. That committee gave consideration to it and reported it favorably. I ask unanimous consent that the reference to the Committee on Claims may be changed and the bill referred to the Committee on the Judiciary.

The VICE PRESIDENT. Without objection, the Committee on Claims will be discharged from the further consideration of the bill and it will be referred to the Committee on the Judiciary.

PETITIONS AND MEMORIALS.

Mr. CURTIS presented a resolution of the quarterly meeting of the State board of agriculture held at Topeka, Kans., April 11, 1921, favoring an immediate embargo on foreign farm and live-stock products that affect markets for similar commodities in this country; an early readjustment of railroad rates on a lower basis; and laws beneficial to the organization and successful operation of cooperative associations, which was referred to the Committee on Agriculture and Forestry.

Mr. CAPPER presented a memorial of Division No. 137, Order of Railway Conductors, of Osawatimie, Kans., remonstrating against the enactment of legislation repealing the excess-profits tax and adopting a sales tax, which was referred to the Committee on Finance.

He also presented a memorial of sundry citizens of Ensign, Kans., remonstrating against the enactment of legislation revising the tariff on coal-tar products used by farmers and stockmen, which was referred to the Committee on Finance.

He also presented a resolution of the Kansas State Board of Agriculture, adopted at Topeka, Kans., April 11, 1921, favoring legislation to reduce freight rates on agricultural and live-stock products, which was referred to the Committee on Interstate Commerce.

He also presented a resolution adopted by the first district board, Illinois Federation of Women's Clubs, at Chicago, Ill., favoring the so-called truth in fabric bill, which was referred to the Committee on Interstate Commerce.

Mr. WARREN presented resolutions of the Board of Trade of Evanston; the Pinedale Commercial Club, of Pinedale; and the Sundance Commercial Club, of Sundance, all in the State of Wyoming, favoring legislation to change the method of disposal of States' portions of oil royalties, which were referred to the Committee on Public Lands.

Mr. WILLIS presented petitions of Paul Hickling, of Lisbon; John Wooley, of Willard; and Charles Phillips Castle, of Dayton, all in the State of Ohio, praying for the enactment of legislation providing for adequate relief for ex-service men, which were referred to the Committee on Finance.

He also presented a resolution of the Lumbermen's Club of Cincinnati, Ohio, favoring the repeal of such legislation as prevents common carriers from dealing directly with their employees in the matter of wages, etc., and pending the repeal of such legislation that the President urge the labor board to terminate the so-called national agreements, if consistent, which was referred to the Committee on Interstate Commerce.

Mr. JONES of New Mexico. Mr. President, some time ago I received a telegram in opposition to the so-called Smith-Towner bill, requesting that it be read to the Senate. It is short, and I ask that it may be read.

There being no objection, the telegram was read and referred to the Committee on Education and Labor, as follows:

ALBUQUERQUE, N. MEX., February 6, 1921.

Hon. ANDRIEUS A. JONES,
United States Senate, Washington, D. C.:

For many years I have been engaged in educational work, and therefore feel qualified to speak on the subject. I protest against the Smith-Towner bill as a gross violation of the letter and spirit of the Declaration of Independence. I request you to read this protest before United States Senate.

P. J. WECKA,
Pastor San Felipe Church, Old Albuquerque, N. Mex.

Mr. JONES of New Mexico. Mr. President, I present certain resolutions from the Wool Growers' Association and the Cattle and Horse Growers' Association of New Mexico, which I ask may be inserted in the RECORD without reading.

There being no objection, the resolutions were referred as indicated below and ordered to be printed in the RECORD, as follows:

To the Committee on Finance:

We, the members of the New Mexico Wool Growers' Association, in convention assembled at Albuquerque, N. Mex., March 25 and 26, 1921, desire to submit the following statement of facts relating to our industry:

The winter of 1917 and 1918 in New Mexico was one of the most disastrous in the history of the sheep business, due to the fact that our range was covered with snow almost continuously from November until April, which necessitated an enormous expense for feed at war prices to prevent our breeding ewes from dying. In spite of this expense about 20 per cent of all the sheep in New Mexico perished and the remaining ewes were so poor that they were unable to mother their lambs and a very light lamb crop resulted.

To save their sheep growers were forced to borrow almost as much as banks were willing to loan upon their flocks even under conditions of easy credits and higher valuations.

The fairly favorable season of 1918 and 1919 enabled growers to pay off a portion of this indebtedness and to partially restore their herds by saving ewe lambs. Yet they went into the winter of 1919 and 1920 still heavily in debt, and the enormous carrying charges due to the high cost of labor and supplies forced them to add greatly to their indebtedness.

With growers thus deeply involved, and depending upon the 1920 wool clip to ease them up with their banks and with much of the clip still unshorn, came the complete collapse of the wool market in May, 1920.

Since that time there has been practically no market for wool, and 75 per cent of the 1920 clip is still in the hands of the growers.

Meanwhile war-time wages and other war-time expenses have continued, so that while there is no market for sheep and wool upon which to estimate values it is fair to state that most of the wool growers of New Mexico owe more than their sheep and wool are worth, the average indebtedness being about \$8 per head as against \$2.50 per head in former times.

Our present running expenses are far in excess of any returns we may hope for under present conditions, so that time is only serving to make our plight more hopeless.

We realize that the misfortune of our industry is in part shared by all enterprises, as the result of reconstruction; so far as this is true we make no claim for relief. But there are peculiar conditions affecting the wool industry of the West which will cause its complete destruction if not soon corrected. Chief among these conditions is the fact that owing to the adverse weather conditions recounted above the sheepmen of New Mexico, in common with others of the range States, were not able during the period of high prices to accumulate a surplus to enable them to withstand the present decline.

Lack of a protective tariff caused the accumulated wool stocks of the world to be dumped upon the American market, so that to-day we have sufficient wool on hand to supply our needs for more than two years, without counting the 1921 clip just coming on the market: Therefore be it

Resolved, That we heartily indorse all the resolutions of our parent organization, the National Wool Growers' Association, in its convention held in January, 1921, having for their object the relief of the sheep industry.

Resolved, That pending the passage of tariff legislation, we recommend an embargo upon the importation of wool, manufactured wools, and sheepskins with or without wool upon them.

Resolved, That in case our President should not see fit to exercise his right of embargo, we strongly recommend the repassage of the Fordney emergency tariff bill.

Resolved, That we particularly indorse the French-Capper bill, commonly known as the "truth in fabrics bill," as providing just and fair protection to the buying public and minimizing the unfair competition of wool shoddy with virgin wool.

NEW MEXICO WOOL GROWERS' ASSOCIATION.

To the Committee on Interstate Commerce:

FAVORING PURE-FABRIC LEGISLATION.

Whereas a large part of the raw material used in the manufacture of woollen fabrics and apparel sold as all wool is shoddy and substitute and not virgin wool: Therefore be it

Resolved, That the New Mexico Cattle and Horse Growers' Association urges the protection of both the public and the live-stock growers of the country in this respect, and that the Congress of the United States shall at the earliest possible moment enact legislation making it compulsory for manufacturers to make known the presence of substitutes in fabrics purporting to contain wool, and apparel made from such fabrics.

Resolved, That copies of this resolution be sent to our Representatives in Congress.

To the Committee on Banking and Currency:

LONG-TIME LOANS TO OWNERS OF BREEDING HERDS.

Whereas breeding herds are the foundation of production to the stockmen just as land is the foundation of production to the farmer; and whereas a breeding business requires several years for successful completion: Therefore be it

Resolved, That the New Mexico Cattle and Horse Growers' Association petition Congress to so amend the farm loan act as to include long-time loans to owners of breeding herds.

Resolved, That copies of this resolution be forwarded to our Representatives in Congress.

To the Committee on Indian Affairs:

INDIAN LIVE STOCK.

At a regular session of the New Mexico Cattle and Horse Growers' Association in annual convention assembled at Albuquerque, N. Mex., March 29-31, 1921, the following resolution was introduced:

Be it resolved, That after due and adequate investigation, and the members being fully advised in the premises, it is the sense of this meeting that the Indians of the northwestern part of the State of New Mexico, particularly the Navajo Tribe, have adequate lands upon which to graze their live stock;

That there is more pasture and feed upon the ranges of said reservations than the Indians have live stock to consume;

That notwithstanding the fact that the said Indians have sufficient range upon the present reservations, the Indians drive their live stock off of the reservations and pasture them upon the private lands of American citizens and depend upon the water developed by American taxpayers at great expense to themselves, to water their live stock;

That it has become the policy of the Indian Department to select lands for Indian allotments in such places and localities that if such allotments are used it is necessary for the Indian live stock to trespass upon the land upon which American citizens are paying taxes, and that any interference on the part of taxpayers with the Indians in committing such trespasses is resented by the officials of the Indian Department: Be it further

Resolved, That it is the sense of this association that Indians who claim protection as wards of the United States Government must be confined to the Indian reservations with their live stock, or that legislation be enacted whereby Indians leaving the bounds of their reservations with their live stock shall be taxed the same as any American citizen, thus avoiding the discrimination in favor of Indians over taxpayers; be it further

Resolved, That it is the sense of this meeting that the purchase of further lands for the use of said Indians is unnecessary and would be a needless expenditure upon the part of the United States Government in behalf of said Indians and would result in an imposition and excessive burden upon live-stock growers in the vicinity of the reservations, and that instead of the purchase of further lands the money should be applied and used for the fencing of the reservations and the development of water on the interior of the reservations, thereby intensifying the productiveness of the reservation lands;

That copies of these resolutions be furnished to the Indian Department and the Department of the Interior at Washington, and to our Representatives in Congress; and be it further

Resolved, That our Representatives in Congress be, and they hereby are, requested by this association to exert all efforts to confine the said Indian live stock to the Indian reservations.

To the Committee on Public Lands:

STATE CONTROL OF PUBLIC DOMAIN.

Whereas the present nonproducing character of the unappropriated public land of New Mexico brings most insistently to the stock industry of this State the need for prompt action to secure some return from this large area, such return to be applied to the expense of State government:

Resolved, That the New Mexico Cattle and Horse Growers' Association again strongly urges Congress for prompt action in placing these lands in the hands of the State.

Resolved, That copies of this resolution be forwarded to our Senators and Congressmen and to the Secretary of the Interior.

To the Committee on Agriculture and Forestry:

APPROPRIATION FOR DESTRUCTION OF PREDATORY WILD ANIMALS AND RANGE DESTROYING RODENTS.

Whereas the livestock industry of New Mexico suffers an annual loss of more than \$5,000,000 from range-destroying rodents and predatory animals; and

Whereas it is essential to the profitable utilization of range lands that a work of extermination of these destructive rodents and predatory animals be conducted through cooperation of the United States Biological Survey, the New Mexico College of Agriculture, the State of New Mexico, and individual stockmen; and

Whereas stockmen and landowners are cooperating under this plan through expenditures far exceeding \$25,000 a year, and the State of New Mexico is aiding through continuous appropriation of \$25,000 a year, and with legal provision enabling State agencies to exterminate destructive rodents on all State and private lands within infested districts; and

Whereas the Government owns and controls large areas infested by predatory animals and range-destroying rodents that render extermination ineffective through invading adjacent lands: Now, therefore, be it

Resolved, by the New Mexico Cattle and Horse Growers' Association, in convention assembled at Albuquerque, New Mexico, March 29-31, 1921, That we urge the Department of Agriculture to appropriate at least \$50,000 for use in the State of New Mexico by the Biological Survey for the purpose of this extermination work, and that we petition our State legislature in its next budget to provide for the State appropriation under chapter 119, session laws of 1919 of the State of New Mexico; and

Resolved further, That we express our full appreciation of this cooperative campaign for the welfare of the live-stock industries and fully indorse the action of the State of New Mexico in continuing this cooperative project for the extermination of predatory wild animals and range-destroying rodents.

Mr. RANSDELL. Mr. President, I present a resolution of the Constitutional Convention of Louisiana, which is now in session, memorializing Congress to suppress illegitimate and injurious

speculation in agricultural products, which I ask may be referred to the Committee on Agriculture and Forestry.

The resolution was referred to the Committee on Agriculture and Forestry, as follows:

CONSTITUTIONAL CONVENTION OF LOUISIANA, 1921.

Resolution 103.

Be it resolved by the Constitutional Convention of the State of Louisiana, now in session, That the Congress of the United States be, and is hereby, memorialized, to the end that its power be used to suppress illegitimate and injurious speculation in agricultural products.

Adopted by the Constitutional Convention of the State of Louisiana on the 13th day of April, A. D. 1921.

O. H. SIMPSON,
Secretary of the Convention.

Mr. RANSDELL. I also present a resolution of the Constitutional Convention of Louisiana memorializing Congress to appropriate \$100,000,000 for good roads as quickly as possible. I ask that the resolution be printed in the RECORD and referred to the Committee on Post Offices and Post Roads.

There being no objection the resolution was referred to the Committee on Post Offices and Post Roads and ordered to be printed in the RECORD, as follows:

CONSTITUTIONAL CONVENTION OF LOUISIANA, 1921.

Resolution 23.

Whereas the proper development of all sections of the State of Louisiana, and the building of a system of permanent roads and highways therein are inseparably linked, and the former can not be attained without the latter; and

Whereas the people of the State have shown a progressive spirit by voting and levying taxes to a maximum to realize funds for road building purposes, much of which was done in the hope and belief that such taxes would be supplemented by substantial aid from the United States as has been done heretofore, without which aid the full extent of our hopes and wishes can not be accomplished; and

Whereas at the session of Congress now closing an appropriation of \$100,000,000 to aid in good road construction throughout the Union passed the House of Representatives by a vote of approximately five to one but failed of passage in the Senate: Now, therefore, be it

Resolved by the Constitutional Convention, First, that Congress be, and is hereby, memorialized and urged to pass the bill providing the \$100,000,000 appropriation for good roads as quickly as possible. Second, that our Senators and Representatives in Congress each be sent a copy of this resolution, and they are hereby urged to renew their efforts to have said appropriation made as quickly as possible. Third, that an engrossed copy of this resolution be sent to the United States Senate and House of Representatives.

Adopted by the Constitutional Convention of the State of Louisiana on the 3d day of March, A. D. 1921.

HEWITT BRANCHAND,
President of the Convention.

Attest:

O. H. SIMPSON,
Secretary of the Convention.

Mr. SUTHERLAND presented a joint resolution of the Legislature of West Virginia, which was referred to the Committee on Pensions, as follows:

House joint resolution 21, memorializing the Congress of the United States with reference to pensions.

Whereas at a mass meeting of ex-soldiers, widows of soldiers, and members of auxiliaries, held at Wheeling, W. Va., on December 11, 1920, a resolution was adopted requesting the enactment of a law providing pensions for all soldiers, sailors, and marines who are not now pensioned by the United States and who served for 30 days and were honorably discharged, or to their widows, orphans, or dependents; and

Whereas it is stated in said resolution that owing to the infirmities of age and the high cost of living many of such persons find it impossible to obtain the necessities of life, and it is requested that pensions, payable monthly, be provided as follows: To soldiers, \$75 per month; to widows who married soldiers prior to January 1, 1921, \$75 per month; to children under 16 years of age residing with mother, \$10 per month; to children residing with grandparents or other persons, \$20 per month; to idiotic and helpless children of any age, \$75 per month; and providing further that no fees be paid to attorneys or others for services in preparing claims, and that no pension be granted to any soldier, widow, or other person having an income of \$1,200 per annum: Therefore be it

Resolved by the Legislature of West Virginia, That the Senators and Representatives from West Virginia in Congress be requested to consider the suggestions set out in the resolution and to urge the favorable consideration thereof by the Congress of the United States.

I hereby certify that the foregoing joint resolution was regularly adopted by the Legislature of West Virginia on April 15, 1921.

M. S. HODGES,
Clerk of the House of Delegates.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

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

By Mr. CURTIS:

A bill (S. 851) authorizing the Secretary of War to make settlement with the lessees who erected buildings on a 5-year lease on the zone at Camp Funston, Kans., and for other purposes (with accompanying papers); to the Committee on Military Affairs.

A bill (S. 852) for the relief of Henry and William King (with accompanying papers); to the Committee on Indian Affairs.

- A bill (S. 853) to carry out the findings of the Court of Claims in the case of Jacob Samuel Weaver (with an accompanying paper); and
- A bill (S. 854) to reimburse J. B. Glanville and others for losses and damages sustained by them through the negligent dipping of tick-infested cattle by the Bureau of Animal Industry, Department of Agriculture (with accompanying papers); to the Committee on Claims.
- A bill (S. 855) granting a pension to Charlotte Ann Ury (with an accompanying paper);
- A bill (S. 856) granting a pension to Cordella Hazen (with accompanying papers); and
- A bill (S. 857) granting an increase of pension to Ephriam Briggs (with an accompanying paper); to the Committee on Pensions.
- A bill (S. 858) for the relief of Isaac D. Sells (with an accompanying paper); to the Committee on Military Affairs.
- A bill (S. 859) granting an increase of pension to Mary Ann Richardson (with accompanying papers);
- A bill (S. 860) granting a pension to Lela Z. Raper (with accompanying papers);
- A bill (S. 861) granting a pension to Bridget Garnett (with accompanying papers);
- A bill (S. 862) granting a pension to Andrew Jordan (with accompanying papers);
- A bill (S. 863) granting a pension to Richard Perry Watkins (with accompanying papers);
- A bill (S. 864) granting an increase of pension to Reuben Waller (with accompanying papers);
- A bill (S. 865) granting a pension to Jessie M. Bedinger (with accompanying papers);
- A bill (S. 866) granting a pension to Sarah E. Spragne (with an accompanying paper);
- A bill (S. 867) granting a pension to Melissa S. Lemon (with an accompanying paper);
- A bill (S. 868) granting an increase of pension to John C. Lockwood (with accompanying papers);
- A bill (S. 869) granting a pension to Nancy J. Gregory (with accompanying papers);
- A bill (S. 870) granting an increase of pension to Margaret J. Humbert (with accompanying papers);
- A bill (S. 871) granting a pension to Rhoda V. Moore (with accompanying papers);
- A bill (S. 872) granting an increase of pension to John O. Lind (with accompanying papers);
- A bill (S. 873) granting an increase of pension to Mary Ballinger (with accompanying papers);
- A bill (S. 874) granting a pension to Esther Clark Hill (with accompanying papers);
- A bill (S. 875) granting a pension to Robert T. McKeen (with accompanying papers);
- A bill (S. 876) granting a pension to Nancy P. Settle (with an accompanying paper);
- A bill (S. 877) granting a pension to James Mimford (with an accompanying paper);
- A bill (S. 878) granting a pension to Miles C. Gilliland (with an accompanying paper);
- A bill (S. 879) granting a pension to Charles Grunert (with an accompanying paper);
- A bill (S. 880) granting an increase of pension to James Devine (with an accompanying paper);
- A bill (S. 881) granting a pension to Tom Pogue (with an accompanying paper);
- A bill (S. 882) granting a pension to James Hurt (with accompanying papers);
- A bill (S. 883) granting a pension to Elizabeth Sherbocker (with accompanying papers);
- A bill (S. 884) granting a pension to Abbie McCabe (with accompanying papers);
- A bill (S. 885) granting a pension to Laura A. Richardson (with accompanying papers); and
- A bill (S. 886) granting a pension to Esther A. Eastman (with accompanying papers); to the Committee on Pensions.
- By Mr. UNDERWOOD:
- A bill (S. 887) granting a pension to Marie Doughty Gorgas; to the Committee on Pensions.
- By Mr. SMOOT:
- A bill (S. 888) authorizing the Strawberry Valley High Line Canal Co. to purchase the West Mountain lands; and
- A bill (S. 889) further to assure title to lands granted the several States in place in aid of public schools; to the Committee on Public Lands and Surveys.
- By Mr. McCUMBER:
- A bill (S. 890) for the relief of Isaac J. Reese; and
- A bill (S. 891) to remove the charge of desertion against George W. Posey (with accompanying paper); to the Committee on Military Affairs.
- A bill (S. 892) granting a pension to Bernard Mulhern; and
- A bill (S. 893) granting a pension to Philip Block (with accompanying papers); to the Committee on Pensions.
- By Mr. DIAL:
- A bill (S. 894) granting a pension to Nettie May Jernegan (with accompanying papers); to the Committee on Pensions.
- By Mr. TRAMMELL:
- A bill (S. 895) to enlarge, extend, remodel, etc., public building at Tampa, Fla.; to the Committee on Public Buildings and Grounds.
- By Mr. JONES of New Mexico:
- A bill (S. 896) to amend section 6 of the Federal aid road act; to the Committee on Post Offices and Post Roads.
- A bill (S. 897) to provide for the acquisition of a site and the erection thereon of a public building at Deming, N. Mex.;
- A bill (S. 898) to provide for the acquisition of a site and the erection thereon of a public building at Clovis, N. Mex.;
- A bill (S. 899) to provide for the acquisition of a site and the erection thereon of a public building at Tucumcari, N. Mex.; and
- A bill (S. 900) to provide for the acquisition of a site and the erection thereon of a public building at Silver City, N. Mex.; to the Committee on Public Buildings and Grounds.
- A bill (S. 901) for the payment of certain money to Albert H. Reynolds; and
- A bill (S. 902) to amend an act entitled "An act for the relief of Indians occupying railroad lands in Arizona, New Mexico, or California," approved March 4, 1913; to the Committee on Indian Affairs.
- A bill (S. 903) fixing the term of service of Welton W. Pratt during the Civil War;
- A bill (S. 904) fixing the term of service of Elijah C. Putnam during the Civil War; and
- A bill (S. 905) granting to the State of New Mexico 360,000 acres of land in said State for the use and benefit of the military institutions of New Mexico; to the Committee on Military Affairs.
- A bill (S. 906) for the relief of Reuben R. Hunter;
- A bill (S. 907) for the relief of Ellen B. Walker;
- A bill (S. 908) for the relief of Sigmund Lindauer;
- A bill (S. 909) for the relief of J. B. McGhee;
- A bill (S. 910) for the relief of Frank Grygla;
- A bill (S. 911) for the relief of Fred V. Plomteaux;
- A bill (S. 912) for the relief of Bernard S. Rodey; and
- A bill (S. 913) for the relief of Capt. H. C. Smith; to the Committee on Claims.
- A bill (S. 914) granting to certain States public lands for the construction, repair, and maintenance of public roads;
- A bill (S. 915) to extend the rights of stock-raising homesteaders;
- A bill (S. 916) limiting the creation or extension of forest reserves in New Mexico and Arizona; and
- A bill (S. 917) for the consolidation of forest lands in the Manzano and Santa Fe National Forests, N. Mex., and for other purposes; to the Committee on Public Lands and Surveys.
- By Mr. STANFIELD:
- A bill (S. 918) to provide for a Federal highway fund for building and aiding the States to build public roads, and for other purposes; to the Committee on Finance.
- By Mr. BURSUM:
- A bill (S. 919) to amend an act entitled "An act for the relief of Indians occupying railroad lands in Arizona, New Mexico, or California," approved March 4, 1913; to the Committee on Indian Affairs.
- A bill (S. 920) for the consolidation of forest lands in or near national forests, New Mexico, and for other purposes; to the Committee on Public Lands and Surveys.
- By Mr. LENROOT:
- A bill (S. 921) to provide for the establishment on the Mississippi River of a fish-rescue station, to be under the direction of the Bureau of Fisheries of the Department of Commerce; to the Committee on Commerce.
- A bill (S. 922) to provide for the creation and organization of the National Railway Corporation, and for the acquisition, control, and operation of railroads and water carriers by it, and for other purposes; to the Committee on Interstate Commerce.
- By Mr. OVERMAN:
- A bill (S. 923) granting an increase of pension to Charles D. Littnan; to the Committee on Pensions.

A bill (S. 924) for the acquisition of a site and erection of a public building at Gastonia, N. C.; to the Committee on Public Buildings and Grounds.

By Mr. CAPPER:

A bill (S. 925) to establish in the Treasury Department a bureau of veteran reestablishment, and for other purposes; to the Committee on Finance.

By Mr. McNARY:

A bill (S. 926) to withhold from sale and to restore to the Indians of the Umatilla Reservation certain lands which were authorized to be offered for sale under the act of March 3, 1885; to the Committee on Indian Affairs.

By Mr. POINDEXTER:

A bill (S. 927) to carry out the findings of the Court of Claims in the case of Omar H. Case; to the Committee on Claims.

By Mr. JONES of Washington:

A bill (S. 928) granting certain lands to the State of Washington for the use of the State university, and for other purposes; to the Committee on Military Affairs.

By Mr. BURSUM:

A bill (S. 929) for the relief of the Museum of New Mexico; to the Committee on Public Lands and Surveys.

By Mr. CURTIS:

A bill (S. 930) for the relief of Thomas J. Temple (with an accompanying paper); to the Committee on Military Affairs.

By Mr. TOWNSEND:

A bill (S. 931) to amend section 4a of the act of Congress approved June 4, 1920; to the Committee on Military Affairs.

A bill (S. 932) for the relief of Leonore M. Sorsby; to the Committee on Foreign Relations.

By Mr. SPENCER:

A bill (S. 933) granting a pension to John Ward; to the Committee on Pensions.

A bill (S. 934) to amend an act entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes," approved March 4, 1921; to the Committee on Appropriations.

By Mr. SUTHERLAND:

A bill (S. 935) for the relief of Gill Irwin Wilson; to the Committee on Finance.

A bill (S. 936) providing for the appointment of an additional district judge for the southern judicial district of the State of West Virginia; to the Committee on the Judiciary.

A bill (S. 937) to reimburse Isaiah Stephens, postmaster of McMechen, Marshall County, W. Va., for money and postage stamps stolen; and

A bill (S. 938) to reimburse S. S. Buzzard, postmaster at Berkeley Springs, Morgan County, W. Va., for cash stolen; to the Committee on Post Offices and Post Roads.

A bill (S. 939) to provide for advancement in grade of certain officers retired for disability incurred in active service;

A bill (S. 940) for the relief of Willis B. Cross;

A bill (S. 941) for the relief of John H. Galloway;

A bill (S. 942) for the relief of James Johnson;

A bill (S. 943) for the relief of John Lyons;

A bill (S. 944) for the relief of John W. May;

A bill (S. 945) for the relief of John Murphy;

A bill (S. 946) for the relief of Theophilus Nuzum;

A bill (S. 947) for the relief of Thomas Simmons;

A bill (S. 948) for the relief of George B. Todd; and

A bill (S. 949) for the relief of Gideon C. Corley; to the Committee on Military Affairs.

A bill (S. 950) for the payment of certain claims of general officers of volunteers for three months' pay proper for Civil War service as reported by the Court of Claims;

A bill (S. 951) for the relief of the legal representatives of John T. Adkins, deceased;

A bill (S. 952) for the relief of Thomas J. Lloyd;

A bill (S. 953) for the relief of the estates of Aaron Van Camp and Virginius P. Chapin;

A bill (S. 954) for the relief of Mrs. Sarah L. Nuzum, widow of Joel D. Nuzum, deceased;

A bill (S. 955) for the relief of the heirs of Henry Sturm, deceased;

A bill (S. 956) for the relief of Earl Waggoner; and

A bill (S. 957) for the relief of the Methodist Episcopal Church and the Presbyterian Church, of Keyser, W. Va.; to the Committee on Claims.

A bill (S. 958) granting a pension to Arch Linthicum;

A bill (S. 959) granting an increase of pension to George A. Liston;

A bill (S. 960) granting a pension to W. H. Mallow;

A bill (S. 961) granting an increase of pension to Mont. J. Musgrave;

A bill (S. 962) granting a pension to Arzanna Nesbitt;

A bill (S. 963) granting an increase of pension to Rebecca E. Philabaum;

A bill (S. 964) granting a pension to Harrison Pierson;

A bill (S. 965) granting a pension to Maggie B. Sullivan;

A bill (S. 966) granting a pension to Willis Gray Southerland;

A bill (S. 967) granting a pension to Edgar Travis;

A bill (S. 968) granting a pension to Henry Washington;

A bill (S. 969) granting a pension to Fannie R. Wells;

A bill (S. 970) granting a pension to James Wiley;

A bill (S. 971) granting a pension to Celia Wilfong;

A bill (S. 972) granting pensions to the officers and soldiers who served in the West Virginia State troops in the late Civil War;

A bill (S. 973) for the relief of West Virginia State troops;

A bill (S. 974) granting a pension to Jethrow Davis; and

A bill (S. 975) granting a pension to Joseph Harman; to the Committee on Pensions.

By Mr. SMOOT:

A joint resolution (S. J. Res. 28) to provide for appropriate military records for persons who, pursuant to orders, reported for military duty, but whose induction or commission into the service was not, through no fault of their own, formally completed on or prior to November 11, 1918, and for other purposes; to the Committee on Military Affairs.

By Mr. TRAMMELL:

A joint resolution (S. J. Res. 29) providing for a survey of the Suwannee River from Ellaville, Fla., to the Gulf; to the Committee on Commerce.

RECLASSIFICATION OF GOVERNMENT EMPLOYEES.

Mr. SMOOT. Mr. President, I introduce a bill for reading and reference to the Committee on Appropriations.

The READING CLERK. A bill to provide an equitable system for the valuation of the services of civilian employees of the Government, and making appropriation for personal services for the fiscal year ending June 30, 1922.

Mr. STERLING. Mr. President, I object to the bill being referred to the Committee on Appropriations at this time. I object to the introduction of the bill, if I may do so, under the rule.

Mr. SMOOT. There was so much confusion in the Chamber that I did not hear what the Senator from South Dakota said.

Mr. STERLING. I object at this time to the introduction of the bill, the title of which was just read.

Mr. SMOOT. Is not the order of business the introduction of bills?

Mr. STERLING. That is true; but, under the rule, an objection may be made to the introduction of a bill, and I object to the introduction of the bill at this time, and call attention to Rule XIV. I have no objection to the bill being received. It will lie on the table, I understand.

The VICE PRESIDENT. The bill will be received.

Mr. SMOOT. The Senator can not object to the introduction of the bill.

Mr. LODGE. Will the Senator yield to me for a moment?

Mr. STERLING. Certainly.

Mr. LODGE. The Senator can not prevent the introduction of the bill. He can object to a second reading to-day.

Mr. STERLING. I call attention to the rule of the Senate.

Mr. SMOOT. If there is a rule of that kind, I do not know it.

Mr. STERLING. I do not know what the rule means if it does not mean that I may object to the introduction of the bill. The rule reads:

Whenever a bill or joint resolution shall be offered, its introduction shall, if objected to, be postponed for one day.

Mr. SMOOT. Oh, yes.

Mr. STERLING. That is a standing rule of the Senate, and under that I am objecting to the introduction of the bill.

Mr. SMOOT. The Senator is objecting to the second reading of the bill?

Mr. STERLING. I am objecting for the purpose of preventing the introduction of the bill in the sense meant by the rule which I have just read.

Mr. SMOOT. If the Senator will read the rule, he will see that he has a perfect right to object to a second reading of the bill, and then it goes over for a day, as he has stated, but he can not—

Mr. STERLING (reading):

Whenever a bill or joint resolution shall be offered, its introduction shall, if objected to, be postponed for one day.

Mr. SMOOT. That means the second reading of the bill.

Mr. STERLING. Whatever the rule may mean, I am not objecting to the receipt of the bill and its lying on the table, but I am objecting to the further introduction of the bill at this time.

Mr. SMOOT. I have introduced the bill, and if the Senator objects to its second reading to-day it can go over.

Mr. STERLING. If that is the way the rule is to be interpreted, I am willing that the word "introduction" shall be so interpreted.

Mr. SMOOT. I have introduced the bill and it can go over.

Mr. JONES of Washington. Mr. President, I am not willing to accept that construction of the language of the rule. The language seems to be perfectly plain that if the introduction of a bill is opposed it can not be introduced, and if it is objected to it must lie over for a day.

Mr. SMOOT. That is exactly what we are doing. The bill has been introduced, and it will lie on the table until to-morrow.

Mr. LODGE. It goes over one day.

Mr. JONES of Washington. I do not wish that to be construed as an introduction of the bill, for the rule does not mean that.

Mr. STERLING. I am not so construing it.

Mr. JONES of Washington. I thought the Senator was willing to accept that construction of the word "introduction."

Mr. STERLING. I say I have no objection, although I think the word "introduction," as used in the rule, means that if objected to it may not be introduced at all in any sense. I think that is what it means, but I have no objection to the bill being presented and lying on the table, but not introduced and referred to a committee to-day in the ordinary course.

Mr. BRANDEGEE. Rule XIV, which has been quoted by the Senator from South Dakota, reads as follows:

Whenever a bill or joint resolution shall be offered its introduction shall, if objected to, be postponed for one day.

The Senator from Utah may offer his bill, and then, if there is an objection, it can not be formally introduced for the purpose of reference until the next day; but no Senator can object to another Senator offering a bill.

Mr. STERLING. No; I am not objecting to the Senator offering the bill. I am objecting to the introduction and reference of the bill.

The VICE PRESIDENT. The bill will be received and lie on the table.

AMENDMENT TO EMERGENCY TARIFF BILL.

Mr. KENYON submitted an amendment intended to be proposed by him to House bill 2435, the emergency tariff bill, which was referred to the Committee on Finance and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the House had agreed to the amendment of the Senate to the bill (H. R. 3707) making appropriations for certain expenses incident to the first session of the Sixty-seventh Congress, and for other purposes.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. 3707) making appropriations for certain expenses incident to the first session of the Sixty-seventh Congress, and for other purposes, and it was thereupon signed by the Vice President.

CLASSIFICATION OF DEPARTMENTAL EMPLOYEES.

The VICE PRESIDENT. There is on the table the bill (S. 13) to provide for the classification of civilian positions within the District of Columbia and in the field service, for the standardization of compensation therefor, and for other purposes, which has been read twice by its title. The question is now on the reference of the bill.

Mr. WARREN. Mr. President, I understand the question has now come as to the reference of the bill to the committee?

The VICE PRESIDENT. The bill having been twice read, the question is on its reference to the committee.

Mr. STERLING. Mr. President—

The VICE PRESIDENT. Does the Senator from Wyoming yield to the Senator from South Dakota?

Mr. WARREN. I yield to the Senator.

Mr. STERLING. Will the Senator from Wyoming now consent to the reference of the bill to the Committee on Civil Service?

Mr. WARREN. I do not think that should be done, Mr. President.

Mr. STERLING. Very well. Then, Mr. President, I move that the bill be referred to the Committee on Civil Service.

Mr. WARREN. Mr. President, I shall object to the reference of the bill to the Committee on Civil Service until there shall have been further consideration of the matter. The subject matter of the bill is one which has been heretofore within the jurisdiction of the Committee on Appropriations. It is a matter,

indeed, which originated entirely with that committee. The question involved is one of efficiency and the settlement of the amounts that shall be appropriated for the payment of the salaries of Government employees. It has no particular connection with the Civil Service Commission, whose duty it is to examine applicants for Government positions, to rate them, and also to undertake to protect the distribution of employees between the various States. When an applicant enters the service, that is the end of that so far as the Civil Service Commission is concerned, but the matter of grades and salaries is something that necessarily comes up in connection with the management of the departments and their requests to the Committee on Appropriations for funds to provide for their employees.

Years ago under the law there were established certain grades of employees, namely, clerks of class 1, clerks of class 2, clerks of class 3, and clerks of class 4, with salaries, respectively, of \$1,200, \$1,400, \$1,600, and \$1,800. Appropriations have been called for and provided accordingly. Later on, when the business of the country grew, as it has grown, and especially during the war, there have been large lump-sum appropriations provided, which have been divided into salaries and paid to employees appointed under such appropriations. Naturally such matters have had to come before the Appropriations Committee. Certain irregularities, especially the fact that employees doing a particular class of work in one locality are receiving higher compensation than employees doing similar work in another locality, have given the Committee on Appropriations much trouble. So that committee proposed that there be appointed a commission on reclassification. The proposition was that that commission should report to the Appropriations Committee, but that being somewhat irregular, it was provided that the report of the commission should be made to the House and Senate.

The report of that commission came to the Senate Committee on Appropriations, and that committee has given it attention. The chairman of the committee and some of its members remained in Washington during the vacation for the purpose of studying that report. A bill has been prepared and is now on the table which reduces to 40 or 50 pages, and at the same time covers the ground seemingly sufficiently, a measure which was introduced in the last Congress which got no further than the House of Representatives, and which embraced a total volume of something like 450 pages. That bill was never considered, or at least never reported by any committee.

I think all bills respecting the classification of Government employees now in service should be referred to the Committee on Appropriations, as that committee has duties to perform under any legislation which may be enacted on the subject, and, in fact, they have all to do with it, so far as efficiency and appropriate appropriations are concerned.

The proposed reclassification applies not to new entrants into the Government service particularly, but to those who are now in the service, numbering many thousands of men and women.

It is believed that the departments can allocate their employees in such schedules of rates as may be allowed, and can thereby to a considerable extent better existing conditions, at the same time promoting efficiency, by providing not a jump of \$200 in all instances as is the case under the present law with the salaries of the various classes of clerks but by establishing grades carrying increases of perhaps \$50 instead of \$200, so that there will always be something in view for an employee, and if he can not reach an increase of \$200 in a year he will be able to obtain an increase of \$50 or \$100 and still have further advancement to expect if properly earned.

The Committee on Appropriations has to consider the schedules as they come before the committee from the departments, and, in fact, the whole matter is one for the Appropriations Committee to handle and determine. Therefore I move that the bill be committed to the Appropriations Committee.

The VICE PRESIDENT. The question is on the motion of the Senator from South Dakota to refer the bill to the Committee on Civil Service.

Mr. STERLING. I thought, Mr. President, that was the motion pending.

The Senate of the United States has certain rules, and Rule XXV is the one providing for the various standing committees of the Senate. It is not stated by the rules just what the duties of the several committees shall be, but the names of the committees are given, and the contention is that by plain implication of the rules the bill which has been introduced should be referred to the Committee on Civil Service and not to the Committee on Appropriations.

Mr. NORRIS. Mr. President—

The VICE PRESIDENT. Does the Senator from South Dakota yield to the Senator from Nebraska?

Mr. STERLING. I yield to the Senator.

Mr. NORRIS. Is the bill, in its nature, legislative?

Mr. STERLING. It is general legislation of the most important and far-reaching kind, Mr. President.

Mr. NORRIS. It is not an appropriation?

Mr. STERLING. It is not an appropriation bill. It does not purport to be an appropriation bill.

Mr. NORRIS. It seems to me that the Senator from South Dakota is right, then.

Mr. STERLING. This is the title of the bill, Mr. President:

A bill to provide for the classification of civilian positions within the District of Columbia and in the field service, and for the standardization of compensation therefor, and for other purposes.

That is the bill; and if there ever has been a bill introduced in the Senate of the United States which should be referred to the Committee on Civil Service, it is a bill of this nature and kind.

Now, Mr. President, I want to call attention to a matter of history.

Mr. NORRIS. May I ask the Senator another question? Does the bill contain any appropriation?

Mr. STERLING. It contains no appropriation whatever—no any appropriation.

A year ago last March the report of the Joint Reclassification Commission was presented to the Senate of the United States, and accompanied by a bill introduced by the chairman of the Reclassification Commission at the time. The bill is S. 4106, and consists of 29 pages. The report which was presented with this bill contained nearly 900 pages. The bill is legislation pure and simple in regard to the civil service; and I have only to call the attention of Senators to the title of the bill for them to realize at once that it is a bill relating to the civil service and should be referred to that committee.

For example, "Allocation" is one of the titles of this bill, which means the allocation of the employees of the Government service to their several classes or positions under the bill.

"Compensation" is another title.

"Efficiency rating" is another title.

"Promotion appointments" is another title of this bill, S. 4106.

"Hours of service" and "Transfers" are other titles of this bill.

When we have a Civil Service Committee, I want to ask Senators if these are proper subjects for reference to the Committee on Appropriations? As I stated in answer to the Senator from Nebraska, this is general legislation, and of the most important character, affecting the whole civilian service of the Government.

Mr. WARREN. Mr. President, will the Senator permit me to ask him a question?

Mr. STERLING. Yes.

Mr. WARREN. Is the bill to which the Senator is giving his attention the one that he has lately introduced?

Mr. STERLING. No; I am calling attention now to S. 4106, as I stated a moment ago.

Mr. WARREN. Is that the bill which the Senator has introduced, and which he wishes to have referred to his committee?

Mr. STERLING. I am calling the attention of the Senate to a little history in regard to this matter.

Mr. WARREN. How far did that bill get?

Mr. STERLING. I am going to state how far it got.

Mr. WARREN. While I do not wish to take up the time, I think it would be well if the Senate could hear that bill read.

Mr. STERLING. This bill?

Mr. WARREN. Yes.

Mr. STERLING. I shall hardly take the time to read this bill of 29 pages. It is not necessary. If the Senator refers to Senate bill 4106, which was introduced at the last session of Congress, on March 22, a year ago, it is not necessary to read that bill. It was introduced in connection with the report of the Reclassification Commission. I am calling attention to the subjects with which it dealt, to show that this bill which was referred to the Committee on Appropriations was a bill for general legislation.

I was not present in the Senate Chamber when this bill was introduced and when the report was made. I had assumed that the bill, when introduced by the chairman of the Joint Reclassification Commission would be referred to the Civil Service Committee. Other matters engaged my attention, and especially the civil service retirement bill; and when I ascertained what reference had been made I did not then move to discharge the Appropriations Committee and refer the bill to the Committee on Civil Service and Retrenchment, there being no need or reason, so far as actual consideration of the bill by committee was concerned, before the present time and at the beginning of this session.

