HOUSE OF REPRESENTATIVES.

THURSDAY, *March 3, 1921.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O God, help us to see Thee through our sorrow and to know Thee through the subtle processes of our hearts. The noblest creation of Thy handiwork is a good man. One has fallen; a mighty oak of the high lands has been lowered. In his heart there was no guile; his hand was never extended in infidelity; he wore his heart on his sleeve.

Oh, the workmen die but the work goes on forever. He was so constant in his labors, so just in his decisions, so manly and honorable in his bearing, that we would keep in sacred memory the moral grandeur of this man who wore truth upon his brow and kept falsehood under his feet.

Comfort and console the sorrowing ones to-day with the tenderest care, and abide with his honorable colleagues in the peace that passeth understanding, and may the watchword of this day be his word—duty. For Jesus' sake. Amen.

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

RECESS TO-DAY.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that the House stand in recess from 6 to 8 o'clock this afternoon; and I would like to ask whether that would preclude my asking for an earlier recess.

The SPEAKER. The Chair thinks not. The gentleman from Wyoming asks unanimous consent that the House stand in recess from 6 to 8 o'clock this afternoon. Is there objection?

There was no objection.

Mr. BLANTON. Mr. Speaker, I make the point that no quorum is present.

The SPEAKER. The gentleman from Texas makes the point that no quorum is present. Evidently no quorum is present.

Mr. MONDELL. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The Doorkeeper was directed to close the doors and the Sergeant at Arms to notify absent Members.

The Clerk called the roll, and the following Members failed to answer to their names:

Britten	Focht	Johnson, S. Dak.	Ramsey
Brumbaugh	Frear	Johnston, N. Y.	Riddick
Burke	Gallagher	Juul	Riordan
Byrnes, S. C.	Gallivan	Kennedy, Iowa	Rowan
Caldwell	Gandy	Kennedy, R. I.	Rubey
Candler	Garner	Kettner	Sanders, Ind.
Cantrill	Glynn	Kincheloe	Sanders, La.
Carss	Goldfogle	Kitchin	Sanford
Casey	Goodwin, Ark.	Kleczka	Scully
Clark	Graham, Pa.	Lampert	Sears
Classon	Green, Iowa	Langley	Smith, N. Y.
Costello	Hamill	Larsen	Steele
Crowther	Hamilton	Lonergan	Stiness
Curry, Calif.	Hardy, Tex.	McCulloch	Sullivan
Davey	Harreld	McDuffie	Thomas
Dent	Harrison	McFadden	Tinkham
Dewalt	Hersman	McKinley	Towner
Donovan	Hill	Maher	Upshaw
Dooling	Howard	Mann, S. C.	Vare
Doughton	Hulings	Mays	Venable
Dupré	Hull, Iowa	Mead	Watkins
Eagan	Husted	Moon	Webster
Eagle	Igoe	Mooney	Welling
Ellsworth	Ireland	Phelan	Whaley
Emerson	James, Mich.	Rainey, Henry T.	Winslow
Fairfield	Johnson, Ky.	Rainey, John W.	Wise

The SPEAKER. Three hundred and twenty-three Members have answered to their names, a quorum.

Mr. MONDELL. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

COMMITTEE TO ATTEND FUNERAL OF LATE REPRESENTATIVE CLARK OF MISSOURI.

The SPEAKER announced the following committee to attend the funeral of the late Representative CHAMP CLARK, of Missouri:

Mr. RUCKER, Mr. DYER, Mr. DICKINSON of Missouri, Mr. ROMJUE, Mr. RHODES, Mr. MILLIGAN, Mr. HAYS, Mr. BLAND of Missouri, Mr. MCPHERSON, Mr. MAJOR, Mr. NEWTON of Missouri, Mr. IGOE, Mr. RUBEY, Mr. NELSON of Missouri, Speaker GILLETT, Mr. CANNON, Mr. SHERWOOD, Mr. MANN of Illinois, Mr. MONDELL, Mr. KITCHIN, Mr. GARRETT, Mr. FORDNEY, Mr. CRISP, Mr. GOOD, Mr. BYRNES of South Carolina, Mr. LONGWORTH, Mr. FERRIS, Mr. CAMPBELL of Kansas, Mr. FLOOD, Mr. MASON, Mr. JOHNSON of Kentucky, Mr. TINCHER, Mr. WILLIAMS, Mr. CLARK, Mr. HUMPHREYS, Mr. IRELAND, Mr. HARDY of Texas, Mr. SANFORD, Mr. GALLIVAN, Mr. JACOWAY, Mr. WALSH, Mr. BROWNE, Mr. CARAWAY, Mr. MARTIN, and Mr. LINTHICUM.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed the following resolution:

Senate resolution 472.