On the last night of the last session I moved to discharge the Committee on Appropriations from the consideration of this bill and to refer it to the Committee on Civil Service and Retrenchment. A viva voce vote was taken. There was a rush of business at the time; no particular consideration was given to the matter, and the Senate decided against the motion; but the object in making the motion at that time was that during the interim between the last session and the beginning of this I might devote time to the consideration of a civil service reclassification bill. In the first place, I was interested in the subject because of its merits and because of the need of reclassification. In the second place, I was interested because I have the honor of being the chairman of the Civil Service Committee.

Notwithstanding the action of the Senate at that time, Mr. President, I have not lost my interest in the subject, and have, after a great deal of work and after some assistance from valuable experts in the matter, prepared and presented this bill, and ask for its reference to the Civil Service Committee.

The Senator from Wyoming [Mr. WARREN] has spoken about the origin of this bill. He said that the subject originated with the Committee on Appropriations. Mr. President, the subject of appointing a joint reclassification commission originated in the Appropriations Committee of the House, and the very amendment to the legislative, executive, and judicial appropriation bill which was put on the bill in the Senate with very slight change was presented in the House and went out in the House on a point of order, and afterwards, when the Senator from Alabama [Mr. UNDERWOOD] was in charge of the appropriation bill in the Senate, the provision providing for the appointment of a joint reclassification commission was added as a Senate amendment to the bill.

Mr. WARREN. Mr. President—

The VICE PRESIDENT. Does the Senator from South Dakota yield to the Senator from Wyoming?

Mr. STERLING. I do.

Mr. WARREN. The joint commission was provided for by an amendment to an appropriation bill put on in the Senate Committee on Appropriations, voted on in the Senate, admitted in conference, and it became the law in that manner. The Senate members of the commission were appointed by the Vice President, the House members by the Speaker, and the commission, as I say, proceeded to do its business under the law thus originated and carried.

Mr. STERLING. Does the Senator from Wyoming deny that the plan originated in the House, and that the act itself—with the exception, as I say, of a slight change—originated in the House, and with the Committee on Appropriations of the House? If the Senator is forgetful of that, I call his attention to the RECORD of January 18, 1919, in the House. When the legislative, executive, and judicial appropriation bill was under discussion there, the Clerk read the following amendment to the bill, which had already been offered:

That a joint commission is created, to be known as the "Joint Commission on Reclassification of Salaries," which shall consist of five Senators, who will be Members of the Sixty-sixth Congress, to be appointed by the President of the Senate, and five Representatives, who will be Members of the Sixty-sixth Congress, to be appointed by the Speaker. Vacancies occurring in the membership of the commission shall be filled in the same manner as the original appointments.

And then follows the rest of the act:

It shall be the duty of the commission to investigate the rates of compensation—

And so forth.

Mr. WARREN. What is the date of the act?

Mr. STERLING. This record was made in the House on January 18, 1919. As I say, afterwards, being formally offered, the amendment went out in the House on a point of order made against it. It was then taken up in the Senate and exactly the same language adopted, except that the House amendment provided for five members from each body, the House of Representatives and the Senate, whereas in the Senate three members of this joint reclassification commission were to be appointed from each body.

Mr. WARREN. The Senator is entirely mistaken. The law which I speak of, and under which the commission was appointed, was of a later date than that. It was entirely another measure, originating with the Senate. The Senator is wrong.

Mr. STERLING. When was it, may I ask the Senator from Wyoming?

Mr. WARREN. In 1920.

Mr. STERLING. It was on January 18, 1919, that this matter was up in the House. I say that this originated in the House.

Mr. WARREN. It might be said that anything offered in the House originated there, but it had nothing to do with this measure.

Mr. STERLING. The exact language of the House measure was used in the Senate amendment to the legislative, executive, and judicial appropriation bill—

Mr. WARREN. Not at all. It originated with the Appropriations Committee of the Senate; the number of appointees is different from what the Senator states, and the language is different.

Mr. STERLING. It is different in language, so far as I now know, and I think I am correct in that, only as to the number that were to be appointed from each House. That is the only difference.

Mr. President, as I say, the amendment to the legislative, executive, and judicial appropriation bill under which this joint reclassification commission was created thus originated in the House. But what was done with the House bill, a duplicate of Senate bill 4106, and the report of 900 pages which came as a result of the work of the Joint Reclassification Commission? What did the House do with the bill and report? There is no question about it; when they were introduced in the House, they were referred, although the measure for a reclassification commission had originated with the Appropriations Committee of the House, the reclassification bill and report were referred to the House Committee on Reform in the Civil Service.

Mr. WARREN. Mr. President, I have great respect for the Senator who has just been speaking, and I have great respect for his efforts along this line; but it does not become the Senator to say that legislation originated in the House which, as a matter of fact, did not originate there. We might go back 50 years and say something originated in the House because some Member presented it. As a matter of fact this originated on the Senate side, as I stated, and passed in the manner in which it was offered here. Furthermore, when the report came back, it belonged of course to no committee, but it belonged to the Senate.

Mr. STERLING. Mr. President, I refer to the RECORD and to the inferences which may be drawn from the RECORD. There is the RECORD showing when this matter was first introduced in the House, the result of the introduction there, and then the fact that it was taken up later by the Senate Committee on Appropriations. As I said, the bill and the great report of the Reclassification Commission were referred to the Committee on Civil Service in the House.

Later there was introduced in the House, at the last session, another bill, known as the Lehlbach bill, which was an abbreviation, to some extent, of the original bill and report. Instead of having a separate report, it was all included in the one Lehlbach bill, a bill consisting of 428 pages, as against 29 pages of the bill which had been introduced in the Senate by the chairman of the Joint Commission on Reclassification and 900 pages of the report.

What became of the Lehlbach bill when it was introduced in the House? It was referred, and referred as a matter of course, not to the Committee on Appropriations but to the Committee on Reform in the Civil Service, of which Mr. Lehlbach is the chairman.

Mr. President, just the other day, then—the effort being all the while to condense these bills and make a simpler bill, a bill which would require less reading to understand—there was another bill introduced in the House by Mr. Wood of Indiana. There seemed to have been no question about it. It is a bill entitled "To provide an equitable system for the valuation of the services of civilian employees of the Government, and making appropriations therefor." It was referred to the Committee on Reform in the Civil Service in the House and ordered to be printed.

So we have every House bill introduced—and there have been three of them—referred to the Committee on Reform in the Civil Service of the House.

The Senator from Wyoming said that when the report is made it is in the hands of the Senate, and the inference is that the Senate may then refer the bill to any committee it chooses. Mr. President, the Senate, according to that theory, might refer a bill relating to railroad transportation in interstate commerce to the Committee on Appropriations. It might refer a bill relating to taxes and to tariff to the Committee on Appropriations instead of to the Committee on Finance. Or it might refer a bill for the revision of Federal laws to the Committee on Appropriations instead of to the Committee on the Judiciary. Or, conversely, Mr. President, if the Senate has that power, it might refer the legislative, executive, and judicial appropriation bill and the sundry civil bill and the urgent deficiency bill—one of them to the Committee on Interstate Commerce, another to the Committee on Finance, the other to the Committee on the Judi-

ciary, all in obedience to the ipse dixit of some Senator or for the purpose of carrying out some particular theory of his own.

But, Mr. President, the Senate has never entered upon that course, and the Senate will not dare enter upon such a course or so interpret the rules of the Senate. Why would it not do it? Because of the confusion, because of the very anarchy which would result in the business and in the procedure of the Senate if we did enter upon such a whimsical, such a boys' play, such an arbitrary course in the matter of the reference of the bills which have been introduced here in the Senate.

Mr. President, the right of the Committee on Civil Service to this bill is just as clear as is the right of the Committee on Banking and Currency to have a bill relating to the Federal Farm Loan Board or to the Federal Reserve Board referred to it. Just as clear is the right of the Committee on Civil Service to have this bill referred to it as is the right of the Finance Committee to have referred to it a bill relating to tariff or to the raising of revenue, and just as clear as is the right of the Judiciary Committee to have referred to that committee a bill relating to constitutional law or a bill affecting the revision of the Code of the District of Columbia.

Mr. President, the very text of this bill, aside from the schedule of salaries provided in it, indicates where it should go; it indicates the general legislative character of the bill.

Mr. WARREN. Mr. President—

The VICE PRESIDENT. Does the Senator from South Dakota yield to the Senator from Wyoming?

Mr. STERLING. Certainly.

Mr. WARREN. I thought, when the Senator introduced his bill, he mentioned the fact that he would submit a schedule to accompany it later.

Mr. STERLING. It accompanies it now, and is attached.

Mr. WARREN. As a part of the bill?

Mr. STERLING. As a part of the bill.

Mr. WARREN. Then, as a matter of fact, the Senator has only a part of his bill here.

Mr. STERLING. I have it all here.

Mr. WARREN. I mean, on the Secretary's desk.

Mr. STERLING. It is all on the desk now. The schedule has been attached.

Mr. WARREN. But it was not introduced?

Mr. STERLING. I asked that I might attach the schedule. It is here now.

Mr. WARREN. And the schedule is to be a part of the bill?

Mr. STERLING. The schedule is attached to the original bill as introduced, and it is a copy of it that I have in my hand.

Mr. President, whom do we make the classifying agencies in this bill? Primarily the Civil Service Commission, on consultation always with the heads of the various departments. Classification is then to be subject to the approval of the President of the United States, the compensation fixed to be subject to the approval of the Secretary of the Treasury; or, should we have a budget system, and call the head of the budget by some other name, or have some one else as the head of the budget than the Secretary of the Treasury, then the director of the budget system. This bill provides:

That the classifying agency shall establish classes, allocate positions, and determine the compensation of employees as provided in this act, and upon the approval of such classification and allocation by the President, and the approval of such compensation by the Secretary of the Treasury, shall report such classification and compensation to the department head, the Secretary of the Treasury, and the Congress not later than August 15, 1921—

And so on.

Then the report of the classification commission is another subject, the standard schedules of compensation still another, and then comes the division of the entire service of the United States into 11 different services, with an average of 6 grades, or 66 grades in all for the entire Government service.

Mr. President, here is another consideration. These bills in the House have been referred to the Committee on Reform in the Civil Service. If referred to the proper committee of the Senate, it will result in joint meetings or sessions of the two committees and joint hearings by the two committees, and we shall work, so far as that is concerned, in harmony in trying to get together all evidence, all statistics, and all information needed in the consideration of the bill.

Mr. President, in asking for a reference of this bill to the Civil Service Committee I am not speaking on my own account altogether. Of course, as chairman of that committee I naturally feel jealous of the rights of the committee. As chairman of that committee, I feel it to be my duty to insist upon the rights of that committee. But I am not speaking for myself alone or for the Civil Service Committee, but I am speaking for the right of every Senator to have a bill, the subject matter of

which is considered by his committee, referred to that committee. I can only assure the Senate that if this bill is referred to the Civil Service Committee it will, because of its great importance, have the most careful, conscientious, and painstaking study and consideration.

The VICE PRESIDENT. The question is on the motion of the Senator from South Dakota [Mr. STERLING] to refer the bill to the Committee on Civil Service.

Mr. SMOOT. Mr. President, if the Senator from South Dakota had taken time to go back and study the question of the fixing of salaries for Government employees, beginning with the first act in 1879, he would have found that every piece of legislation proposed has passed through the Appropriations Committee of the Senate. The creation of the Reclassification Commission came from the Appropriations Committee of the Senate, and the provision creating it was put on an appropriation bill.

Mr. POINDEXTER. Mr. President—

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

Mr. SMOOT. Certainly.

Mr. POINDEXTER. May I ask the Senator, was not that subject to a point of order?

Mr. SMOOT. It was subject to a point of order, I suppose.

Mr. POINDEXTER. It was subject to a point of order, because it had no place upon an appropriation bill?

Mr. SMOOT. The Senate unanimously thought it had a place, and it was considered in the Committee on Appropriations.

Mr. POINDEXTER. I do not think the Senator would be justified in drawing the conclusion that because no point of order was made the Senate thought that no point of order would lie. It was simply a voluntary withholding of the point of order.

Mr. SMOOT. There is no question about that. It was discussed here on the floor of the Senate at the time, and no one objected to the insertion in an appropriation bill of the provision creating the Reclassification Commission. When a report was made from this commission that report was referred to the Appropriations Committee, and from the day the report went to the Appropriations Committee that committee has made a study of the question. The committee has the information as to all of the employees in the Government service in the District of Columbia whom this bill affects. It knows just what they are receiving, how many employees there are in every bureau and every division and department. It has a comparison between the salaries paid from a lump-sum appropriation and those paid from a statutory roll appropriation, showing exactly what the percentage of difference is as affecting the different employees of the Government.

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

Mr. SMOOT. Certainly.

Mr. NORRIS. In the particular bill before us now for reference I wish to ask the Senator if there is anything beside legislation? Is it not a matter of legislation? I am asking for information, because I have not read the bill.

Mr. SMOOT. It includes legislation, but a great part of it is the fixing of the grades of the employees for which the Committee on Appropriations will have to appropriate. That is all there is to the bill.

Mr. NORRIS. I understand; but the fixing of the grades and the offices, and so forth, is, of course, a matter of legislation. Does the Senator argue that because the Appropriations Committee will be called upon to appropriate money for the payment of the salaries of these people that therefore the original act ought to go to the Committee on Appropriations?

Mr. SMOOT. Just the same as it did originally when the first group of statutory salaries was fixed. To-day there are nine classes of salaries fixed by statute, and nine only.

Mr. NORRIS. May I ask the Senator another question right along that line? If we had a bill here for the purpose of establishing a new bureau in a department, to set up a lot of new offices and fix their salaries and classify them, would the Senator contend that kind of a bill ought to go to the Committee on Appropriations?

Mr. SMOOT. That would all depend upon what was in the bill.

Mr. NORRIS. I have told the Senator what would be in the bill.

Mr. SMOOT. Then I would say the Appropriations Committee, if it provided for a classification that would hereafter become statutory, ought to have the bill referred to it.

Mr. NORRIS. If that argument be true, when the reorganization of the railroads came in and was referred to the Committee on Interstate Commerce, they fixed new salaries,

new positions, and so forth; that bill ought to have gone to the Appropriations Committee. In fact, can the Senator find very many bills which, under his argument, would not have to go to the Committee on Appropriations?

Mr. SMOOT. There are no such bills as this now before the Senate and have not been for years. This is entirely distinct legislation that affects not one commission or division; not any one particular bureau, but affects certain employees in every department of the Government, and hereafter appropriations will be made to meet the requirements provided for in the bill, if it becomes a law.

Mr. POINDEXTER. Mr. President—

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

Mr. SMOOT. Certainly.

Mr. POINDEXTER. The Senator just stated that the bill takes in every department of the Government. Therefore it affects the War Department.

Mr. SMOOT. Certain employees of the War Department.

Mr. POINDEXTER. Under the argument the Senator is making, as long as it affects employees of the War Department that part of it ought to be referred to the Committee on Military Affairs, for it makes appropriations for officers of the Army and some of the civil employees; and the same is true as to those parts of it which relate to the Agricultural Department; they ought to be referred to the Committee on Agriculture and Forestry, under the argument of the Senator.

Mr. SMOOT. I do not think so. I think whenever the employees fall within the proposed groups the Appropriations Committee appropriates for them. It seems to me that the Committee on Appropriations is the only proper committee to which the bill should be referred.

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

Mr. SMOOT. I yield.

Mr. STERLING. Before any compensation is provided for, before any appropriation is made at all, there must be legislation classifying the different positions.

Mr. SMOOT. There are already classified statutory positions, and it is now proposed to extend them; and the proposition should be decided, as formerly, by the Committee on Appropriations. The bill which I have introduced provides that the salary paid will be for the work done by the employee and not for the name of the office. Under the Lehlbach bill there are 1,700 definitions with a minimum wage of \$1,080.

Mr. STERLING. May I correct the Senator? Will the Senator yield for a moment?

Mr. SMOOT. I should like to complete my statement.

Mr. LODGE. Mr. President—

The VICE PRESIDENT. The Senator from Utah has the floor. Does he yield to the Senator from Massachusetts?

Mr. SMOOT. I yield.

Mr. LODGE. I do not want to interfere with the Senator, but if he will yield to me for a moment I merely wish to say that we have a unanimous-consent agreement with reference to the treaty with Colombia. There is a Senator here who is waiting to speak upon it. I only wish to say, Senators, that I hope they will consider that and not undertake to debate the classification bill at this stage and use up our time in that way. I do not wish to make a motion to go into open executive session for the consideration of the Colombian treaty, but I can not forget that we are acting under a unanimous-consent agreement, and if any Senator desires to speak on the Colombian treaty he is entitled to do so. The Senator from Utah has the floor and I have no right to take the floor from him to make the motion.

Mr. SMOOT. I am perfectly willing to yield, because I recognize that we are under a unanimous-consent agreement to the effect that when anyone wishes to speak on the Colombian treaty we are to go into open executive session. I shall not object if there is any Senator who desires to speak on the treaty now. I can conclude my remarks upon this subject later.

Mr. LODGE. The Senator from Washington [Mr. POINDEXTER] is ready to speak upon the treaty and desires to go on.

Mr. STERLING. If I may be allowed to say a word, I am interested in this question.

Mr. LODGE. We are all interested. It is a very important matter.

Mr. STERLING. I hope that we may proceed and reach a vote on the question of the reference of the bill.

Mr. LODGE. It is opening up a debate that will probably take hours.

Mr. STERLING. We have an hour yet before the morning hour is closed.

Mr. LODGE. I call the Senator's attention to the fact that the motion I propose to make is a privileged one and can be made at any moment.

Mr. STERLING. I am aware of that. That is true.

Mr. LODGE. I am only trying to do what I consider to be my duty under the unanimous-consent agreement; that is all. I do not wish to interfere with the business before the Senate. I am perfectly ready to have the debate go on.

Mr. STERLING. I hope the Senator will forego making the motion for a time. I think the question can soon be disposed of.

Mr. SMOOT. Whatever course the Senator from Massachusetts decides to take will be satisfactory to me.

Mr. LODGE. How much time will be needed?

Mr. SMOOT. If Senators will allow me to conclude my remarks without interruption, I will say to the Senator that it will not take very long. I do not know who else wishes to speak. I do not know whether the Senator from Kansas [Mr. CURTIS] desires to address the Senate on the question.

Mr. CURTIS. I have no desire to speak on the matter. I am ready to vote now.

Mr. LODGE. If the Senator will be brief—

Mr. SMOOT. I will be brief, I will say to the Senator, because from now on, after the statement made by the Senator, I shall not yield for any interruptions.

Mr. LODGE. Of course, I can not tell how long the debate is going to take. I interrupted the Senator, and I do not wish to cut him off unduly, but I do think we ought to take up the treaty with Colombia under the unanimous-consent agreement.

Mr. SMOOT. I am quite sure I shall not occupy more than 15 minutes, and perhaps less.

Mr. LODGE. Then the Senator from South Dakota will wish to reply. I think it wiser and more proper, under the unanimous-consent agreement, that we should go on with the business on which we have the unanimous consent, and if the Senator from Utah yields to me—

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

TREATY WITH COLOMBIA.

Mr. LODGE. I move that the Senate proceed to consider the treaty with Colombia as in open executive session.

The motion was agreed to; and the Senate, in open executive session and as in Committee of the Whole, resumed the consideration of the treaty with Colombia.

Mr. POINDEXTER. Mr. President, I desire to state the grounds of my opposition to the treaty which is now pending before the Senate, and which provides that there shall be taken out of the Treasury of the United States the sum of \$25,000,000 to be paid over to the Republic of Colombia without consideration. If the treaty should be favorably acted upon by a two-thirds vote of the Senate, the United States will receive in exchange for this vast sum of the public money nothing that it has not at the present time.

I remember not many months ago observing with a great deal of interest the efforts of Senators upon the other side of the Chamber to secure the enactment of a bill which, by reason of its peculiar character, immediately enlisted my interest and attention. It involved a very small amount of money. It proposed to appropriate from the Treasury \$57.50 a month for the period of 20 years to an American widow for the benefit of herself and seven small children on account of an act of negligence of the Government.

The husband of this woman, the father of these children, a small and poor but industrious and upright farmer, an American citizen, standing in the doorway of his humble home, was stricken down and killed by a stray shot which had been fired from a Government proving ground in the wrong direction, under circumstances indicating gross negligence on the part of those who were responsible for it, a clear case where, under the rules of the common law, and in the performance of the obligations of an upright Government compensation should have been paid to those who were so grievously injured by the negligence of their Government.

But I noticed that the Senator in charge of the bill was confronted by many difficulties and discouragements. Objection after objection was made. It was argued that it would set a precedent under which similar enactments would be made for the payment of money from the Treasury, that it was extravagant, that it was unprecedented, and the consequence was, so far as I am aware, certainly at that time, that the bill failed of passage.

I observe with a great deal of interest that some of those who were most insistent in their objection upon the ground of extravagance to that bill for the compensation of the woman and her children, who had been injured by the negligence of the Government, are now among those who are most vigorously supporting the appropriation of \$25,000,000 from the Treasury to pay to a foreign people upon an alleged obligation which does not exist in fact. I had some curiosity to know why it was that

that bill met with the obstruction which it experienced, and, from observation of other legislation which was enacted by the Congress, I came to the conclusion that one of the difficulties with it was that it did not appropriate enough money out of the Treasury, for I had seen enacted by Congress on several occasions bills appropriating in lump sums \$100,000,000 and \$50,000,000 to which objections were not considered, and in opposition to which it was difficult even to secure the interest of an appreciable number of Senators.

It seemed that those bills were favored because they appropriated large sums of money from the Treasury of the United States for foreign peoples, and one would be led to think that the reason that the pending treaty apparently is about to receive the assent of the Senate is that it has that magic and subtle interest which comes from a foreign stamp; that it is not in the interest of the American people, but of that of a foreign country. There are millions of just claims of our own citizens pending before the Government for which it is practically impossible to secure favorable consideration.

Mr. President, there is no doubt in my mind, unfortunate as it may be, that in the origin at least of this measure the bitter political differences which have separated political parties in this country, and which at one time divided the Republican Party, were the chief factors. I do not say that that is influencing the opinion of the Senators at this time, but I do say that in its inception and origin the antagonisms and, I might say, the animosities which arose not only in the great opposition party, but within the Republican Party itself to the then leader of the Republican Party, the late lamented Theodore Roosevelt, had a great deal to do with the favor which was given to the proposition of stamping, as it were, with the stigma of shame an act of President Roosevelt's, even though it involved taking \$25,000,000 of public money from the Treasury in order to fix that shame in the annals of the Nation.

We all remember the bitter feeling that existed within the Republican Party during the Taft administration; the willingness, not to say the eagerness, of the Republicans to find something which they could point out and establish that would be embarrassing or injurious to the great President of the United States who had aroused their antagonism. I am speaking with perfect frankness about this, and only as to the origin in the early stages of this measure, without which it never would have been pending before the Senate to-day, and without any feeling whatever upon my part of which I am conscious, of either favor of or opposition to any of the great characters that were involved in this transaction as influencing my position upon the measure at this time.

We can not blind ourselves to the bitterness of feeling which existed toward Theodore Roosevelt during the Wilson administration, and I can not refrain from the conclusion that that was a part at least of the incentive which induced that administration to negotiate, under the secretaryship of Mr. Bryan, this treaty and present it to the Senate of the United States.

I only mention these matters in a preliminary way for the purpose of urging the Senate that they should be left out of consideration in the determination of this treaty and their conclusions upon it. We should cast aside the differences of the past, whether within the Republican Party or between the Democratic Party and the Republican Party, and deal with the measure in a judicial way and as a matter of State policy upon the conditions which exist in the light of its origin and the historical events with which it has been connected.

I do not think the position of certain Senators upon the question is material. Many great Senators who are now constituting the chief influence which is leading toward favorable action upon the treaty, apparently—I hope I am mistaken as to its being favorable—were among those who made the most unanswerable arguments against it upon former occasions. Their language has been pointed out; but very briefly, in a very short excerpt from it, I wish again to call it to the attention of the Senate.

The Senator from Massachusetts [Mr. LODGE], the Senator from North Dakota [Mr. McCUMBER], the Senator from Connecticut [Mr. BRANDEGEE], and the then Senator from New Mexico, Mr. Fall, along with the distinguished Senator from Idaho [Mr. BORAH], who still entertains the same view that he held at that time, in a minority report upon this treaty used the following language:

Another grave objection to this treaty will be found in the first clause of article 2, which makes an exception in favor of Colombian transit of the canal, particularly for her ships, munitions of war, and armed forces, not provided for in the Hay-Pauncefote treaty. It discriminates as to canal tolls for all such transit against all other Latin American countries, as well as against our own ships even in the coastwise trade. It places us in a position where, even granting our right to refuse transit to the armed forces and vessels of countries

at war with us, Colombia might pass the vessels of the countries with which we are at war through the canal by putting them under her own flag and claiming them as her nationals.

The second objection which lies against any possible treaty with Colombia at this time is to be found in the fact that immediate and hasty action is urged because Colombia threatens us with hostility. Any friendship which is bought is worthless, especially when purchased under threats which, when successful, breed contempt in the mind of the seller and a sense of bitter dislike and humiliation in that of the buyer. No strong and proud nation should ever consent to buy with money the abstinence from hostility of any country which sees fit to threaten it. It is a degradation to which the United States should never submit.

Mr. President, in respect to those two objections, that this treaty is a violation of our obligations under the Hay-Pauncefote treaty by reason of giving preferential rights to the Republic of Colombia in connection with passage through the canal, and in respect to the proposition that we can not buy the real friendship of a people, but on the contrary the effort to do so creates "contempt in the mind of the seller and a sense of bitter dislike and humiliation in that of the buyer," the issue is to-day exactly the same, without the slightest modification, as it was when that minority report was filed.

As I have already said, the Senators referred to are not subject to criticism for having changed their position; when a man's mind is changed it is his duty to change his position; but it may be said of them, as it was so often said of a very distinguished man during the last administration when he was boxing the compass of contradiction upon the public issues of the time upon both sides of various important questions, that he could not possibly be right in all of the positions which he took; that when he reversed his position he was bound to be wrong at one time or the other. So it may be said of these gentlemen, without criticizing their change of position, that it is a mathematical and philosophical certainty that they are either wrong now or they were wrong then.

I concurred with these gentlemen when they made the report on March 14, 1917, which I have just read, and the conclusions which they reached. I believe they were right. I think their judgment was just as good then as it is now; I think they had just as much information then as they have now upon which to base their conclusions, and I prefer to follow their leadership as it was established and put upon the records of the Senate on the date which I have mentioned and which influenced, perhaps, others by reason of their distinction and their authority upon this great measure, rather than to follow it now when they have about faced and turned their backs upon the position which they took then and upon those who followed them toward the rejection of the treaty.

Mr. PITTMAN. Mr. President—

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Nevada?

Mr. POINDEXTER. I yield.

Mr. PITTMAN. As I understood the Senator, he suggested that possibly the initiation of the treaty by the last administration was due partially, or might have been due, to some political antagonism to Theodore Roosevelt. I should like to know if the Senator also believes that the change of front by certain Senators and their initiation of this treaty at this time has a similar cause?

Mr. POINDEXTER. No; they say not; and I do not think it has. That was why I was very particular in saying that that incentive applied only to the origin of this treaty, and I was free to say that I did not think that it was influencing, certainly not consciously, any Senators upon either side of the Chamber at this time. I was speaking in the utmost sincerity. I know the feeling toward Col. Roosevelt of the late distinguished Senator from Missouri, who was the chairman of the Foreign Relations Committee; everybody is familiar with the wide chasm which developed between Mr. Taft and Mr. Roosevelt during Mr. Taft's administration; everybody is familiar with the intense hostility, I may say, between Col. Roosevelt and many of those who were prominently identified with the Wilson administration; and I can not avoid the conclusion, giving to the consideration of this measure that knowledge of human nature which we all possess, that those circumstances unconsciously, it may be, furnished one of the chief incentives for the negotiation and the projection into this arena of this treaty.

Mr. PITTMAN. The reason why I injected this is because I do not think that cause had anything to do with the original initiation of the treaty, and I wanted to call it to the attention of the Senator, because if he believes that these Republican Senators who have changed their positions are sincere—and I do not think he would attempt to reflect on their sincerity—

Mr. POINDEXTER. Not at all. I believe they are sincere.

Mr. PITTMAN. Then, undoubtedly, those who initiated the treaty under the former administration have just as much right

to be considered sincere as these who have changed their position.

Mr. POINDEXTER. Undoubtedly; they all have a right to be. I am not attacking the sincerity of anybody. I am submitting certain circumstances connected with the development of this question for consideration, and I do not ask the Senate to give them any undue weight. They appeal to me as circumstances which are worthy of being considered in fully understanding the origin and the presence here of this matter.

I have attempted to form an independent judgment upon the question and would not hesitate to vote for the appropriation of this money for the Republic of Colombia for one moment because Col. Roosevelt was responsible for the situation, if upon legal investigation of the rights of the respective countries, and the history of the transaction, I came to the conclusion that Colombia had any just claim to it. I think that the position of any man prominently connected with this matter in the past, whether in the transaction itself out of which the treaty arose or whether in the negotiation of the treaty itself, is a mere secondary circumstance, absolutely irrelevant except in so far as it may throw some light upon the processes by which conclusions were reached, and thereby upon the merits of the question itself, which should be the sole guide of the Senate in its determination.

Mr. PITTMAN. Mr. President—

The PRESIDING OFFICER (Mr. BORAH in the chair). Does the Senator from Washington yield further to the Senator from Nevada?

Mr. POINDEXTER. I can not yield to the Senator at this time. I shall be glad to yield when I have concluded my remarks.

Mr. President, of course the ground upon which we are asked to make this appropriation is that in 1903 we did an injury to Colombia. On the 3d of January I listened very attentively to the remarks of the brilliant and distinguished late Senator from Colorado, Mr. Thomas. He prefaced his remarks by justifying the attack which he was about to make upon the late President Roosevelt; and I have no fault to find with any attack which he did make. I mention that circumstance in order to show that that was one of the chief things he had in his mind.

He was going to show something which discredited the United States, and the part which it took through its then President, in the securing of the right of way of the Panama Canal; and there was no more brilliant Senator intellectually in this Chamber than the Senator from Colorado. There was perhaps in some respects no more brilliant lawyer in this body than the Senator from Colorado. He had occupied responsible and distinguished positions in his State and in the Nation for many years; and having declared in the outset of his remarks the purpose for which he was addressing the Senate, and with the command which he had of the forces of reason and of expression, I take it that if there could have been found in this record of the Isthmus of Panama a single fact or circumstance which would show that the United States violated its international obligations under the action of its then President, the Senator from Colorado would have pointed it out in his speech. I submit to the Senate that one of the most conclusive proofs of the fact that neither the President nor any other official of the Government was connected in any way whatsoever with the revolution of the State or Province of Panama is the fact that the Senator from Colorado failed to give any evidence of it; and he interpolated even in his speech a confession of the fact that there was no evidence that this movement was initiated by anybody connected with the Government of the United States. He did show that Bunau-Varilla assisted in planning the revolution, but did not claim that this Government was in any way responsible for his actions. No one has offered a scintilla of proof to that effect; and consequently I assume, having failed to do so in all the discussions which have taken place over this subject, that such proof does not exist.

Mr. President, there is no doubt that the Government of the United States knew that a revolution was in progress. A great deal of labor has been devoted to proving that the President of the United States at that time had knowledge of the fact that a revolution was brewing in the Isthmus of Panama. Why, of course he knew it. As President Roosevelt himself said, everybody knew it that had any information or intelligence about public matters at that time. It had been published in the daily papers of the United States for weeks prior to its occurrence. The names of the Panamans who were connected with it were given. Why, Mr. President, it was not only known to the United States that a revolution in Panama was planned, but it was known in Colombia. It was debated in the Colombian Congress. When, on the 12th of August, 1903, the

Senate of Colombia rejected the Hay-Herran treaty, the debates upon that issue disclosed the fact that they were aware that that rejection meant that the Isthmus of Panama would rise in revolt. There was no secret about it. There is a mystery connected with the circumstance that, having known it, the Republic of Colombia took no steps to suppress it. They apparently took no steps to suppress it for the reason that they expected that the United States would perform that service.

Mr. PITTMAN. Mr. President—

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

Mr. POINDEXTER. I can not yield to the Senator just now. I will yield to him later, if he will make a memorandum of what he desires to ask.

Mr. PITTMAN. I simply wanted to quote some of President Roosevelt's language which I do not understand.

Mr. POINDEXTER. I am familiar with all that language, and there is not anything in that language to indicate that President Roosevelt had any hand whatever in the revolution on the Isthmus of Panama. On the contrary, he denied it. The distinguished Senator from Pennsylvania [Mr. Knox], who still occupies a seat in this Chamber, who was a member of the Cabinet at the time these transactions took place and is now supporting this treaty, has furnished the most conclusive proof, by his unequivocal assertions upon the floor of the Senate, that neither President Roosevelt nor anyone else connected with the Government had any part whatever in that transaction.

Mr. PITTMAN. I have no doubt that the Senator can explain it. That is the reason why I wanted to submit it to him.

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

Mr. POINDEXTER. I can not yield.

Mr. President, when this matter was under discussion in the Senate of Colombia, the vice president of Colombia, then acting as President, because under the constitution he had the right to act during the absence of the President, and he had seen to it that the President was absent by putting him in jail somewhere in the country, appointed a new governor of Panama, a senator of Colombia, Senator Obaldia; and to show how well the authorities of Colombia were advised of the fact that a revolution was imminent on the Isthmus of Panama, this senator, who was nominated for the governorship of Panama, advised President Marroquin that if he appointed him he would support the revolution in Panama for the purpose of establishing its independence; and, notwithstanding that the President of Colombia was so advised by Senator Obaldia, whom he had selected for appointment as governor of Panama, he appointed him, apparently still relying upon the assumption that the United States would see to it that Colombia still retained its sovereign control of the Isthmus, Colombia basing its action and its claim to the expectation that the United States of America should secure the sovereignty of Colombia over the Isthmus upon the treaty of 1846, to which I shall refer in a moment.

I want, in passing, briefly to call attention to some of the circumstances to which I have just referred.

In a letter from Minister Beaupre, addressed to Secretary of State Hay, August 31, 1903, he says:

I had an interview with Senator Ospina to-day. He informed me that he is willing to remain so long as there is hope for the treaty, but he is convinced that there is none, and will leave, therefore, on the 6th proximo. Confirms Gen. Reyes's statement concerning presidential candidate, and says that the next senate was made certain for the treaty; that he bears instructions to Governors Signares and Barrios concerning the elections which will be held next December; that in accepting governorship of Panama he told the President that in case that the Department found it necessary to revolt to secure canal, he would stand by Panama; but he added if the Government of the United States will wait for the next session of Congress canal can be secured without a revolution.

That, Mr. President, is the information which was given to the President of Colombia by a senator whom he had selected to act as the governor of Panama, before he was appointed, and that disposes of labored efforts to show that there was some secret connivance, or some secret fomenting of the revolution in Panama, when it was so openly discussed at the capital of the Government of Colombia, and the proposed governor of the Isthmus informed the President that if he was appointed he would assist in the revolution to secure the independence of the Isthmus.

So, on the 5th of September, 1903, Minister Beaupre, at Bogota, informed the Secretary of State of the United States:

It is now understood that the vice president will close this Congress on the 20th instant, so that little consideration can be given to the important questions before it. I believe a law concerning foreign claims will be passed. It is said that in this the Government will distinctly refuse to recognize its responsibility for damages occasioned by the revolutionists.

On September 10 the same minister said to the same Secretary of State:

Since a report of the canal committee, the question has not been discussed in the Senate. First consideration of the report postponed until 14th instant. Fierce attack to-day in the Senate upon the appointment of Obaldia as governor of Panama. The appointment is regarded as being the forerunner of separation.

That was September 5, two months before the revolution occurred. He further said:

Of several senators who spoke, only the son of the President defended the action of the Government.

I do not want to take up too much space in the Record in reading documents which merely reiterate this important point, but I want to read briefly from a letter from Minister Beaupre dated September 11, 1903, addressed to Mr. Hay. He said:

I have the honor to report that events of interest have taken place in connection with the appointment of Senator Obaldia to the post of governor of the Department of Panama. Senator Obaldia's separatist tendencies are well known, and he is reported to have said that, should the canal treaty not pass, the Department of Panama would declare its independence and would be right in doing so. That these are his opinions there is, of course, no doubt, as I stated in my telegram to the department of August 31, 1903.

Incidentally, I may call attention to this language which the minister uses:

The speakers showed greater heat than I have yet known them to evince in this Congress. It seemed to be the general opinion that the Government was prostituting the general interests of the country for purposes of electioneering intrigue.

What he means by that is that the factional differences among the Colombians in the Senate had grown to such an extent that they were willing to destroy their prospects of securing the canal in order to accomplish their object against their political opponents, and that no doubt was the fact which was responsible for Colombia having voluntarily to all intents and purposes separated herself from the Isthmus of Panama at the cost of not having the Panama Canal upon Colombian soil.

He said further:

It is evident, I think, that a cross current was at work during the debate. It was initiated by an opponent of the canal and a believer in the integrity of Colombia against the appointment of a Panamanian who ardently supported the canal, and who, if forced to accept an alternative, would rather see the Isthmus independent than lose the chance of seeing the canal built through his department. The opponent of the canal scheme carried the house with him, but he gained their support, not in virtue of his attitude on the canal question, but because his resolution opened the door to a general attack on the Government.

Mr. President, what did the United States do? It has been said that they prevented the landing of Colombian troops on the Isthmus of Panama. There is not any evidence of that. On the contrary, it is undisputed that they did not prevent the landing of Colombian troops on the Isthmus of Panama. There was an American war vessel at Colon, and probably it could have prevented the landing of Colombian troops there, but did not do it, and the troops were landed. The Panama Railroad refused to transport those troops from Colon to Panama, which was the center of the revolution. That is a very different thing from preventing the landing of troops.

The Senator from Colorado, Mr. Thomas, in his speech said, with a great deal of dramatic emphasis, that Bunau-Varilla had sent a telegram to one of the leaders of the revolution in Panama, in response to his request as to whether or not American war vessels would appear there, that they would appear in 36 hours on the Atlantic, and 48 hours on the Pacific, and I asked the Senator from Colorado, being interested in that minute observation of his of the occurrences, whether or not the events corresponded to the prophecy in this telegram, and he said almost exactly. I was very much surprised, upon looking up the record, and even upon reading the complete speech of the Senator from Colorado itself, to find that a week elapsed after the sending of that telegram, saying that the naval vessels would be there in 48 hours on the Pacific, before they actually arrived.

It is said that the United States prevented an attack upon Panama by Colombia. It did not. I have no doubt that was the policy of the Government in case the attack progressed to a point where it interfered with transit across the Isthmus. But the attack was made. All the attack that Colombia undertook to make was a bombardment of Panama, and one of her gunboats, concealed behind an island in the bay, killed a Chinaman and a donkey. Nobody interfered with it. They carried on their bombardment until they got through with it, and then the vessel disappeared.

Mr. President, the complaint which Colombia has against the United States is not for preventing the landing of her troops, not for forbidding her from making an attack upon Panama, but her complaint is that the Isthmus having revolted and declared its independence of the Republic of Colombia the

United States recognized Panama as an independent State. If there is ground for damages on the part of Colombia by reason of the United States having recognized the independence of Panama, she has a good case; if there is not, she has not. The United States carried on no warfare in Panama, caused no bloodshed, and did no injury to anyone. No greater benefit could have come to Colombia than the construction of the canal.

A few days ago the brilliant Senator from Mississippi [Mr. WILLIAMS], interrupting a speaker upon this side who was addressing the Senate on this subject, said that if he asserted that there had been any precedent in the relations of these two countries for the United States restraining the Republic of Colombia from the exercise of force against revolutionists upon the Isthmus of Panama, that statement was historically inaccurate. I have heard the Senator from Mississippi make many dogmatic statements, and I have found from experience that, notwithstanding his remarkable fund of information, many of his statements are historically erroneous. I have heard him make statements both in prophecy and statements as to past events which have been equally inaccurate. I remember upon one occasion he said, with the air of an oracle, that Great Britain would not be so foolish as to execute a certain traitor who had been convicted during the war, and I was very much struck by the fact that the man was hanged the next morning after the Senator from Mississippi had made his statement.

Mr. President, in 1902, the very year before the occurrences upon which this dispute is based took place, the United States troops disarmed the troops of Colombia upon the Isthmus of Panama and sent them without their arms across the Isthmus in order to prevent them from exercising force in one of their perennial civil strifes.

I want to call attention to some of the orders which have been given on previous occasions, indicating not only the policy but the action of this Government long before the last revolt on the Isthmus—which the United States recognized—as establishing the same policy which it followed at that time.

On September 12, 1902, the Secretary of the Navy telegraphed to the war vessel *Ranger* at Panama, mind you, a year before the occurrences of 1903 and having no connection whatever with them:

United States guarantees the perfect neutrality of Isthmus and that a free transit from sea to sea be not interrupted or embarrassed. * * * Any transportation of troops which might contravene these provisions of treaty should not be sanctioned by you, nor should use of road be permitted which might convert the line of transit into theater of hostility.

That is what we did in 1902. On September 20, 1902, the American representative at Panama wired the Secretary of the Navy at Washington as follows:

Everything is conceded. The United States guards and guarantees traffic and the line of transit. To-day I permitted the exchange of Colombian troops from Panama to Colon, about 1,000 men each way, the troops without arms in trains guarded by American naval force in the same manner as other passengers; arms and ammunition in separate train, guarded also by naval force in the same manner as other freight.

On October 3, 1902, this dispatch was received by the Secretary of the Navy from one of our naval officers at the Isthmus:

Have sent this communication to the American consul at Panama: "Inform governor, while trains running under United States protection, I must decline transportation any combatants, ammunition, arms, which might cause interruption to traffic or convert line of transit into theater hostilities."

I will correct the statement that it was a naval officer. It was an official of the railroad. I repeat now:

Must decline transportation of any combatant—

Not any combatant of the Isthmus of Panama, but any combatant of either side. That was exactly what they did in 1903.

I am glad to see the Senator from Mississippi [Mr. WILLIAMS] now in the Chamber. Mr. President, I will say to the Senator that I was just reading an order creating a precedent in 1902 for the action which was taken in 1903.

Mr. WILLIAMS. Mr. President, I understand a moment ago the Senator from Washington said that he was going to read something in answer to something that I had said.

Mr. POINDEXTER. That is correct.

Mr. WILLIAMS. I happened to be out of the Chamber when he made the statement, or perhaps I am misinformed about his statement. The statement I made was that the United States had never at any time, under any circumstances whatsoever, refused to allow the mother country of Colombia to land troops or munitions at either Panama or Colon. If the Senator has anything that he can read to disprove that statement I would be glad to hear it.

Mr. POINDEXTER. My recollection of the statement of the Senator from Mississippi is that he said that any statement that the United States had used force to restrain the forces of

Colombia upon the Isthmus from upholding the sovereignty of the Republic of Colombia was historically inaccurate.

Mr. WILLIAMS. That is substantially a correct statement.

Mr. POINDEXTER. I have just read, if the Senator will permit me just a moment—

Mr. WILLIAMS. Well, what I said—

Mr. POINDEXTER. I am sorry the Senator was not here when I made the statement.

Mr. WILLIAMS. I said that—

Mr. POINDEXTER. Mr. President, I decline to yield.

The PRESIDING OFFICER (Mr. Gooping in the chair). The Senator from Washington declines to yield.

Mr. WILLIAMS. If the Senator does not wish to be interfered with—

Mr. POINDEXTER. I wish to finish the sentence which I was endeavoring to complete.

Mr. WILLIAMS. Oh, Mr. President, the Senator does not wish to be interfered with.

Mr. POINDEXTER. I decline to yield further.

The PRESIDING OFFICER. The Senator declines to yield.

Mr. WILLIAMS. The Senator just read a telegram from the Governor of Panama, and said it affects the Governor of Colombia.

Mr. POINDEXTER. The Senator from Mississippi declines, apparently, to allow me to make a statement of what I did say, which he does not know, because he was not in the Senate Chamber at the time. I am trying to tell him what I said. I did not say what the Senator has repeated, and if the Senator would not interrupt me for the space of a moment I will tell him what I said.

Mr. WILLIAMS. Very well.

Mr. POINDEXTER. I said that in 1902 the United States disarmed Colombian troops upon the Isthmus and advised them that they could not exercise force against the Panamanians or anybody else in that zone.

Mr. WILLIAMS. The Senator means upon the line of the railroad?

Mr. POINDEXTER. No; I mean upon the Isthmus of Panama.

Mr. WILLIAMS. Oh, well, of course, the line of railroad is upon the Isthmus. We never disputed the sovereignty of Colombia over the Panama Republic.

Mr. POINDEXTER. Well, we did; and I wish to speak on that subject now. Never disputed the sovereignty of Colombia? We never took any part in the question when, by a revolution, the Government of Colombia was established. We had a treaty with another power that was the sovereign power of the territory that is now governed by the Republic of Colombia. The Republic of Colombia, that now objects to the United States preventing her from suppressing a revolution, would not be in existence to-day if the United States had not recognized revolutionary governments upon the Isthmus.

Mr. WILLIAMS. That may be true.

Mr. POINDEXTER. Mr. President, I decline to yield.

Mr. WILLIAMS. At that time—

Mr. POINDEXTER. I decline to yield. I will yield later on.

Mr. WILLIAMS. Some revolutionary army, which was not recognized, was in existence, but the Senator—

Mr. POINDEXTER. Mr. President, I decline to yield.

The PRESIDING OFFICER. The Senator from Washington declines to yield.

Mr. WILLIAMS. Very well, then. I will decline to interrupt him further.

Mr. POINDEXTER. It is impossible to carry on a discussion of this subject when one is interrupted every half minute. The Senator will have ample time later on to correct me if I am in error.

Mr. WILLIAMS. But if the Senator does not wish to be interrupted by me, then he ought not to comment on me.

Mr. POINDEXTER. Mr. President, I must decline to yield. I am going to comment on the Senator's statement, and he will have an hour in which to reply. I am not commenting on the Senator, but I am commenting on what he said. I think very highly of the Senator from Mississippi, but I hope he will not interrupt me now because I said that.

In 1846 the United States entered into a treaty with the Republic of New Granada. In 1861 the Republic of New Granada was overthrown by a revolution, and the United States of Colombia was established in its place, and was recognized by the United States as exercising sovereign jurisdiction over the Isthmus of Panama and over all the other territory which had formerly been under the Government of New Granada. The United States took no steps whatever to interfere with the exercise of the authority of the revolutionists establishing themselves upon the Isthmus. We declined at that time to allow

transit across the Isthmus to be interrupted. Now it is said that the United States ought to have taken steps to support and guarantee the sovereignty of the Republic of Colombia by suppressing the revolution of the inhabitants of the Isthmus of Panama.

In 1861 the Isthmus of Panama became a sovereign State in the federal union under the name of the United States of Colombia. In 1886, without the consent of the people of Panama, the government at Bogota established a revolutionary constitution, took away the sovereign rights of the Isthmus of Panama, and established a centralized republic under a new name, the Republic of Colombia. That is the power with which the United States is negotiating the pending treaty. We never guaranteed to the Republic of Colombia her sovereignty over the Isthmus of Panama. We did guarantee such sovereignty to the Republic of New Granada, a very different government, which was overthrown by revolution in 1861. But as these successive governments have been consistently advised by our Department of State from the incumbency of Lewis Cass and William H. Seward, that guaranty does not apply to changes of government resulting from civil war and internal revolution. If it did so apply, it would have been our duty to suppress the revolutionary government of Colombia under our treaty with New Granada.

We did not become a party for or against the revolution which established the constitution of 1886, which destroyed or undertook to destroy the sovereign rights of Panama as a sovereign and independent State to set up what they called a centralized Republic under the name of the Republic of Colombia. So not only has there been one but many precedents for the United States recognizing a revolutionary government upon the Isthmus of Panama, which is the ground of Colombia's complaint against the United States, one of those so recognized being Colombia herself.

In the place of the federal republic, the United States of Colombia, which was established in 1861, the constitution established in 1886, which was proclaimed as the supreme law of the land and established the Republic of Colombia without ever having been submitted to the people, without ever being ratified by the people of Panama or of the nation, starts out with these words:

The Colombian nation is reorganized as a centralized Republic. The sections which compose the Colombian union and were called States and national territories shall continue to be a part of the territory of the Republic of Colombia, retaining their present limits under the name of departments.

Panama prior to that time was one of the Federal States of a confederated Republic. By the revolutionary action of 1886, to use the language of the constitution itself, there was set up a reorganized centralized Republic under a new name, which undertook to make the previously sovereign State of Panama a department in that centralized Republic. From that Panama revolted.

In 1841, long before these events to which I have just referred, she established her independence and maintained it for a while. In 1831 the State of Panama took part in the revolution which resulted in the partition of Colombia into the several States of Venezuela, Quito (now Ecuador), and New Granada. Panama remained for a short while a Province of the State of New Granada, but in 1832 asserted her rights as a sovereign State, in which relation she remained, with several intervals of complete independence as a sovereign member of the Federal States, first of New Granada and then of the United States of Colombia, until without her consent the new Republic of Colombia attempted to impose its sovereignty upon her under the unauthorized constitution of 1886.

The United States acquired its substantial and fundamental rights in transit across the Isthmus by a treaty which was negotiated in 1846 with the Republic of New Granada and was ratified between the two countries and proclaimed in 1848. Under that treaty the United States acquired from the then Government of that territory and its successors upon the Isthmus—because the rights attached to the Isthmus and, as Secretary Hay said, "ran with the land"—privileges for its citizens for a free transit, as it was expressed, across the Isthmus by any means of communication which then existed or which thereafter might be constructed.

By the same treaty there was established, and the Government of the United States undertook the responsibility of guaranteeing, the neutrality of this territory. These rights have remained until this time because, by the terms of the treaty, it was to remain in effect until one or the other of the parties by 12 months' notice undertook to bring them to an end, which notice has never been given. Yet, in presenting to Congress a document which was supposed to contain all of the correspondence and all of the papers relating to the diplomatic history of

the Panama Canal submitted to Congress by Mr. Bryan when he was Secretary of State, he failed to include—and so, I assume, failed to consider—the treaty of 1846, which is the most important document connected with the entire controversy.

The objection which the people of Colombia had to the construction of the canal by the United States under the terms of the treaty was not a question of money. It was a question of sovereignty.

The Republic of Colombia desired that the canal, when it was constructed, should be a Colombian canal. The United States of America proposed that when it was constructed it should be the canal of the United States.

The PRESIDING OFFICER. The Chair calls the attention of the Senator from Washington to the fact that his time has expired.

Mr. POINDEXTER. I ask unanimous consent to incorporate in the RECORD in connection with my remarks a brief extract from the statement of Theodore Roosevelt to the Foreign Relations Committee February 23, 1915.

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

The matter referred to is as follows:

The proposed treaty is a crime against the United States. It is an attack upon the honor of the United States which if justified would convict the United States of infamy. It is a menace to the future well-being of our people. Either there is or there is not warrant for paying this enormous sum and for making the apology. If there is no warrant for it—and of course not the slightest vestige of warrant exists—then the payment is simply the payment of belated blackmail. If there is warrant for it, then we have no business to be on the Isthmus at all. The payment can only be justified upon the ground that this Nation has played the part of a thief, or of a receiver of stolen goods. In such a case it would be a crime to remain on the Isthmus, and it is much worse than an absurdity for the President, who wishes to pay the \$25,000,000, to take part in opening the canal; for if the President and the Secretary of State are justified in paying the \$25,000,000, it is proof positive that in opening the canal they are in their own opinion engaged in the dedication of stolen goods.

Mr. NEW. Mr. President, I shall not occupy more than 10 or 15 minutes of the Senate's time with what I wish to say on the subject of this treaty. I have listened with great interest to the progress of the debate. One thing that has impressed me in the arguments against the ratification of the treaty is that those who offer them are looking backward to the events that transpired 18 years ago. I feel that we should also look forward to the events that are apt to happen 18 years in the future and what the effect of the action of this Congress on those respective events is apt to be.

I think that we will all agree that there never was a time when it so behooved us to make friends, to establish and to maintain amicable relations with the other nations of the world, as the present. I think, sir, that that applies with particular directness to the nations of the Western Hemisphere. We are limited by some considerations in the steps we may take to that end.

It is true, I think, and unhappily so, that because of the World War, and as a result of it, and of the events that followed it, perhaps, if we are not without friends in the world to-day we have at least a smaller number of them than we ever had before. If we are to have any business relations with foreign Governments from this time forth, for some time to come, at least, I think it is manifest that it will be because they can not very well get along without what we have and not because of any particular desire that any of them have to do business with us.

It is also true, Mr. President, that the countries in that portion of the American Continent that has for its northern boundary the Isthmus of Panama and for its southern boundary Cape Horn emerged from the war in better shape than did the people of any other portion of the habitable globe. From geographical and other considerations they were not involved in the war and did not suffer the financial consequences which the active participants in that war suffered. They are better able to buy and to pay for what they get than are the people of any other section of the globe. We want their trade, but we are not alone in wanting it. We find ourselves to-day as trade rivals with the countries of Europe; and the rivalry is greater and is pursued with greater vigor than ever before. The countries of Europe realize the ability of the South and Central American countries to buy, and they are making every effort to secure the trade of those countries for themselves, to divert it from North American to European channels.

That is all well enough in its way, but we also know, Mr. President, that the people of the European countries know the value of propaganda and they do not scruple to use it. They are using it in the prosecution of their efforts to secure for themselves the trade of South and Central America. Nor do they stop to see that the result of that propaganda is limited

to its effect upon trade relations, but by means of that and because of it they have affected otherwise the relations of this country to the nations of South and Central America. The propaganda they have spread has affected our entire major foreign relations as they concern ourselves and our American neighbors.

The greed of nations is but the selfishness of men in the aggregate; and in the prosecution of their effort to get what they want the European countries have not been mindful of the ultimate effects of their propaganda upon the future relations of South and Central America to the United States, and, largely because of what they have done, they have adversely affected the sentiment of those people toward us.

Mr. President, no single circumstance that ever occurred has been employed to such adverse account against the United States as the fact of our failure to arrive at some sort of an agreement between this Government and the Government of Colombia. If all of this were limited to Colombia, that would be one matter; but it is not. It applies and extends to every country between the Isthmus of Panama and Cape Horn. If it were only limited to a matter of dollars and cents, we might afford to say, "All right; we will get along without your trade as best we may; we can live within ourselves if we have to"; but it is not limited to a matter of dollars and cents, by any means. As I have before stated, it affects our entire relations with all the countries south of the Isthmus.

In the consideration of this subject, Mr. President, some regard must be paid to the peculiarities of the Latin-American mind—I say that with all respect—for their habit of thought is not ours, as everybody knows and concedes; and because of the efforts of other peoples and our own failure to arrive at an understanding with Colombia on this question we find ourselves to-day in a different relation to and viewed in a different light by our sister Republics of this continent than ever before. I believe that it is essential that some sort of a settlement be made of the questions at issue in this treaty.

The Senator from Massachusetts [Mr. LODGE] said, in the course of his address the other day, that the people of the United States can not successfully transact business in other countries unless they know that they have their Government back of them. He might have said with equal truth that we can not do business successfully in foreign countries unless we have the good will of the people with whom we are to transact business. I think it is generally admitted—at least I am convinced—that some settlement with Colombia is necessary. The question is, What sort of settlement is just?

It has been repeatedly said that ex-President Roosevelt objected to this treaty. I do not believe he did. The Root-Cortes treaty, which was negotiated during his incumbency in office, is so closely like the treaty now before the Senate that they are scarcely distinguishable except for the amount of money involved. The amount proposed to be paid under that treaty was two and a half million dollars. It is true, as the Senator from Wisconsin [Mr. LEXROTH] pointed out in his address, that that money was to be paid by Panama; but it was to be paid out of moneys received by Panama from the United States; Panama was merely the vehicle, the channel, through which the money was to be paid. If it was just to pay \$2,500,000, at what point are we going to mark the difference between justice and dishonor as between \$2,500,000 and the \$25,000,000 provided in this treaty? I do not believe that point can be successfully located.

Suppose we are to admit that the amount now proposed to be paid is excessive—and I do not admit it; I do not know whether it is or not, but suppose we are to admit it—I think that it would be better, if we are to err at all as to the amount to be paid, to err on the side of liberality and in a direction that is going to accomplish favorable results than to err in the other direction and pay something which is going to produce nothing. This may be styled an argument of expediency. Perhaps it is; but I had rather, Mr. President, where there is a doubt in my mind as to just where exact justice and exact right lie, to err on the side of expediency than to err on the side of in expediency. I do not believe that this is a case of purchasing good will or anything of that kind, but that it affects good will is perfectly reasonable and perfectly certain.

Mr. WILLIS. Mr. President—

The VICE PRESIDENT. Does the Senator from Indiana yield to the Senator from Ohio?

Mr. NEW. I yield.

Mr. WILLIS. One of the arguments urged by the proponents of the treaty is that it will improve feeling in Central and South America toward the United States. What is the opinion of the Senator as to the attitude of the Republic of Panama upon this treaty? That is the critical place. The Panama Canal is constructed and is being maintained on the territory

of Panama, and that Republic can do most to aid or to hinder the operation and protection of the canal. What is the attitude of Panama touching the treaty?

Mr. NEW. I can see nothing in this treaty that is going adversely to affect the attitude of the Republic of Panama.

Mr. WILLIAMS. Mr. President, the world has been full of things good for the world that were badly arrived at, and men make a mistake whenever they contend that a valuable end justifies a bad means. Not only is the Senator from Indiana [Mr. NEW] right in saying that a certain treaty sent from President Roosevelt to this body was substantially the same as the present treaty; but the Senator from Washington [Mr. POINDEXTER] is wrong in trying to leave the impression that Mr. Roosevelt ever really denied that he took a high-handed way of arriving at an international result. So far as I know, there is no dispute about the fact that out on the Pacific coast he said that "while Congress was debating he took the canal."

Mr. President, the canal is a good thing, not only for the United States, but for the world, and not only for the world, but for Colombia, and a magnificent thing for the so-called Republic of Panama, but with me none of that affects the real point at issue raised by the Senator from Washington a moment ago.

I had no idea of making a speech upon this subject at all; I considered it thoroughly useless to do so; but the other day while some Senator was speaking—I do not remember now who it was—he said that we had been but following precedent when we forbade the sovereign country of which the Province of Panama at that time was a part from landing its own troops upon its own territory. I made the statement that there was no precedent for that, and none could be found.

A moment ago the Senator from Washington, while I was temporarily from the Chamber, undertook to say that I had made a statement somewhat similar to that, and that he was going to read certain documents that proved the contrary. He read a document directed to the governor of the Province of Panama; and, Mr. President, I now repeat that there is no precedent in the world, except this one, of construing our guaranty of territorial integrity to the United States of Granada, and afterwards to its successor, Colombia, into a right to recognize the independence of about 21 Panamanians, 2 niggers, and a mule and a Chinaman, and beginning to do it before the so-called Panama secession had broken out.

Now, Mr. President, I want to repeat, as a matter of history, that up to that time we had never undertaken to dispute the right of Colombia to sovereignty in the Province of Panama; and when you do not dispute the right of sovereignty, you can not dispute the right to deny sovereignty against revolt; and I want to say this—and the Senator from Washington, even after his unprecedented method of carrying on debate to-day, must admit it to be true—that if the sovereignty of the Province of Panama had lain in Great Britain or in France or even in Japan or even in Italy, such steps never would have been pursued, and he knows it as well as I.

Mr. POINDEXTER. Mr. President—

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from Washington?

Mr. WILLIAMS. Why, of course. I shall be much more polite to the Senator from Washington than he was to me. I shall yield to him every time he desires it.

Mr. POINDEXTER. The only thing I objected to was the Senator's interrupting me in the middle of a sentence, before I could answer his question. I want to ask this question, however. I interrupt the Senator because I have not any more time in my own right.

Mr. WILLIAMS. I will give the Senator time out of mine, unless he takes it all.

Mr. POINDEXTER. Oh, I shall not take it all. The Senator speaks of France and Japan and Great Britain, and asks whether or not we would have taken this action if they had been the powers involved instead of Colombia. Why, Mr. President, we had no treaty with either one of those countries such as we had with New Granada, under which we undertook to guarantee the neutrality of the Isthmus.

Mr. WILLIAMS. Mr. President, that makes the case all the stronger for what I have stated. If we had had no treaty with Great Britain, or none with France or Italy or Japan, and they had been sovereigns of that Province, we never would have dared—or shall I take that back and say we would never have willed—to take the course we did take; but we had a direct treaty with the United States of Granada, whose political successor was Colombia, guaranteeing to her the territorial integrity of the country over the Isthmus. Senators have stood here and talked about article 10 in the League of Nations guaranteeing territorial integrity as if it deprived the United States

of sovereignty; and yet the same Senators, or one of them, at any rate, stands here and says that a guaranty of the territorial integrity of the United States of Granada, falling afterwards to Colombia, meant a right to guarantee the right of secession of the Province of Panama from Colombia and to forbid the landing of Colombia's troops upon its own soil. It is just as if Great Britain had recognized the Southern Confederacy—

Mr. POINDEXTER. Mr. President—

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from Washington?

Mr. WILLIAMS. One moment. Let me finish the sentence, and then I shall yield to the Senator as long as he pleases. It is just as if Great Britain had recognized the Southern Confederacy the morning after Sumter was fired on, only it would not have been so extreme a case. It is just as if Great Britain and France had recognized the sovereignty of the Southern Confederacy the day that Jeff Davis issued his proclamation for the assembly of the seven cotton States in congress at Montgomery, Ala.

Mr. President, one more word, and then I will yield. The Senator said we had no treaty with Colombia. He said we had a treaty with the United States of Granada, and he said that Colombia rebelled against Granada. Mr. President, the United States of Granada fell into three different Governments later on.

Mr. POINDEXTER. Away before that, in 1832.

Mr. WILLIAMS. I mean they fell after the treaty, when I said "later on."

Mr. POINDEXTER. Before the treaty.

Mr. WILLIAMS. They fell into these three different Governments, and the Province of Panama fell to Colombia as a part of the territory of Colombia, and the treaty with the United States of Granada did not affect either of the other two parts of the former United States of Granada. Now I yield to the Senator.

Mr. POINDEXTER. I just want to pursue the Senator's historical argument one step further.

Mr. WILLIAMS. I will permit it.

Mr. POINDEXTER. In 1903 the Isthmus of Panama revolted from the Republic of Colombia just as Colombia had revolted under Gen. Mosquera from the Republic of Granada, and consequently our rights upon the Isthmus of Panama became the obligation of the Government of Panama as the successor upon the Isthmus of the Government of Colombia just as the Government of the Republic of Colombia was the successor of the United States of Colombia, which in turn was the successor there of the Republic of New Granada, from whom we originally acquired these rights.

Mr. WILLIAMS. Why, Mr. President, if I understand the Senator—and I am not sure that I do, and if I do not he will correct me—the right of any independent nation to recognize the independence of a part of another nation depends upon the sovereign discretion of the nation doing the recognizing; but in international law and in international decency that discretion has always been construed to be a thing to be exercised when the revolting territory had made good its right. We did not, for example, recognize Texas as an independent Republic until six years after Mexican aggression had stopped. We did not recognize the South American Republics until after many European countries had recognized them.

Mr. POINDEXTER. I should like to ask the Senator—

Mr. WILLIAMS. Wait one minute. Now, for us to have recognized a part of South America or part of the former territory of the United States of Granada after it had made its independence good is one thing. For us to have recognized the independence of a great secessionist movement of about 21 Panamanians and a Chinaman and a mule and two or three niggers within 48 hours after they had declared it, and for us to have made good that declaration by forbidding the mother country to land troops upon the territory of the revolting Province is another thing. The last thing is what we did.

Teddy Roosevelt never played the hypocrite upon the question. He said, "While Congress was debating, I took it"; that is, the canal; and if he had come out plainly and squarely, and had said, "I thought those people were trying to blackmail me and blackmail the United States, trying to make money out of us, and, international law or no international law, I made up my mind to have a canal at Panama, and I had it"—that is substantially what he meant—if he had said that, the civilized world would not have had much dispute about it, but the civilized world has a dispute about a hypocritical pretense of recognizing the independence of a province that had not made its independence good, and that could not have made it good, and that finally did make it good only by our stepping in between it and the mother country.

Mr. POINDEXTER. Mr. President—

Mr. WILLIAMS. Now, I yield again.

Mr. POINDEXTER. There is not any dispute about that. The Senator has just stated the case exactly as I understand it. Nobody has tried to conceal any of those facts. I should like to ask the Senator, however, this question—

Mr. WILLIAMS. Well, then, one moment; then I will yield further. Then, if I understand the Senator, he is conceding that we committed an international enormity, or an international iniquity, or an international wrong—

Mr. POINDEXTER. No.

Mr. WILLIAMS. And that, later on, we owe no reparation.

Mr. POINDEXTER. Not at all.

Mr. WILLIAMS. I am willing now to say that an international wrong can be committed for the achievement of a great international end; but, even then, due reparation must be made for the international wrong, means that have been adopted for the accomplishment of a very profitable end.

Mr. POINDEXTER. I did not agree that we had committed any international wrong.

Mr. WILLIAMS. I thought a moment ago the Senator did.

Mr. POINDEXTER. I agreed that the facts the Senator stated were correct—that what we did was to recognize the independence of Panama. We simply refused to allow Colombia to engage in war upon the Isthmus, just as we had done in 1902.

Mr. WILLIAMS. Why, Mr. President, if Great Britain had recognized the independence of the Southern Confederacy and had sent her nearest ships of war to Charleston, S. C., and to New Orleans, and had then sent Abraham Lincoln a note to the effect that he must not land any troops, then, according to the Senator's construction of international law, that would not have been denying the right of the United States Government to sovereignty over the Southern States.

Mr. POINDEXTER. It certainly would not have been. Does the Senator from Mississippi claim that the United States would then have had a claim for damages against Great Britain?

Mr. WILLIAMS. Why, if Great Britain had done that, and then the United States had won the war, and then we had come back in the Union, we not only would have had a right of damages against Great Britain, but we asserted a right of damages against Great Britain for less than that, for allowing two cruisers to be built in British ports and used by American officers and soldiers. That was the Geneva award.

Mr. POINDEXTER. That was an entirely different proposition.

Mr. WILLIAMS. Infinitely less, and after the Southern States had been fighting for two or three years, and when they had borne upon their arms in the open field the glories of Robert E. Lee and Stonewall Jackson and Bedford Forrest and Jeb Stuart, and a thousand men whose names will not fade in comparison with any names the world has ever seen.

Mr. POINDEXTER. Mr. President—

Mr. WILLIAMS. Why, Mr. President, let us be square with one another. Let us be square with the American people. You wanted the canal. I wanted the canal. Roosevelt wanted the canal, and Roosevelt made up his mind that he was going to have it, if Colombia went to the devil. That is all there was to it. Now, in his place I would not have gone quite that far. Perhaps the Senator from Washington would have gone a little bit further; but, all the same, let us be fair about it, and when I correct a historical error upon this floor, and the Senator personally refers to me, let us be fair in debate, too; and when I come in and want to correct him, let him not say, "I decline to yield to the Senator from Mississippi" even when the Senator's name was mentioned by him.

Mr. POINDEXTER. I said that the Senator had an hour of time in which to reply.

Mr. WILLIAMS. I know that, and I might have said to the Senator that he had an hour after I get through, too. But, all the same, I would give him my entire hour if he had any correction to make that was necessary.

Mr. President, just one word more. That is not the worst of this. We had a solemn treaty with Colombia to arbitrate all differences arising between us. Why was it that Mr. Roosevelt and his Secretary of State entered into the first treaty? It was because they dared not arbitrate with Colombia. Why did they dare not arbitrate with Colombia? It was because any fair set of arbitrators in the world would have said to the United States, "You must put Colombia back in statu quo ante bellum. You must restore the Province of Panama which you took away." We dared not arbitrate. We dare not arbitrate now. I dare not arbitrate; the Senator from Washington dares not arbitrate.

Therefore we negotiated. It is true we violated a solemn treaty of arbitration. It is also true that we violated it simply

because we were big and strong and carrying a big stick, and treading softly, and Colombia was little and weak, with a loud, screeching voice, not treading softly, but without any stick at all. The Senator from Washington knows it as well as I do. Every man in the sound of my voice knows it.

The Senator reminds me a little bit of a man I knew in Mississippi once. I went to him and said, "You have treated so and so here very unjustly. He happens to be a tenant on my plantation. I came to talk to you about it."

What do you suppose was his answer?

He said, "My God, John, he is nothing but a nigger. You know that as well as I do."

The excuse for all of this is that Colombia was just as weak as that negro on my plantation was; but the negro happened at that time to have protection, and at this time in our history it happened that Colombia did not have protection.

Mr. President, we had this solemn agreement with Colombia to arbitrate. The Senator from Washington said we had a treaty "guaranteeing us free transit." The Senator is the last man in this body to use language in a double sense, or want to speak with a forked tongue. Does he contend for one moment that the right of free transit granted by treaty to us across the Isthmus of Panama meant the right to occupy the land, to assert sovereignty, and to construct the canal?

Mr. POINDEXTER. That is what the Colombians claimed it was. That is why they objected to it.

Mr. WILLIAMS. What is that?

Mr. POINDEXTER. That is what the Colombians claimed that it was. The objection of the Colombians to the building of the canal by the United States was that it would be an American canal, under American sovereignty, by reason of that treaty.

Mr. WILLIAMS. Yes; but not "by reason of that treaty." I was not referring to that. I say, does the Senator from Washington claim that a treaty right of free transit across foreign soil meant, or could mean, a right to occupy the land and to construct a canal? The Senator must reply in the negative—that he believes nothing of the sort. Yet he has used the language with regard to "free transit" across the Isthmus as if that gave us a right to build the canal.

If that gave us the right to build the canal, then why should we have negotiated with Colombia about it at all; and if it gave us a right to build the canal, then why should we have negotiated with Panama, even upon the supposition that Panama had vigorously asserted and rightfully achieved her independence? The Senator knows that can not be true at all in law—international, municipal, or any other kind of law.

Mr. POINDEXTER. The Senator is entirely right about that, and that was the position President Roosevelt took and what he published in a magazine article. He was not trying to conceal anything. He said we had that right, and at the time this revolution took place in Panama, which everybody knew was going on, he was preparing a message to Congress asking authority to go ahead and build the canal anyhow.

Mr. WILLIAMS. That statement I never saw. Mr. President, it is always awkward to bring a dead witness into a controversy for three reasons: First, because all of his testimony is hearsay; secondly, because the various people who heard him quote him differently; and, thirdly, because the dead witness can not be cross-examined. Mr. Roosevelt has been quoted on both sides. I quoted him a moment ago as saying that, "While Congress talked about it I took it," referring to the canal. He seemed to be very proud of that at the time.

Mr. President, let us get rid of some illusions, or delusions, or glimmers, or whatever they may be. There was no more of a successful secession of Panama than there was of New York City during the draft riots during the war between the States, not as much. The Panama secession was engineered by Cromwell and Bunau Varilla, and was chiefly engineered from New York and from Washington, and the only blood spilled in the controversy, as far as I now remember, was of one dead mule and a wounded Chinaman, or a dead Chinaman and a wounded mule, I have forgotten which. Yet we are to go before the whole civilized world and base a great right upon what is called the right of secession, and we, of all countries, who asserted that a people who bore upon their shining bayonets for four years, with comparative success, their allegation of the right of secession, still did not have it but 36 hours in Panama, with 21 or 22 or 23 men, a mule, a negro, and a Chinaman, and an order from the White House in Washington to the *Nashville* and other of the ships to keep Colombia from landing any troops, gave a sovereign right to the Province of Panama to become by secession an independent nation upon the surface of the earth!

Oh, let us not stand there. Whatever else we do, let us not stand there, Mr. President. Let us do what Roosevelt under-

took to do—negotiate with Colombia. Let us settle it amicably and peacefully. If he had not meant, "I have done wrong to a certain extent," he would not have negotiated at all. The very fact that he negotiated proves that he knew he had done wrong, an international wrong. The very fact that he sent a treaty to this body proved that he knew it. I knew him well, and I loved him, too, in a way, although politically we did not row in the same boat. We were right fond of one another in some ways, and I think chiefly because we were both a bit impulsive, and each, at any rate, *thought* that the other was *ultimately* honest, although now and then each of us might have been so impulsive for the time being as to do wrong things. But I think each of us felt that the other would try to fix himself ultimately in the right—try to square up his case with God. So he tried to square it up by entering into negotiations with Colombia, and the Hay-Herran treaty was negotiated and sent to this body.

Then later on he got it into his head that they were trying to blackmail him, and then he got mad—angry. Down South we say "mad." By the way, the two things are nearly the same language. A man very angry is a little bit insane. He got into that fix, and then he said, "I will take it. I have the power; I am the biggest boy on this field, and I have the bat, and I am going to use the bat"; and he used it; that is all. He had only this excuse, that he thought the other man was trying to "put something over" on him. That expresses rather Roosevelt's notion to a nicety.

Mr. POINDEXTER. Mr. President, about how great a claim for damages does the Senator from Mississippi think the Republic of Mexico will have against the Government of the United States by reason of the fact that our Government seized Vera Cruz, recognized the Government of Carranza, and put Huerta out?

Mr. WILLIAMS. Mr. President, the United States in the first place landed a few marines at Vera Cruz to resent an insult to its flag, and after the insult to its flag had been resented it reloaded its marines and sailed away. The United States Government did not permanently occupy Vera Cruz, it did not undertake to overthrow the Government of Mexico. I am astonished at my friend from Washington. I have known him for many years, and I have never suspected his sanity until to-day. But he employs such analogies between things that have nothing in the world to do with one another that I think he must be temporarily off his base.

How could anybody draw an analogy between the landing of troops at Vera Cruz to resent that insult to the flag, and taking possession of the whole Isthmus of Panama, and making a treaty with a revolted Province, and founding our right upon the treaty, and occupying and holding the land, especially after we as a Nation had endangered the lives of a million men in the United States some years previously in denial of the contention that there existed any such thing as a right of secession anywhere against a sovereign authority? I have known resemblances without likenesses before to-day, but this suggestion of the Senator beats any of them.

Mr. President, I was speaking the other day about the Senator not being an accurate historian, and I defy the record; there can not be produced a single precedent, up to this one, where we ever denied the right of the United States of Granada or of Colombia to land troops upon its own territory.

We would have had the right to deny to Colombia the right, under the treaty with us, to land troops at Panama for the purpose of resisting our "right of transit." That is the only right we had. If it had been true that the Republic of Colombia was trying to land troops in order to prevent our having free transit across Panama, then we would have been perfectly justified in resisting. But there was no pretense, even, that that was the object of their landing the troops. The cause of their landing the troops was to subdue a revolt within their own territory. They had no idea of preventing our operating the Panama Railroad or preventing free transit of our passengers or commerce across the Isthmus, and if they had had any such idea it was our international duty to wait until they had made some overt act tending to show that they entertained such an intention.

Mr. POINDEXTER. They committed an overt act when they killed the jackass.

Mr. WILLIAMS. What did the Senator say?

Mr. POINDEXTER. I say that when they killed the donkey and the Chinaman that was an overt act.

Mr. WILLIAMS. That might have been preventing the right of free transit of the Chinaman or the jackass, but not of the United States.

The treaty was not between the Chinaman or the jackass and Colombia. It was between us and Colombia. We got by treaty no guaranty of the right of free transit for British or French

or Chinamen or jackasses. We merely got it for American citizens and their commerce, and the Senator is not going to classify them in that way, I hope.

Mr. POINDEXTER. Why does the Senator think Chinamen and jackasses were excluded? They are very important sometimes.

Mr. WILLIAMS. But, my dear sir, we did not enter into a treaty with Colombia for the free transit of Frenchmen or Britons or Egyptians or Chinese or jackasses, unless the jackass was an American jackass, and I have never been informed that he was. If he was, of course we had a right to resent the perforating of his holy bosom with iniquitous shells of Colombia tyranny; but I have always understood the jackass was the property of one of the Panamans, and the Panaman was not even a rebel, and did not belong to the sacred twenty or thirty odd who were.

Mr. President, I did not intend to talk about this, and would not have talked about it at all but for the remarks of the Senator from Washington. I had thought all along the best thing we could do was to quietly ratify the treaty and say as little about it as we could, and try to persuade other people to say as little about it as they could. I was mighty glad when we did not have any apology in the treaty, although we owed one. I was mighty glad to escape that.

But this question is a serious question after all. It is a matter of international integrity. The world can not live in peace, any part of it with other parts of it, unless the great principle of good faith amongst nations is recognized to be as sacred as a gentleman's word of honor given to another gentleman, and upon no other basis can peace on earth, good will toward men, the doctrine of Jesus of Nazareth, be maintained, and it must be maintained for those who are too weak to assert their right in contract as well as for those who have power to overassert it.

Mr. TOWNSEND. Mr. President, it is perhaps a waste of time to discuss this matter further, and I do not now mention it with the idea of changing the vote of any of my colleagues in the Senate. I speak upon it simply to save the necessity of answering a great many letters.

This is an old question which has been before the Senate since 1903. It is a question that has been discussed fully, freely, and fairly. I had made up my mind upon the matter 18 years ago and again when the Bryan treaty, so called, was before the Senate, and I made it up conscientiously and, as I believed, intelligently. I have had an open mind in reference to the matter during the last six months with the idea that possibly something new might be developed that had not been presented theretofore that would cause me possibly to change my mind.

I have realized that the United States stands in a peculiar position of responsibility to the nations of the Western Hemisphere on account of the Monroe doctrine. No man has been more desirous than I that his Nation should keep its faith and should impress the nations of the Western Continent with the fact that it was not only just but generous.

The Senator from Mississippi [Mr. WILLIAMS], however, has presented the case as it seems to me it will be considered by the country if this treaty is approved. He maintains that the United States did wrong in building the canal by entering into the treaty with Panama. He maintains that this country dealt unjustly and unfairly with Colombia. There are enough Senators possibly who will vote for the treaty to ratify it, if it is ratified, who do not agree with the Senator on that proposition. They maintain, as did the Senator from Pennsylvania [Mr. KNOX], that we got a better bargain with Panama than we could have obtained or would have obtained under the treaty with Colombia and therefore in duty to Colombia we can afford to pay her \$25,000,000.

I visited the canal at the beginning of the controversy as a member of the Committee on Interstate and Foreign Commerce of the House. The matter was then fresh in the minds of everyone. It was a subject of general discussion. We made some investigation of the subject while we were down there. I was satisfied then as I am now that the United States did no dishonorable thing, that the Panaman revolution was conducted and completed without the participation of the United States. I take it as a known fact that the governor of Colon, who was a very wealthy man and owned a great deal of land on the Isthmus, was instrumental in inducing the Colombian forces who were seeking to land on the Colon side to sail away without attempting to make a landing.

But, as I said, the matter has been settled in my mind and I resent the proposition that either Theodore Roosevelt or any other member of the United States Government did wrong in acquiring the title to the strip of land across the Isthmus of Panama. Not a word has been uttered here on the floor during

this discussion that has thrown any new light on that subject. We are now proposing a treaty which it is claimed will pacify Colombia and create a better feeling toward the United States in South America. Let us see whether that can reasonably be expected or not.

In the first place, I believe it must be admitted if we ratify this treaty that the United States committed an offense against Colombia and that we are now seeking in some manner to condone that offense by the payment of \$25,000,000. Is that going to satisfy Colombia? Is it going to satisfy the South American Republics, or will they still hold to the belief that the United States does things indirectly and unjustly toward weaker nations? The treaty provides certain privileges for Colombia and grants certain advantages to Colombia which, in my judgment, violate the favored-nation clause which this country has followed in the past. It gives her the privilege of transporting her troops without pay, and we give her every right in that canal as to transportation that the United States possesses. It is not improbable, sir, that we may repeal the Panama toll act and that the United States will insist that our ships shall pass through the canal without toll. Under this treaty Colombia will then get the same privilege. If she gets the same privilege, how are we going to answer the other South American Republics who say that we have treated Colombia differently from what we have treated them? No, Mr. President, it seems to me our troubles have but begun in relation to our dealings with the South American Republics if we ratify the treaty.

I have said this much because, as I said in the beginning, I have had an open mind. If I were convinced that the United States had dealt unfairly or unjustly with Colombia I would say so frankly in the treaty and compensate her for it, but believing as I do that we have not, and therefore objecting as I must object to any imputation to that effect by any treaty which we may propose, I can not support the pending treaty, and especially can I not when I believe it will not even accomplish the one thing which Senators insist it will accomplish, namely, to pacify the South American Republics and relieve the feeling that they are reported to have that we have played a sharp trick upon one of those Republics. They will contend under all circumstances, and I make that prediction now, that they shall have the same treatment as to the Panama Canal that Colombia obtains, and we can not very well avoid it. Therefore I feel it is my duty under the circumstances to vote against the ratification of the treaty. I can not under the arguments presented in favor of this treaty vote \$25,000,000 from an already depleted Treasury, and especially not when the legitimate demands upon it are so great. Especially can I not when it commits my country to an infamous charge which is false.

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

Mr. TOWNSEND. Certainly.

Mr. FLETCHER. Does the Senator take the position now that he would have opposed the Hay-Herran treaty of 1903 and the Root-Cortes treaty of 1909? Both of those treaties, the Hay-Herran treaty of 1903 and the Root-Cortes treaty of 1909, provided for the payment to Colombia, under the Hay-Herran treaty, a payment of \$10,000,000 and in addition to that \$250,000 a year for 100 years, which would have amounted to considerably more than \$25,000,000, with the same concessions that are involved in this treaty embodied in both the Hay-Herran treaty of 1903 and the Root-Cortes treaty of 1909.

Mr. TOWNSEND. In the first instance, when we were dealing with Colombia, Colombia claiming the title to this strip of land, I think there is some doubt as to whether she owned it or not, but I do not think that was for us to decide. I think Panama had the right to secede and had never become a legal part of the United States of Colombia; but we were dealing with the thing as it existed then, Colombia claiming the title to this strip. We were dealing with her and not with Panama. With that kind of an arrangement I could find no fault. Although, as the Senator from Pennsylvania said, we did not perhaps have a very good bargain, we were not complaining about it. The complaint was made by Colombia. She had first proposed the treaty and then with singular unanimity voted against it solidly in the Bogota Congress. No; I think we had a perfect right to deal with Panama.

Mr. FLETCHER. The Senator has reference, I presume, to the action of the Colombian Congress as to the Hay-Herran treaty?

Mr. TOWNSEND. Yes.

Mr. FLETCHER. Of course, that congress, as the Senator knows, was convened shortly after the civil strife in Colombia. There had been civil warfare, hundreds of thousands of people had been killed, and the congress was made up very largely of men who had fought each other only two months before on the

field of battle. It was not possible for those people to get together on any proposition, I take it.

It seems to me that perhaps the statement of Minister Dubois fairly represented the situation under the circumstances and is expressed in his report to the State Department.

According to his statement Colombia—

had just emerged from the most disastrous war of her national life. Nearly a hundred thousand men had been slain, her villages had been destroyed, and her farms wasted from sea to sea. The generals who had fiercely fought each other on the field of battle were bitterly opposing each other in the halls of congress, and if free transportation to heaven had been offered them, subject to ratification, there would have been no movement in that direction.