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. CHAMP CLARK, late a Representative from the State of Missouri.

Resolved, That a committee of 14 Senators be appointed by the Presiding Officer, to join the committee appointed by the House of Representatives, to take order for the superintending of the funeral of the deceased.

Resolved, That the Senate accepts the invitation of the House of Representatives extended to the Vice President, the Vice President elect, the Senate, and the Members of the Senate elect, to atend the funeral of the deceased, to be held in the Hall of the House of Representatives at 10.30 o'clock a. m. on Saturday next, March 5, instant.

Resolved, That the Secretary communicate these resolutions to the House of Representatives.

The message also announced that the Presiding Officer had appointed as the committee on the part of the Senate to take order in superintending the funeral of Hon. CHAMP CLARK, late a Representative from the State of Missouri, Senators REED, SPENCER, ROBINSON, SUTHERLAND, SHIELDS, KENYON, OWEN, LENROOT, RANSDELL, FERNALD, ASHURST, HARRISON, BECKHAM, and MCKELLAR.

The message also announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 5044. An act granting the consent of Congress for the construction of a bridge across the Savannah River near Haileys Ferry and between the counties of Anderson, S. C., and Hart, Ga.

The message also announced that the Vice President had appointed Mr. WALSH of Montana and Mr. FRANCE members of the joint select committee on the part of the Senate, as provided for in the act of February 16, 1889, 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 disposition of useless papers in the Department of Labor.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15943) making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes.

ENROLLED JOINT RESOLUTION SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled joint resolution of the following title, when the Speaker signed the same:

H. J. Res. 346. Joint resolution extending the time for payment of purchase money on homestead entries in the former Standing Rock Indian Reservation, in the States of North and South Dakota, and for other purposes.

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

S. 4893. An act to authorize the coinage of a 50-cent piece in commemoration of the one hundredth anniversary of the admission of Missouri into the Union;

S. 1551. An act to amend an act approved March 3, 1891, incorporating the National Conservatory of Music of America;

S. 4864. An act to amend section 3 of an act entitled "An act to provide for the leasing of coal lands in the Territory of Alaska, and for other purposes," approved October 24, 1914;

S. J. Res. 251. Joint resolution to authorize the payment to members of the Army and Navy who were employed as enumerators during the Fourteenth Decennial Census to take the census of persons in the Army and Navy; and

S. 4664. An act to amend the first paragraph of section 20 of the act of Congress approved July 17, 1916, known as the Federal farm loan act, as amended by the act of Congress approved April 20, 1920.

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

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

H. R. 15812. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1922.

MEETING OF COMMITTEE ON COMMITTEES.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent to address the House for one minute.

The SPEAKER. Is there objection?

There was no objection.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

Mr. MONDELL. Mr. Speaker, a call for a meeting of the committee on committees of the majority was made for Saturday, March 5, at 11 o'clock a. m. Owing to the arrangements which have been made with regard to the funeral of ex-Speaker CLARK, that meeting will be postponed until 2 o'clock in the afternoon of Saturday.

PROPERTIES OF OFFICERS AND ENLISTED MEN OF THE ARMY.

The SPEAKER. The unfinished business is a motion to suspend the rules and pass the bill (S. 3750) to amend an act entitled "An act to provide for the settlement of claims of officers and enlisted men of the Army for the loss of private property destroyed in the military service of the United States," approved March 3, 1885, as amended by the act of July 9, 1918, and for other purposes, which the clerk will report.

The Clerk reported the title of the bill.

The SPEAKER. A second had been ordered, on the demand of the gentleman from Ohio [Mr. GARD]. The gentleman from Pennsylvania [Mr. CRAGO] is entitled to 20 minutes and the gentleman from Ohio to 20 minutes.

Mr. CRAGO. Mr. Speaker, I want to take the attention of the House just long enough to explain why a bill of this importance is presented at this time, and also to explain what is attempted by it. Prior to 1918 there were some abuses which had arisen in the matter of the provisions for payment for lost property. We found on the Military Affairs Committee that things were happening in respect to our transportation of troops abroad, which we had never been called upon to meet before. Therefore, in the Army appropriation bill of 1918, Fortieth Statutes, page 880, we enacted a provision providing for the reimbursement to officers and enlisted men for loss of private property. The bill which you heard read last night and which is now under consideration is a reenactment of that act with this addition, in order to meet some interpretations with which some of you gentlemen are familiar, made by the Comptroller for the War Department. It is intended to do two things.