It was not any conspiracy individually on the part of the President, but a combination of circumstances that caused the defeat of that treaty, under those circumstances. But that does not follow as to the Root-Cortez treaty.

Mr. TOWNSEND. Subsequently they tried to explain that, but the fact remains that Colombia repudiated the very treaty which she had proposed to the United States.

Mr. CURTIS. Mr. President, I desire to inquire if any other Senator desires to speak this afternoon on the treaty? If not, I shall make the point of no quorum. If any Senator desires to speak, however, I will defer the suggestion until later. [A pause.] I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

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

Ball	Harris	Moses	Stanfield
Brandegge	Harrison	Nelson	Sterling
Broussard	Heflin	New	Sutherland
Bursum	Hitchcock	Nicholson	Swanson
Cameron	Jones, N. Mex.	Norbeck	Townsend
Capper	Jones, Wash.	Overman	Trammell
Caraway	Kellogg	Phipps	Underwood
Colt	Kendrick	Pittman	Wadsworth
Cummins	Kenyon	Poindexter	Walsh, Mass.
Curtis	Keyes	Pomerene	Warren
Dial	Ladd	Ransdell	Watson, Ga.
Dillingham	La Follette	Reed	Watson, Ind.
Edge	Lenroot	Sheppard	Weller
Ernst	Lodge	Shortridge	Willis
Fletcher	McKellar	Simmons	Wolcott
France	McKinley	Smith	
Hale	McLean	Smoot	
Harrell	McNary	Spencer	

The VICE PRESIDENT. Sixty-nine Senators having answered to their names, a quorum is present.

Mr. LODGE. If no other Senator desires to speak upon the Colombian treaty, I shall ask that the Senate return to legislative session to take up the unfinished business, which is the proposed amendment to the rules.

The VICE PRESIDENT. The question is on the motion of the Senator from Massachusetts that the Senate return to legislative session.

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

The VICE PRESIDENT. The Chair lays before the Senate Senate resolution numbered 43. The question is on the motion of the Senator from Alabama [Mr. UNDERWOOD] to refer the resolution to the Committee on Rules.

Mr. HARRISON. Mr. President, it is on that motion that I desire to speak briefly.

Mr. SMOOT. Mr. President—

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

Mr. HARRISON. I yield.

Mr. SMOOT. I will ask the Senator from Mississippi if he will not yield for me to introduce at this time a joint resolution and ask for its immediate consideration?

Mr. HARRISON. I have no objection.

EXECUTIVE MEMBER OF JOINT COMMITTEE ON REORGANIZATION.

Mr. SMOOT. I introduce a joint resolution and ask that it be read.

The joint resolution (S. J. Res. 30) to authorize the President of the United States to appoint an additional member of the Joint Committee on Reorganization was read the first time by its title and the second time at length, as follows:

Resolved, etc., That the President of the United States is authorized to appoint a representative of the Executive to cooperate with the Joint Committee on Reorganization created under the joint resolution of December 17, 1920, entitled "Joint resolution to create a joint committee on the reorganization of the administrative branch of the Government," who shall receive an annual salary of \$7,500, payable monthly, such salary to be paid in equal parts from the contingent funds of the Senate and the House of Representatives as from time to time may be duly authorized by resolutions of those bodies.

Mr. SMOOT. Mr. President, I have a letter from the President, dated April 16, 1921, in relation to the joint resolution, which reads as follows:

THE WHITE HOUSE,
Washington, D. C., April 16, 1921.

Hon. REED SMOOT,

United States Senate, Washington, D. C.

MY DEAR SENATOR SMOOT: I have noted the contents of the copy of the joint resolution which you sent to me with your letter of April 15. I am very glad to give expression of my approval.

I think the Congress will readily agree that the work in reorganization of the administrative branch of the Government by joint legislative committee will be very much facilitated by having the cooperation of a direct representative of the Executive. We are all interested in working out an effective program, and I feel I shall be able to bring into cooperation with the committee a representative who can be effectively helpful in expressing the viewpoint of the administration in speeding this much desired accomplishment.

Very sincerely, yours,

WARREN G. HARDING.

Mr. JONES of Washington. Mr. President—
The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Washington?

Mr. SMOOT. I yield.

Mr. JONES of Washington. Heretofore the Senator from Utah has very consistently insisted that joint resolutions when introduced shall be referred to a committee, and I have been in accord with that position. I remember at various times he has suggested that joint resolutions should be referred to committees and should be reported back in order to preserve the rules of the Senate. Does not the Senator think that that would be the wise course to pursue in this instance?

Mr. SMOOT. Mr. President, I still believe that practice should be followed, although the former Vice President ruled that not only a joint resolution but also a bill could be introduced in the Senate and be acted upon without being referred to a committee or being reported by a committee. I wish to say that the only reason why I ask for the passage of the joint resolution at this time is because the joint committee does not feel like proceeding until the President appoints his representatives. If, however, the Senator objects in the least to the course I have suggested, I will ask that the joint resolution be referred to the Committee on Appropriations, so that it may be reported by that committee.

Mr. JONES of Washington. Mr. President—

Mr. SMOOT. I think the Senator is right. I fully agree with him. I think every joint resolution and every bill ought to be referred to a committee of this body.

Mr. JONES of Washington. I was going to suggest that the Appropriations Committee could and would report immediately, and I was just going to remark that I did not think the ruling of the Vice President would affect the matter. This is a joint resolution, exactly the same as a bill.

Mr. SMOOT. That is right.

Mr. JONES of Washington. I merely suggest that to the Senator from Utah.

Mr. SMOOT. Then there will be no question about it, and it will conform to what I think ought to be done in every case. The only reason why I asked for it is because the committee wanted to go to work at once. I do not think it will be delayed very long, and therefore I shall ask that it go to the Committee on Appropriations.

The VICE PRESIDENT. The joint resolution will be so referred.

Mr. WARREN subsequently said: Mr. President, on reading the joint resolution lately introduced by the Senator from Utah, I discover that it provides for the payment of expenses out of the contingent fund of the Senate. Therefore, on behalf of the Committee on Appropriations, I report it back, with the suggestion that it go to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. SMOOT. That is correct, Mr. President.

The VICE PRESIDENT. Without objection, the joint resolution will be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

STANDING COMMITTEES OF THE SENATE.

The Senate resumed the consideration of Senate resolution 43, submitted by Mr. BRANDEGEE.

Mr. HARRISON. Mr. President, coming back to the pending motion, that of the Senator from Alabama [Mr. UNDERWOOD], to refer the resolution on reorganization of committees to the Rules Committee, which I have attempted to speak on several times, but have given way to various Members, I propounded a parliamentary inquiry to the Chair the other day, when the question was before the Senate on an appeal from the decision of the Chair on the point of order that had been made by the Senator from Nebraska [Mr. HITCHCOCK], that the action of the Senate could not be taken on the resolution at that time because by the order of the Senate the resolution and the notice had been referred to the Rules Committee. The parliamentary

inquiry that I propounded to the Chair, and which was not answered at that time, was whether, when we got to a final vote on the resolution, it would take a two-thirds or a majority vote.

I thought the decision of the Chair as to whether or not it would take a two-thirds vote might influence certain Senators in voting on the appeal. Some Senator might take the position that a resolution offered on the floor of the Senate at any time, whether it was referred to a committee or not, could be moved for passage, but that it would take a two-thirds vote under the rules of the Senate; and so there may have been Senators who voted to sustain the Chair on the appeal the other day who believe that this resolution, as now pending on the motion for passage, will require a two-third vote.

Personally, I have not the slightest doubt it takes a two-thirds vote to pass this resolution in the Senate. I have not heard the distinguished Senator from Connecticut or any other Senator discuss that proposition yet; but when it comes to a final vote on the resolution I hope the Chair will follow the precedents and follow the rule as laid down in the Manual, and hold that it takes a two-third vote to pass it.

Of course we can expedite the matter, and save any decision of the question upon the part of the Chair if a majority of the Senate should vote with us to refer this resolution to the Rules Committee.

It has been charged that there is some opposition to this resolution for the purpose of delay. That is not true. We are trying to follow the orderly procedure of the Senate in this matter. I do not recall any resolution having as its object a permanent change in the rules of the Senate that was not referred to the Committee on Rules. That is what the Committee on Rules is constituted for. I see in the RECORD of May 26, 1920, that the junior Senator from Pennsylvania [Mr. KNOX], when he sought by resolution to change the rules of the Senate so as to reduce the committee assignments from various numbers down to 15 or 13, as the case may be, and eliminate certain standing committees of the Senate, offered it, as shown on page 7665, and said:

I desire to give notice that it is my intention to propose an amendment to the standing rules of the Senate, Rule XXV, to the extent and in the manner indicated by the notice. I ask that it be read.

And the resolution introduced by him was referred to the Committee on Rules, was in regular order reported favorably out of the Rules Committee, and then placed upon its passage through the Senate.

I notice that on May 27, 1920, the Senator from Pennsylvania [Mr. KNOX], as shown by the CONGRESSIONAL RECORD of that time, said:

Yesterday I gave notice of a proposed amendment to Rule XXV. Pursuant to that notice I submit a resolution and ask that it be referred to the Committee on Rules.

The resolution (S. Res. 375) proposing to amend Rule XXV of the Standing Rules of the Senate was referred to the Committee on Rules.

That is the resolution that proposed to reduce the numbers on the committees and to eliminate certain committees.

Mr. KNOX. I submit a favorable report from the Committee on Rules on the resolution, and I ask unanimous consent of the Senate for its immediate consideration, with the understanding that if it should provoke debate and discussion of any kind I will yield the floor.

Mr. SMITH. Mr. President, may I ask the Senator on what date the resolution was referred—on the same date that it was introduced or a subsequent date?

Mr. HARRISON. The notice was given on the day before. The orderly procedure of the Senate was followed in this instance. The Committee on Rules had a meeting on the resolution and unanimously reported it out, and it came on the floor of the Senate and was passed just as every other resolution has been passed that proposed to change permanently the rules of the Senate.

That is all we are trying to do in this case. We are trying to follow exactly the procedure that was followed under the leadership of the Senator from Pennsylvania at the last session of the Senate in changing the rules of the Senate. We are not asking the majority to do anything other than what was done by your side during the last session of the Senate. We are not revolutionary. We want the Senate to follow in an orderly way, if they desire to amend the rules of the Senate, the line that is laid down by the rules of the Senate themselves.

In the debate that followed in May, 1920, we find this discussion:

Mr. SMOOT. I should want to have the report read first—

When Mr. KNOX presented it—

so that we may know just what changes are proposed to be made in the rule.

Mr. KNOX. That would require either the reading of the report or a short explanation, and a very brief explanation can be made. It merely involves the proposition which I shall state.

And then he stated it:

The Committee on Rules unanimously, 10 members of the 12 being present, have recommended to the Senate that the number of standing committees shall be reduced about 40 and cut out all the committees that rarely if ever meet. We have likewise reduced the membership of the principal committees of the Senate. Those which are known as the major committees, being 10 of the most important committees, have been reduced to the uniform number of 15, and the less important committees have been reduced proportionately.

Then the Senator from Washington [Mr. JONES] said:

Will the Senator permit an interruption? I am heartily in favor of the Senator's proposition. I fought for it through two or three Congresses, and finally got the salaries of the employees of the committees on an equal basis. This, I was sure, would bring about this result. * * *

Mr. KNOX. I anticipated that there might possibly be an objection, and if there is I will withdraw the request for the present consideration of the resolution.

Then the Senator from Alabama [Mr. UNDERWOOD], the leader on this side, cooperating with the Senator then in charge of the resolution, said:

Without intending to discuss it, I wish to say, as a member of the Committee on Rules, that the report is unanimous, and I think it is very necessary that this reform should be made in the interest of the business of the Senate. I hope the resolution can be passed without discussion at this time.

Mr. KNOX. I might state to the Senate that it is not proposed to go into effect until the beginning of the Sixty-seventh Congress, when the committees will have to be recast under the rules. It makes no change in the committees of the present Congress. I ask for the adoption of the resolution.

Then, without objection, the resolution was adopted.

That was the procedure that was followed at the last session, when you proposed to cut down the number on the committees and eliminate certain committees, when you proposed to change the rules of the Senate permanently so as to carry out that idea. Now, what is proposed here? You propose to increase by one 10 of the committees that you reduced under that resolution at the last Congress. If it was right and orderly and proper to follow that course as it was followed by the Senator from Pennsylvania during the last session, why is it not the proper course, when you propose to increase the membership at this time, to refer the resolution to the Committee on Rules and let it go through the same program this time?

I make this statement merely in answer to those who have said that we are trying to do an unprecedented thing, that we are trying to delay the business of the Senate. No; we are demanding that the orderly procedure of the Senate, the rules of the Senate, be complied with, and that the same procedure be followed that has been followed in the past.

So, under every argument and under every line of reasoning, this resolution should be referred to the Rules Committee. I judge, from the remarks of the Senator from Connecticut the other day, that he feels that the Rules Committee has nothing to do with this proposition; that it is in the hands of the powerful committee on committees; and that he, as chairman of that committee, having been instructed by the membership of that committee and by a Republican conference to report this resolution in this form, the Rules Committee by virtue of that has nothing to do with it.

We know that the Rules Committee does not make the designations of members on the various committees, but the Rules Committee is the proper committee to change permanently the rules of this body; and if you elect to follow any other course, and just present a resolution, and on that file your motion for its passage, under the rules of the Senate you must have a two-thirds majority in order to do it.

There are instances when resolutions to suspend the rules of the Senate do not have to go to the Rules Committee, and that course has been followed time and time again in this body. It is laid down in another rule of the Senate; but when that procedure is attempted it takes a two-thirds vote to suspend the rules, and what you are attempting to do in this instance or what the Senate is attempting to do in this instance is to suspend the rules, so far as this resolution is concerned, when it withholds the resolution from going to the Rules Committee, and attempts to pass it without that formality.

There is a precedent touching this proposition. In the Sixty-third Congress, third session, page 56 of the Journal—CONGRESSIONAL RECORD, 1503—you find that this case was presented to the Senate: Some appropriation bill was before the Senate for consideration, and the Senator from Texas [Mr. SHEPPARD] offered an amendment touching prohibition, on which he was going to move to suspend the rules and take up his amendment for consideration in the consideration of that bill.

He asked that it be referred to the Rules Committee. It was referred to the Rules Committee. The Rules Committee reported it back to the Senate, and the question then came up whether or not it would take a two-thirds vote to adopt the

Sheppard proposition or take a majority vote. It was argued by some that since it had gone to the Committee on Rules, and they had reported it, it only took a majority vote. It was argued by others that since it was a motion to suspend the rules, it took a two-thirds vote.

Mr. BRANDEGEE. Mr. President—

The VICE PRESIDENT. Does the Senator yield to the Senator from Connecticut?

Mr. HARRISON. I yield.

Mr. BRANDEGEE. Was it a motion to suspend the rule?

Mr. HARRISON. It was a motion to suspend the rule; yes.

Mr. BRANDEGEE. Then, of course, there is no question that it took a two-thirds vote.

Mr. HARRISON. There was a very great difference of opinion there.

Mr. BRANDEGEE. I say, I agree with the Senator that it took a two-thirds vote.

Mr. HARRISON. But there were several on the other side of the aisle who did not believe that it took a two-thirds vote and who contended that it took only a majority vote of the Senate.

Mr. BRANDEGEE. Suppose there were; what force does that have in this argument?

Mr. HARRISON. If the Senator will just follow me—

Mr. BRANDEGEE. I will endeavor to do so.

Mr. HARRISON. I hope so. But they base their contention on the fact that this resolution, having been reported by the Committee on Rules, when the Rules Committee made a report changing the permanent rules of the Senate, it took only a majority vote. If in this instance that had been followed, it would have only taken a majority vote.

Several Senators spoke on that resolution. I want to read part of that debate. Mr. LODGE, in the course of that discussion, said:

Mr. President, the rule which it is proposed to suspend contains no provision as to the majority requisite for its suspension. On the face of it it might be inferred that that meant that it could be done by a vote of a bare majority.

I think in this connection it is well to consider the practice of the Senate and just what this action would mean. It is always a risk to speak from memory, but in the nearly 22 years that I have had the honor to serve in the Senate I have never seen an attempt made to suspend the rules for any purpose, and especially not for the purpose of putting what is known as a rider, general legislation, and out of order under our rules, upon an appropriation bill. Therefore, Mr. President, I think that it is only reasonable to consider what I believe to be the universal practice in parliamentary bodies in regard to changes in the rules.

So far as my knowledge extends, in all parliamentary bodies of which I know anything, a vote larger than a majority is required to suspend the rules.

That is what they proposed to do here. If they allow this resolution, which proposes to change the permanent rules of the Senate, to be referred to the Rules Committee, and they should report it back here, it would take only a majority vote in that instance to pass the resolution; but when they elect to depart from the instructions laid down in the rule and move to pass the resolution without the resolution going to the Rules Committee, then to that extent they propose to suspend the rules of the Senate, and require a two-thirds vote.

Mr. BRANDEGEE. Mr. President, I am free to say that I can not follow the Senator, though I promised to do the best I could. But what I want to ask him is this, Does he not see the distinction between changing a rule and suspending a rule?

Mr. HARRISON. Indeed, I do, and that is what I have been arguing. I have not been as forceful as I should have been or certainly the Senator would have seen there is quite a difference.

Mr. BRANDEGEE. It may be that I am dense and obtuse about this thing.

Mr. HARRISON. No; the Senator is never dense about any proposition.

Mr. BRANDEGEE. Let me ask the Senator if he considers the proposition presented by the pending resolution to be a suspension of the rule?

Mr. HARRISON. This is not to tack on something temporarily, but you propose to change the rules permanently. When you increase the number on these committees, it shall abide as a rule of the Senate, so far as that is concerned, throughout this Congress.

Mr. BRANDEGEE. And until changed.

Mr. HARRISON. Yes. The proper way, under the rule, when you propose to change the rules, is to refer the resolution to the Rules Committee. You elect not to do that. You are not going to follow the rule in that particular. You move to suspend the rule to that extent, and pass the resolution, and when you do, it takes a two-thirds vote.

Mr. BRANDEGEE. Mr. President, I disavow having made any such motion.

Mr. HARRISON. The Senator moved to pass his resolution, or take it up for consideration.

Mr. BRANDEGEE. I have offered a resolution, which I think can be passed by a majority vote, like any other Senate resolution. If the Senator wants to move to suspend any rule, he can do it, but if he does, it will take a two-thirds vote. But I do not want to suspend any rule. I want to change the rule, and a change of the rule can be made, of course, by a majority vote, just as anything else can be done by the Senate by a majority vote, unless there is some rule that compels a larger vote.

Mr. HARRISON. We just differ about that.

Mr. BRANDEGEE. Of course. I regret it, but I assume we do differ.

Mr. HARRISON. I do not care whether you call it a motion to suspend the rule and pass your resolution or not, the fact is that when you elect to move to take it up for consideration, and then put it upon its passage, it has the same effect as suspending the rule, because if it had gone in its orderly way it would have been referred to the Rules Committee and reported back, and in that instance it would have taken only a majority vote.

Mr. BRANDEGEE. Let me ask the Senator if he does not admit that Rule XL provides that a rule can be amended after one day's written notice on the floor of the Senate?

Mr. HARRISON. Yes.

Mr. BRANDEGEE. Without any reference to a committee. Does the rule require that a motion to suspend any rule shall be made first in order to make it in order?

Mr. HARRISON. It has been the universal practice, not only of the Senate but of the House, that resolutions changing permanently the rules shall be referred to the Rules Committee, just as bills and resolutions are referred to their appropriate committees, and if you choose not to have the proper reference, but to put them upon their passage without going to a committee, then your motion has the effect of suspending the rule, so far as that is concerned, and it takes a two-thirds vote.

Mr. BRANDEGEE. If the Senator will allow me, I simply desire to give my theory about it. When I gave notice that I would move to change the rule the next day, and when I stood up here the next day and made the motion, I moved that the rule be changed by the adoption of the resolution. That is a mere method of doing it. I could just as well have read my resolution verbally and said, "I make this motion." I did make the motion. I could have said, "I move as follows," and made the resolution a part of my motion, which it really is. There would not have been any resolution about it. The resolution is merely a vehicle of expressing in words my motion. Now, to claim that that takes a two-thirds vote, when a majority of the Senate can do anything at any time by a Senate resolution, unless there is some rule which requires a larger majority, is something I can not comprehend.

Mr. HARRISON. I was going to read some views of Senators who differ with the Senator as to that.

Mr. BRANDEGEE. I hope the Senator will not feel that there is anything personal about this matter between him and me.

Mr. HARRISON. Nothing in the world. I love the Senator.

Mr. BRANDEGEE. I am simply trying to see if we can get to a meeting of minds; or, if they can not meet, to see where they diverge; that is all.

Mr. HARRISON. I am afraid our minds will never meet on this proposition. I was quoting from Senator LODGE, who said:

So far as my knowledge extends, in all parliamentary bodies of which I know anything, a vote larger than a majority is required to suspend the rules.

In my own State, in the legislature, it requires a two-thirds vote, and after a certain date in the session on the question of suspending the rules against the introduction of new business it requires a four-fifths vote. In the House of Representatives two-thirds is established by their rules as necessary to suspend the rules, and, if I am not mistaken, that is the rule of the Democratic national convention. That general practice, of course, rests upon a sound basis.

He further said, in answer to a question propounded by Senator James:

That is simply an illustration of the general practice to which I have referred; and the ground on which that general practice rests is the sound ground that if the rules are to be suspended by a majority vote there are no rules. The suspension of the rules must have a greater sanction than an ordinary matter.

Mr. President, in my judgment the question of suspending a rule by a majority of votes is infinitely more important than the question subsequently involved. If we pull down our rules in this way, and particularly if we allow the rules to be suspended for the purpose of permitting Senators to attach general legislation of any sort or kind to appropriation bills, the appropriation bills will find great difficulty in becoming laws even in the longest session we can hold.

I need not enter on the essential viciousness, as it has always been held, of placing general legislation on appropriation bills except in cases of emergency. Here it is proposed to take down the entire protection surrounding appropriation bills and to throw them open to the action of a majority. A decision that the rules can be suspended by a majority would, in my opinion, destroy the force of every rule governing our procedure.

It seems to me that it is within the power of the Senate, as the Chair has so well said, to settle this question for itself, and to settle it now. It is not so much a question of whether by technical argument we can bring a decision by a bare majority within the letter of the rule as it is a question of whether the Senate means to make a radical change in its whole method of conducting legislation. Therefore, Mr. President, I sincerely trust that the Senate will protect itself and protect its rules by requiring a two-thirds vote to suspend the rules on the first occasion, so far as I know, when an effort has been made to suspend them by the vote of a bare majority.

Speaker Reed in writing on general parliamentary law said:

Unless the rules themselves provide for their own suspension, they can be suspended by unanimous consent only. It is usual to provide that under certain circumstances and at certain times two-thirds may suspend the rules.

Mr. Root in discussing this proposition said:

Mr. President, I should be sorry to postpone further the report of the rural-credits bill, but I think I am justified in calling the attention of the Senate to the observations of a great political leader and statesman whom some of our Members are too apt to forget. I will take the liberty of reading to the Senate the first section of Jefferson's Manual. I am going to read it because it seems quite clear that the question which is now to be presented is not a question as to what the rule of the Senate shall be, but it is a question whether the Senate shall be bound by its rule.

We all agree that the rule which prohibits general legislation upon an appropriation bill is a wise and salutary rule. We would none of us be willing to withdraw the protection of that rule from the public business. We intend to continue that rule and to insist upon its application in all matters in which we do not individually wish to violate it, and the question now before the Senate is whether whenever a majority of us wish to violate it it shall be held for naught. Mr. Jefferson says:

"Mr. Onslow, the ablest among the speakers of the House of Commons, used to say it was a maxim he had often heard when he was a young man, from old and experienced members, that nothing tended more to throw power into the hands of administration and those who acted with the majority of the House of Commons than a neglect of or departure from the rules of proceeding."

Mr. WILLIAMS. Mr. President, do I understand my colleague to be reading an approval by former Senator Root of an opinion by Mr. Jefferson?

Mr. HARRISON. Yes; that is what this purports to be. Mr. Root continues, reading from Mr. Jefferson:

"That these forms as instituted by our ancestors operated as a check and control on the actions of the majority, and that they were in many instances a shelter and protection to the minority against the attempts of power.

"So far—"

Says Mr. Jefferson—

"So far the maxim is certainly true, and is founded in good sense; that as it is always in the power of the majority, by their numbers, to stop any improper measures proposed on the part of their opponents, the only weapons by which the minority can defend themselves against similar attempts from those in power are the forms and rules of proceeding which have been adopted as they were found necessary, from time to time, and are become the law of the House, by a strict adherence to which the weaker party can only be protected from those irregularities and abuses which these forms were intended to check and which the wantonness of power"

Says Mr. Jefferson—

"is but too often apt to suggest to large and successful majorities. And whether these forms be in all cases the most rational or not is really not of so great importance. It is much more material that there should be a rule to go by, than what that rule is; that there may be a uniformity of proceeding in business not subject to the caprice of the Speaker or captiousness of the Members. It is very material that order, decency, and regularity be preserved in a dignified public body."

Then this distinguished Senator said:

Mr. President, it is not because the party to which I belong is in the minority; it is because I know that the swing of the pendulum to and fro will some time or other, sooner or later, bring that party again into a majority. I hope when that time comes it may be preserved from the temptation to the arbitrary and unjust use of power.

The protection of the minority to-day is the protection of the other side to-morrow. The rules which saved my friends upon the other side of the aisle from the enactment of the force bill are invoked to-day for the protection of the minority upon the other side of the aisle. Above the minority and above the majority is the orderly restrained exercise of the power of government in such a way as to protect all rights and to save men who have the power for the moment from the temptations that accompany power.

So I submit that under the rules of the Senate this resolution should have gone to the Rules Committee, been reported out of the Rules Committee, and then in an orderly way a vote taken upon it; and if a majority voted for it, then it would prevail.

But when the Senator, as he is attempting to do, offers his resolution without the resolution going to the Rules Committee, moves then its consideration, and then eventually moves its passage, it is equivalent to a motion to suspend the rule; I contend that it will then require a two-thirds vote to pass the proposition.

Here is what is said in Gilfrey's Precedents of the Senate:

The report of the Committee on Rules to suspend, in accordance with Rule XL, clause 3 of Rule XVI, being before the Senate,

Mr. HITCHCOCK raised the question that it required a two-thirds majority to suspend the rule.

The Senator from Nebraska raised the question that it required a two-thirds vote to pass that rule even after it had been referred to the Rules Committee and reported favorably by the Rules Committee to the Senate.

The VICE PRESIDENT (Mr. Marshall). The Senator from Texas moves the adoption of the report of the Committee on Rules. The Senator from Nebraska raises the point of order that a two-thirds majority shall be held necessary to suspend the rules.

The Constitution of the United States provides—

Said the Vice President—

that "each House may determine the rules of its proceedings." The Senate has assumed the right to be a self-governing body, and under this clause of the Constitution has made its own rules, and has so sedulously guarded its prerogatives that it has even reserved the right to appeal from the decision of the presiding officer; it pays no attention to anything that the presiding officer says or to any opinion he has if it does not happen to coincide with the view of the Senate.

The present presiding officer believes that the Senate has reserved to itself the exclusive right to say what the rules are, how they may be adopted, and how they may be abrogated or temporarily laid aside. The present presiding officer does not believe that it is within the province of the present occupant of the chair to determine whether Rule XL should be strictly construed in accordance with the literal language thereof or whether the Senate of the United States proposes to construe the same in accordance with well-known parliamentary procedure. The Chair therefore submits to the Senate the determination of the question as to whether or not it requires a two-thirds majority to adopt the report of the Committee on Rules providing for a suspension of a certain rule.

On that proposition the yeas were 41 and the nays were 34. So the question of order was sustained, and the Senate by its own action said in that instance, even after the Rules Committee had reported out a rule favorably, it took a two-thirds vote to pass the proposition. So I submit that in this instance, considering the manner in which the Senator from Connecticut has proceeded, it will require a two-thirds vote in order to pass the proposition.

I can not understand why the majority should take the course that they have in trying to put this proposition through the Senate in this way. I am not unmindful of the fact that when the action of the Rules Committee and the Senate in May of last year reduced the membership of the committees from 20 in some instances to 15, and from 17 to 13, and so forth, that it was given out to the country that it was going to effect great economy and the saving of much expense to the Government, that it would create an interlocking system, so to speak, so that the business of the Senate could be transacted in a better way.

I have before me a copy of the Washington Post of April 2 of this year, some 10 or 12 days before the introduction of the resolution on April 12, 1921. In that issue of the paper—and I take it it is the administration mouthpiece—we see on the front page that the Republican leadership "ends 41 committees," and then the headlines said:

BRANDEGEE'S report ready for Republican Senate caucus.

Drastic changes are made.

Far more compact body than in former years to be result.

Concentration devised in order that response may be quick to party leadership.

System creates what might be called interlocking directorate.

Some bitter contest to hold posts.

Then there appears the list of the various committees, 10 days before the introduction of the resolution proposing to change the rules of the Senate increasing the number that might go on the various committees. Let me read:

When the Senate organizes, with the meeting of the new Congress, it will be a far more compact and responsible legislative body than it has been in recent years. Drastic changes in its committee forms have been made, under the Knox resolution, and in instances some of the most prominent Republican leaders have been shorn of their places and privileges.

While in this process of concentration some Senators have lost important committees; examination of the new list will show that there has been devised a system which in effect creates an interlocking senatorial directorate which can hardly fail to make for the more orderly and efficient conduct of the business of the Senate. This is highly desirable, in order that the Senate may quickly respond to party leadership in a period now opening, which is bound to be marked by the consummation of a legislative program of the utmost importance to the entire Republican organization.

Then the paper states the fact that of the 34 new committees only 10 are major committees with a membership of 16 each, of which 10 members are to be Republicans and 6 Democrats.

This paper carried the news of an increase in the membership of various committees before anyone on this side of the aisle, I dare say, had been informed of the action of the majority.

Then in order to create the impression in the country that they were effecting great reforms by the resolution that was passed in May of last year creating these interlocking directorates and reducing various committees and eliminating others, the Post said:

The reduction in the number of Senate committees will mean a considerable saving in the expense of the Senate. It is a reform which has long awaited attention. The complete list of Senate committee assignments under the new plan in the next Congress is as follows.

So, on the one hand, we see an impression attempted to be created in the country that the other side of the aisle is

effecting a great reform by reduction of committees and yet one of the first actions taken by the majority is to increase the membership again.

Mr. WILLIAMS. Would my colleague mind telling us the name of the author of the article in the Washington Post?

Mr. HARRISON. The author of the article is George Rothwell Brown. Mr. Brown wrote the article and I have no doubt that the information that he conveyed to his readers was gathered from certain Senators on the other side who really believed that a reform was to be effected, that some saving to the taxpayers of the country was coming about through reduction of the committees. But the proposition that I deprecate is that they attempt to create that impression in the country in reducing the committees, and yet here in—I will not say a high-handed fashion, but I will say not in an orderly way—they attempt to increase the number of committee places on the various 10 important committees.

I sincerely hope that the resolution will go as other resolutions heretofore proposing to change permanently the rules of the Senate have gone—to the Rules Committee—and let them consider the proposition. They are not going to take away any of the power that has been vested in the chairman of the committee on committees. We recognize that the Rules Committee has nothing to do with that, but we can discuss the proposition in that committee and then report back the resolution in its original form, or with amendments if reasonable argument should prevail on the majority members of the committee.

So if the motion made by the Senator from Alabama should be defeated, then I hope that the Chair will follow the precedents and the rules of the Senate and hold that it takes a two-thirds vote to pass the original resolution as offered by the Senator from Connecticut.

The VICE PRESIDENT. The question is on the motion of the Senator from Alabama [Mr. UNDERWOOD].

Mr. HARRISON. On that I ask for the yeas and nays.

Mr. UNDERWOOD. Mr. President, I understand the pending motion does not go to the question that has just been raised by the Senator from Mississippi on the matter of order. That will be on the final vote. I have no further discussion that I desire to present on the motion pending before the Senate, but on that motion I demand the yeas and nays.

The yeas and nays were ordered.

Mr. UNDERWOOD. Will the Chair state the pending question?

The VICE PRESIDENT. The question is on the motion of the Senator from Alabama to refer the pending resolution to the Committee on Rules.

The reading clerk proceeded to call the roll.

Mr. HARRIS (when his name was called). I have a pair with the junior Senator from New York [Mr. CALDER]. I transfer that pair to the senior Senator from Texas [Mr. CULBERSON] and vote "yea."

Mr. SUTHERLAND (when his name was called). I have a general pair with the Senator from Arkansas [Mr. ROBINSON]. I transfer that pair to the Senator from California [Mr. JOHNSON] and vote "nay."

Mr. WILLIAMS (when his name was called). I have a standing pair with the senior Senator from Pennsylvania [Mr. PENROSE], who unfortunately is not able to be present in the Chamber. I transfer that pair to the Senator from New Mexico [Mr. JONES] and vote "yea."

The roll call was concluded.

Mr. DILLINGHAM. I have a general pair with the Senator from Virginia [Mr. GLASS], which I transfer to the Senator from Pennsylvania [Mr. KNOX] and vote "nay."

Mr. McCUMBER. I transfer my general pair with the junior Senator from Utah [Mr. KING] to the junior Senator from Nevada [Mr. ODDIE] and vote "nay."

Mr. McLEAN (after having voted in the negative). I have a pair with the senior Senator from Montana [Mr. MYERS]. In his absence I transfer that pair to the Senator from Idaho [Mr. GOODING] and will let my vote stand.

Mr. EDGE. I transfer my general pair with the senior Senator from Oklahoma [Mr. OWEN] to the junior Senator from Vermont [Mr. PAGE] and vote "nay."

Mr. HALE. I transfer my pair with the senior Senator from Tennessee [Mr. SHIELDS] to the senior Senator from Maine [Mr. FERNALD] and vote "nay."

Mr. HARRISON (after having voted in the affirmative). I have a general pair with the junior Senator from West Virginia [Mr. ELKINS]. I transfer that pair to the junior Senator from Rhode Island [Mr. GERRY] and allow my vote to stand.

Mr. CURTIS. I am requested to announce that the Senator from New Jersey [Mr. FRELINGHUYSEN] is paired with the Senator from Montana [Mr. WALSH].

The result was announced—yeas 26, nays 45, as follows:

YEAS—26.

Broussard	Heflin	Reed	Underwood
Caraway	Hitchcock	Sheppard	Walsh, Mass.
Cummins	Kendrick	Simmons	Watson, Ga.
Dial	McKellar	Smith	Williams
Fletcher	Overman	Stanley	Wolcott
Harris	Pittman	Swanson	
Harrison	Ransdell	Trammell	

NAYS—45.

Ball	Harrell	McNary	Stanfield
Brandegge	Jones, Wash.	Moses	Sterling
Bursum	Kellogg	Nelson	Sutherland
Cameron	Kenyon	New	Townsend
Capper	Keyes	Nicholson	Wadsworth
Colt	Ladd	Norbeck	Warren
Curtis	La Follette	Norris	Watson, Ind.
Dillingham	Lenroot	Phipps	Weller
Edge	Lodge	Poindexter	Willis
Ernst	McCumber	Shortridge	
France	McKinley	Smoot	
Hale	McLean	Spencer	

NOT VOTING—25.

Ashurst	Gerry	McCormick	Pomerene
Borah	Glass	Myers	Robinson
Calder	Gooding	Newberry	Shields
Culberson	Johnson	Oddie	Walsh, Mont.
Elkins	Jones, N. Mex.	Owen	
Fernald	King	Page	
Frelinghuysen	Knox	Penrose	

So Mr. UNDERWOOD's motion to refer the resolution to the Committee on Rules was rejected.

The VICE PRESIDENT. The question recurs on agreeing to the resolution.

Mr. BRANDEGEE. I offer the amendments to the resolution which I sent to the desk the other day.

The VICE PRESIDENT. The first amendment proposed to the resolution by the Senator from Connecticut will be stated.

The ASSISTANT SECRETARY. On page 2, line 2, before the word "Senators," it is proposed to strike out "13" and to insert "15," so as to read:

Committee on Banking and Currency, to consist of 15 Senators.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Connecticut.

The amendment was agreed to.

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

The ASSISTANT SECRETARY. On page 4 it is proposed to strike out lines 19 and 20, as follows:

Committee on Revision of the Laws, to consist of three Senators.

The VICE PRESIDENT. Without objection, the amendment is agreed to. The question now is on agreeing to the resolution as amended.

Mr. UNDERWOOD. Mr. President, on page 1, line 8, after the word "of," I move to strike out "16" and to insert "17," so as to read:

Committee on Appropriations, to consist of 17 Senators.

I merely ask for a division on the amendment, Mr. President. I shall not delay the Senate with a roll call.

The question being put, on a division the amendment was rejected.

The VICE PRESIDENT. The question now is on the resolution as amended.

Mr. UNDERWOOD. I ask for the yeas and nays on the adoption of the resolution.

Mr. REED. Mr. President, I do not intend to delay the vote except for a moment. I appealed to the majority the other day not to take this course. It is in violation of the old and established custom of the Senate, a custom that was grounded on very excellent reasons and which had been observed for many years. It seems to me that in a body of this kind we ought not to draw hard and fast political lines in the matter of the organization of the body itself—I mean draw them to the extent of denying to a minority an absolutely fair representation. That appeal and the appeal that has been made by others have fallen upon deaf ears. For the first time, so far as I know, in the history of this body a majority proposes to exercise its power so that it will possess an overmastering majority upon every committee. The purpose can not be concealed, and it is in order that that purpose may be recorded that I desire to say just a few words.

The purpose is to place in the hands of the majority among the Republicans the absolute control of every committee, so that if there are differences of opinion arising within the Republican Party itself the dominant majority of the Republican Party can be absolutely sure of putting every measure that it

desires through every committee. We can talk about this question being mathematical—mathematics, by the way, which has its basis in taking one Democrat off and putting one Republican on in order to make the figures come out right—but the purpose will be understood by this country, and it is the purpose which I have already described.

I venture the prediction that this act of intolerant and arbitrary exercise of power will in the end be a curse to the Republican majority itself; that it will provoke discontent in the ranks of that party; that those elements of the party which have hitherto occasionally manifested a disposition of independent judgment, finding themselves deprived of any power to produce results, will become discontented and disgusted, and that the machine now being organized for the purpose of absolutely controlling the business of the Senate will become as obnoxious to them as it can possibly be to the Democratic side.

I venture the further prediction that when the political pendulum swings the other way, as it will—for this lease of power is only temporary; it is always temporary—there will be a disposition then on the Democratic side to exercise their powers in an equally arbitrary fashion, and that this is the beginning of the breaking down of that spirit of give and take which has characterized the Senate for many years.

I know there are men who think that the Republican Party is installed in power for the next century. I heard some Democrats eight years ago talk that sort of nonsense with reference to the Democratic Party; but we found, those who indulged that idea, that we were mistaken. The Republican Party was swept into power this time by a great popular vote. That popular vote changed a Democratic plurality of a million into a Republican plurality of nearly eight million. That same vote is liable at any time to change a Republican majority into a minority. So I regret that this action is taken. It is arbitrary. It is unfair. While I can think of many other adjectives to apply to it, they would hardly be parliamentary.

I suppose it will be a great source of satisfaction when the revenue measures come forward to be absolutely certain that you can count a majority, even though one or two of your own members think that the questions are of doubtful propriety or that the proposition is injurious. I presume that you can organize the Senate so that you can ride roughshod over a minority. I think you are going to do it. I think all this debate has been useless. I think the first men who will have the iron enter their souls will be the so-called progressive Republicans. I do not like to use this expression, but it is the only one I know of that covers it. You have yourselves voted to-day to hog tie yourselves, and you will be in the position of prisoners chained to the chariot wheels of the dominant element of your party, and you will be led in triumph; that is, in their triumph, not in yours.

Mr. President, I simply wanted to make this protest. I think I have shown by my vote in this body on many occasions that while I am a Democrat, I have reserved the right to follow my own judgment on great questions that I did not regard as party questions.

Mr. WILLIAMS. Mr. President—

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Mississippi?

Mr. REED. I do.

Mr. WILLIAMS. Mr. President—

Mr. REED. I yielded for a question. Does the Senator want to ask a question?

Mr. WILLIAMS. No.

Mr. REED. Oh, well, I shall be through in a moment.

Mr. WILLIAMS. I thought the Senator had quit.

Mr. REED. I was about to sit down, but I have not sat down yet.

Mr. WILLIAMS. Mr. President—

Mr. REED. Mr. President, I yield the floor. I had not yielded the floor, but I am glad to do it.

Mr. WILLIAMS. I thought the Senator had, because he said "in conclusion."

Mr. President, one of the most instructive chapters or books, perhaps, in the history of the world is a chapter or book relating to the history of parliamentary government. It is a history of a majority in power and a minority in opposition, and whenever there is lacking a distinct majority in power or a distinct minority armed with a common purpose of opposition free government fails.

The Senator from Missouri is wrong in one respect. A man can not be a member of a great minority party and still oppose the purposes of that party, nor can a man be a member of a great majority party and still oppose the purposes of that party. A man may be simply himself, without any connection with

either party, and stand out as John Smith or Jacob Thompson, "here I am," but he can have nothing to do with a majority unless he is a part of the majority, nor with a minority unless he is a part of the minority.

Mr. President, the English-speaking race has risen to its present predominance all over this earth by obeying the loyalty of party government; but there is an exception to the rule. In every legislative assembly there is an apparent majority and an apparent minority. There may be a real majority working against the apparent majority, and there may be less of a real minority than the roll call discloses. What I want to say is this: In this Senate there will be a so-called Republican majority and a so-called Democratic minority, and there will be a real majority of the Senate and a real minority of the Senate, composed of members of both parties. A great many men upon the majority side, placed there nominally by popular election, will be members of a minority of the majority, and some few men after every election will be a minority of the minority. It may so happen very frequently that a majority of the majority plus a majority of the minority will constitute a majority of the body. It may very frequently happen that the entire minority, plus a minority of the majority, will constitute a majority of the body. Now, if you are going to have majority government, which is democratic government, you must have your rules so fixed that a real working majority may have itself heard.

Years ago I went through, in another branch of this Government, this sort of thing, when they had it so highly organized that a majority of 3 in a majority could withstand a minority of minus 3 plus a majority of the entire minority, controlling the entire body through the committees. It led to the downfall of Cannonism after a while, and to the downfall of the Speakership in the other body. That is just about the course you are marking out. It is very probable that within the next four years a solid minority, or very nearly a solid minority, plus a respectable minority of the majority may constitute a majority of this body; but when you constitute these committees in the way you do they can not act as a majority of this body. Their reports, their bills, everything, will be the reports of a majority of the majority, but not a majority of the Senate. Then will come your downfall. In other words—in nigger parlance—you will have "bitten off more than you can chew" before you get through.

We went through with all that in the House years ago. They ran that thing to its extreme limit. The Senator from Connecticut [Mr. BRANDEGEE] was then a Member of the House, and helped run it to its extreme limit. He is smiling now. Perhaps he thinks he can run it to its extreme limit again. Dooliver rose up from the great State of Iowa, and the Senator from Nebraska [Mr. NORRIS] rose up in those days, and a few other men, and there are a few of you now that are waiting to rise up, and at the proper time a Democratic minority plus a minority of the Republican majority, constituted then as they may constitute now a majority of the entire body. In that case, if they can not report the bills out of committees, they can beat bills in the Senate; and when the defeat begins it will not be merely a defeat, a mere rout, it will be a revolution.

*Dies irae, dies illa,
Saeclum solvet in favilla.*

Mr. BRANDEGEE. Mr. President, I am almost overwhelmed with these dire predictions of calamity about to develop within the Republican ranks, and of the Republican Party being about to dissolve; but I understand, and the Senator from Missouri and the Senator from Mississippi understand that I understand, that this is all purely professional.

Mr. President, if either of those Senators who are predicting disaster for the Republican Party because we do not give two or three more Democrats places on important committees really believed what they are predicting, they would be the first to rush to vote for this resolution of mine; but of course they do not believe a word of it, and there is not a word of truth in it. But, whether there is or not, the Republican Party is in power. As the Senator from Mississippi expressed it the other day, we are in and he is out, and it is our business to try to have a constructive program and put our measures into effect. In order to do that, we must have control of the committees that are to carry out the policies of the administration. Now, that is not tyranny; that is representative government, the rule of the majority; and we have done one thing, at any rate. We have adopted the maxim of the god of the Senator from Mississippi, Thomas Jefferson. We have rendered equal and exact justice to all men on the floor of this body, mathematically equal; I will not say retributive.

Mr. President, the country holds us responsible, and if it does, it is fair that we should have the instrumentalities with

which to carry out the policies of the party. We are not doing this in any vindictive spirit. The Senators on the other side were perfectly satisfied to have 6 members on every one of the major committees, when the rule was that each committee should be composed of 15 members. They still have their 6. They made up their list before the Senator from Alabama [Mr. UNDERWOOD] went to Bermuda to bask in the sunshine and bathe in the waters of that beautiful subtropical island. His list remains as it was. We have not deprived him of a thing. We have simply put one more Republican on each committee. That is the great national issue involved; that is the tyranny; that is the ruthlessness which the Senator from Mississippi foresees, and that is what is to split the Republican Party and put the Democratic Party in full power again. If that does it, so be it. I welcome the issue.

I believe in the intelligence of the American people. The Republican Party, of course, will go out of power some day. I remember eight years ago, in 1912, when we came back here, and we were out, and you were in, and the pulchritudinous Senator from North Carolina [Mr. OVERMAN], who now refreshes the galleries with his senatorial beauty, met me at the door here and assured me that the Democratic Party was in power for the next 50 years, and wanted to know what I meant, being a corpse and buried, in walking around here and pretending to be alive.

Times change and men change with them. We may go out, of course, but if we do we will do it as your honored Vice President told the Gridiron Club he would go out of Washington with a smile on his face and with a brave heart. Whenever the public get tired of the Republican Party, of course, they will put them out. They have an awfully poor alternative, of course. Generally those intermissions are very few and far between. Nevertheless, Mr. President, as I said in the beginning, the ululations and bleatings and squeals we have heard for the last week from our Democratic friends about this very fair program we have adopted are about to subside.

The tumult and the shouting dies,
The captains and the kings depart,
And the steam roller is about to start.

[Laughter.]

Mr. WILLIAMS. Mr. President, I am informed that the Senator from Connecticut [Mr. BRANDEGEE] said "the steam roller is about to start." I witnessed the steam roller starting in the Fifty-first Congress under Republican auspices; I witnessed the steam roller starting in the Fifty-third Congress under Democratic auspices; I witnessed the steam roller starting in this body when Mr. Aldrich was commander in chief of the armies of the plutocrats, and when Mr. Dolliver was a mere insurgent—poor fellow, now dead—with a few others.

I have witnessed all that and I have heard these remarks.

A few years before, when JOE CANNON, a statesman whom I personally loved very much, and love very much yet, went to his political death in the House of Representatives, I heard either the Senator from Connecticut or John Dalzell—I do not remember which—make about the same speech that the Senator from Connecticut made a moment ago; and if it was not the Senator from Connecticut, I would like to be informed; it was pretty much the same talk.

Mr. President, all that the Senator from Connecticut has proven, if he has proven anything, is that the Senator from North Carolina [Mr. OVERMAN] made about the same mistake that he is making now, asserting that when a party got in power it stayed in power forever, and all it had to do was to be selfish and take all the power it could.

Seriously speaking, as far as I am concerned individually, I challenge a search of my record to find out where I ever attempted to take an advantage of the opposite party in numerical membership of committees that was not fair.

The Senator from Connecticut says that we had six members on each committee, and if you increased this membership that did not take anything away from us; that we were still just where we were. Of course, every man of common sense knows that representation upon a committee is not an absolute but a relative thing. It reminds me a good deal of the time that old Birmingham, a stage driver in Mississippi, was driving out with a drummer a little while before the war, and he pointed over to the right-hand side of the road and said, "There is where Maj. Vaughn lives. He and I are the two richest men in the State of Mississippi. We own more land and we own more niggers than anybody else in the State."

The drummer was a little bit astonished, but he said, "How is that?"

Birmingham said, "Oh, between us we own 3,000 negroes and 20,000 acres of land."

The drummer looked impressed for a while, but after traveling over that long road a little while he said, "Mr. Birmingham, how is the property divided?"

"Well," he said, "I own 40 acres and Vaughn owns 19,960 acres, and I own one negro and Vaughn owns 2,999."

That is just about the way the Senator wants the country to understand the representation upon the committees. If we had had six and you had increased your membership to 20, you could make that same argument, and say that we still have our six. Old Birmingham still has his one nigger and still has his 40 acres of land, and he and the other fellow together had the same aggregate, but they do not measure the same relative result.

Gentlemen, I do not want to constitute myself a teacher, because I differ with my friend the Senator from Missouri [Mr. REED] in one respect; I know in the first place I do not want to teach you, and I know in the second place that you do not want to learn from me, no matter what I may teach, no matter what you can learn. But I was not trying to teach you fair play. I knew you could not learn it. I am merely calling your attention to a little bit of history about parliamentary government, and parliamentary government consists of a government of a majority in the legislative body against the minority, and when you so organize the committees as that a majority of the majority may overcome, in bills and reports, a majority of the entire body, without any regard to the addition of the minority of the whole to a minority of the majority constituting a majority of the whole, you have defied every rule of popular government and of democratic institutions, and you are destined to fall before a Democratic majority; unless, as very frequently happens, the Democratic majority may be temporarily a fool. It sometimes is.

Mr. REED. Mr. President, I just want to correct one statement of my friend the Senator from Connecticut [Mr. BRANDEGEE]. He said that if the result of this action would be to disrupt the Republican Party that would make me and others vote for the rule. That is a natural conclusion for a man to arrive at who puts his party above his country. I do not belong in that class. If I can only injure the Republican Party by helping the Republican Party to do something to injure the country, and thus get in disrepute, I do not want to serve my country that way.

I believe in common counsel. I have never heard a debate upon the floor of the Senate that has not been very instructive to me. I have learned that a free interchange of opinions among reasonable men results in a modification of the opinions of most all of them. It may not absolutely change their opinions. The important legislation that is to come before this body, which will affect the entire country, ought to be considered not by one party, but by both parties, and there ought to be the freest opportunity for its discussion not only on the floor, but in the committees, because, notwithstanding the opinions some people may have, not quite all of the wisdom, not quite all of the patriotism was conferred by the Almighty upon any one political party.

So I had hoped to see these committees so organized that it might be possible occasionally for men who did not take their views at first hand from a caucus to have the opportunity to make those views felt in the committee. You have determined otherwise. The Senator from Connecticut, with an utter lack of that shrewdness which is attributed to the Yankee, and which is possessed by himself in a superlative degree, has told us "that the steam roller is about to start."

He took the sublime verse of Kipling's *Recessional*:

The tumult and the shouting dies,
The captains and the kings depart;
Still stands thine ancient sacrifice—
An humble and a contrite heart.
Lord, God of Hosts, be with us yet,
Lest we forget, lest we forget!

These lofty and sacred lines the Senator mutilated into doggeral and made them read:

The tumult and the shouting dies,
The captains and the kings depart,
And the Republican steam roller is about to start.

He tortured a prayer to the Divinity into ribald political boasting. The steam roller is about to start!

Steam rollers! You had one out in Chicago a few years ago. You ran it in the same spirit, and you destroyed your party for the time being.

Mr. BRANDEGEE. You had one at Baltimore, too.

Mr. REED. No; we did not have a steam roller at Baltimore. We had very far from it. We had a condition at Baltimore that I do not care to discuss; but it was very far from a

steam roller; it bore no relation to it. But a steam roller in a political convention is one thing. A steam roller in the Senate of the United States means a destruction by force—for that is what a steam roller means—of the ability and the power of the representatives of the people to express their opinions and make their views felt. If you had a majority of one you could do the same thing, if you could hold your majority together, and you could deny Democrats any representation on committees at all. You could with a majority of one, if you could hold your men together, refuse a hearing upon a single bill which may be referred to a committee. If you had a majority of one and could hold your majority together, you could abolish all committees. If you had a majority of one and could hold it together, you could meet in caucus, and the majority in that caucus could determine the action of this body, although there was a protesting minority within your caucus. That would be a steam roller. That may be the way to conduct the business of the country in the United States Senate, but to my mind the States that are represented here by Democrats are entitled to an absolute voice in legislation. They are entitled to present fairly every case and to submit to this body as a fair tribunal every question.

Steam rollerism is a defilement upon the lips of a Senator, and it is a disgraceful utterance if it were made seriously. I do not characterize it in that way, for I think my friend from Connecticut was inclined to be humorous this afternoon, a rôle that he can very successfully play. But if ever the Senate of the United States adopts steam roller tactics, it will cease to be the Senate of the United States. It would sink into the contempt that it would deserve, and it would ultimately be destroyed by the American people. Steam rollerism means the abuse of power. It means the denial of a right to others. It means a trampling upon the very fundamental principles of the Government itself.

Start your steam roller going, and you will succeed in doing some things, but I venture the guess that when the country understands you are running a steam roller and blatantly proclaiming it upon the floor of the Senate, this little minority here will find a growing crowd of people in the United States back of it to hold in contempt the word "steam roller" and will hold any body of men who employ it in the Senate of the United States in a just and a deserved contempt.

Mr. BRANDEGEE. Mr. President, I do not know what definition the Senator from Missouri attaches to the term "steam roller." What I mean by it is majority rule. I believe that is democracy, the rule of the majority. While I believe in full and free debate, in the right to offer amendments, as the Senator from Alabama said, and the right to discuss them, still I believe in the rule of the majority. If that is not democracy, then we have no Government in this country.

Mr. President, have the yeas and nays been ordered on the pending resolution?

The VICE PRESIDENT. They have been demanded.

Mr. BRANDEGEE. I, too, demand the yeas and nays.

The yeas and nays were ordered.

Mr. WILLIAMS. Mr. President, I understand the Senator from Connecticut now to identify the phrase "steam roller" with the right of the majority to rule. I never heard of a majority in any popular assemblage needing a piece of machinery in the shape of a steam roller in order to outvote the other side. The Senator must really be held to his own language. As I understood his language, he said, "the steam roller was about to start." He did not say "the majority was about to vote." He said, "the steam roller was about to start." In other words, he is representing that sort of a majority, in his own imagination, that needs a piece of machinery to run over everything that is in its way.

Mr. BRANDEGEE. To smooth things out.

Mr. WILLIAMS. Yes; to smooth things out, the Senator says. That is worse than a steam roller, because a steam roller may run over a whole lot of things and not completely smooth them out. What the Senator wants is a steam roller that will smooth all opposition out completely. I suppose he means even the grass upon the sward or the yard, so that everything that stands opposed to anything he wants will merely answer as a top surface to the grass for the purpose of adding blood and bones to its fertilization. If that is what he means, of course we shall resist the best we can, as the American people hitherto have always resisted the best they knew how.

But still the Senator from Connecticut can not escape from his utterance. He meant "a steam roller" and he said "a steam roller." He knew what a steam roller was. It is a thing that pays no attention to any shrub or any flower or any grass or any tree or any right in its way, that just runs roughshod over everything in front of it, whether run by gasoline or by

electricity or by horsepower does not make any difference. Of course, in this particular Senate this particular Republican majority will chiefly be horsepower, but still hovering around is the idea to run over and reduce down to a common level, down to the carpet, down to the grass, leaving nothing growing. I never heard of a plural god that amounted to anything in this world. The very essence of Democracy is that every Democrat counts himself as no god at all, but just as a very humble sort of human being in a great big collection of spirits, chatting and talking to his fellows and coming to some sort of agreement.

This reminds me of that distinguished occasion upon which a distinguished Senator from Kansas, I believe, once said that ethics, principles, or something identical with them in connection with politics was an iridescence. I will not come any closer to the quotation for fear I might identify the Senator. However, the Senator from Connecticut will be identified hereafter as a worshiper of steam-roller prophets. He is the first announced prophet in a legislative body, although not the first announced prophet in a convention, of the steam roller as a *deus ex machina*; if not God himself, at least approaching Him that close. It is going to be a Republican steam roller, and, from what I know of the Senator from Connecticut, if it is any sort of a Republican steam roller at all, it is going to be a Connecticut senatorial Republican steam roller, because if it does not run to suit him he will not have anything to do with the steam roller. I noticed in various questions that were brought up before the Committee on Foreign Relations at the last session, in which he finally settled and found himself like grains of sand at the bottom of a glass of brook water, that at the beginning of the discussion, before he settled, he insisted on being the steam roller himself, and before he got through he had come pretty near it.

I think if the Senator from Connecticut can not find a steam roller that he can run, it will not be a steam roller that he will serve on at all.

The Senator from Connecticut does not really mean that. I have known him in such a kindly, personal, social, friendly, half literary, half historical way for so many years that if I would trust anybody on the other side of the Chamber to be magnanimous and generous and not run over me with a steam roller when we got ready to face each other in chivalrous combat, I think I would almost pick him out as one of the chief men of that sort.

But the significant fact about it is that the expression identifying the Republican majority in the Senate with steam rollers is not personal to the Senator from Connecticut. If it were personal to him, it might be ignored; but it is the unconscious oozing out of the sweat of his partisanship; it is what he learned in caucus; it is what he learned in his environment and by heredity; and he really imagines that an ordinary modern Republican, akin by interest to the plutocracy of his country and akin by heredity to Federalism, is a sort of hereditary superior creature. Of course, as a matter of fact, he is not, as many men have proven.

As the Senator from Missouri said, "Start your steam roller"; but, for God's sake, when you start it, call it a steam roller; have the courage to call it one. The Senator from Connecticut bows in approbation, meaning that he at least will have the courage to call it a steam roller, but I dare say he will find Senators from Massachusetts and Illinois and Ohio and Wisconsin and Minnesota and even from the far-famed Mormon Church State of Utah and from the political State of Indiana who will not dare to call it a steam roller. But we shall try to identify the machine with the utterance of the Senator from Connecticut, and we shall try to keep that emblazoned upon the public conscience and in the public eye.

Mr. President, I understand how a great intellect can "roll over" common, plebeian minds; I understand how a great moral, spiritual character like Jesus Christ could roll over a whole lot of people that had never thought anything particularly about the relationship between man and God. I understand how a great scientist like Isaac Newton could bring into the world a new principle that would control mankind forever. But I do not understand how a political steam roller can control a democratic country of tolerably intelligent people. Mark you, I did not say intelligent people; I said tolerably intelligent people. I recognize that 95 out of 100 men are not very intelligent at all, but I do not understand how a partisan steam roller, without any spiritual attributes, without any scientific attributes, without any intellectual attributes, without any moral excellency, merely the excellency of membership in some so-called party, could manage to control a country which imagines itself intelligent. I say "imagines itself," because, judging by the last election, it has got a long way to go to know it is intelligent.

Mr. PENROSE. Mr. President, will the Senator permit an inquiry?

Mr. WILLIAMS. Certainly.

Mr. PENROSE. The Senator has referred very eloquently to Newton and others who have contributed to science. I know the Senate would patiently listen to him if he would explain his views on Einstein's theory of relativity.

Mr. WILLIAMS. Mr. President, I have long contended that the wittiest, the vaguest, and most indefinite man in this body is the Senator from Pennsylvania, but I did not know until this morning that he could discover anything more vague and indefinite than himself. I frankly confess that I do not understand Einstein; I frankly confess that I do not believe the Senator from Pennsylvania understands Einstein; I frankly confess I do not believe the Senator from Connecticut [Mr. BRANDEGEE] would even contend that he understood Einstein, and I do not believe that even the Senator from Massachusetts [Mr. LODGE] would make a very positive pretense in that direction.

Mr. PENROSE. Mr. President—

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from Pennsylvania?

Mr. WILLIAMS. I yield.

Mr. PENROSE. I own a volume of Einstein, in the introduction of which it is stated that there are only 12 men in all the world who understand the book. I thought, perhaps, the Senator from Mississippi was one of them. I confess that I have nearly lost my mental faculties in trying to understand Einstein.

Mr. WILLIAMS. Mr. President, I believe it was the Earl of Derby who once said that there were only two men who ever understood the Near Eastern question, that one of them was dead and that he himself was getting old and had pretty nearly forgotten it all. [Laughter.] So far as Einstein is concerned, I did endeavor for a little while to try to understand Einstein; I do not believe the Senator from Pennsylvania ever even tried; but I frankly had the wisdom to confess that I did not understand Einstein. However, Mr. President, I do understand that there are certain great fundamental, cardinal principles of fairness which exist in the world, and I know that the Senator from Pennsylvania knows that, too.

The VICE PRESIDENT. The yeas and nays have been ordered on agreeing to the resolution, and the Secretary will call the roll.

The reading clerk proceeded to call the roll.

Mr. DILLINGHAM (when his name was called). Announcing the same pair and transfer as on the last vote, I vote "yea."

Mr. EDGE (when his name was called). Announcing the same pair and transfer as on the previous vote, I vote "yea."

Mr. HARRIS (when his name was called). Announcing the same transfer of my pair as on the previous vote, I vote "nay."

Mr. McCUMBER (when his name was called). Transferring my pair as on the previous vote, I vote "yea."

Mr. McLEAN (when his name was called). In the absence of my pair, the senior Senator from Montana [Mr. MYERS], I withhold my vote. If at liberty to vote, I should vote "yea."

Mr. POINDEXTER (when his name was called). Upon this vote I am paired with the Senator from Nevada [Mr. PITTMAN]. If at liberty to vote, I should vote "yea."

Mr. SUTHERLAND (when his name was called). Making the same announcement with reference to my pair and its transfer as before, I vote "yea."

The roll call was concluded.

Mr. HALE. Making the same announcement as to my pair and its transfer which I made on the previous vote, I vote "yea."

Mr. HARRISON (after having voted in the negative). I have a general pair with the junior Senator from West Virginia [Mr. ELKINS]. I transfer that pair to the junior Senator from Rhode Island [Mr. GERRY], and will allow my vote to stand.

The result was announced—yeas 45, nays 25, as follows:

YEAS—45.

Ball	Hale	McNary	Stanfield
Brandegge	Harrell	Moses	Sterling
Barsum	Jones, Wash.	Nelson	Sutherland
Cameron	Kellogg	New	Townsend
Capper	Kenyon	Nicholson	Wadsworth
Colt	Keyes	Norbeck	Warren
Cummins	Ladd	Norris	Watson, Ind.
Curtis	Lenroot	Podrose	Weller
Dillingham	Lodge	Phipps	Willis
Edge	McCormick	Shortridge	
Ernst	McCumber	Smoot	
France	McKinley	Spencer	

NAYS—25.

Broussard	Hitchcock	Sheppard	Walsh, Mass.
Caraway	Jones, N. Mex.	Simmons	Watson, Ga.
Dial	McKellar	Smith	Williams
Fletcher	Overman	Stanley	Wolcott
Harris	Pomerene	Swanson	
Harrison	Ransdell	Trammell	
Heflin	Reed	Underwood	

NOT VOTING—26.

Ashurst	Gerry	La Follette	Pittman
Borah	Glass	McLean	Poindexter
Calder	Gooding	Myers	Robinson
Culberson	Johnson	Newberry	Shields
Elkins	Kendrick	Oddie	Walsh, Mont.
Fernald	King	Owen	
Frelinghuysen	Knox	Page	

So Mr. BRANDEGEE's resolution as amended was agreed to.

Mr. HARRISON. Mr. President, I make the point of order that the vote by which the Chair has announced that the resolution has passed does not disclose a two-thirds majority, and that it requires a two-thirds majority in order that the resolution may pass. I do not wish to take up the time of the Senate in again discussing the proposition. In the few remarks which I made when the question was before the Senate a short time ago, I cited to the Chair and to the Senate precedent after precedent in order to show that in effect the motion was one for the suspension of the general rules of the Senate, and that its adoption required a two-thirds majority.

The VICE PRESIDENT. The Chair understands that the motion is not one to suspend the rules but to amend the rules, and that it only requires a majority vote. The point of order is therefore overruled.

Mr. LODGE. I ask unanimous consent that so much of Rule XXIV as provides for the appointment of the standing and other committees of the Senate by ballot be suspended.

The VICE PRESIDENT. In the absence of objection, it is so ordered.

Mr. LODGE. Mr. President, I offer the order which I send to the desk, for which I ask present consideration.

The VICE PRESIDENT. The Senator from Massachusetts offers an order and asks unanimous consent for its immediate consideration.

Mr. REED. Mr. President, let us first hear the order read.

Mr. LODGE. That was my intention; it will have to be read in any event.

Mr. REED. I assume that that was the Senator's intention, but I thought that the Chair was inquiring whether there was objection.

Mr. LODGE. When the order is read, I think there will be no difficulty about it.

The VICE PRESIDENT. The order proposed by the Senator from Massachusetts will be read.

The Assistant Secretary read as follows:

Ordered, That the following shall constitute the standing committees of the Senate of the Sixty-seventh Congress:

On Agriculture and Forestry (16): Messrs. Norris (chairman), Page, Kenyon, Wadsworth, McNary, Capper, Keyes, Gooding, Ladd, Norbeck, Smith, Ransdell, Kendrick, Harrison, Heflin, Caraway.

On Appropriations (16): Messrs. Warren (chairman), Smoot, Jones of Washington, Curtis, Kenyon, Hale, Spencer, Phipps, Newberry, McKinley, Overman, Owen, Culberson, Harris, Glass, Jones of New Mexico.

To Audit and Control the Contingent Expenses of the Senate (5): Messrs. Calder (chairman), McCormick, France, Jones of New Mexico, McKellar.

On Banking and Currency (14): Messrs. McLean (chairman), Page, Frelinghuysen, Penrose, Calder, Newberry, Weller, Norbeck, Owen, Hitchcock, Pomerene, Fletcher, Kendrick, Glass.

On Civil Service (11): Messrs. Sterling (chairman), Cummins, Colt, Ball, Nicholson, Stanfield, Bursum, McKellar, Ransdell, Wolcott, Heflin.

On Claims (13): Messrs. Spencer (chairman), Frelinghuysen, New, Capper, Gooding, Harrell, Ernst, Stanfield, Robinson, Trammell, Wolcott, Broussard, Watson of Georgia.

On Commerce (16): Messrs. Jones of Washington (chairman), Nelson, Fernald, Calder, Lenroot, McNary, Ball, Edge, Willis, Weller, Fletcher, Ransdell, Sheppard, Simmons, Dial, Caraway.

On the District of Columbia (13): Messrs. Ball (chairman), Dillingham, Jones of Washington, Capper, Elkins, Gooding, Cameron, Weller, Pomerene, King, Sheppard, Glass, Stanley.

On Education and Labor (11): Messrs. Kenyon (chairman), Borah, Sterling, Phipps, Warren, Kellogg, Shortridge, Jones of New Mexico, McKellar, Wolcott, Walsh of Massachusetts.

On Enrolled Bills (3): Messrs. Sutherland (chairman), Ball, Dial.

On Expenditures in the Executive Departments (7): Messrs. McCormick (chairman), Moses, Willis, Oddie, Underwood, Swanson, Robinson.

On Finance (16): Messrs. Penrose (chairman), McCumber, Smoot, La Follette, Dillingham, McLean, Curtis, Watson, Calder, Sutherland, Simmons, Williams, Jones of New Mexico, Gerry, Reed, Walsh of Massachusetts.

On Foreign Relations (16): Messrs. Lodge (chairman), McCumber, Borah, Brandegge, Knox, Johnson, New, Moses, Kellogg, McCormick, Hitchcock, Williams, Swanson, Pomerene, Pittman, Shields.

On Immigration (11): Messrs. Colt (chairman), Dillingham, Penrose, Sterling, Johnson, Keyes, Willis, King, Harris, Harrison, Watson of Georgia.

On Indian Affairs (11): Messrs. Curtis (chairman), La Follette, McNary, Spencer, Harrell, Cameron, Ladd, Ashurst, Owen, Walsh of Montana, Kendrick.

On *Interoceanic Canals* (11): Messrs. Borah (chairman), Page, Colt, Knox, Johnson, Edge, McKinley, Walsh of Montana, Simmons, Trammell, Ransdell.

On *Interstate Commerce* (16): Messrs. Cummins (chairman), Townsend, La Follette, Poindexter, McLean, Watson, Kellogg, Fernald, Frelinghuysen, Elkins, Smith, Pomerene, Myers, Underwood, Wolcott, and Stanley.

On *Irrigation and Reclamation* (11): Messrs. McNary (chairman), Jones of Washington, Phipps, Gooding, Cameron, Oddie, Shortridge, Sheppard, Walsh of Montana, Kendrick, and Pittman.

On *the Judiciary* (36): Messrs. Nelson (chairman), Dillingham, Brandegee, Borah, Cummins, Colt, Sterling, Norris, Ernst, Shortridge, Culbertson, Overman, Reed, Ashurst, Shields, and Walsh of Montana.

On *the Library* (7): Messrs. Brandegee (chairman), Wadsworth, Jr., Knox, McCumber, Williams, McKellar, and Broussard.

On *Manufactures* (11): Messrs. La Follette (chairman), Kenyon, Fernald, McNary, McKinley, Nicholson, Weller, Smith, Pomerene, Jones of New Mexico, Reed.

On *Military Affairs* (16): Messrs. Wadsworth (chairman), Warren, Sutherland, New, Frelinghuysen, Lenroot, Spencer, Capper, Cameron, Bursum, Hitchcock, Fletcher, Myers, Sheppard, McKellar, Robinson.

On *Mines and Mining* (9): Messrs. Poindexter (chairman), Sutherland, Newberry, Oddie, Nicholson, Norbeck, Walsh of Montana, Ashurst, Pittman.

On *Naval Affairs* (16): Messrs. Page (chairman), Penrose, Lodge, Poindexter, Hale, Ball, Newberry, Keyes, France, Nicholson, Swanson, Pittman, Walsh of Montana, Gerry, Trammell, King.

On *Patents* (7): Messrs. Johnson (chairman), Norris, Brandegee, Ernst, Smith, Stanley, and Broussard.

On *Pensions* (11): Messrs. McCumber (chairman), Smoot, Elkins, Townsend, Colt, Weller, Bursum, Walsh of Montana, King, Walsh of Massachusetts, and Gerry.

On *Post Offices and Post Roads* (16): Messrs. Townsend (chairman), Sterling, France, Moses, Edge, Elkins, Phipps, Harrel, Oddie, Stanfield, McKellar, Walsh of Massachusetts, Dial, Hefin, Watson of Georgia, and Broussard.

On *Printing* (7): Messrs. Moses (chairman), Capper, Nelson, Townsend, Fletcher, Ransdell, and Robinson.

On *Privileges and Elections* (13): Messrs. Dillingham (chairman), Spencer, Wadsworth, Watson, Edge, Ernst, Shortridge, Bursum, Pomerene, Reed, Walsh of Montana, King, and Wolcott.

On *Public Buildings and Grounds* (13): Messrs. Fernald (chairman), Warren, Frelinghuysen, France, Lenroot, Keyes, McKinley, Harrel, Reed, Ashurst, Culbertson, Trammell, and Swanson.

On *Public Lands and Surveys* (13): Messrs. Smoot (chairman), Norris, Poindexter, Lenroot, Ladd, Stanfield, Norbeck, Bursum, Myers, Pittman, Jones of New Mexico, Kendrick, and Walsh of Montana.

On *Rules* (12): Messrs. Knox (chairman), Nelson, Curtis, Hale, Moses, McCormick, Watson, Overman, Owen, Underwood, Harrison, and Robinson.

On *Territories and Insular Possessions* (13): Messrs. New (chairman), McLean, Cummins, Knox, Johnson, McCormick, Willis, Ladd, Pittman, Owen, Robinson, Harris, and Broussard.

The VICE PRESIDENT. The Senator from Massachusetts asks unanimous consent for the immediate consideration of the order. Is there objection? The Chair hears no objection. The question is on agreeing to the order.

The order was agreed to.

EXECUTIVE SESSION.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 45 minutes spent in executive session the doors were reopened.

CONFIRMATION OF JOHN JACOB ESCH.

On request of Mr. LA FOLLETTE and by unanimous consent, the injunction of secrecy was removed from the proceedings connected with the confirmation of the nomination of John Jacob Esch to be an Interstate Commerce Commissioner, and the vote and proceedings were ordered to be printed in the RECORD. These proceedings were as follows:

Mr. CUMMINS, from the Committee on Interstate Commerce, to which had been referred the nomination of John Jacob Esch, of Wisconsin, to be an Interstate Commerce Commissioner for the term expiring December 31, 1927, to which office he was appointed during the last recess of the Senate, reported favorably thereon.

Mr. LA FOLLETTE, from the same committee, submitted a minority report opposing confirmation of the nomination.

On motion by Mr. CUMMINS and by unanimous consent, the nomination was given immediate consideration, and it was—

Resolved, That the Senate advise and consent to the appointment of John Jacob Esch to be an Interstate Commerce commissioner for the term expiring December 31, 1927.

On the adoption of the above resolution, the question was taken by yeas and nays, the yeas and nays having been ordered, on the demand of Mr. LA FOLLETTE, seconded by one-fifth of the Senators present.

The yeas were 52 and the nays 3, as follows:

YEAS—52.

- | | | | |
|-----------|------------|-----------|------------|
| Ball | Curtis | Keyes | Nelson |
| Brandegee | Dial | Lenroot | New |
| Broussard | Dillingham | Lodge | Nicholson |
| Bursum | Ernst | McCormick | Norbeck |
| Cameron | Hale | McCumber | Overman |
| Capper | Harrel | McKellar | Phipps |
| Cataway | Harris | McKinley | Poindexter |
| Colt | Harrison | McNary | Pomerene |
| Cummins | Kendrick | Moses | Ransdell |

- | | | | |
|------------|-----------|------------|--------------|
| Sheppard | Spencer | Sutherland | Watson, Ind. |
| Shortridge | Stanfield | Underwood | Williams |
| Smith | Stanley | Wadsworth | Willis |
| Smoot | Sterling | Warren | Wolcott |

NAYS—3.

- | | | |
|-------------|----------|-------------|
| La Follette | Trammell | Watson, Ga. |
|-------------|----------|-------------|

So the Senate advised and consented to the appointment of Mr. Esch.

Mr. LA FOLLETTE asked and obtained leave to have printed in the RECORD the views of the minority of the Committee on Interstate Commerce, which are as follows:

Herewith is respectfully submitted the minority report of the Committee on Interstate Commerce, with the recommendation that the Senate decline to confirm the nomination of Hon. John J. Esch as a member of the Interstate Commerce Commission.

It is the opinion of the minority that Mr. Esch's qualifications for office should be judged mainly upon his long service in Congress, and the minority report therefore presents the salient features of his record in respect to railroad legislation.

John J. Esch first took his seat in the Fifty-sixth Congress, in December, 1899. In December, 1903, at the opening session of the Fifty-eighth Congress, Mr. Esch was assigned to the House Committee on Interstate and Foreign Commerce, and he served continuously on that committee until his retirement March 4, 1921. At the first session of the Sixty-fourth Congress, in May, 1916, Mr. Esch became the ranking Republican member of the committee, and in July, 1919, the Republicans having regained control of the Congress, he succeeded to the chairmanship.

An examination of the records of Congress during the 17 years of Mr. Esch's service on this important committee will show that he has been in substantial accord with the governmental policies under which the carriers of the country have been brought to their present plight and that his attitude, revealed in his speeches and votes, has been one of consistent friendliness to the railroads.

Beginning in the early years of the present century, the Interstate Commerce Commission, composed of men who foresaw the collapse of the transportation system under existing conditions, made urgent appeals to the Congress to restrain those who were looting the railroads and exacting extortionate rates from the consuming public.

Year after year the commission appealed to Congress to enact laws which would put a stop to discriminatory rates, overcapitalization, the manipulation of securities, and other abuses which were fast undermining the service and destroying the credit of American railroads. In its annual reports, over a period of a decade, the commission urged Congress to pass a valuation law, so that the honest value of the railroads might be ascertained and made the basis for just and reasonable rates.

During this period, except for his advocacy of block-signal systems and safety appliance laws, Mr. Esch joined with his colleagues on the committee in ignoring the recommendations of the body of which it is now proposed he shall become a member. It was not until the fight for valuation had been practically won, and even the railroads had yielded to the inevitable, that Mr. Esch became an advocate of that policy.

The activities of Mr. Esch in respect to the law limiting the hours of service of railroad employees are typical of his record on railroad legislation in the House.

On January 10, 1907, the Senate passed a bill limiting the hours of service of railroad employees and providing stringent penalties against carriers evading the law. This legislation had been recommended in three annual reports of the Interstate Commerce Commission. The Senate bill was referred to the House Committee on Interstate and Foreign Commerce and was rejected in committee.

On February 18, 1907, the committee reported to the House a measure known as the Esch substitute, and an effort was made to pass it without chance for amendment under suspension of the rules. This attempt failed. On the Esch substitute a minority of the committee rendered the following report, which was sustained by the House:

"We are induced to believe, not only by the provisions of the substitute reported by the majority but also by the treatment accorded H. R. 18671, that the proposed legislation will not be effective and is not intended to give the remedy and the protection that the public desire. The effect of the substitute will not be to accomplish the purpose ostensibly set forth as the purpose to be accomplished, but will, on the contrary, enable common carriers to evade and avoid all penalty and responsibility. We recommend that the proposed attempt of the majority to pass under the suspension of the rules the substitute, without opportunity for amendment, be defeated."

Describing the Esch substitute, by the introduction of which it was sought to defeat the Senate bill, the national legislative representative of the railroad brotherhoods for the Fifty-ninth Congress, second session, wrote:

"This substitute, as reported by Mr. Esch, was the greatest makeshift I have ever seen proposed as a matter of legislation."

In 1910 the political complexion of Congress changed, and until 1918 Mr. Esch was a minority member of the Committee on Interstate and Foreign Commerce. During this period some of the recommendations of the Interstate Commerce Commission were partially embodied in law, but as a minority member of the committee Mr. Esch had no large part in framing this legislation.

In May, 1916, Mr. Esch became the ranking Republican member of the committee. The railroads were taken over by the Federal Government at the end of 1917, and Mr. Esch was active in the debate on the Federal control bill. He served on the conference committee which framed the bill as passed, under which the railroads were given an exorbitant rental of about \$75,000,000 a month during the period of Federal control. Mr. Esch addressed the House March 4, 1918, urging the adoption of the conference report. It was of the rental finally embodied in this report, indorsed by Mr. Esch, of which Senator CUMMINS said when the Senate bill was under consideration:

"If the bill passes in its present form, and agreements are made with all the railroads upon the proposed basis, the Government will have guaranteed (according to the majority report) an aggregate annual operating income of somewhat more than \$950,000,000. In the judgment of the writer of this paper, this sum is at least \$175,000,000 more than fair, just compensation for the use of the properties under the circumstances and conditions which now surround and confront us."

"With due respect to the President and to the distinguished men who composed the bill before us, one can not escape the impression that, in proposing to offer to the railroads this immense sum of money, those who are responsible for the measure have been thinking only of the men who are to receive the money, and that the effect upon the millions who are to pay the money has been, it is feared, entirely absent in their consideration of the question."

In July, 1919, with the convening of the Sixty-sixth Congress, Mr. Esch became chairman of the Committee on Interstate and Foreign Commerce. He was thus charged with responsibility for the bill by which the House should propose to terminate Federal control. A bill known as the Esch bill, drafted by Mr. Esch, was reported from the committee and passed by the House. The Senate, meanwhile, passed the Cummins bill, and in January, 1920, the conference committee went into session to frame a conference report. On February 21, 1920, Mr. Esch presented the conference report to the House. In his speech to the House Mr. Esch claimed the authorship of the report, which was enacted as the transportation act of 1920, and is more commonly known as the Esch-Cummins law. Mr. Esch said:

"As to the conference report, it may be gratifying to the membership of the House to know that the form and structure of the House bill have been preserved. I think that the form and structure commend themselves to everyone because of their simplicity and because they render reference to the act much more easy. We not only secured acceptance as to form and structure but practically as to substance. There is but one substantive proposition contained in the House bill that was yielded to by the House conferees and yielded to only with material modifications. That is the so-called section 6, providing for the rate of return on the value of the property."

In other words, the Esch-Cummins law as it exists to-day was the work of Mr. Esch, and the results of its application may be attributed largely to his authorship.

Section 6 of the Senate bill, referred to by Mr. Esch, was the provision guaranteeing to the railroads a rate netting from 5½ to 6 per cent on "aggregate value." Mr. Esch had condemned this rate guaranty in the House and had omitted such a provision from the House bill. Of section 6 he had said:

"It is contended that this plan is not in fact a guaranty, in that the Government is not responsible for losses. Yet the Government, through the commission, assures the security holders of the railroads that it will, under all circumstances and regardless of fluctuations in traffic, so adjust the rates that they will produce 6 per cent, for example, on the aggregate property investment account. This is nothing less than a guaranty."

Although he had denounced the rate guaranty in unmeasured terms in the House, when Mr. Esch went into conference with the Senate conferees he yielded on this point. Section 6 of the Senate bill was embodied in the report, with an additional provision that half of the excess should go into a fund to be loaned to the railroads by the Government, whenever a carrier made in excess of 6 per cent. In explaining his change of position on this section, Mr. Esch said in the House February 21, 1920:

"In this House I have strongly contended that we should adhere to the existing standard for rate making—that is, that rates should be just and reasonable—but longer consideration has driven me to the opinion that capital will not invest in railroad securities on merely a declaration that the commission shall fix just and reasonable rates. Investors want something definite and fixed upon which they can reckon. The provisions of section 422 give that stability, that standard which, I trust, will encourage investment."

Mr. Esch not only abandoned the only just principle of rate making and became an advocate of the rate guaranty, insuring profits to the security holders, but he predicted that the operation of the new law would bring increased revenue to the Government and improve service. Having accepted the new doctrine, he joined with the other advocates of section 6 in denying that it constituted a guaranty. In the same speech quoted above he said:

"The Government is losing nothing. This is not a guaranty. The Government will secure a large sum of money in peace times, when things again become normal. I do not expect the Government to get much of a fund in the near future, but in time this plan will develop a considerable fund to be used for the purposes I have enumerated. So the Government is not losing anything. The Government is gaining something and commerce and transportation will be vastly stimulated by reason of it."

Mr. Esch also undertook to forecast what method the Interstate Commerce Commission would follow in arriving at "aggregate value" upon which the Esch-Cummins law provided the guaranteed profits of 5½ or 6 per cent should be computed. He said:

"What the valuation made by the commission will be I can not state. It will not be property investment account or the book cost, now estimated to be about \$19,000,000,000, for everybody knows that book cost or property investment account exceeds the capitalization."

In the light of one year's application of the transportation act it can be stated that Mr. Esch was in error on nearly every point touched upon in the paragraphs quoted above.

The rate guaranty, instead of "vastly" stimulating "commerce and transportation," has encouraged extravagance, inefficiency, and fraud.

The Interstate Commerce Commission, in applying section 422, admitted that it was a guaranty, and that no option was left to the commission in arriving at a "just and reasonable rate."