The comptroller has held that while an officer or enlisted man who has lost his own private property which he is required to have while attempting to save Government property may be reimbursed under the provisions of this old act, yet if he is engaged in saving human life or in saving his own life and is compelled to abandon that property he is not entitled to recover, because he can not show, as is held necessary under the rulings of the comptroller, that he was at the time engaged in saving Government property. If he had grabbed a wheelbarrow or a shovel or anything of that kind and started from the building as he made his escape, he might have technically complied with the requirements of the comptroller.

It was held by the comptroller under this act that money, even though it might be intrusted by the enlisted man to an officer, if destroyed or abandoned or taken by the enemy, as was done not infrequently, is not within the meaning of this act property. It is intended to obviate that difficulty and make it possible to cover cases like the ones which have been presented to my good friend the Representative from Pennsylvania [Mr. BUTLER], where there were about 75 men from a battery organized in his district, who lost property in this way. These men one pay day gave, under the direction of the captain, a greater portion of their pay, some $10, $15, $20, $30, $40, $50, to the first lieutenant, with which he was to buy post-office orders for the men that they might send them home to their parents. That night this organization went over the top in Belgium. The officer was shot and captured, and every dollar of this money belonging to these enlisted men was taken by the Germans. A complete record, however, was kept in the company files, and they have the name and home address of every individual and the amount intrusted by him to the officer down to a penny. That happened at different times where an officer was captured under similar circumstances. It happened in our own One hundred and tenth Pennsylvania, where one of the battalions was practically wiped out, when they were in a way deserted by the French troops on both their flanks. Those men had been paid just a short time before, and they lost every dollar they had by reason of that. It is to meet such conditions and put these men who have been saving human life on the same status as men who are engaged in saving Government property, and to include money as an item of property.

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

Mr. CRAGO. Yes.

Mr. McCLINTIC. By the terms of this bill would the heirs of the deceased officers whose property had been lost receive consideration?

Mr. CRAGO. If under the present law they would, they would under this.

Mr. McCLINTIC. There is nothing new, then, in reference to that particular thing?

Mr. CRAGO. No.

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

Mr. CRAGO. Yes.

Mr. EDMONDS. We have a bill before our committee to reimburse officers in Texas, where a tornado destroyed a lot of personal property belonging to them. Do I understand that this bill will pay them for that personal property?

Mr. CRAGO. I would not be prepared to state that.

I think that the old bill did not cover that. I am not sure whether this would or not.

Mr. EDMONDS. I am afraid the gentleman's bill does cover that, and I am afraid the personal effects of officers stationed at encampments will be paid for under this bill.

Mr. CRAGO. They are paid for under the old bill.

Mr. EDMONDS. Not unless they are occupied in saving Government property.

Mr. CRAGO. But in saving human life. That is the only difference we make. We contend that the saving of human life is as meritorious as the saving of Government property.

Mr. EDMONDS. I agree with the gentleman there, but I think the effect of this would be to allow personal property——

Mr. CRAGO. It does not do anything except make the saving of human life equal with the saving of Government property, and the consideration of money as property.

Mr. EDMONDS. The gentleman is quite sure the bill does not cover cases of that kind?

Mr. CRAGO. That would be my judgment on it.

Mr. SISSON. Will the gentleman yield?

Mr. CRAGO. I will.

Mr. SISSON. Is the gentleman not afraid that he will commit the Government to make good a loss which is an incident of war?

Mr. CRAGO. Well, they can only recover, I will say to the gentleman, for personal property which they are required under orders to have and which has been handled under orders.

Mr. SISSON. Well, no civilized Government has ever made itself responsible for the loss of property which is an incident of war. Now, the moment you commit yourself to that proposition you are lost.

Mr. CRAGO. I will say that this only applies to personal effects of men and officers.

Mr. SISSON. That may be. There is no more reason why you should pay for the loss of personal effects than you should pay for the loss of real estate, say, for instance, houses.

Mr. CRAGO. I will say to the gentleman that this does not do anything except what the present law does and except what I have enumerated. It only classifies the saving of human life with the saving of Government property and makes money personal property.

Mr. SISSON. Now, the saving of human life is quite an entirely different principle. Your bill here in itself is not either expensive, if it stops there, and is not harmful. I do not know that it ought not to be true that when nations go to war that the Governments engaged in war should be called upon to respond for the loss of all property and of life because that will stop war, but the trouble is that it is the principle no nation has agreed to.

Mr. CRAGO. We have already established the principles enumerated here.

Mr. WELTY. Will the gentleman yield?

Mr. CRAGO. I will.

Mr. WELTY. Will this bill cover a case where property was lost by a soldier when in action?

Mr. CRAGO. He gets that property now replaced in kind.

Mr. WELTY. Under the statute?

Mr. CRAGO. Under the present statute, yes; but if he had $10, $15, or $20 and he can show that was given, as in the case I have cited, to an officer, if he can establish that from the record, they would reimburse him for that, but they do not reimburse a man for anything which he has lost which, under ordinary circumstances, he should not have with him and was not required to have and required to have by orders.

Mr. WELTY. Should have with him at the time of action?

Mr. CRAGO. Yes.

Mr. WELTY. Suppose that he had left property behind?

Mr. CRAGO. If he is compelled to abandon it, he would get——

Mr. WELTY. But suppose the property is abandoned and when they return to their stations after action the property was gone?

Mr. CRAGO. If it was destroyed, under the present law he would get it.

Mr. WELTY. But suppose somebody stole the property?

Mr. CRAGO. That would depend entirely on the circumstances. He would have to prove that as in other claims.

Mr. BUTLER. Stolen by the enemy.

Mr. CRAGO. Stolen by the enemy would be all right; but it provides that it must not be the result of his own negligence.

Mr. WELTY. But suppose they are required to leave property at certain places while they go into action, and when they return the property is gone. That is no fault of their own?

Mr. CRAGO. Under the present law they can recover.

Mr. McCLINTIC. We are still considering claims which were made based upon a war of 60 years ago. Does not the gentleman think it would be wise to limit——

Mr. CRAGO. They are limited; it must be within two years.

Mr. McCLINTIC. This covers claims arising out of this war.

Mr. CRAGO. All claims that come up under this and all claims that can come up under this will be growing out of this war.

Mr. McCLINTIC. I was only interested that we should have some limit put on these claims as to when they could finally be called up.

Mr. CRAGO. This changes the present law only in the particulars I have mentioned.

Mr. PELL. Will this reimburse any amount of money which a man happens to be carrying in his pocket?

Mr. CRAGO. No; it would have to be held in this particular that it was a reasonable amount of money for him to have under the circumstances.

Mr. PELL. And only applies in action during the war?

Mr. GRIFFIN. Mr. Speaker, I desire to ask——

Mr. PARRISH. Will the gentleman from Pennsylvania yield to a question?

Mr. GRIFFIN. The gentleman has yielded to me. I desire to ask the gentleman whether or not this bill applies to the case of an officer or enlisted man who leaves his personal property in the custody of the United States Government officers at a post, an established post, is assigned to some other duty, and while his property is located at this post under the control of the Quartermaster's Department it is lost or destroyed?

Mr. CRAGO. I think, if the gentleman will permit, that he will recall that during the time when we served, in cases like that they were covered by boards of survey. They still exist, and that would be a proper case for a board of survey.

Mr. GRIFFIN. The proposed law does not meddle with the situation as it exists?

Mr. CRAGO. Not as to that at all.

Mr. PARRISH. How much does the gentleman think these claims will total?

Mr. CRAGO. The number they have proven now and which are awaiting determination, I think, run less than $300,000. But we are appropriating $300,000. If it is abused we can stop it at any time by refusing to appropriate, just as under the old law you can refuse to appropriate. The matter is submitted to the Secretary of War before the claim is paid.

Mr. BUTLER. I wish to say that these men were killed, and their receipts were buried with them. About 76 men lost all of the property they had saved for their mothers. It is to cover such cases as that that the Secretary of War advised me he sent this measure to the Congress. All of these claims are proven, because they had the receipts in their pockets.

Mr. EDMONDS. Is there a limitation as to the value of personal articles?

Mr. CRAGO. The value would have to be proven to the satisfaction of this board, and it is limited to articles they are required to have.

Mr. EDMONDS. It was only a short time ago that a naval officer came in and asked for reimbursement for a gold dressing set.

Mr. CRAGO. That is an example of what they were doing at the time we passed the other act. We stopped that abuse, but in doing so we placed limitations which under the decisions of the comptroller have worked great hardships on the men in the service.