Finally, in determining "aggregate value," the commission was forced to accept \$18,900,000,000—within one-half of 1 per cent of the figure Mr. Esch said would not be accepted—as the "aggregate value" of the railroads. When this was done, the false and fictitious "book values" of the railroads, representing the accumulated fraud of years of stock manipulation and overcapitalization, became the basis upon which profits were guaranteed to the owners of railroad securities out of rates levied upon the public.

As soon as the transportation act went into effect, March 1, 1920, its evils became apparent. The railroads began to pile up deficits averaging \$105,000,000 a month, whereas the deficits during the period of Federal operation had been less than \$28,000,000 a month. From March 1 to September 1, when the roads were guaranteed their profits directly from the Treasury under the Esch-Cummins law, the total deficit for the six months was \$631,500,000. The deficit incurred in time of war by the Government for 26 months had been only \$715,000,000.

On July 31 the Interstate Commerce Commission obeyed the mandate of the Esch-Cummins law, which guaranteed rates yielding profits of 5½ per cent on aggregate value, by advancing passenger rates 20 per cent, freight rates 35 per cent, and Pullman rates 50 per cent. On August 26 these advanced rates went into effect, and since that date the American people have been paying transportation charges which

exceed the annual charges of any previous year by more than \$2,000,000,000. With the increase in rates of August 26 the transportation bill of the Nation became about \$7,000,000,000 a year, or enough to buy the transportation system at the market value of railroad securities in less than two years.

So onerous were the burdens imposed upon the people by the Esch-Cummins law that that act became an issue in the campaign of 1920. Mr. Esch was again a candidate in the seventh Wisconsin congressional district, and upon that issue he was overwhelmingly repudiated by his constituents.

The third session of the Sixty-sixth Congress met in December, 1920. The transportation system had collapsed. Traffic was stalled by prohibitive rates and the shipper and the consumer were clamoring for relief.

As chairman of the House Committee on Interstate and Foreign Commerce Mr. Esch brought in two bills affecting the railroads, both of which were endorsed by the railroad security holders, the railway executives, and the great financial interests which control the carriers.

The first of these was a bill introduced by Mr. Esch December 6, 1920, proposing to amend section 501 of the transportation act by suspending section 10 of the Clayton Antitrust Act until January 1, 1922.

Section 10 of the Clayton Act was a penal statute enacted in 1914 to prevent the railroads from dishonestly and fraudulently "padding" their expenses for maintenance—ultimately to be paid by the public in freight rates—by the purchase of supplies and equipment from concerns owned by the same interests which own the railroads.

At the very time when Mr. Esch framed this amendment and reported it with the approval of his committee the Interstate Commerce Commission was collecting evidence showing that the railroads were letting repair and equipment contracts to favored concerns, controlled by the railroad directors themselves, at prices ranging from 100 to 400 per cent higher than normal levels. By this practice the deficits, which the Esch-Cummins law had made payable out of the Public Treasury for the first six months of private operation, were being augmented by hundreds of millions of dollars.

Mr. Esch conducted perfunctory hearings on this amendment, at which Mr. A. P. Thom, the paid attorney of the Railway Executives' Association, indorsed the amendment. After a brief statement to the House by Mr. Esch, which left Congress entirely ignorant of the real purpose and effect of the amendment, the bill was passed, and so far as it lay in the power of Congress to grant it immunity was extended to the railroad owners for another year, relieving them of prosecution for illegal practices of which they had repeatedly been proved guilty. When the bill passed by Congress to legalize these practices came to the hand of President Wilson, he wisely vetoed it.

Less than a fortnight after the amendment had been reported by Mr. Esch and rushed through Senate and House the Interstate Commerce Commission, on its own motion, ordered a formal investigation of the contracts for supplies and equipment made by the railroads, and this investigation is now in progress. Should the appointment of Mr. Esch be confirmed, he will sit upon the semijudicial body which is conducting this investigation, and as a commissioner will pass upon the propriety of acts to which he has already given his assent as a legislator.

The only other important bill reported favorably from the committee of which Mr. Esch was chairman during the last session of Congress was the Winslow bill. This bill amended the transportation act by allowing the railroads to collect \$631,500,000 in guaranties from the Government without making the final accounting and settlement provided for in the transportation act as passed. Great pressure was brought to bear upon Congress to enact this amendment. It was finally adopted, and it is estimated that its passage will enable the roads to swell the amount of their guaranty by several hundred millions of dollars.

These two bills, both in the interests of the railroads, were the only measures brought forward during the last session of Congress by Mr. Esch dealing with the railroad situation. Considering the circumstances under which they were framed and passed, serious doubt must arise as to the eligibility of Mr. Esch to membership on the commission which is supposed to regulate the railroads in the interests of the people.

The appointment of Mr. Esch to the Interstate Commerce Commission at this time will be an act of great significance to the people of the country, who are crying for relief from conditions which have been aggravated by the operation of the Esch-Cummins law.

It is recognized that Mr. Esch is more responsible than any other one man for the present transportation act.

On the Interstate Commerce Commission he will interpret its provisions in accordance with the principles of rate making he has enunciated on the floor of the House. His appointment will not only give the discouraging assurance to the people that the principle of the Esch-Cummins law is to be retained, but it will serve notice upon the other members of the commission, charged with the regulation of the roads, that service to the railroad interests, rather than to the people, is to be rewarded.

However able or honest he may be, Mr. Esch should not be confirmed for appointment to the Interstate Commerce Commission unless the Senate desires to perpetuate the ruinous policy under which the transportation system has collapsed and which has burdened the consuming public with billions of dollars in unjust charges.

ROBERT M. LA FOLLETTE.

RECESS.

Mr. LODGE. I move that the Senate, as in legislative session, take a recess until noon to-morrow.

The motion was agreed to; and (at 6 o'clock and 20 minutes p. m.) the Senate took a recess until to-morrow, Tuesday, April 19, 1921, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate April 18, 1921.

ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY TO RUMANIA.

Peter Augustus Jay.

INTERSTATE COMMERCE COMMISSION.

John Jacob Esch.

TREASURER OF THE UNITED STATES.

Frank White.

COLLECTOR OF INTERNAL REVENUE FOR THE DISTRICT OF INDIANA.

M. Bert Thurman.

COLLECTOR OF INTERNAL REVENUE FOR THE ELEVENTH DISTRICT OF OHIO.

Newton M. Miller.

UNITED STATES ATTORNEY, DISTRICT OF MASSACHUSETTS.

Robert O. Harris.

UNITED STATES ATTORNEY, NORTHERN DISTRICT OF TEXAS.

Henry Zweifel.

UNITED STATES ATTORNEY, DISTRICT OF WYOMING.

A. D. Walton.

UNITED STATES MARSHAL, DISTRICT OF DELAWARE.

Walter S. Money.

UNITED STATES MARSHAL, EASTERN DISTRICT OF LOUISIANA.

Victor Loisel.

UNITED STATES MARSHAL, EASTERN DISTRICT OF TEXAS.

Phil. E. Baer.

UNITED STATES MARSHAL, SOUTHERN DISTRICT OF TEXAS.

R. A. Harvin.

HOUSE OF REPRESENTATIVES.

MONDAY, April 18, 1921.

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Oh God, because Thou art full of mercy and compassion our lives are spared until now. We thank Thee. Thou that sittest at the right hand of the Father come unto us. Root and ground us in unchangeable and eternal truth. Lighten the burdens of the heavy laden and lift the loads of the overburdened and soothe all hearts that feel the hurts of life. Through Jesus Christ our Lord. Amen.

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

SWEARING IN OF MEMBERS.

Mr. Sisson of Mississippi, Mr. Rucker of Missouri, and Mr. Raker of California appeared before the bar of the House and took the oath of office.

MINORITY COMMITTEE ASSIGNMENTS.

Mr. GARNER. Mr. Speaker, I offer the resolution which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 57.

Mr. GARNER offers the following resolution:
"Resolved, That the following Members be, and they are hereby, elected members of the standing committees of the House, as follows:

Agriculture: Hence Jacoway, of Arkansas; John W. Rainey, of Illinois; James B. Aswell, of Louisiana; David H. Kincheloe, of Kentucky; Marvin Jones, of Texas; Peter G. Ten Eyck, of New York.

Alcoholic Liquor Traffic: William D. Upshaw, of Georgia; John C. Box, of Texas; Bill G. Lowrey, of Mississippi; Hampton P. Fulmer, of South Carolina.

Appropriations: Joseph W. Byrns, of Tennessee; Thomas U. Sisson, of Mississippi; James P. Buchanan, of Texas; James A. Gallivan, of Massachusetts; James F. Byrns, of South Carolina; Gordon Lee, of Georgia; Ben Johnson, of Kentucky; Charles D. Carter, of Oklahoma; Edward T. Taylor, of Colorado; William B. Oliver, of Alabama; Thomas W. Harrison, of Virginia; Anthony J. Griffin, of New York.

Banking and Currency: Otis Wingo, of Arkansas; Henry B. Steagall, of Alabama; Charles H. Brand, of Georgia; William F. Stevenson, of South Carolina; Eugene Black, of Texas; T. Alan Goldsborough, of Maryland.

Census: William W. Larsen, of Georgia; Samuel M. Brinson, of North Carolina; John R. Tyson, of Alabama; Morgan G. Sanders, of Texas; John J. McSwain, of South Carolina; John E. Rankin, of Mississippi.

Claims: Henry B. Steagall, of Alabama; James P. Woods, of Virginia; John C. Box, of Texas; W. Turner Logan, of South Carolina; Alfred L. Bulwinkle, of North Carolina.

Coinage, Weights, and Measures: Samuel M. Brinson, of North Carolina; Clay Stone Briggs, of Texas; Lillius B. Rainey, of Alabama; Patrick H. Drewry, of Virginia; Ladislav Lazaro, of Louisiana; Bill G. Lowrey, of Mississippi.

Disposition of Useless Executive Papers: Arthur B. Rouse, of Kentucky.

District of Columbia: James P. Woods, of Virginia; Christopher D. Sullivan, of New York; Thomas L. Blanton, of Texas; Ralph Gilbert, of Kentucky; William C. Hammer, of North Carolina; Charles F. X. O'Brien, of New Jersey; Stanley H. Kunz, of Illinois.

Education: William B. Bankhead, of Alabama; Charles H. Brand, of Georgia; Samuel M. Brinson, of North Carolina; Bill G. Lowrey, of Mississippi; Tilman B. Parks, of Arkansas.

Election of President, Vice President, and Representatives in Congress: William W. Rucker, of Missouri; Clay Stone Briggs, of Texas; Hampton P. Fulmer, of South Carolina; Alfred L. Bulwinkle, of North Carolina; T. Alan Goldsborough, of Maryland.

Elections No. 1: C. B. Hudspeth, of Texas; William B. Bowling, of Alabama; Ralph Gilbert, of Kentucky.

Elections No. 2: Frank Clark, of Florida; Hallett S. Ward, of North Carolina; Morgan G. Sanders, of Texas.

Elections No. 3: Zebulon Weaver, of North Carolina; John C. Box, of Texas; W. Turner Logan, of South Carolina.

Enrolled Bills: Ladislav Lazaro, of Louisiana; Thomas L. Blanton, of Texas; John J. McSwain, of South Carolina.

Expenditures in Department of Agriculture: Robert L. Doughton, of North Carolina; Morgan G. Sanders, of Texas.

Expenditures in Department of Commerce: Henry B. Steagall, of Alabama; Joseph T. Deal, of Virginia.

Expenditures in Department of Interior: Charles H. Brand, of Georgia; Tilman B. Parks, of Arkansas.

Expenditures in Department of Justice: Schuyler Otis Bland, of Virginia; T. Alan Goldsborough, of Maryland.

Expenditures in Department of Labor: Riley J. Wilson, of Louisiana; Thomas L. Blanton, of Texas.

Expenditures in Department of Navy: Rufus Hardy, of Texas; Patrick Henry Drewry, of Virginia.

Expenditures in Post Office Department: Benjamin G. Humphreys, of Mississippi; James P. Woods, of Virginia.

Expenditures in State Department: William W. Rucker, of Missouri; W. Turner Logan, of South Carolina.

Expenditures in Treasury Department: R. Walton Moore, of Virginia; William B. Bankhead, of Alabama.

Expenditures in War Department: Edward B. Almon, of Alabama; Ewin L. Davis, of Tennessee.

Expenditures on Public Buildings: Zebulon Weaver, of North Carolina; John R. Tyson, of Alabama.

Flood Control: Benjamin G. Humphreys, of Mississippi; Riley J. Wilson, of Louisiana; Herbert J. Drane, of Florida; Clay Stone Briggs, of Texas; William J. Driver, of Arkansas.

Foreign Affairs: Henry D. Flood, of Virginia; J. Charles Linthicum, of Maryland; Charles M. Stedman, of North Carolina; Adolph J. Sabath, of Illinois; Tom Connally, of Texas; W. Bourke Cockran, of New York.

Immigration and Naturalization: Adolph J. Sabath, of Illinois; John E. Raker, of California; Riley J. Wilson, of Louisiana; John C. Box, of Texas; Lillius B. Rainey, of Alabama.

Indian Affairs: Carl Hayden, of Arizona; William J. Sears, of Florida; Zebulon Weaver, of North Carolina; F. B. Swank, of Oklahoma; Ross A. Collins, of Mississippi; Hampton P. Fulmer, of South Carolina; Morgan G. Sanders, of Texas.

Industrial Arts and Expositions: Fritz G. Lanham, of Texas; William C. Lankford, of Georgia; Otis Wingo, of Arkansas; Morgan G. Sanders, of Texas; Joseph T. Deal, of Virginia; F. B. Swank, of Oklahoma.

Insular Affairs: Finis J. Garrett, of Tennessee; Christopher D. Sullivan, of New York; Benjamin G. Humphreys, of Mississippi; R. Walton Moore, of Virginia; William B. Bowling, of Alabama; Hallett S. Ward, of North Carolina.

Interstate and Foreign Commerce: Alben W. Barkley, of Kentucky; Sam Rayburn, of Texas; George Huddleston, of Alabama; Clarence F. Lea, of California; Paul B. Johnson, of Mississippi; Harry B. Hawes, of Missouri.

Invalid Pensions: William W. Rucker, of Missouri; Thomas H. Cullen, of New York; Ewin L. Davis, of Tennessee; Charles F. X. O'Brien, of New Jersey; Stanley H. Kunz, of Illinois.

Irrigation of Arid Lands: Carl Hayden, of Arizona; C. B. Hudspeth, of Texas; John E. Raker, of California; Homer L. Lyon, of North Carolina.

Judiciary: Robert Y. Thomas, Jr., of Kentucky; Hatton W. Sumners, of Texas; Andrew J. Montague, of Virginia; James W. Wise, of Georgia; John N. Tillman, of Arkansas; Fred H. Dominick, of South Carolina.

Labor: Eugene Black, of Texas; William D. Upshaw, of Georgia; Ross A. Collins, of Mississippi; George K. Favrot, of Louisiana; Meyer London, of New York.

Library: Frank Park, of Georgia; Ralph Gilbert, of Kentucky.

Merchant Marine and Fisheries: Rufus Hardy, of Texas; Ladislav Lazaro, of Louisiana; William B. Bankhead, of Alabama; Ewin L. Davis, of Tennessee; Thomas H. Cullen, of New York; Herbert J. Drane, of Florida; Schuyler Otis Bland, of Virginia.

Military Affairs: William J. Fields, of Kentucky; Percy E. Quin, of Mississippi; Hubert F. Fisher, of Tennessee; William C. Wright, of Georgia; Philip H. Stoll, of South Carolina; Daniel E. Garrett, of Texas.

Mines and Mining: Otis Wingo, of Arkansas; Lillius B. Rainey, of Alabama; George K. Favrot, of Louisiana; F. B. Swank, of Oklahoma; Meyer London, of New York.

Naval Affairs: Lemuel P. Padgett, of Tennessee; Daniel J. Riordan, of New York; Carl Vinson, of Georgia; James V. McClintic, of Oklahoma; Guy E. Campbell, of Pennsylvania; James O'Connor, of Louisiana.

Patents: Ewin L. Davis, of Tennessee; Schuyler Otis Bland, of Virginia; Fritz G. Lanham, of Texas; William B. Bowling, of Alabama; William C. Hammer, of North Carolina.

Pensions: William D. Upshaw, of Georgia; William C. Hammer, of North Carolina; John J. McSwain, of South Carolina; John E. Rankin, of Mississippi; Joseph T. Deal, of Virginia.

Post Office and Post Roads: Thomas M. Bell, of Georgia; Arthur B. Rouse, of Kentucky; James M. Mead, of New York; Lucian W. Parrish, of Texas; John H. Smithwick, of Florida; Rorer James, of Virginia.

Printing: William F. Stevenson, of South Carolina.

Public Buildings and Grounds: Frank Clark, of Florida; James C. Cantrell, of Kentucky; Frank Park, of Georgia; William W. Rucker, of Missouri; Fritz G. Lanham, of Texas; George K. Favrot, of Louisiana; Homer L. Lyon, of North Carolina.

Public Lands: John E. Raker, of California; Carl Hayden, of Arizona; Robert L. Doughton, of North Carolina; William W. Larsen, of Georgia; Patrick Henry Drewry, of Virginia; William J. Driver, of Arkansas; Ross A. Collins, of Mississippi.

Railways and Canals: Herbert J. Drane, of Florida; Thomas H. Cullen, of New York; William C. Lankford, of Georgia; Hallett S. Ward, of North Carolina.

Reform in the Civil Service: Eugene Black, of Texas; Homer L. Lyon, of North Carolina; Meyer London, of New York.

Revision of the Laws: R. Walton Moore, of Virginia; Rufus Hardy, of Texas; Alfred L. Bulwinkle, of North Carolina; John R. Tyson, of Alabama; John N. Sandlin, of Louisiana.

Rivers and Harbors: Samuel M. Taylor, of Arkansas; H. Garand Dupré, of Louisiana; James W. Overstreet, of Georgia; Joseph J. Mansfield, of Texas; John McDuffie, of Alabama; John J. Kindred, of New York.

Roads: Robert L. Doughton, of North Carolina; Edward B. Almon, of Alabama; William W. Larsen, of Georgia; R. Walton Moore, of Virginia; William J. Sears, of Florida; C. B. Hudspeth, of Texas; John N. Sandlin, of Louisiana.

Territories: Zebulon Weaver, of North Carolina; William C. Lankford, of Georgia; Edward B. Almon, of Alabama; Patrick H. Drewry, of Virginia; John E. Rankin, of Mississippi; William J. Driver, of Arkansas.

War Claims: Frank Clark, of Florida; John J. McSwain, of South Carolina; John N. Sandlin, of Louisiana; Charles F. X. O'Brien, of New Jersey; Bill G. Lowrey, of Mississippi.

Woman Suffrage: John E. Raker, of California; Frank Clark, of Florida; Christopher D. Sullivan, of New York; Thomas L. Blanton, of Texas;

Mr. MONDELL. Mr. Speaker, has the majority in making up its list—

Mr. GARNER. Before the gentleman asks the question may I make a statement touching the appointment of Mr. LONDON. The minority found when it came to make up its list that Mr. LONDON had not been appointed to committees by the majority and by looking over the precedents we found that both the Republican side and the Democratic side heretofore had by custom insisted upon the minority taking care of all the elements that might be in the Congress other than the majority, and we found it necessary to assign Mr. LONDON to the committees to which we have nominated him. I thought I owed it to the House to make that statement.

Mr. MONDELL. Has the minority followed the rule relative to the exclusive committees?

Mr. GARNER. We have, with two exceptions, and if the gentleman will permit I will tell him where those two exceptions were made. In the last Congress—and I think in the two preceding Congresses—the minority had exclusive committees by resolution of its own committee on committees, but we made two exceptions to that. One of them was the gentleman from Illinois [Mr. SABATH], whom we assigned to the Committee on Foreign Affairs and the Committee on Immigration. The other was the gentleman from New York [Mr. RIORDAN], who served on Rules and Naval Affairs. Now, since those gentlemen have been on those committees, I think, something from four to six years, we thought it would be rather unjust to take them off, since it was our custom always to leave a man on a committee who had served on it, if he desired to do so, but outside of those two we have adhered strictly to the rule laid down by the majority for the minority.

Mr. MONDELL. Mr. Speaker, so far as Mr. RIORDAN'S case is concerned, it seems to me there were some very good arguments and reasons in favor of modifying the rule, though I do not care to take the entire responsibility for modifying it or allowing it to be modified or violated. I had not intended personally to object to the naming of Mr. RIORDAN for two committee places, but other than that I feel I would not be justified on behalf of the majority to allow a further exception to what we think is a very proper and very reasonable rule. May I suggest to the gentleman from Texas that for the present he withdraw Mr. SABATH'S name? I do not care to offer an amendment to the list striking Mr. SABATH'S name from one or the other of the committees for which he has been named, because I do not know which committee Mr. SABATH would prefer to serve on, and I have no disposition to suggest to the minority how they shall place their Members. If the gentleman will withdraw Mr. SABATH'S name for the time being, I shall be very glad to take up the matter with Members of the majority and learn what their opinion is in regard to the matter.

Mr. GARNER. Let me say to the gentleman that I occupy the same position, probably, on this side that he does on that side. I have instructions from the Democratic caucus as to the committee assignments, and I would hesitate to assume the responsibility of withdrawing the name—

Mr. MONDELL. But it places me in a rather embarrassing position unless the gentleman does, for otherwise I shall be compelled to offer an amendment to strike Mr. SABATH'S name from one of those two committees; and I have no means of knowing which committee Mr. SABATH would prefer to serve on. If his name is withdrawn for the time being, it can have further consideration.

Mr. GARNER. I am in the same position the gentleman from Wyoming is. I do not care to assume the authority and violate the express directions of the Democratic caucus, whatever might be my views in the premises.

Mr. COOPER of Wisconsin. Will the gentleman yield?

Mr. SISSON. Will the gentleman yield a moment? My understanding of the request of the gentleman is this—

Mr. COOPER of Wisconsin. Will the gentleman yield?

Mr. GARNER. Certainly.

Mr. MONDELL. The gentleman from Texas has the floor.

Mr. COOPER of Wisconsin. Will the gentleman please tell the House, or me at least, what particular rule is involved in

the discussion between the gentleman from Wyoming and the gentleman from Texas?

Mr. GARNER. The gentleman from Wisconsin probably does not know that the Republican majority in their conference passed a rule by which they provided for what is known as exclusive committees, naming 10, providing that any Member who served on one of those committees could not serve on another committee, and among them was the Committee on Foreign Affairs and the Committee on Naval Affairs.

As I stated a while ago, Mr. SABATH, for the past six years, as I recall it—I do not know the exact time—has been on both the Committee on Foreign Affairs and the Committee on Immigration and Naturalization. I am informed that he has been on Immigration for 14 years. It has been the invariable custom of the Democrats not to take a man off of the committee unless he desires to be taken off.

Mr. MONDELL. Will the gentleman yield?

Mr. GARNER. Certainly.

Mr. MONDELL. The majority did that in making up committees. Some six or seven gentlemen who were on some of the exclusive committees were taken from a second committee.

Mr. GARNER. I have just explained to the gentleman that when we had the exclusive committees it applied to the majority alone and not to the minority. But when it applied to our own committees, we made the exception that I have referred to. With the gentleman from Illinois [Mr. SABATH] and the gentleman from New York [Mr. RIORDAN] we violated our own rule in that particular, and came in and explained to the caucus the reason why. I think that since we have adhered to the rule religiously in every other instance, except where two of our Members had been serving for a long time on two of these committee, and we had made the exception ourselves, you might grant us this.

Mr. MONDELL. Will the gentleman allow me?

Mr. GARNER. Certainly.

Mr. MONDELL. I have consulted with quite a number of the members of the majority relative to the case of Mr. RIORDAN, and, while there is some difference of opinion, I felt there was sufficient opinion on the majority side favorable to the Riordan case that I was justified in allowing it to pass without making an exception, so far as I am concerned. But I did not know that the minority intended to place another man on two committees, one of those committees being an exclusive committee.

I have not consulted any of the Members of the majority in regard to it, and therefore it becomes my duty, unless the gentleman withdraws the name, to make a motion striking the gentleman's name from one of the committees for which he has been nominated.

Mr. GARNER. Let me say to the gentleman from Wyoming that I know it was Mr. KITCHIN'S intention—he has been very busy—to consult the gentleman from Wyoming and explain the situation to him before this committee list came in.

Mr. SISSON. As I understood the gentleman a moment ago, he put the proposition alternatively that we pass over Mr. SABATH'S name until he had an opportunity to consult with his friends on that side and that the matter might be brought up at a future date, and they might agree to it.

Mr. MONDELL. I will make no promises, of course.

Mr. SISSON. I did not understand the gentleman to make a promise. I am trying to accommodate the matter if I can. Therefore—

Mr. MONDELL. At this time I am inclined to make the motion.

Mr. SISSON. In other words, if the matter shall go over as far as Mr. SABATH is concerned, without your being consulted—

Mr. MONDELL. I make no promises that we shall arrive at a different conclusion, but, at least, it will relieve the situation for the present and give us an opportunity to think it over.

Mr. GARNER. Let me say, if I may, that I have talked with some of the Members who are sitting around me for the moment, including the gentleman from Illinois [Mr. SABATH], whose name is involved in the matter, and after the explanation we have made I feel I would be justified in withdrawing his name from both committees temporarily, and then we can assign him at a later date.

Mr. GOOD. I do not quite understand the situation. If the gentleman from Illinois [Mr. SABATH] must withdraw from one of these committees, I do not understand why Mr. RIORDAN does not come under the same rule. [Applause on the Republican side.] Mr. RIORDAN is on more important committees than Mr. SABATH. Why are you going to make fish of one and fowl of the other? Why violate the rule in one case and then

because a few Members over here want to promote Mr. RIORDAN permit the promotion to go on? Let us enforce the rule or let us grant Mr. SABATH the position that the caucus has given him. It seems to me we can not say to Mr. RIORDAN, "You shall occupy a position on the Committee on Rules, regarded as one of the most important committees of this House, and that you shall also, in violation of the rule, occupy a place on another committee." Now, if we do that, it is a clear violation of the rule.

Mr. REAVIS. If we violate the rule, we ought to be given some reason for it.

Mr. GOOD. Absolutely. I think Mr. RIORDAN's name ought to be temporarily withdrawn.

Mr. MONDELL. I think, so far as I am concerned, that there are some good reasons why we may agree to allow Mr. RIORDAN to serve on the two committees, but I have no disposition to control in the matter at all. I shall not make the motion myself, and I take that position after consulting with many Members on the majority side.

Mr. REAVIS. Would it be any embarrassment to state to the membership, who have not been consulted, the reason why the rule should be violated in case of Mr. RIORDAN?

Mr. MONDELL. There are quite a number of reasons, I will say to the gentleman. I do not know that it is necessary to go into them at this time. The minority leaders have been quite earnest in the matter, I may say.

Mr. WALSH. Mr. Speaker, I would like to ask the gentleman from Wyoming, representing the majority, what action has been taken by the majority side that leads him to refrain from making objection in Mr. RIORDAN's case.

Mr. MONDELL. No formal action has been taken by the majority in the case, and, so far as the "gentleman from Wyoming" is concerned, if the gentleman from Massachusetts desires to make a motion, of course he has the right to do it.

Mr. WALSH. The gentleman from Wyoming is representing the majority side, and I wondered if there had been any action taken by the majority, or by a majority of the majority, which led the gentleman to make the exception.

Mr. MONDELL. There was not, but the gentleman from Wyoming was notified and advised by the minority that this was the only exception that they desired to make, and they seemed to think that there were very good reasons why this one exception should be made.

Mr. DYER. Mr. Speaker, a point of order.

The SPEAKER. What is the gentleman's point of order?

Mr. DYER. Or, rather, I would like to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DYER. What is the question before the House?

The SPEAKER. A resolution submitted by the gentleman from Texas [Mr. GARNER].

Mr. MANN. Mr. Speaker, will the gentleman from Texas yield me a few minutes?

Mr. GARNER. Certainly. I yield to the gentleman five minutes.

Mr. MANN. Mr. Speaker, when the rule was adopted providing for the election of committees by the House, instead of the appointment of committees by the Speaker, the Democrats were in control of the House. By their caucus they provided that the Democratic members of the Committee on Ways and Means, whom they selected in caucus, should be their committee on committees. Mr. UNDERWOOD, now the distinguished Senator from Alabama, was the former leader of the House and the chairman of the Committee on Ways and Means that was to be and I was the minority leader. I was notified by the Democratic leadership that I could make up the list of the Republican members of the committees with certain restrictions, which were named to me, and submit it to Mr. UNDERWOOD, to be presented to the Democratic members of the Committee on Ways and Means. I was notified that certain appointments could not be made.

Mr. GARNER. Mr. Speaker, will the gentleman yield just there, if it will not interrupt him?

Mr. MANN. Certainly.

Mr. GARNER. Will the gentleman mind saying just exactly what the exceptions were? If I recall, there was only one exception.

Mr. MANN. I do not propose to name anybody, Mr. Speaker. What I state is strictly correct. The list was submitted and passed upon, I was told, by the Democratic members of the Committee on Ways and Means.

The same course was pursued in the next Congress. In one Congress, as I recall—although I may be mistaken about that—the Democratic majority themselves selected certain members of the minority membership of the Committee on Rules.

When the distinguished gentleman from North Carolina [Mr. KITCHIN] became chairman I submitted my list, or offered to submit my list to him—I do not remember whether I actually submitted it or not—but prior to that time the Democratic leader moved the selection of all members of committees, including vacancies. I was not given the opportunity or the right to move the election of any member of a committee, although, of course, I could have exercised that right; but I was told that in order to have a Republican Member elected on a committee the motion must come from the majority side of the House. I acquiesced in that. I believed it was right and proper. The majority of the House is responsible, in the end, even for the appointment of committees. When Mr. KITCHIN became the leader on the Democratic side, as I recall, although my memory is not very fresh on the subject, I offered the resolution for the appointment of the Republican members of the committees. So that the history of the movement has been that the majority is responsible even for the selection of minority members of committees in the end.

Now, the majority this time, through its committee on committees, whose action was ratified in this particular by the Republican conference, provided that certain committees should be exclusive, and that no Member appointed on one of those committees should be appointed on any other committee. It may be proper to make an exception, but in my judgment the Republican conference having passed upon the question, if an exception is made, the exception should be passed upon by the Republican conference. [Applause on the Republican side.] And unless the gentleman from Texas [Mr. GARNER] will withdraw the names of both Mr. SABATH and Mr. RIORDAN, I shall be compelled to offer an amendment striking their names out at this time, and then if the minority desire these gentlemen to be elected to these committees I am perfectly willing to have it acted upon by the Republican conference immediately, and it may be that the Republican conference will allow it. But I supposed that when we notified the minority of the rule adopted that rule would be followed by the minority.

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

Mr. MANN. Yes.

Mr. GARNER. The gentleman realizes the position that I occupy?

Mr. MANN. I do.

Mr. GARNER. I am here as the agent of the Democratic caucus nominating Members for assignment as Democrats on the various standing committees. Now, the result would be the same if I agreed to it or if the gentleman made a motion to strike them out; but I prefer—

Mr. MANN. No; the difference is—

Mr. GARNER. Not to take the responsibility of striking their names off the list.

Mr. MANN. So far as the responsibility is concerned, that does not bother me in the least.

Mr. GARNER. It bothers me.

Mr. MANN. But it would seem to be more of a reflection on the Member to strike his name out by a motion than to withdraw it awaiting future action.

Mr. GARNER. I agree that it would be more harmonious and would leave a better taste in the mouth to withdraw them for future action than it would if you removed them, but I will probably get a lot of skin kicked off various parts of my body by doing it. [Laughter.]

Mr. MANN. If the minority desires a contest of that sort, we can not help it.

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

Mr. GARNER. Yes. I yield five minutes to the gentleman from Tennessee.

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

Mr. GARRETT of Tennessee. Mr. Speaker, I never have had any official connection with the selection of the minority members of the committees, and, of course, none with the selection of the majority members. I do not know what limitations the gentleman from Illinois [Mr. MANN] refers to as having been placed upon him during the first recent Congress that was under Democratic control.

It has always been my understanding—the gentleman from Illinois [Mr. MANN] has more intimate knowledge of that than I have, because I have only heard as a rumor—that the only limitation or restriction which was placed upon him as minority leader in selecting minority committee members was as to a single Member, and that that was placed for delicate personal reasons. I think the gentleman from Illinois [Mr. MANN] is quite proper in not referring to that Member by name, and I do not wish to use any name. Outside of that I have never

known, at any time during the period when the House was in Democratic control, of there being the slightest interference with the minority forming its battle line in whatever way it chose.

Mr. LONGWORTH. Will the gentleman yield?

Mr. GARRETT of Tennessee. I yield to the gentleman from Ohio.

Mr. LONGWORTH. Was not the restriction made to which the gentleman from Illinois [Mr. MANN] refers, that he as the minority leader had to submit his list for any correction that the majority saw fit to make?

Mr. GARRETT of Tennessee. The list was not submitted for correction. It was submitted for nomination.

Mr. MANN. They were submitted for correction and approval.

Mr. LONGWORTH. The whole thing was submitted for correction and approval.

Mr. GARRETT of Tennessee. Was there ever a change made?

Mr. MANN. They were so well made up that nobody suggested a change on either side.

Mr. GARRETT of Tennessee. There never was a change made. The Democratic majority never attempted to select any minority member of a committee.

Mr. MANN. How about the Committee on Rules in one Congress?

Mr. GARRETT of Tennessee. The only occasion that I recall when there was a contest over minority membership upon the Committee on Rules was when the gentleman from Illinois [Mr. MANN] had submitted to the majority the name of our present honored chairman of the Committee on Rules [Mr. CAMPBELL of Kansas], when some gentleman upon that side of the House nominated another gentleman from Kansas [Mr. MURDOCK] against Mr. CAMPBELL, and this side of the House, under the leadership of Mr. UNDERWOOD, took the position that the minority having clothed the gentleman from Illinois [Mr. MANN] with authority to make selections should follow his lead. This side of the House voted unanimously for Mr. CAMPBELL of Kansas, and sustained the minority leader in his nomination.

Mr. BUTLER. No; not unanimously.

Mr. MANN. That is not the case I speak of. It is another case.

Mr. GARRETT of Tennessee. That is the only case that I know anything about.

Mr. MANN. The gentleman is a member of the Committee on Rules, and ought to know who constituted the Committee on Rules four years ago, and how they were selected.

Mr. BUTLER. Will the gentleman yield?

Mr. GARRETT of Tennessee. I yield to the gentleman from Pennsylvania.

Mr. BUTLER. Did I understand the gentleman to say that in that contest the majority side voted unanimously for the gentleman from Kansas [Mr. CAMPBELL]?

Mr. GARRETT of Tennessee. That is my recollection. Certainly as a party we did.

Mr. BUTLER. But not unanimously.

Mr. GARRETT of Tennessee. Now, Mr. Speaker, of course, we shall have to bow to this Republican caucus rule. The majority can do what it chooses, but I courteously submit that the respectful resolution which was sent to the Republican caucus by the Democratic caucus voiced the correct principle, and that this caucus rule which the majority has laid down and which it proposes to enforce is an unjust invasion of the rights of the minority. Why is it? Our situation is very different from what yours was and is. We have a small minority. We have certain committees upon which there are experienced men to deal with important questions. The Rules Committee is not a legislative committee. There can be no reason for confining a man to service upon the Rules Committee alone. In only two instances has there been a proposed violation by the minority committee on committees of that rule which your caucus arbitrarily laid down. Those are the cases of two experienced men whose services we need in the places to which they have been assigned—Mr. RIORDAN and Mr. SABATH.

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

Mr. GARRETT of Tennessee. I yield to the gentleman.

Mr. DYER. Is it not a fact that this matter is brought before the House at this time and in this way, so far as the gentleman from New York [Mr. RIORDAN] and the gentleman from Illinois [Mr. SABATH] are concerned, in placing them upon both committees, for the purpose of entering a protest against the action of the Republican caucus and nothing more?

Mr. GARRETT of Tennessee. Oh, no. These two gentlemen have been on those committees for many years. Person-

ally, I do enter a protest against the action of the Republican caucus. I think it is unfair to the minority. I am very much surprised.

The SPEAKER. The time of the gentleman from Tennessee has expired.

Mr. GARRETT of Tennessee. I should like two minutes more.

Mr. GARNER. I yield two minutes more to the gentleman from Tennessee.

Mr. GARRETT of Tennessee. Here a few days ago the Republican Party, with a majority of 170 in the House, admitted that they could not correct a blunder upon a tax bill that they themselves admitted they had made before. Now you come in and with only 131 Members here on the minority side you seem to be so absolutely afraid of us that you will not let us form our battle line in the way that we choose, even with that small number. This has never been done before since the present system of selecting committees has obtained. Except in the instance which the gentleman from Illinois has mentioned, which was a delicate personal thing, we never interfered, so far as I know, with the make-up by the Republicans of the committees in whatever way they chose, and I insist that we have the same right now, and we are justified in entering our protest against that sort of a proceeding.

Mr. MANN. Will the gentleman yield?

Mr. GARRETT of Tennessee. I yield.

Mr. MANN. The gentleman from Texas [Mr. GARNER] a while ago stated that having examined the precedents he found that it was the duty of the minority side of the House to assign the Members who represent only a small number or group. I have not recently examined the precedents, but I remember very well that the Democratic majority told me where certain Members in independent groups, or one Member of a group, should go on committees, not leaving it to the minority at all.

Mr. GARRETT of Tennessee. Does the gentleman refer to the period when there was a Progressive Party recognized as such in the House?

Mr. MANN. I refer particularly to the period when there was one Socialist Member of the House. I was told where to put him, and without protest did so. I thought they had the right.

Mr. GARRETT of Tennessee. I would say that I do not suppose there would be any objection to the gentleman placing the single Socialist Member now if he chooses to do so. We have done that. There has never been complaint about that. The gentleman from Texas [Mr. GARNER] merely made that as an explanatory statement. That has nothing to do with the principle involved here.

Mr. MONDELL. Will the gentleman from Texas yield me five minutes?

Mr. GARNER. Yes; I yield to the gentleman from Wyoming five minutes.

Mr. MONDELL. Mr. Speaker, gentlemen have asked why I have concluded not to object to the exception to the rule relative to the exclusive committees in the case of Mr. RIORDAN. The reasons, to a certain extent, are personal, presented very strongly from the minority side from sources that I felt entitled to consideration. Before, however, I agreed that I should not personally object to Mr. RIORDAN serving on two committees I talked with quite a number of gentlemen on the majority side, including the only Member on our side who might be personally affected or embarrassed by the action. He very kindly and generously said that he did not care to be considered in the matter, and if it was concluded wise to make the exception he should offer no objection. Under the circumstances, after consulting with quite a number of my colleagues, I concluded that perhaps out of deference to the wishes of the minority leader and other Members on that side we might perhaps properly waive the rule in this one instance.

However, my understanding then was that that was the only request that would be made. Now, I must abide by, and I shall abide by, the understanding that I had with the minority leader. I feel it my duty, however, to make a motion to strike the name of the gentleman from Illinois from one of the committees for which he has been named if, as I understand, the gentleman from Texas does not feel authorized or disposed to withdraw his name for the present and for further consideration by the majority.

Mr. GARNER. If the gentleman will yield, let me say that he is in error about that. I understood the gentleman from Illinois [Mr. MANN] to say that in case the names of Mr. RIORDAN and Mr. SABATH were not withdrawn he would be compelled to make a motion to strike them from the list. Now, I am not in a position to speak for the caucus; I can not act for it; but we are anxious to get the gentlemen onto these com-

mittees, and I think a little oil will be better than vinegar, and since the result would be the same and it might tend to make the way easier, I am inclined to take the road that will accomplish the most good. Mr. Speaker, I shall withdraw both the names of Mr. RIORDAN and Mr. SABATH. The result will probably be the same, as you gentlemen have the power, and might makes right, according to the philosophy of some gentlemen. Mr. Speaker, I ask unanimous consent to withdraw the names of Mr. SABATH and Mr. RIORDAN from the resolution.

Mr. GARRETT of Tennessee. Let me remind my colleague that the gentleman from New York [Mr. RIORDAN] has been elected a member of the Committee on Rules, and I understand the gentleman merely withdraws his name from the Committee on Naval Affairs.

Mr. GARNER. Yes.

The SPEAKER. The names of Mr. RIORDAN and Mr. SABATH have been withdrawn, and the question is on the resolution.

The resolution was agreed to.

EXPENSES INCIDENT TO FIRST SESSION OF SIXTY-SEVENTH CONGRESS.

Mr. GOOD. Mr. Speaker, I call up the bill (H. R. 3707) making appropriations for certain expenses incident to the first session of the Sixty-seventh Congress, and for other purposes, and ask unanimous consent for its consideration.

The SPEAKER. The Clerk will report the Senate amendment.

The Clerk read the Senate amendment.

Mr. GOOD. Mr. Speaker, the Senate in reorganizing its committees has made some changes in its clerical assistance. While this amendment adopted by the Senate carries considerable new money, it also allows appropriations aggregating approximately \$500,000 carried for the next year to lapse. For example, it carries in the first paragraph of the amendment a total of \$73,000 for compensation for clerks and assistant clerks, and so forth, of various committees. It also carries only \$392,000 for clerical assistance to Senators, whereas the law carries \$436,800 for clerks to Senators who are not chairmen of committees which will lapse.

Mr. BYRNS of Tennessee. Will the gentleman yield?

Mr. GOOD. Yes.

Mr. BYRNS of Tennessee. The gentleman has just said that the legislative bill carried such clerical assistance. How much assistance was allowed each Senator or what number of employees?

Mr. GOOD. I do not know; it has been changed very materially. This matter only involves one amendment and it is all for Senate employees and assistants. The Senate did not change the bill as it passed the House. The only amendment being a matter peculiarly within the province of the Senate is a matter that the House has never interfered with.

Mr. BYRNS of Tennessee. I understand that, but I wanted to know what action the Senate had taken in changing the legislative enactment, or rather changing the provisions in the legislative bill providing for assistance. My recollection was that in the legislative bill passed at the last session Senators were each allowed four clerks—to those Senators not chairmen of committees. I can not understand why this amendment was offered in the Senate unless it proposes to increase the salaries of these assistants.

Mr. GOOD. The Senate has reorganized their committees, and, as I understand, the item carried for clerks and assistant clerks to Senators not chairmen of committees in the legislative bill for next year was \$436,800. This amendment which they adopted for these clerical places amounts to \$392,000, or a reduction of \$44,800.

Mr. BYRNS of Tennessee. What is the change in the appropriation with reference to assistants of committees; the gentleman stated a while ago that the amendment carried \$73,000.

Mr. GOOD. This is for clerical assistants to Senators not chairmen of committees.

Mr. BYRNS of Tennessee. I understand. The gentleman made some statement about an appropriation of \$73,000.

Mr. GOOD. The first part of the amendment, I think, takes up practically all of them. They have given up nothing. They provide for an annual compensation of a clerk at \$2,500; assistant clerk, \$1,600; assistant clerk, \$1,500; additional clerk, \$1,200, and for the several committees, totaling \$73,949.

Mr. BYRNS of Tennessee. Is it not a fact that when both accounts are taken into consideration the Senate has increased the appropriation over that provided for in the legislative bill?

Mr. GOOD. Yes.

Mr. BYRNS of Tennessee. In what amount?

Mr. GOOD. The decrease, as I get it, is \$57,800. I have not footed up the increases, but there is one item of \$73,949, an-

other of \$1,600, another of \$5,000, another of \$3,600, and another of \$3,240.

Mr. BYRNS of Tennessee. Then, as a matter of fact, we are confronted with this proposition—and I understand the position of the gentleman. Of course, it has always been the uniform custom to permit the Senate to arrange for its own personal help.

Mr. GOOD. Yes.

Mr. BYRNS of Tennessee. But, as a matter of fact, the Senate by this amendment to the deficiency bill has increased the appropriation provided for clerical assistance to Senators in the sum of something over \$20,000 over and above the amount allowed in the legislative bill which was passed only in the latter part of February.

Mr. GOOD. Yes. I should think considerably over \$20,000. I will say to the gentleman that personally I do not believe there is any excuse for it.

Mr. BYRNS of Tennessee. I know the gentleman's position.

Mr. GOOD. I think they have enough, but the House has never passed on that matter. If we should disagree to the amendment we would go over and then the conferees would come back and move to recede from our disagreement and concur.

Mr. BYRNS of Tennessee. But the situation is just this: I understand the gentleman does not propose to make an objection and I am not making any criticism whatever of the gentleman, because I know perfectly well his individual opinion.

Mr. GOOD. The gentleman from Tennessee would do the same thing.

Mr. BYRNS of Tennessee. Exactly; I have no doubt of that; but the situation is this, that by reason of the fact that it was necessary to pass a deficiency appropriation bill providing for stationery and certain allowances for this Congress, the Senate has added to that deficiency bill an appropriation of more than \$20,000 in excess of that which was allowed regularly in the legislative appropriation bill for clerical assistance for the next fiscal year.

Mr. GOOD. Yes; and I will say to the gentleman that we gave them an excuse. We did the same thing and the minority side came in with an additional appropriation for one of its employees.

Mr. BYRNS of Tennessee. It amounted only to a difference of \$300 in the fiscal year, as the gentleman knows.

Mr. GOOD. I know; it was a small amount, but it opened the doors.

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

Mr. GOOD. Yes.

Mr. FLOOD. Did the Senate increase the number of clerks assigned to Senators or the salaries of those they already have?

Mr. GOOD. It is impossible to tell from the amendment. My thought is that they have increased the number, but they may have increased some salaries also. I do not think so, but you can not tell from the amendment.

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

Mr. GOOD. Yes.

Mr. WINGO. Of course, I agree with the gentleman that the House should not interfere with the Senate in handling their clerical force, but if the gentleman will permit, if such a reorganization scheme is going to be adopted all the way around, I shall lose hope of having any genuine economy in reorganization. As I understand it, they have reorganized the committees of the Senate under the plea of economy and efficiency. Let us hope that the reorganization of the other branches of the Government will not result in the same increased expenditures and burdens on the Treasury. I appreciate the delicate situation in which the gentleman from Iowa finds himself, and I would do as he does. Each House ought to control its own clerical force, but I hope this is not to be the rule in respect to the other reorganizations.

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

Mr. GOOD. Yes.

Mr. WHEELER. Did I understand the gentleman to say that the Senate never interfered with the employees of the House?

Mr. GOOD. The Senate does not.

Mr. WHEELER. I recall, however, an amendment which I introduced several sessions ago providing for the increase of secretaries to Members and that the Senate objected, though they did finally recede.

Mr. GOOD. To be absolutely fair in that matter, I think some one at that time who was a Member of the House asked that the Senate take the action which the Senate subsequently did take, and the Senate took that action very reluctantly, and it was stated at the time that it was done only because of a request on the part of Members of the House.

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

Mr. GOOD. Yes.

Mr. MACGREGOR. Is there anything in this bill which takes the jurisdiction away from the Committee on Accounts in respect to clerks and employees of the House?

Mr. GOOD. Oh, no; the Senate amendment does not deal with House items at all.

Mr. MACGREGOR. I mean the original bill?

Mr. GOOD. Not at all. The only thing the House bill provided for was additional compensation provided for by certain House resolutions, so far as the clerks of the House were concerned, and the bill carried the money to provide for that force.

The SPEAKER. Is there objection to the present consideration of the bill.

There was no objection.

Mr. GOOD. Mr. Speaker, I move that the House concur in the Senate amendment.

The motion was agreed to.

GROVER CLEVELAND BERGDOLL.

Mr. CAMPBELL of Kansas. Mr. Speaker, I present the following resolution and ask for its immediate consideration.

The SPEAKER. The gentleman from Kansas asks unanimous consent for the present consideration of a resolution, which the Clerk will report.

The Clerk read as follows:

House resolution 12.

Whereas one Grover Cleveland Bergdoll, recently convicted by Army general court-martial as a draft deserter and sentenced to confinement for five years in the United States Disciplinary Barracks at Fort Jay, N. Y., has escaped from confinement; and

Whereas charges are made, and there is reason to believe, that a plot and conspiracy existed among and between divers and sundry persons unknown to consummate the escape of the said Bergdoll from confinement under his said sentence: Therefore be it

Resolved, That a select committee of five Members of the House be appointed by the Speaker of the House to investigate and procure all facts relevant to fixing responsibility for said escape and for the failure to recapture the said Bergdoll, and particularly to determine whether relatives, friends, counsel, or attorneys of the said Bergdoll participated in a plot or conspiracy to effect or give aid to said escape or to prevent recapture; or whether officers, noncommissioned officers, or privates of the Army or other persons connected with the Army or with the administration of the said disciplinary barracks participated in a plot or conspiracy to effect or give aid to said escape or to prevent recapture or were derelict in the performance of any duty devolved or devolving upon them which contributed to making said escape possible or prevented or hindered recapture or made it more easy for the said Bergdoll to elude recapture.

That the committee so appointed may conduct such investigation by subcommittee or otherwise; that said committee or subcommittee may select its own chairman, may hold sessions during the recess of the House, may employ whatever assistance, either clerical or legal, it may deem necessary to aid in conducting said investigation, may administer oaths, may summon and compel the attendance of witnesses and the production of papers and documents, may employ a stenographer or stenographers to report the same, and have the reports of said hearings printed for use.

That any and all expenses in connection with such inquiry shall be paid out of the contingent fund of the House upon vouchers to be approved by the chairman of the committee.

That said committee shall report its findings to the House at the earliest possible date, together with such recommendations as it shall deem pertinent and advisable.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. BLANTON. Mr. Speaker, reserving the right to object—and I do not think I shall object—will the gentleman from Kansas grant me a little time? I would like to have five minutes on this resolution.

Mr. CAMPBELL of Kansas. It had not been my intention to have very much discussion about it.

Mr. BLANTON. I desire to offer an amendment.

Mr. CAMPBELL of Kansas. I shall not yield to the gentleman for the purpose of offering an amendment.

Mr. BLANTON. Will the gentleman grant me five minutes' time on the resolution?

Mr. DYER. Mr. Speaker, I demand the regular order. I do not think it is fair that one Member should attempt to hold up the House in order to get time.

The SPEAKER. The gentleman from Missouri demands the regular order.

Mr. BLANTON. This is far-reaching legislation.

The SPEAKER. The regular order is demanded. Is there objection?

Mr. BLANTON. I asked the gentleman to permit me to ask a question. We have not much to do to-day.

Mr. SIEGEL. Mr. Speaker, I demand the regular order.

The SPEAKER. The regular order is demanded. The question is, Is there objection?

Mr. McCLINTIC. Mr. Speaker, reserving the right to object—

The SPEAKER. The regular order has been demanded.

Mr. McCLINTIC. Will the gentleman yield for a question? The SPEAKER. The gentleman can not yield now, the regular order having been demanded. Is there objection? [After a pause.] The Chair hears none.

Mr. GARNER. Will the gentleman yield?

Mr. CAMPBELL of Kansas. I will yield.

Mr. GARNER. Let me call the attention of the gentleman to this fact: I am not opposed to this resolution, and I do not suppose any gentleman in the House is opposed to it, but we are just beginning a new session of the Congress. Let me suggest to the gentleman that he amend his resolution so as to provide that not only the vouchers for the expenses of this investigation shall be signed by the chairman of the committee, but that they shall be audited also by the Committee on Accounts, and, moreover, that he ought to limit this expenditure, say, to \$10,000. If it exceeds that amount, they can easily come back to the House and get a further allowance. But to open up the Treasury to the various investigating committees that may be created is bad policy, and the gentleman knows what we have had in the past along that line. I want to appeal to him that he frame his resolution that not only the chairman of the committee sign the vouchers but give the Committee on Accounts the right to audit those vouchers, because the gentleman heard the criticism of Mr. IRELAND on the floor of this House on committees not giving him that privilege, and I suggest that the gentleman limit the amount that they can expend at least to \$10,000 also, and if it exceeds that amount they can come back to the House for further authority.

Mr. MANN. A parliamentary inquiry.

Mr. CAMPBELL of Kansas. I will yield to the gentleman for a parliamentary inquiry.

The SPEAKER pro tempore (Mr. WALSH). The gentleman will state his parliamentary inquiry.

Mr. MANN. This resolution not having been reported by the Committee on Accounts, does it not require consideration in the Committee of the Whole House on the state of the Union, the unanimous consent having been given, or in the House as in the Committee of the Whole House on the state of the Union?

The SPEAKER pro tempore. The Chair will state that unanimous consent having been given for the consideration of the resolution, that resolution being one that probably would be considered in Committee of the Whole House on the state of the Union, the Chair thinks the consent means that it shall be considered in the House as in Committee of the Whole House on the state of the Union.

Mr. MANN. Well, I understand. I have no objection to that at all. I understand that this resolution is now being considered in the House as in Committee of the Whole House on the state of the Union.

The SPEAKER pro tempore. The Chair thinks that is proper under the unanimous consent given.

Mr. CAMPBELL of Kansas. Mr. Speaker, this whole question, which is a stench in the nostrils of every decent American citizen, has been before the country for a considerable period of time and has engaged the attention of the courts, of the War Department, and of the press. Bergdoll's escape reflects upon somebody very seriously. It has not been inquired into by a congressional committee, and of late many people have been of the opinion that a great question of this kind should have a congressional investigation. The resolution submitted was prepared by the gentleman from California [Mr. KAHN], the chairman of the Committee on Military Affairs. In a statement this morning before the Committee on Rules the gentleman from California estimated that the limit of cost would be within \$10,000. It is not yet known just what assistance the committee will necessarily have to employ, but that it ought to be prepared to make a thorough investigation of all the phases of this question there is no doubt, and they should have every opportunity to make such an investigation as the facts may warrant as the committee advances with its work. I have no doubt but what the gentleman from Texas says will be done, that the vouchers for the expenses will be signed by the chairman of the committee and audited by the Committee on Accounts of the House.

Mr. MANN. The gentleman will not have any objection to providing that these accounts shall be approved by the Committee on Accounts?

Mr. CAMPBELL of Kansas. Not at all.

Mr. MANN. I expect to offer such an amendment.

Mr. CAMPBELL of Kansas. I have no objection to it.

Mr. McCLINTIC. Will the gentleman from Kansas yield?

Mr. CAMPBELL of Kansas. I will.

Mr. McCLINTIC. I have been informed—I do not know whether the information is correct or not—that the contract that was made by Bergdoll and the firm of attorneys of which

Maj. Ansell was a member is now before the Department of Justice. Would the committee appointed by the resolution have jurisdiction sufficient to get that contract from the Department of Justice and examine it?

Mr. CAMPBELL of Kansas. I am sure the committee would act discretely. They would not embarrass the Department of Justice by making public any matter that it has in view by offering it as testimony.

Mr. WINGO. Will the gentleman yield for a question there?

Mr. CAMPBELL of Kansas. Yes.

Mr. WINGO. My mind is not clear at the moment on the legal phase. Is the gentleman prepared to advise the House whether or not the calling of some person who might be guilty of the offense charged before this committee, and who testifies, might not grant to him an immunity against prosecution that the Department of Justice might wish to institute? Has the gentleman contemplated that difficulty? Is he prepared to advise the House in regard to it?

Mr. CAMPBELL of Kansas. I am not prepared to advise the House just what effect certain questions propounded to certain witnesses would have in this matter.

Mr. WINGO. I am in favor, of course, of bringing them to justice, but I was wondering if they were going to be given an immunity bath by appearing before this committee.

Mr. BLANTON. Will the gentleman yield me five minutes?

Mr. MANN. The gentleman can not yield time.

Mr. BLANTON. We are under the 5-minute rule.

The SPEAKER pro tempore. The time of the gentleman from Kansas [Mr. CAMPBELL] has expired.

Mr. POU. Mr. Speaker, briefly, the history of this resolution is as follows: A favorable report was authorized by the Committee on Rules, but after consideration the chairman of the Committee on Rules, acting upon authority from that committee, decided not to present the report to the House.

Now, Mr. Speaker, I have heard no reason to justify a change in the action taken by the chairman. I do not believe this is a proper subject for an investigation by this House, but it is a proper subject for investigation by the Department of Justice. Why not investigate the killing of Maj. Cronkrite? Why investigate this particular violation of law only? Now, a new administration has come into power. If anybody violates the law, the proper agencies exist to investigate and to prosecute.

The Department of Justice has agencies at its command which this House certainly has not, and I submit it is belittling the dignity of this House to create a select committee of five to investigate a plain violation of the law. However, the minority will not attempt to throw any obstacles in the way of the investigation, pursuing a course we have always pursued. If anybody has violated the law, and you can put your finger upon the man by an investigation of this kind, certainly we shall not try to prevent it. But I submit, Mr. Speaker, that it is a precedent that ought not to be set. If there was any suggestion that anybody was being protected under a former administration, that suggestion certainly can not be made now. The party in power had a clean sweep; you have got every agency of the Government from the highest to the lowest; or, at least, you will have in a very short while. If anybody ought to be in stripes, let the Department of Justice, let the courts of the country, let the grand juries investigate. It certainly is not the proper province of this House to erect a committee and dignify an offense of this kind by ordering an investigation when agencies already exist charged under the law with that particular duty. You talk about getting through with \$10,000. That amount will be only a starter. I speak for myself only. I can not support the resolution, while, of course, I know it will be agreed to.

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

Mr. MANN. Mr. Speaker, I offer an amendment, which I send to the Clerk's desk.

The SPEAKER pro tempore. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MANN: Page 2, line 22, after the word "committee," insert the words: "and by the Committee on Accounts."

Mr. MANN. That would simply provide that the vouchers must be approved by the chairman of the committee and also by the Committee on Accounts.

The SPEAKER pro tempore. The question is on agreeing to the amendment of the gentleman from Illinois.

The amendment was agreed to.

Mr. MANN. Mr. Speaker, I move to strike out, on page 2, beginning in line 10:

That said committee or subcommittee may select its own chairman.

The SPEAKER pro tempore. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MANN: Page 2, line 10, after the word "otherwise," strike out the words: "That said committee or subcommittee may select its own chairman."

Mr. MANN. I think the gentlemen who introduced the resolution have no objection to this. This is something that has never been done. I believe, on the whole, it is wiser to let the Speaker name the chairman of the committee than it is to let the committee possibly quarrel about who shall be its chairman.

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. FIELDS. Mr. Speaker—

Mr. BLANTON. Mr. Speaker, I offer an amendment.

The SPEAKER pro tempore. The gentleman from Kentucky [Mr. FIELDS] is recognized.

Mr. FIELDS. Mr. Speaker and gentlemen, I only want to submit a few observations in regard to this matter.

The chairman of the Committee on Military Affairs was directed by unanimous vote of that committee to ask the Committee on Rules for this resolution. That there was a conspiracy to get Bergdoll out of the country there is no doubt. It is only fair, however, to the Department of Justice to say, in passing, that that matter has not been entirely overlooked by the courts. The Federal court made an investigation of the matter, and up to this time there have been five convictions, including the mother of Bergdoll. The accused, as I now recall, have appealed their cases, and the appeals are pending. But lest the impression might go out, from some remarks that were dropped here a while ago, that the Department of Justice had not attempted to discharge its duty in this matter, I only wanted to call the attention of the House to the fact that up to this time there have been, as previously stated, five convictions for conspiracy in the escape of Bergdoll, including the mother of Bergdoll. That is all I have to say.

Mr. BANKHEAD. Mr. Speaker, I have an amendment that I wish to offer.

The SPEAKER pro tempore. The gentleman from Alabama offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BANKHEAD: After the word "Accounts" in the Mann amendment add the following:

"Provided, That the expenses of said investigation shall not exceed the sum of \$10,000."

Mr. KAHN. There is no objection to that.

Mr. BANKHEAD. If there is no objection to it, I do not desire to argue that amendment, Mr. Speaker.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. BLANTON. Mr. Speaker, I offer an amendment.

The SPEAKER. The Clerk will report the amendment offered by the gentleman from Texas.

The Clerk read as follows:

Amendment offered by Mr. BLANTON: On page 1, line 1, after the word "Resolved," strike out line 1 and all of line 2 down to the word "to" and insert in lieu thereof the following: "That the House Military Affairs Committee be authorized."

Mr. BLANTON. Mr. Speaker, if this amendment should be adopted—and I am afraid it will not—I will then offer an amendment to perfect the balance of the resolution so that it would apply to the House Committee on Military Affairs.

Why should there be a special committee? We have a House Committee on Military Affairs—able and intelligent and with nothing to do practically.

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

Mr. BLANTON. Yes; I yield.

Mr. WINGO. The gentleman may have overlooked this, that possibly each member of the Committee on Military Affairs has already had a trip to Europe and it might be desired to select other gentlemen who have not had such a trip. Why should the gentleman object to that?

Mr. BLANTON. That might possibly be the case. But, Mr. Speaker, the Committee on Military Affairs already has a secretary and an assistant secretary, and an appropriation was made providing it with three extra clerks, all of whom can wait on them. It has access to our official stenographers to committees, who receive \$6,000 a year salary, to report their proceedings. It has very little to do, since the power to appropriate has been taken from it. Why should not our distinguished chairman of that committee make this investigation through his Committee on Military Affairs, with all its machinery already provided and

paid for out of the public exchequer, instead of a special new committee, with all of these new incidental expenses? If you are going to economize, if you are going to begin this new program of economy that you promised the people you would carry out, why not start it now?

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

The SPEAKER. Does the gentleman from Texas yield to the gentleman from Illinois?

Mr. BLANTON. Just in a moment. If the gentleman will help me get a few minutes more I will yield to him.

Mr. MANN. How many clerks did the gentleman say the committee had?

Mr. BLANTON. It has a clerk and three extra assistants. At least the appropriation bill provided the three extra assistants.

Mr. MANN. The gentleman's information is not correct. The Committee on Military Affairs has two clerks.

Mr. BLANTON. It had three in the last Congress.

Mr. MANN. It did not. The gentleman also said that the official stenographers to committees are paid to do work for the Committee on Military Affairs.

Mr. BLANTON. Is not that the case?

Mr. MANN. It is equally the case that they could do work for this special committee, so that the gentleman's two arguments have no relation to the facts.

Mr. BLANTON. Possibly the three extra clerks at \$1,500 each were for the Senate Military Affairs Committee. Well, there is a Military Affairs Committee; there is no doubt about that. It has a clerk, paid for by the people's money; there is no doubt about that. It has an assistant clerk, paid for by the people's money. Will anybody question that? It has access to committee stenographers already on the roll. It has plenty of members able to make the investigation. This resolution provides for the employment of counsel, and evidence shows that the man most responsible for Bergdoll's escape is Gen. Ansell, and Gen. Ansell has already received a \$15,000 fee from the people's money through the action of a committee in employing him as its counsel since Bergdoll escaped, and I do not want to see him receive any more.

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. BLANTON. Mr. Speaker, may I have a little more time?

Mr. MANN. Mr. Speaker, I want to ask that the gentleman may have two minutes more. I want to keep faith.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the gentleman from Texas may proceed for two minutes more. Is there objection?

There was no objection.

Mr. BLANTON. I want to see Bergdoll caught and brought back and put in the penitentiary. I want to see Germany give him up. As a military nation they have no right to hold a slacker. Everybody connected with his escape ought to be in the penitentiary, and we ought to get them there. But it is to the means of getting them there that I object. However, I shall vote for this resolution if it is the last chance to get Bergdoll, if it is the only chance we have. If we have to spend \$10,000 to get him, I am going to vote to spend it. But I say that this expense is unnecessary, and you gentlemen who are committed to the new system of economy ought to vote to let our distinguished Committee on Military Affairs and its distinguished and able chairman take charge of this matter. They can do it at a merely nominal expense and save this \$10,000 in the Treasury.

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. KAHN. Mr. Speaker, I wish to oppose the amendment.

Mr. Speaker, it is not necessary to get excited about this thing. The Committee on Military Affairs has considerable work to do, as have also the clerk and the assistant clerk of that committee. They have considerable work to do, notwithstanding the statement of the gentleman from Texas [Mr. BLANTON], who knows nothing whatever of the work of the Committee on Military Affairs; and yet he makes extravagant statements on this floor which are not borne out by facts.

Now, the Committee on Military Affairs feel that this matter should be taken up by a select committee of the House, composed of gentlemen who are not on the Committee on Military Affairs. It is a very serious question that is involved. There are many angles to it. One bit of information that came to me the other day was to the effect that a lieutenant who had been in the emergency army, living out in Portland, Oreg., had made the statement that he recognized Bergdoll in Berberich, Baden, and called the attention of the military intelligence officers to the fact that Bergdoll was there. He suggested, I am informed, that efforts ought to be made to bring the slacker over to the American line.

The officers who were above this lieutenant suggested to him that he had better forget all about it. Now, it might be necessary to bring that lieutenant to Washington to testify. It might be necessary to bring quite a number of witnesses to testify. The Committee on Military Affairs are thrown into contact with the officers of the Army and the enlisted men of the Army frequently; in fact, constantly. It was thought by the members of the committee that this special committee of investigation would be better able to get at all the facts, because then nobody could find fault with the action of the committee on the score that we in the Military Affairs Committee were trying to cover up something or trying to protect somebody. I for one hope that this amendment of the gentleman from Texas [Mr. BLANTON] will not pass, and that the entire special committee shall be made up of Members of this House who are not connected with the Committee on Military Affairs. There are a great many things to be investigated.

It is not going to be an easy task to get at all the facts, but the committee should have full authority to send for persons and papers, to go into every fact as deeply as possible, and once and for all lay the responsibility for this escape on the proper persons. Throughout the country it has been customary for people who are opposed to our form of government, especially communists, syndicalists, and extreme radicals of that type, to say that there is one law in this country for the rich and another for the poor. They point to the Bergdoll case to show the correctness of their statement. They say that if this wealthy draft dodger had been a poor man there would have been no opportunity given him to make an escape, but that being a multimillionaire a way was found to place the opportunity within his reach. Let us stop any criticism of that kind by going to the very bottom of the facts in connection with this case. I hope that a select committee will be appointed to find out what these facts are. [Applause.]

Mr. WHEELER. Will the gentleman yield?

Mr. KAHN. I yield to the gentleman.

Mr. WHEELER. I should like to ask the chairman of the committee if he does not believe that the Department of Justice is doing all it possibly can about this Bergdoll case?

Mr. KAHN. I read the testimony that was taken in the court trial at Philadelphia, where five defendants were convicted of conspiracy in connection with one angle of the Bergdoll case. I read the testimony that was produced by the War Department through the Inspector General of the Army, and yet I feel that quite a number of things that ought to have been investigated were not brought out in any of those hearings.

Mr. QUIN and Mr. MCKENZIE rose.

The SPEAKER. Does the gentleman from Mississippi [Mr. QUIN] desire to be recognized?

Mr. QUIN. Yes. I am for the resolution.

The SPEAKER. The pending question is the amendment of the gentleman from Texas [Mr. BLANTON].

Mr. QUIN. I do not care anything about the amendment. I am for the resolution.

Mr. MCKENZIE. Mr. Speaker, I desire to add one word to what has already been said by my distinguished colleague [Mr. KAHN], the chairman of the Committee on Military Affairs, in opposition to the adoption of the amendment offered by the gentleman from Texas. I feel, however, that the distinguished chairman of the Committee on Military Affairs ought to be a member of whatever special committee may be selected by the Speaker. But there are reasons why we on the Committee on Military Affairs do not wish to undertake this investigation at this time. When we had the Army reorganization bill before this House all the Members who were present in the last Congress well remember the struggle that the Committee on Military Affairs had to put into that legislation a certain section providing for the classification of officers of the Army on the ground of efficiency, and we provided for class A and class B. Since that time some 300 officers in the Army have been placed in class B, and there has been very much criticism and complaint by them, they alleging that they had been discriminated against and retired from the service, while many inefficient officers had been retained.

Now, Mr. Speaker, Bergdoll was a military prisoner. He was in the custody of the Army of the United States, and he could only walk out from those prison walls by orders issued by men in the Military Establishment; and as one member of the Committee on Military Affairs I want this question sifted to the bottom, and if there is an officer in the Army of the United States, high or low, who can not give a reasonable excuse for being a party to this most infamous thing I want to see a report brought in here to that effect, and I want that officer or those officers summarily dismissed from the service of the United States. [Applause.]

Mr. BLANTON. Will the gentleman yield for a question?

Mr. MCKENZIE. I yield to the gentleman from Texas.

Mr. BLANTON. As a great admirer of the distinguished gentleman from Illinois, I want to ask him if it is not a fact that Gen. Ansell appeared before the Military Affairs Committee as a witness on another matter and that not a single question was asked him about Bergdoll?

Mr. MCKENZIE. I wish to say to the gentleman from Texas that when the Committee on Military Affairs made a short investigation backing up the resolution of the gentleman from California [Mr. KAHN], Gen. Ansell did not appear.

Mr. BLANTON. But he appeared on another matter in the last session.

Mr. MCKENZIE. Gen. Ansell appeared in order to try to break down the law that I have just spoken of.

Mr. BLANTON. And not a question was asked him about Bergdoll.

Mr. MCKENZIE. I did not happen to be present or perhaps I would have asked him some questions.

Mr. BLANTON. Somebody was present, surely.

Mr. KAHN. Will the gentleman yield?

Mr. MCKENZIE. I yield to the gentleman from California.

Mr. KAHN. The resolution of investigation of the Bergdoll case was never before the Military Affairs Committee. It was before the Committee on Rules, and pending that it would have been presumptuous for any member of the Committee on Military Affairs to undertake to begin an investigation.

Mr. MCKENZIE. My colleague is entirely right.

The SPEAKER. The question is on the amendment offered by the gentleman from Texas [Mr. BLANTON].

The question being taken, the amendment was rejected.

Mr. CAMPBELL of Kansas. Mr. Speaker, I offer an amendment, on page 2, line 3, after the word "barracks," to insert the words "or any other person."

The SPEAKER. The gentleman from Kansas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CAMPBELL of Kansas: On page 2, line 3, after the word "barracks," insert the words "or any other person."

The amendment was agreed to.

Mr. CAMPBELL of Kansas. I ask for a vote on the resolution.

The resolution was agreed to.

On motion of Mr. CAMPBELL of Kansas, a motion to reconsider the vote by which the resolution was agreed to was laid on the table.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed with an amendment the bill (H. R. 3707) making appropriations for certain expenses incident to the first session of the Sixty-seventh Congress, and for other purposes, in which the concurrence of the House of Representatives was requested.

The message also announced that the Senate had passed joint resolution (S. J. Res. 20) making the sum of \$150,000 appropriated for the construction of a diversion dam on the Crow Indian Reservation, Mont., immediately available, in which the concurrence of the House of Representatives was requested.

The message also announced that the Vice President had appointed Mr. LOSER and Mr. PITTMAN members of the joint select committee on the part of the Senate as provided for in the act of February 16, 1899, as amended by the act of March 2, 1895, entitled "An act to authorize and provide for the disposition of useless papers in the executive departments," for the disposition of useless papers in the State Department.

SENATE JOINT RESOLUTION REFERRED.

Under clause 2, Rule XXIV, Senate joint resolution of the following title was taken from the Speaker's table and referred to its appropriate committee as indicated below:

S. J. Res. 20. Joint resolution making the sum of \$150,000 appropriated for the construction of a diversion dam on the Crow Indian Reservation, Mont., immediately available; to the Committee on Appropriations.

COMMITTEE ON AGRICULTURE.

Mr. HAUGEN. Mr. Speaker, I offer a resolution and ask unanimous consent for its present consideration.

The SPEAKER. The gentleman from Iowa asks unanimous consent for the present consideration of a resolution, which the Clerk will report.

The Clerk read as follows:

Resolved, That the Committee on Agriculture or such subcommittees as it may designate shall have leave to sit during the Sixty-seventh Congress and during the recesses of that Congress.

Mr. STAFFORD. Mr. Speaker, may the resolution be again reported? I think there is something lacking in it.

The resolution was again read.

Mr. STAFFORD. If the gentleman will permit, that is not the usual phraseology carried by such resolutions.

The usual phraseology is—

Authorized to sit during the sessions of the House.

The committee have the right to sit during the Congress. That is the purpose of the appointment of the committee.

Mr. HAUGEN. It may have been an oversight in drafting the resolution. I have no objection to inserting the words "during the sessions of the House."

Mr. WINGO. The resolution should be amended so as to read, "during the sittings of the House." In its present form the resolution does not mean anything.

Mr. CARTER. The committee have the right to sit now except during the recess.

Mr. HAUGEN. I ask that the resolution be amended as suggested by the gentleman from Arkansas [Mr. WINGO].

The SPEAKER. Will the gentleman from Arkansas state his amendment?

Mr. WINGO. That the committee may sit during the sittings of the House. My understanding is that the House does not understand the viewpoint of the gentleman from Iowa; he is under the impression that since the power of appropriating is taken away from the committee the committee can not meet. [Laughter.]

The SPEAKER. The Clerk will again report the amendment as modified.

The Clerk read as follows:

Resolved, That the Committee on Agriculture or such subcommittees as it may designate shall have authority to sit during the sessions of the House during the Sixty-seventh Congress and during the recess thereof.

The SPEAKER. The question is on agreeing to the resolution.

Mr. MANN. Mr. Speaker, I am not going to object, but I would like to say a word about the resolution. When the Committee on Agriculture prepared the annual Agricultural appropriation bill it was necessary for it to sit during the sessions of the House. It was necessary for other appropriation committees which brought in appropriation bills to sit during the sessions of the House. It is not necessary in this Congress. I served on a committee in the House for 12 years, the Committee on Interstate and Foreign Commerce, which reported more important legislation during that time than any other committee of the House, and that committee never asked and never received the authority to sit during the sessions of the House. Its members did its committee work when the House was not in session, and when the House was in session its members were on the floor. They became important Members of the House because they attended to the duties and business of the House. There is not a single committee in this House, outside of the Appropriations Committee and the Ways and Means Committee, that can not easily perform all of its committee work when the House is not in session. It would be a great deal better for the committees and a great deal better for the House in maintaining a quorum if the committees were required to meet at 10 o'clock in the morning and on the days when the House was not in session, instead of constantly adopting the practice of staying away when the House is in session and doing departmental work when they ought to be meeting in committee. Now, Mr. Speaker, having relieved my mind on this subject, as far as this resolution is concerned, I am not going to object.

Mr. HAUGEN. Mr. Speaker, I yield five minutes to the gentleman from Arkansas [Mr. WINGO].

Mr. WINGO. Mr. Speaker, I can not agree with the gentleman from Illinois, with whom I usually am in accord, on these matters. I think the Committee on Agriculture, although it has been stripped of the power of appropriating, has still a great power in the House and a great work to do. As a matter of fact, one excuse for not heretofore bringing in much-needed legislation is that they have been so busy with the appropriation bills that they did not have an opportunity to formulate and bring in those measures. I want to say to the gentleman from Iowa that I hope he will get this privilege, and that his committee will utilize it in considering—and not be content with sitting one hour in the morning, but to sit continuously—a bill to abolish gambling in cotton and grain futures. One of the troubles that affect the wheat market of Iowa and other markets in the wheat belt is that many times the wheat crop is sold each year on the wheat exchange in Chicago, and the gentlemen of this committee ought to bring in a bill that will correct that great evil. The same is true of cotton; many times the crop is sold on the cotton exchange by the gamblers and the price is depressed, and injuriously affects the cotton growers. It is true of other things than wheat and cotton, and I hope the gentleman's committee will take advantage of this and will speedily

formulate practical legislation that will put an end to these great evils.

I also hope the gentleman's committee will take up the great and pressing problem that some of us thought appeared about to be solved in the closing hours of the last session, and that is the packer legislation. Now, that it will not have its time taken up with appropriations, I hope the gentleman from Iowa and the gentleman from Kansas [Mr. TINCHER], who was elected to Congress on the issue of the packers, will certainly have time to redeem their pledges to protect the public by proper measures to regulate the packing industry of this country. I hope there will be no objection to this great committee sitting during the sessions of the House, so that it may bring in legislation on these important subjects. [Applause.]

Mr. HAUGEN. Mr. Speaker, an examination of the reports of the hearings before the committee will disclose the fact that the Committee on Agriculture sat from 9.30 or 10 in the morning until 5 to 7 in the evening on at least 100 days during the Sixty-sixth Congress, outside of the time devoted to the appropriation bill. We had witnesses from all over the country here at great expense, who were entitled to be heard.

The question is, Should we accommodate them, or would you have them wait and perhaps be denied a hearing by the committee? As a matter of justice to the people of the country, they are entitled to a hearing and the speedy consideration and passage of this resolution.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. REED of New York, on account of illness.

RESIGNATION FROM A COMMITTEE.

The SPEAKER laid before the House the following communication:

HON. FREDERICK H. GILLET,
Speaker House of Representatives,
Washington, D. C.

MY DEAR MR. SPEAKER: I hereby tender my resignation as a minority member of the Naval Affairs Committee.

Respectfully,

GUY E. CAMPBELL,
Thirty-second Pennsylvania.

APRIL 18, 1921.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

HOSPITAL AT HOUSTON, TEX.

Mr. BLANTON. Mr. Speaker, I ask unanimous consent to address the House for one minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. BLANTON. Mr. Speaker, I have been requested by a post commander of the American Legion to call to the attention of the House a communication which I have sent to the Surgeon General relative to the awful condition existing in the hospital No. 25, in the Public Health Service, affecting about 800 soldiers from all parts of the country, many of whom are tubercular patients.

Mr. LINEBERGER. Where is that hospital located?

Mr. BLANTON. Houston, Tex. The matter submitted to the Surgeon General shows that they are dying there without proper attention. The American Legion has asked me through at least two of its post commanders to call the matter to the attention of Congress, hoping to get better conditions for these service men. The conditions are simply awful.

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

Mr. BLANTON. Yes.

Mr. LINEBERGER. Has the gentleman taken this matter up with the Public Health Service direct?

Mr. BLANTON. For eight months.

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. BLANTON. Mr. Speaker, I ask unanimous consent to insert the matter referred to in the RECORD.

The SPEAKER. The gentleman asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

Mr. McCLINTIC. Mr. Speaker, reserving the right to object, inasmuch as there are a number of Members of Congress who belong to the American Legion, I think it would be better to let them see what this communication is, for the reason that it occupies 10 pages of typewritten matter. I suggest that he withdraw his request for the present.

Mr. DYER. Mr. Speaker, I demand the regular order.

Mr. BLANTON. The officers at Indianapolis have wired me—

The SPEAKER. Is there objection?

Mr. McCLINTIC. I object.

ENROLLED BILL SIGNED.

Mr. RICKETTS, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 3707. An act making appropriations for certain expenses incident to the first session of the Sixty-seventh Congress, and for other purposes.

DISPOSAL OF WAR TROPHIES.

Mr. KAHN. Mr. Speaker, I ask unanimous consent to address the House for one minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. KAHN. Mr. Speaker, a great many Members have spoken to me about the disposal of the captured war trophies. I have introduced a bill, an omnibus bill, which will allow the trophies to be distributed by congressional delegations. I hope to be able to get action on the bill very soon and will bring it before the House as speedily as possible. [Applause.]

LEAVE TO ADDRESS THE HOUSE.

Mr. LITTLE. Mr. Speaker, I ask unanimous consent to address the House for two minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. LITTLE. Mr. Speaker, on Friday last possibly some slight misapprehension occurred as the result of a colloquy between two or three of the Members and myself. I called attention to what I thought was a clerical error in the emergency tariff bill, leaving out the words "and lentils." It was suggested by a member of the committee that that was done by the drafting service after careful examination. The senior member of that service, who I suppose is still with the Committee on Ways and Means, accosted me and informed me that he was not responsible for that change and had not suggested it or had anything to do with it. His understanding was that the committee had done it. I supposed that the suggestion was correctly made and said that I suspected that the drafting service had a part in it, but I find that I am wrong. I do not want the impression to remain, if anyone remembers the occasion, that was then carried by my remarks. The drafting service was evidently not responsible for the omission of "and lentils." I hope now the error will be corrected.

DISPENSING WITH CALENDAR WEDNESDAY.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that the House dispense with the consideration of business in order on Calendar Wednesday next. I make this request because we expect to have before the House the immigration bill and we may not be able to dispose of it on Wednesday. We may desire longer general debate than the Calendar Wednesday rule provides. It seems better to take the bill up under a rule rather than to take it up as a matter of Calendar Wednesday procedure.

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

Mr. MONDELL. Yes.

Mr. MANN. Will there be any other business in order on Calendar Wednesday, now on the calendar?

Mr. MONDELL. I think not.

Mr. MANN. I have no objection to dispensing with Calendar Wednesday, though it is not necessary to dispense with it in order to bring up the immigration bill under the ordinary rules of the House, because it need not be called up on a call of a committee. A call of the committees having been completed, or there being no other bill on the calendar, Speaker Clark ruled, and correctly so, that the House might proceed to other business. There being no other House Calendar business, it would be in order at once to move to go into the Committee of the Whole House on the state of the Union for the consideration of the immigration bill.

Mr. MONDELL. Mr. Speaker, it is very much simpler to dispose of the Calendar Wednesday than to take up on Wednesday morning a long discussion that might ensue with regard to just how the rule might operate.

Mr. MANN. I do not think there would be any long discussion.

Mr. GARRETT of Tennessee. As I understand it, it is the purpose to bring the immigration bill up to-morrow?

Mr. MONDELL. My understanding is that the committee will not be ready to present the bill to-morrow.

Mr. GARRETT of Tennessee. Not until Wednesday?

Mr. MONDELL. Not until Wednesday.

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

Mr. MONDELL. Mr. Speaker, while I am on my feet may I request the majority Members to remain when the House adjourns?

Mr. FESS. Mr. Speaker, I ask unanimous consent that to-morrow, immediately after the reading of the Journal and disposition of any matter that is on the Speaker's table, I be permitted to address the House for 40 minutes on the subject of taxation.

The SPEAKER. The gentleman from Ohio asks unanimous consent to be permitted to address the House for 40 minutes to-morrow on the subject of taxation, immediately after the reading of the Journal and the disposition of the matters on the Speaker's table. Is there objection?

Mr. MOORE of Virginia. Mr. Speaker, may I ask the gentleman from Wyoming whether we may correctly assume that every effort will be made to bring before the House, as soon as possible, the bill in reference to sick and disabled soldiers, providing for the consolidation of the various agencies, and so forth? I ask that because of the many inquiries which come to me from the outside.

Mr. MONDELL. Mr. Speaker, we hope to bring that bill before the House promptly when the committee shall have reported it.

The SPEAKER. Is there objection to the request of the gentleman from Ohio? [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 2 o'clock and 12 minutes p. m.) the House adjourned until to-morrow, Tuesday, April 19, 1921, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

28. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriation required for printing and binding for the Supreme Court, fiscal year 1921 (H. Doc. No. 13); to the Committee on Appropriations and ordered to be printed.

29. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriation required by the Department of Agriculture in connection with forest fires in national parks (H. Doc. No. 14); to the Committee on Appropriations and ordered to be printed.

30. A letter from the Secretary of the Treasury, transmitting deficiency and supplemental estimates of appropriations required by the Department of Justice for the service of sundry fiscal years (H. Doc. No. 15); to the Committee on Appropriations and ordered to be printed.

31. A letter from the Secretary of the Treasury, transmitting estimates of appropriation for the Chicago (Ill.) and Mobile (Ala.) Marine Hospitals (H. Doc. No. 16); to the Committee on Public Buildings and Grounds and ordered to be printed.

32. A letter from the Secretary of the Navy, transmitting draft of proposed bill to provide for reimbursement of steamship companies and others for advancements made during the late war to officers and enlisted men of the naval service on account of pay; to the Committee on Naval Affairs.

33. A letter from the Secretary of Labor, transmitting report of an accumulation of useless executive papers and asking authority for the disposition thereof; to the Committee on Disposition of Useless Executive Papers.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

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

By Mr. JOHNSON of Washington: A bill (H. R. 4075) to limit the immigration of aliens into the United States; to the Committee on Immigration and Naturalization.

By Mr. BEEDY: A bill (H. R. 4076) increasing the limit of cost for a Federal building at Saco, Me.; to the Committee on Public Buildings and Grounds.

By Mr. BRAND: A bill (H. R. 4077) to construct a public building for a postoffice at the city of Madison, Ga.; to the Committee on Public Buildings and Grounds.

By Mr. CAMPBELL of Pennsylvania: A bill (H. R. 4078) increasing the limit of cost for a Federal building at McKees Rocks, Pa.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4079) to provide for the erection of a public building at Duquesne, Pa.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4080) to provide for the erection of a public building at Coraopolis, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. CLARK of Florida: A bill (H. R. 4081) providing for the acquisition of a site for a public building at Starke, Fla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4082) providing for the construction of a public building at Lake City, Fla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4083) providing for the acquisition of a site for a public building at Monticello, Fla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4084) providing for the acquisition of a site for a public building at Perry, Fla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4085) providing for the acquisition of a site for a public building at Madison, Fla.; to the Committee on Public Buildings and Grounds.

By Mr. COOPER of Ohio: A bill (H. R. 4086) to amend the interstate commerce act, approved February 28, 1920; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 4087) for the erection of a Federal building at Conneaut, Ohio; to the Committee on Public Buildings and Grounds.

By Mr. DYER: A bill (H. R. 4088) to authorize the incorporation of companies to promote trade in China; to the Committee on the Judiciary.

By Mr. FITZGERALD: A bill (H. R. 4089) creating the District of Columbia insurance fund for the benefit of employees injured and the dependents of employees killed in hazardous employments, providing for the administration of such fund by the United States Employees' Compensation Commission, and making an appropriation therefor; to the Committee on the District of Columbia.

By Mr. KAHN: A bill (H. R. 4090) to provide a Government-owned water service system for the Fort Monroe Military Reservation; to the Committee on Military Affairs.

By Mr. LANGLEY: A bill (H. R. 4091) granting the consent of Congress to the Borderland Coal Corporation to construct a bridge across the Tug Fork of Big Sandy River, in Mingo County, W. Va.; to the Committee on Interstate and Foreign Commerce.

By Mr. OSBORNE: A bill (H. R. 4092) increasing the pay of printers employed in the Government Printing Office, and for other purposes; to the Committee on Printing.

By Mr. REECE: A bill (H. R. 4093) to provide for the erection of a public building at Kingsport, Tenn.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4094) to provide for the erection of a public building at Sevierville, Tenn.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4095) to provide for the erection of a public building at Rogersville, Tenn.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4096) to provide for the erection of a public building at Elizabethton, Tenn.; to the Committee on Public Buildings and Grounds.

By Mr. RAKER: A bill (H. R. 4097) to create in the War Department and the Navy Department, respectively, a roll designated as the "Civil War volunteer officers' retired list," to authorize placing thereon with retired pay certain surviving officers who served in the Army, Navy, or Marine Corps of the United States in the Civil War, and for other purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 4098) to amend an act entitled "An act to establish postal savings depositories for depositing savings at interest with security of the Government for the repayment thereof, and for other purposes," approved June 25, 1910; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 4099) authorizing, empowering, and requiring postmasters of the United States to administer any and all oaths required under section 2 of an act entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1913, and for other purposes," approved August 24, 1912 (U. S. Stats., pp. 539-560); to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 4100) making appropriation to carry out the provisions of an act entitled "An act to create the California Débris Commission and regulate hydraulic mining in the State of California," approved March 1, 1893; to the Committee on Appropriations.

Also, a bill (H. R. 4101) to authorize the construction of the Southern Lassen Reservoirs in Nevada and California for impounding the waters of the Little Truckee River and Long Valley Creek, and their tributaries, and for other purposes; to the Committee on Irrigation of Arid Lands.

Also, a bill (H. R. 4102) to amend an act entitled "An act to provide capital for agricultural development, to create standard forms of investment based upon farm mortgage, to equalize rates of interest upon farm loans, to furnish a market for United States bonds, to create Government depositories and financial agents for the United States, and for other purposes," approved July 17, 1916 (sess. 1, ch. 245, p. 360, 64th Cong.); to the Committee on Banking and Currency.

Also, a bill (H. R. 4103) making an appropriation to enforce the provisions of an act to regulate the sale of viruses, serums, toxins, and analogous products, and to regulate interstate traffic in said articles, and for other purposes; to the Committee on Appropriations.

Also, a bill (H. R. 4104) making an appropriation, directing and empowering the purchase, preparation, and disposition free of cost of antirabic virus, to be used in the treatment of persons exposed to rabies, and for other purposes; to the Committee on Appropriations.

Also, a bill (H. R. 4105) to amend section 5 of the act approved March 2, 1919, entitled "An act to provide relief in cases of contracts connected with the prosecution of the war, and for other purposes"; to the Committee on Mines and Mining.

Also, a bill (H. R. 4106) to authorize the Supreme Court to prescribe forms and rules, and generally to regulate pleading, procedure, and practice on the common-law side of the Federal courts; to the Committee on the Judiciary.

Also, a bill (H. R. 4107) exempting enlarged homesteads from liability for debt contracted prior to issuance of patent; to the Committee on the Public Lands.

Also, a bill (H. R. 4108) to create a bureau for the deaf and dumb in the Department of Labor, and prescribing the duties thereof; to the Committee on Education.

Also, a bill (H. R. 4109) making an appropriation for the destruction of animals affected with rabies or other animal diseases dangerous to the health of human beings as well as domestic animals, and for other purposes; to the Committee on Appropriations.

Also, a bill (H. R. 4110) making an appropriation for the investigation of underground currents and artesian wells in California; to the Committee on Appropriations.

Also, a bill (H. R. 4111) for the protection and improvement of the Lassen Volcanic National Park, Calif., and for other purposes; to the Committee on Appropriations.

Also, a bill (H. R. 4112) to establish a standard box for apples, and for other purposes; to the Committee on Coinage, Weights, and Measures.

Also, a bill (H. R. 4113) authorizing and directing the Public Printer to provide a pulp and paper mill or mills for the manufacture of print paper for the Government, and for other purposes; to the Committee on Printing.

Also, a bill (H. R. 4114) making an appropriation for the investigation, study, and testing of sagebrush and greasewood which may be used for producing rubber, and for other purposes; to the Committee on Appropriations.

Also, a bill (H. R. 4115) for improvement of Sacramento River between Chico Landing and Red Bluff, Calif.; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 4116) to make accessible to the people the valuable scientific and other research work conducted by the United States through establishment of a national school of correspondence; to the Committee on Education.

Also, a bill (H. R. 4117) making an appropriation to purchase land for homeless Indians in California, and for other purposes; to the Committee on Appropriations.

Also, a bill (H. R. 4118) for the prevention of venereal diseases in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

Also, a bill (H. R. 4119) giving the courts in naturalization proceedings further powers and requiring additional facts to be shown before final naturalization papers are issued to applicants, and for other purposes; to the Committee on Immigration and Naturalization.

Also, a bill (H. R. 4120) authorizing the Pitt River and the Apwaraki Tribes or Bands of Indians of California to submit claims to the Court of Claims; to the Committee on Indian Affairs.

Also, a bill (H. R. 4121) to provide for an investigation and report as to the advisability of exchange of lands in national forests, and for other purposes; to the Committee on the Public Lands.

Also, a bill (H. R. 4122) providing for the reuse of boxes, bags, or other packages by manufacturers of tobacco, snuff, and cigars, and for other purposes; to the Committee on Ways and Means.

Also, a bill (H. R. 4123) to provide for the consolidation of forest lands in the Plumas National Forest, Calif., and for other purposes; to the Committee on the Public Lands.

Also, a bill (H. R. 4124) authorizing the Secretary of the Interior to provide relief and care of nonreservation Indians in California in destitute circumstances, and for other purposes; to the Committee on Indian Affairs.

By Mr. SANDERS of Indiana: A bill (H. R. 4125) to authorize the commitment of convicted persons to State penal farm; to the Committee on the Judiciary.

By Mr. SIEGEL: A bill (H. R. 4126) to amend an act entitled "An act to parole United States prisoners, and for other purposes," approved June 25, 1910, as amended by an act approved January 23, 1913, and for the establishment of a probation system in the United States courts, except in the District of Columbia; to the Committee on the Judiciary.

Also, a bill (H. R. 4127) to amend an act entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes"; to the Committee on the Judiciary.

By Mr. SINNOTT: A bill (H. R. 4128) restoring homestead rights to officers, soldiers, sailors, and marines who served in the United States Army or Navy during the war with Germany; to the Committee on the Public Lands.

By Mr. TILLMAN: A bill (H. R. 4129) to create the national board of rural industrial schools for mountain children, and for other purposes; to the Committee on Education.

Also, a bill (H. R. 4130) granting additional compensation to all officers and enlisted personnel of the Army, Navy, and Marine Corps, including nurses; to the Committee on Ways and Means.

By Mr. TOWNER: A bill (H. R. 4131) to amend an act entitled "An act to provide capital for agricultural development, to create standard forms of investment based upon farm mortgage, to equalize rates of interest upon farm loans, to furnish a market for United States bonds, to create Government depositories and financial agents for the United States, and for other purposes," approved July 17, 1916; to the Committee on Banking and Currency.

By Mr. WHITE of Maine: A bill (H. R. 4132) to regulate the operation of and to encourage the development of radio communication in the United States; to the Committee on the Merchant Marine and Fisheries.

By Mr. WILSON: A bill (H. R. 4133) to prohibit immigration for a period of four years, and for other purposes; to the Committee on Immigration and Naturalization.

By Mr. YOUNG: A bill (H. R. 4134) to provide further for securing and disseminating information concerning the supply and demand in foreign countries for American agricultural products; to the Committee on Agriculture.

By Mr. BRIGGS: A bill (H. R. 4135) for the erection of a post-office building at Crockett, Tex., with an appropriation of \$100,000 for such purpose; to the Committee on Public Buildings and Grounds.

By Mr. HAYDEN: A bill (H. R. 4136) to provide for marking the carcasses of goats with the words "goat meat"; to the Committee on Agriculture.

Also, a bill (H. R. 4137) to repeal that part of the Indian appropriation act approved April 21, 1904, which authorizes the exchange of public lands for private lands included within Indian reservations; to the Committee on Indian Affairs.

By Mr. RAKER: A bill (H. R. 4138) making it unlawful to board any passenger, freight, or other railway train used in interstate commerce, and for other purposes; to the Committee on the Judiciary.

By Mr. RUCKER: A bill (H. R. 4139) authorizing the acquisition of a site for a public building at Paris, Mo.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4140) authorizing the acquisition of a site for a public building at Salisbury, Mo.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4141) authorizing the acquisition of a site for a public building at Milan, Mo.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4142) to provide for the erection of a post-office building at Trenton, Mo.; to the Committee on Public Buildings and Grounds.

By Mr. SANDERS of Indiana: A bill (H. R. 4143) for an extension to the post-office building at Terre Haute, in the State of Indiana; to the Committee on Public Buildings and Grounds.

By Mr. MANN: Resolution (H. Res. 59) for the relief of the widow of Herman A. Phillips, late an employee of the House of Representatives; to the Committee on Accounts.

By Mr. DYER: Resolution (H. Res. 60) requesting the Interstate Commerce Commission to make certain investigations regarding the present and future supply of the timber; to the Committee on Interstate and Foreign Commerce.

By Mr. SNYDER: Joint resolution (H. J. Res. 55) inquiring as to the rights of the Montauk Indians of New York; to the Committee on Indian Affairs.

By Mr. RAKER: Joint resolution (H. J. Res. 56) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

Also, joint resolution (H. J. Res. 57) making the provisions of section 2296 of the United States Revised Statutes applicable to all entries made under the homestead laws and laws supplemental and amendatory thereof; to the Committee on the Public Lands.

By Mr. SABATH: Joint resolution (H. J. Res. 58) to authorize the entry and admission of Donal O'Callaghan and to permit him to remain in the United States; to the Committee on Immigration and Naturalization.

By Mr. RODENBERG: Concurrent resolution (H. Con. Res. 11), providing for the printing of 10,000 copies of the Biographical Congressional Directory; to the Committee on Printing.

By the SPEAKER (by request): Memorial of the Legislature of the State of Pennsylvania in connection with retirement of disabled Army officers; to the Committee on Military Affairs.

By Mr. CHRISTOPHERSON: Memorial of the Legislature of the State of South Dakota in connection with the exemption of national parks and monuments from the provisions of the water power act and against the Smith irrigation bill; to the Select Committee on Water Power.

By Mr. RAMSEYER: Memorial of the Thirty-ninth General Assembly of the State of Iowa, urging Congress to enact legislation to provide for the construction of a bridge across the Mississippi River between McGregor and Marquette (North McGregor) in the State of Iowa, and the city of Prairie du Chien, in the State of Wisconsin; to the Committee on Interstate and Foreign Commerce.

By Mr. REBER: Memorial of the Legislature of the State of Pennsylvania seeking retirement for disabled emergency officers of the Army; to the Committee on Military Affairs.

By Mr. WOODYARD: Memorial of the Legislature of West Virginia in reference to pensions; to the Committee on Invalid Pensions.

Also, memorial of the Legislature of West Virginia with reference to certain legislation in behalf of disabled ex-service men; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

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

By Mr. APPLEBY: A bill (H. R. 4144) for the relief of Edward S. Farrow; to the Committee on Military Affairs.

By Mr. BEEDY: A bill (H. R. 4145) for the relief of Leonidas Sawyer; to the Committee on Claims.

By Mr. BENHAM: A bill (H. R. 4146) granting a pension to Vance K. Stewart; to the Committee on Pensions.

Also, a bill (H. R. 4147) granting an increase of pension to James H. Scroggins; to the Committee on Pensions.

Also, a bill (H. R. 4148) granting a pension to Howard Roman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4149) granting a pension to Poe H. Emery; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4150) granting a pension to Samantha McCracken; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4151) granting a pension to Catharine Bindhammer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4152) granting a pension to Charles I. Ginter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4153) granting a pension to David M. Johnson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4154) granting a pension to Elizabeth Thomas; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4155) granting a pension to Cyrus W. Harris; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4156) granting a pension to Jessie Lockwood; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4157) granting an increase of pension to Wells Johnson; to the Committee on Invalid Pensions.

By Mr. BIXLER: A bill (H. R. 4158) to correct the military record of Thomas W. Duerner; to the Committee on Military Affairs.

By Mr. BLAND of Virginia: A bill (H. R. 4159) granting a pension to Thomas Purcell; to the Committee on Pensions.

Also, a bill (H. R. 4160) authorizing the Secretary of War to donate to the village of Wachapreague, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BRAND: A bill (H. R. 4161) authorizing the Secretary of War to donate to the city of Madison, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4162) authorizing the Secretary of War to donate to the city of Lexington, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4163) authorizing the Secretary of War to donate to the city of Covington, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4164) authorizing the Secretary of War to donate to the city of Carnesville, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4165) authorizing the Secretary of War to donate to the city of Hartwell, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4166) authorizing the Secretary of War to donate to the city of Washington, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4167) authorizing the Secretary of War to donate to the city of Watkinsville, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4168) authorizing the Secretary of War to donate to the city of Greensboro, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4169) authorizing the Secretary of War to donate to the city of Monroe, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4170) authorizing the Secretary of War to donate to the city of Elberton, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4171) authorizing the Secretary of War to donate to the city of Danielsville, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4172) authorizing the Secretary of War to donate to the city of Eatonton, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4173) authorizing the Secretary of War to donate to the University of Georgia, Athens, Ga., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4174) for the relief of the estate of John H. Christy, deceased; to the Committee on Claims.

Also, a bill (H. R. 4175) for the relief of the estate of Joseph Hanserd; to the Committee on War Claims.

Also, a bill (H. R. 4176) for the relief of the estate of Henry E. Lawrence; to the Committee on Claims.

By Mr. BYRNS of Tennessee: A bill (H. R. 4177) granting an increase of pension to Augusta Louise Benzing; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4178) granting a pension to John A. Tuttle; to the Committee on Pensions.

By Mr. CAMPBELL of Pennsylvania: A bill (H. R. 4179) for the relief of Ida F. Baum; to the Committee on Claims.

By Mr. CLARK of Florida: A bill (H. R. 4180) to require the Secretary of War to cause to be made a survey for a canal from Cumberland Sound to or near the mouth of the Mississippi River, and to make full and complete report to Congress of the most feasible route and cost of construction; to the Committee on Railways and Canals.

By Mr. CLARKE of New York: A bill (H. R. 4181) granting an increase of pension to Catherine Leonard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4182) granting an increase of pension to Emma E. McCready; to the Committee on Pensions.

By Mr. CLASSON: A bill (H. R. 4183) granting a pension to William Sanderson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4184) granting a pension to Delbert R. Spice; to the Committee on Pensions.

Also, a bill (H. R. 4185) granting a pension to Marion A. McCartney; to the Committee on Pensions.

By Mr. CODD: A bill (H. R. 4186) for the relief of Morgan Miller; to the Committee on Claims.

By Mr. COLLINS: A bill (H. R. 4187) granting a pension to Ignatz Welzbacher; to the Committee on Pensions.

By Mr. COPLEY: A bill (H. R. 4188) granting a pension to Vida V. Johnson; to the Committee on Pensions.

By Mr. FITZGERALD: A bill (H. R. 4189) granting an increase of pension to Hale F. Hamilton; to the Committee on Pensions.

Also, a bill (H. R. 4190) granting an increase of pension to William Newman; to the Committee on Pensions.

By Mr. FLOOD: A bill (H. R. 4191) authorizing the Secretary of War to donate to the city of Staunton, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4192) authorizing the Secretary of War to donate to the town of Lexington, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4193) authorizing the Secretary of War to donate to the town of Newcastle, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4194) authorizing the Secretary of War to donate to the town of Palmyra, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4195) authorizing the Secretary of War to donate to the city of Buchanan, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4196) authorizing the Secretary of War to donate to the city of Monterey, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. FROTHINGHAM: A bill (H. R. 4197) granting an increase of pension to Nicholas Brady; to the Committee on Invalid Pensions.

By Mr. FUNK: A bill (H. R. 4198) authorizing the Secretary of War to donate to the city of Gibson City, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4199) authorizing the Secretary of War to donate to the city of Paxton, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4200) authorizing the Secretary of War to donate to the city of Piper City, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4201) authorizing the Secretary of War to donate to the city of Chatsworth, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4202) authorizing the Secretary of War to donate to the city of Dwight, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4203) authorizing the Secretary of War to donate to the city of Fairbury, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4204) authorizing the Secretary of War to donate to the city of Forrest, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4205) authorizing the Secretary of War to donate to the city of Long Point, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4206) authorizing the Secretary of War to donate to the city of Odell, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4207) authorizing the Secretary of War to donate to the city of Pontiac, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4208) authorizing the Secretary of War to donate to the city of Atlanta, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4209) authorizing the Secretary of War to donate to the city of Mount Pulaski, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4210) authorizing the Secretary of War to donate to the city of Bloomington, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4211) authorizing the Secretary of War to donate to the city of Chenoa, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4212) authorizing the Secretary of War to donate to the city of Colfax, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4213) authorizing the Secretary of War to donate to the city of Leroy, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4214) authorizing the Secretary of War to donate to the city of Lexington, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4215) authorizing the Secretary of War to donate to the city of Normal, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4216) authorizing the Secretary of War to donate to the city of McLean, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4217) authorizing the Secretary of War to donate to the city of El Paso, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4218) authorizing the Secretary of War to donate to the city of Eureka, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4219) authorizing the Secretary of War to donate to the city of Minonk, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4220) authorizing the Secretary of War to donate to the city of Roanoke, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4221) authorizing the Secretary of War to donate to the city of Washburn, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HUKRIEDE: A bill (H. R. 4222) granting an increase of pension to Annie Dougherty; to the Committee on Pensions.

By Mr. HARDY of Colorado: A bill (H. R. 4223) granting a pension to Sarah E. Dawson; to the Committee on Invalid Pensions.

By Mr. HICKS: A bill (H. R. 4224) granting an increase of pension to Anna B. McCurley; to the Committee on Invalid Pensions.

By Mr. JAMES of Michigan: A bill (H. R. 4225) granting a pension to Dorothy H. Volk; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4226) to reimburse Clarence J. Vaughan, of Marquette, Mich., for money lost in registered letter; to the Committee on Claims.

By Mr. JONES of Pennsylvania: A bill (H. R. 4227) granting a pension to Hattie M. Weaver; to the Committee on Invalid Pensions.

By Mr. KELLER: A bill (H. R. 4228) authorizing the Secretary of War to donate to the city of St. Paul, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4229) authorizing the Secretary of War to donate to the town of North St. Paul, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4230) authorizing the Secretary of War to donate to the town of White Bear, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. LUHRING: A bill (H. R. 4231) to carry out the findings of the Court of Claims in the case of Abel J. Mosby; to the Committee on Claims.

Also, a bill (H. R. 4232) to carry out the findings of the Court of Claims in the case of William Harrow; to the Committee on Claims.

Also, a bill (H. R. 4233) to carry out the findings of the Court of Claims in the case of William Harrow; to the Committee on Claims.

By Mr. McLAUGHLIN of Michigan: A bill (H. R. 4234) granting an increase of pension to Sarah E. Muenschler; to the Committee on Invalid Pensions.

By Mr. MAPES: A bill (H. R. 4235) granting an increase of pension to Sarah E. Lord; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4236) for the relief of Frank D. Peck; to the Committee on Military Affairs.

Also, a bill (H. R. 4237) for the relief of John J. Waters; to the Committee on Military Affairs.

By Mr. MEAD: A bill (H. R. 4238) to provide for the relief of Wilhelmina Beach; to the Committee on Claims.

Also, a bill (H. R. 4239) to provide for the relief of Nellie Lacy; to the Committee on Claims.

By Mr. MILLSPAUGH: A bill (H. R. 4240) granting an increase of pension to John W. Miles; to the Committee on Pensions.

By Mr. MOORE of Illinois: A bill (H. R. 4241) granting a pension to Mary W. Fairbanks; to the Committee on Invalid Pensions.

By Mr. MORGAN: A bill (H. R. 4242) granting an increase of pension to Orpha Teagarden; to the Committee on Invalid Pensions.

By Mr. MURPHY: A bill (H. R. 4243) granting a pension to Thomas E. Cole; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4244) authorizing the Secretary of War to donate to the city of Bergholz, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4245) authorizing the Secretary of War to donate to the city of East Palestine, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4246) authorizing the Secretary of War to donate to the city of Bellaire, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4247) authorizing the Secretary of War to donate to the city of Scio, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4248) authorizing the Secretary of War to donate to the city of Martins Ferry, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4249) authorizing the Secretary of War to donate to the town of Hendrysburg, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4250) authorizing the Secretary of War to donate to the city of Salem, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4251) authorizing the Secretary of War to donate to the city of Mingo Junction, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4252) authorizing the Secretary of War to donate to the city of Dellroy, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4253) authorizing the Secretary of War to donate to the city of Bowerston, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4254) authorizing the Secretary of War to donate to the city of Brilliant, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4255) authorizing the Secretary of War to donate to the city of Adena, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4256) authorizing the Secretary of War to donate to the city of Smithfield, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4257) authorizing the Secretary of War to donate to the city of Toronto, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4258) authorizing the Secretary of War to donate to the city of Jewett, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4259) authorizing the Secretary of War to donate to the city of Barnesville, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4260) authorizing the Secretary of War to donate to the City of Bridgeport, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4261) authorizing the Secretary of War to donate to the city of Sherodsville, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4262) authorizing the Secretary of War to donate to the town of Mechanicstown, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4263) authorizing the Secretary of War to donate to the city of Shadyside, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4264) authorizing the Secretary of War to donate to the city of Lisbon, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4265) authorizing the Secretary of War to donate to the city of Steubenville, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4266) authorizing the Secretary of War to donate to the city of Carrollton, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4267) authorizing the Secretary of War to donate to the city of Cadiz, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4268) authorizing the Secretary of War to donate to the city of St. Clairsville, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4269) authorizing the Secretary of War to donate to the city of Wellsville, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4270) authorizing the Secretary of War to donate to the city of East Liverpool, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4271) authorizing the Secretary of War to donate to the city of Amsterdam, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4272) authorizing the Secretary of War to donate to the city of Richmond, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4273) authorizing the Secretary of War to donate to the town of Washingtonville, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4274) authorizing the Secretary of War to donate to the city of Salineville, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4275) authorizing the Secretary of War to donate to the town of Hopedale, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4276) authorizing the Secretary of War to donate to the city of Rayland, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4277) authorizing the Secretary of War to donate to the city of Malvern, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4278) authorizing the Secretary of War to donate to the city of Bethesda, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4279) authorizing the Secretary of War to donate to the town of Mount Pleasant, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4280) authorizing the Secretary of War to donate to the town of Sommerton, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4281) authorizing the Secretary of War to donate to the town of Dillonvale, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4282) authorizing the Secretary of War to donate to the town of Kilgore, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4283) authorizing the Secretary of War to donate to the city of Columbiana, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4284) authorizing the Secretary of War to donate to the town of Leesville, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4285) authorizing the Secretary of War to donate to the city of Leetonia, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4286) authorizing the Secretary of War to donate to the town of Irondale, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. PATTERSON: A bill (H. R. 4287) granting an increase of pension to Charles L. McClure; to the Committee on Pensions.

By Mr. PERKINS: A bill (H. R. 4288) authorizing the Secretary of War to donate to the city of Leonia, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4289) authorizing the Secretary of War to donate to the city of Wood Ridge, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4290) authorizing the Secretary of War to donate to the city of Garfield, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4291) authorizing the Secretary of War to donate to the city of Ridgefield Park, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4292) authorizing the Secretary of War to donate to the city of West Milford, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4293) authorizing the Secretary of War to donate to the city of Rutherford, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4294) authorizing the Secretary of War to donate to the city of East Rutherford, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. PURNELL: A bill (H. R. 4295) granting a pension to Nannie Williams; to the Committee on Invalid Pensions.

By Mr. RAKER: A bill (H. R. 4296) granting an increase of pension to Edward S. Atkins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4297) granting a pension to Francis A. Baxter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4298) granting a pension to George W. Keenan; to the Committee on Pensions.

Also, a bill (H. R. 4299) granting a pension to Mary A. Blair; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4300) granting a pension to Louis F. Urnsbach; to the Committee on Pensions.

Also, a bill (H. R. 4301) granting a pension to Marie Schneider; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4302) granting a pension to Zoria B. McCrary; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4303) for the relief of Maurice B. Browne; to the Committee on the Public Lands.

Also, a bill (H. R. 4304) for the relief of J. A. Perry; to the Committee on Claims.

Also, a bill (H. R. 4305) for the relief of W. S. Curless; to the Committee on Claims.

Also, a bill (H. R. 4306) for the relief of Thomas A. Winn; to the Committee on the Public Lands.

Also, a bill (H. R. 4307) for the relief of Evelyn Browne; to the Committee on the Public Lands.

Also, a bill (H. R. 4308) for the relief of William B. Fowler; to the Committee on Military Affairs.

Also, a bill (H. R. 4309) for the relief of W. F. Peck and M. B. Gott; to the Committee on Claims.

Also, a bill (H. R. 4310) for the relief of Maude Browne Matkins, formerly Maude Browne; to the Committee on the Public Lands.

Also, a bill (H. R. 4311) for the relief of Anna W. Newman; to the Committee on Claims.

Also, a bill (H. R. 4312) for the relief of James W. Creighton as postmaster at Camino, Eldorado County, Calif., for money (gold coin) lost in transit after remittance left the Camino post office; to the Committee on Claims.

Also, a bill (H. R. 4313) for the relief of Andrew M. Dunlop; to the Committee on Claims.

Also, a bill (H. R. 4314) for the relief of Mrs. M. P. Rodgers; to the Committee on Claims.

Also, a bill (H. R. 4315) for the relief of the Indian Valley Railroad Co.; to the Committee on Claims.

Also, a bill (H. R. 4316) to correct the military record of James M. Wiley; to the Committee on Military Affairs.

Also, a bill (H. R. 4317) to correct the military record of Daniel Schneider; to the Committee on Military Affairs.

Also, a bill (H. R. 4318) authorizing the Secretary of War to donate to the Preston School of Industry, of Waterman, State of California, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 4319) authorizing the Secretary of War to donate to the city of Colfax, State of California, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 4320) authorizing the Secretary of War to donate to the city of Roseville, State of California, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 4321) authorizing the Secretary of War to donate to the city of Lincoln, State of California, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4322) authorizing the Secretary of War to donate to the city of Sutter Creek, State of California, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 4323) authorizing the Secretary of War to donate to the city of Jamestown, State of California, two German cannons or fieldpieces; to the Committee on Military Affairs.

By Mr. REECE: A bill (H. R. 4324) granting a pension to Robert Hopson; to the Committee on Pensions.

Also, a bill (H. R. 4325) granting an increase of pension to Sarah McQueen; to the Committee on Pensions.

Also, a bill (H. R. 4326) granting a pension to James A. Wolfe; to the Committee on Pensions.

By Mr. KOPP: A bill (H. R. 4327) granting a pension to Margaret Pinkham; to the Committee on Pensions.

By Mr. RHODES: A bill (H. R. 4328) for the relief of John F. Norton, alias John Laughton; to the Committee on Military Affairs.

By Mr. ROACH: A bill (H. R. 4329) granting a pension to Mary Emaline Ash; to the Committee on Invalid Pensions.

By Mr. RUCKER: A bill (H. R. 4330) granting an increase of pension to Mary J. Boo; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4331) granting an increase of pension to William M. Young; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4332) granting an increase of pension to Lowell O. Carpenter; to the Committee on Pensions.

Also, a bill (H. R. 4333) granting an increase of pension to Julia Tomlin; to the Committee on Pensions.

Also, a bill (H. R. 4334) for the relief of Nathan McDanel; to the Committee on Military Affairs.

Also, a bill (H. R. 4335) granting a pension to William Skinner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4336) authorizing and directing the Secretary of War to make certain donations of cannon and ordnance to designated towns and cities; to the Committee on Military Affairs.

By Mr. SANDERS of Indiana: A bill (H. R. 4337) authorizing the Secretary of War to donate to the city of Terre Haute, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4338) authorizing the Secretary of War to donate to the city of Brazil, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4339) authorizing the Secretary of War to donate to the city of Newport, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4340) authorizing the Secretary of War to donate to the city of Greencastle, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4341) authorizing the Secretary of War to donate to the city of Danville, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4342) authorizing the Secretary of War to donate to the town of Coatesville, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4343) authorizing the Secretary of War to donate to the city of Rockville, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4344) granting a pension to William P. Grimm; to the Committee on Pensions.

Also, a bill (H. R. 4345) granting a pension to Noah L. Gibbons; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4346) granting a pension to Mary E. Duncan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4347) for the relief of James McD. Hays; to the Committee on Military Affairs.

Also, a bill (H. R. 4348) to correct the military record of Thornton Jackson; to the Committee on Military Affairs.

Also, a bill (H. R. 4349) for the relief of John H. Kidd; to the Committee on Military Affairs.

Also, a bill (H. R. 4350) to correct the military record of John W. Gulley; to the Committee on Military Affairs.

Also, a bill (H. R. 4351) to correct the military record of John C. Cummins; to the Committee on Military Affairs.

Also, a bill (H. R. 4352) for the relief of John W. Baker; to the Committee on Military Affairs.

Also, a bill (H. R. 4353) granting a pension to Rose Davidson; to the Committee on Pensions.

By Mr. SHREVE: A bill (H. R. 4354) granting a pension to Alender Beebe; to the Committee on Invalid Pensions.

By Mr. SNELL: A bill (H. R. 4355) authorizing the Secretary of War to donate to the town of Madrid, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SWING: A bill (H. R. 4356) for the relief of Arthur J. Burdick; to the Committee on Claims.

By Mr. TILLMAN: A bill (H. R. 4357) authorizing the Secretary of War to donate to the county of Baxter, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4358) authorizing the Secretary of War to donate to the county of Newton, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4359) authorizing the Secretary of War to donate to the county of Carroll, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4360) granting a pension to Mary M. Newman; to the Committee on Pensions.

Also, a bill (H. R. 4361) granting a pension to Elijah M. Smothers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4362) granting a pension to Andrew J. Gouge; to the Committee on Invalid Pensions.

By Mr. TILSON: A bill (H. R. 4363) granting a pension to Mary M. Whitford; to the Committee on Pensions.

Also, a bill (H. R. 4364) granting a pension to Charles Lynch; to the Committee on Invalid Pensions.

By Mr. UNDERHILL: A bill (H. R. 4365) for the relief of the owner of the steamer *Mayflower* and for the relief of the passengers on board the said steamer; to the Committee on Claims.

Also, a bill (H. R. 4366) for the relief of the owner of the steam lighter *Cornelia*; to the Committee on Claims.

Also, a bill (H. R. 4367) for the relief of the owners of the schooner *Horatio G. Foss*; to the Committee on Claims.

Also, a bill (H. R. 4368) for the relief of the owners of the barge *Havana*; to the Committee on Claims.

Also, a bill (H. R. 4369) for the relief of the owner of the lighter *Vim*; to the Committee on Claims.

Also, a bill (H. R. 4370) for the relief of the owners of the barge *Consolidation Coastwise No. 24*; to the Committee on Claims.

By Mr. UPshaw: A bill (H. R. 4371) granting an increase of pension to Lena Fitzgerald; to the Committee on Pensions.

By Mr. WATSON: A bill (H. R. 4372) authorizing the Secretary of War to donate to the borough of Hathoro, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4373) authorizing the Secretary of War to donate to the borough of Bristol, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4374) granting an honorable discharge to John Prickett; to the Committee on Military Affairs.

Also, a bill (H. R. 4375) granting an increase of pension to Mary J. Guy; to the Committee on Invalid Pensions.

By Mr. WHITE of Kansas: A bill (H. R. 4376) granting a pension to Christina Weaver; to the Committee on Pensions.

By Mr. WOODYARD: A bill (H. R. 4377) for the relief of the widow and children of Gordon H. Meek, deceased; to the Committee on the Post Office and Post Roads.

PETITIONS, ETC.

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

158. By Mr. EDMONDS: Petition of citizens of the fourth congressional district of Pennsylvania urging that the Congress do not pass the bill H. R. 22; to the Committee on Education.

159. By Mr. NEWTON of Minnesota: Petition of Mrs. C. L. Dutton and sundry citizens of Minneapolis, Minn., petitioning the Congress of the United States to take the necessary action to recognize the republic of Ireland; to the Committee on Foreign Affairs.

160. Also, petition of Mr. T. Mullen and sundry citizens of Minneapolis, Minn., petitioning the Congress of the United States to take the necessary action to recognize the republic of Ireland; to the Committee on Foreign Affairs.

161. By Mr. OSBORNE: Memorial of the board of directors of the Los Angeles (Calif.) Chamber of Commerce, protesting against the jurisdiction of the Hydrographic Office being changed to the Coast Survey, and urging the transfer to the Hydrographic Office, in the Navy Department, of the hydrographic section of the Coast and Geodetic Survey; to the Committee on Appropriations.

162. Also, memorial of W. S. Ament, of Claremont, Calif., and 14 other citizens of California, to mitigate, better, and remove unfortunate conditions now existing at the immigrant receiving station at Ellis Island, N. Y.; to the Committee on Immigration and Naturalization.

163. By Mr. ROACH: Petition of Young Men's Sodality of St. Peter's Parish, Jefferson City, Mo., protesting against the Smith-Towner bill; to the Committee on Education.

164. By Mr. WATSON: Petition of the employees of W. A. Bauer & Co., of Norristown, Pa., favoring the daylight saving bill for the eastern time zone of the United States; to the Committee on Interstate and Foreign Commerce.

165. By Mr. YATES: Petition of A. F. Franks Cigar Co., East St. Louis, Ill., protesting against the emergency tariff bill; to the Committee on Ways and Means.

166. Also, petition of Aug. Gross & Son and the Cable-Nelson Piano Co., of Chicago, Ill., protesting against an excise tax on musical instruments; to the Committee on Ways and Means.

167. By Mr. YOUNG: Petition of the Velva Lodge, No. 72, Ancient Free and Accepted Masons, of Velva, N. Dak., favoring the passage of the so-called Smith-Towner bill, to establish a department of education; to the Committee on Education.

168. Also, petition of the Mackey Lodge, No. 18, Ancient Free and Accepted Masons, of La Moure, N. Dak., favoring the passage of the so-called Smith-Towner bill, providing for the establishment of a department of education; to the Committee on Education.

169. Also, petition of Ellendale Lodge, No. 13, Ancient Free and Accepted Masons, of Ellendale, N. Dak., favoring the passage of the so-called Smith-Towner bill, to provide a department of education, etc.; to the Committee on Education.

170. Also, petition of the Sanborn Lodge, No. 14, Ancient Free and Accepted Masons, of Sanborn, N. Dak., favoring the passage of the so-called Smith-Towner bill, to establish a department of education; to the Committee on Education.

171. Also, petition of Edmore Lodge, Ancient Free and Accepted Masons, of Edmore; the Hillsboro Lodge, No. 10, Ancient Free and Accepted Masons, of Hillsboro; Golden Fleece Lodge, No. 31, Ancient Free and Accepted Masons, of Forman; and the Women's Study Club, of Wimbledon, all of the State of North Dakota, favoring the passage of the so-called Smith-Towner bill, providing for a department of education, etc.; to the Committee on Education.

SENATE.

TUESDAY, April 19, 1921.

(Legislative day of Monday, April 18, 1921.)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

BERT M. FERNALD, a Senator from the State of Maine, and JOSEPH T. ROBINSON, a Senator from the State of Arkansas, appeared in their seats to-day.

PETITIONS AND MEMORIALS.

Mr. CAPPER presented memorials of Division No. 161, Order of Railway Conductors, of Parsons, and Local No. 330, Order of Railway Conductors, of Emporia, both in the State of Kansas, remonstrating against the enactment of legislation repealing the excess-profits tax and the adoption of a sales tax, which were referred to the Committee on Finance.

He also presented a resolution adopted by the National Wool Growers' Association, at its recent annual convention in Salt Lake City, Utah, favoring an increased appropriation for the destruction of predatory animals, which was referred to the Committee on Agriculture and Forestry.

He also presented a resolution adopted by the American Society of Equity, of Dodge County, Wis., favoring the enactment of legislation legalizing collective bargaining by agricultural organizations, which was referred to the Committee on the Judiciary.

Mr. POMERENE presented petitions and resolutions in the nature of petitions of sundry citizens of Sidney; Sisters of Charity, of St. Vincent's Orphanage, of Cleveland; sundry members of St. James Parish, of Cleveland; sundry citizens of Cleveland; sundry citizens of Ashtabula; priests of St. Agnes Parish, of Cleveland; sundry members of the Tuesday Study Club, of Cleveland; sundry citizens of the State of Ohio; officers of Commodore Barry Council, Association for the American Recognition of the Irish Republic, of Sandusky; American Association for the Recognition of the Irish Republic, of Akron; American Association for the Recognition of the Irish Republic, of Cuyahoga Falls; Charles Carroll Council, American Association for the Recognition of the Irish Republic, of Huron; Athens Central Labor Union, of Athens; sundry citizens (in open mass meeting assembled), of Newark; Holy Name Society, of St. Mary's Church, of Akron; sundry citizens of Urbana; and public meeting held at the armory, of Cincinnati, all of the State of Ohio; and sundry citizens of the State of New Jersey, praying for the enactment of legislation for the recognition of the Irish Republic, which were referred to the Committee on Foreign Relations.

He also presented a resolution of Columbus Council, American Association for the Recognition of the Irish Republic, of Columbus, Ohio, protesting against the deportation of Lord Mayor O'Callaghan, of Cork, which was referred to the Committee on Foreign Relations.

Mr. NELSON presented a petition of the Jasper Stone Co., of Sioux City, Iowa, praying for a tariff on buhrstones, tube mill linings, grinding pebbles, etc., which was referred to the Committee on Finance.

REPORTS OF COMMITTEES.

Mr. KELLOGG, from the Committee on Interstate Commerce, to which was referred the bill (S. 535) to prevent the unauthorized landing of submarine cables in the United States, reported it with amendments.

Mr. ASHURST, from the Committee on the Judiciary, to which was referred the bill (S. 395) providing for an additional judge for the district of Arizona, reported it without amendment and submitted a report (No. 1) thereon.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

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

By Mr. JONES of Washington:

A bill (S. 976) authorizing the Cowlitz Tribe of Indians, residing in the State of Washington, to submit claims to the Court of Claims; and

A bill (S. 977) for the relief of dispossessed allotted Indians of the Nisqually Reservation, Wash.; to the Committee on Indian Affairs.

A bill (S. 978) for the relief of the Alaska Steamship Co.; and

A bill (S. 979) authorizing the Indian tribes and individual Indians, or any of them, residing in the State of Washington and west of the summit of the Cascade Mountains to submit to the Court of Claims certain claims growing out of treaties and otherwise; to the Committee on Claims.