Mr. GARD. Mr. Speaker, I desire to yield 10 minutes to the gentleman from Kentucky [Mr. FIELDS].

Mr. FIELDS. Mr. Speaker, I think that the bill before the House is very just legislation and should be enacted without delay. There has been some complaint as to the precedents that legislation of this character would establish. But here is the situation: These men were on the battle field defending their country. In certain instances, after they had collected their pay they turned it over to their commanding officer, who they probably felt was less exposed to danger than they were, exercising every precaution they could exercise against the loss of their belongings. They could not leave their command and go to a bank to deposit their money or their belongings. They were there under orders which prevented them from taking any course other than the course they took to protect themselves against loss. These losses came, not by reason of any fault of their own, but because of circumstances absolutely beyond their control.

Now, the Government insures transportation companies upon the high seas. Insurance is issued in many forms, and I contend that to insure or to reimburse these men against the losses they incurred in line of battle is only an act of justice upon the part of the Government, and the legislation should be immediately enacted. As I said a moment ago, it was a physical impossibility for them to do more than they did in their efforts to protect themselves against the losses which they incurred.

Mr. JOHNSON of Mississippi. Will the gentleman yield?

Mr. FIELDS. I yield.

Mr. JOHNSON of Mississippi. Is it the purpose of the bill to pay to the parents of the deceased, or brothers or heirs, money which he lost by turning it over to his superior officer or to the officer in command? Is not that the purpose of the bill?

Mr. FIELDS. If the soldier is dead, any benefits accruing to him under this bill would doubtless go to his beneficiaries.

Mr. JOHNSON of Mississippi. There was so much fuss in the Chamber awhile ago when the gentleman from Pennsylvania [Mr. CRAGO] was trying to explain that I could not hear a word. I wish the gentleman would explain that.

Mr. FIELDS. When a man in the service dies in camp or falls on the field of action his heirs, or his estate, are entitled to whatever he possesses, and the War Department turns his belongings over to the proper party.

Mr. MONTAGUE. Will the gentleman yield?

Mr. FIELDS. I yield.

Mr. MONTAGUE. Referring to the remark of the gentleman that when a soldier or an officer dies upon the field of battle his heirs or personal representatives are entitled to whatever estate he leaves, I will state this instance:

An officer is killed in the last days of the World War in France. He has in his possession a check for a month's pay. That check does not reach his father, who is his heir, until the expiration of some six or seven months. The check on the margin shows that it is payable in dollars, but in the body of the instrument is payable in francs.

When presented for payment to the Treasury Department, it declines to pay in dollars, but pays only the value of the depreciated franc, compelling the heir of the estate to lose a substantial proportion reckoned in dollars. What remedy do you propose in a case of that sort? Does not the statute prescribe the pay of an officer or private shall be in dollars? If so, what reason can the department give for violating the law and not paying as the statute directs? The instance I have given must be one of many. I think the declination to pay in dollars is illegal and in bad faith.

Mr. FIELDS. I know of no reason for it. I will say to the gentleman if that check had not been indorsed by the payee no one, in my opinion, could legally indorse it. It should have been returned to the Treasury and a proper check issued.

Mr. MONTAGUE. It was returned to the Treasury by the heir and personal representative of the deceased officer, and the Treasury Department declined to pay it otherwise than in the depreciated franc.

Mr. FIELDS. I fully agree with the gentleman that the check should have been worth in United States money what its face called for, and I have no sympathy with the officer who would take advantage of any technicality to deprive the holder of that check of any of its face value.

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

Mr. FIELDS. Yes.

Mr. ROSE. The gentleman from Pennsylvania in presenting the features of this bill made the statement that it has been held that money is not personal property. That was news to me, and I wondered if the gentleman from Kentucky had familiarized himself with the reasoning by which the comptroller held that money is not personal property.

Mr. FIELDS. I remember that we had a discussion of that before the committee, but it was many months ago, and I am not now familiar with the details, I will say to the gentleman.

Mr. NEWTON of Missouri. Mr. Speaker, will the gentleman yield?

Mr. FIELDS. I will.

Mr. NEWTON of Missouri. The gentleman in a colloquy with the gentleman from Virginia referred to the action of the department in not honoring checks payable in dollars, but in francs, and thereby grossly underpaying officers and men. I have in mind several such instances. I took them up with the department, and in every instance it was turned down. It was my understanding that a bill had been proposed and introduced and referred to the Committee on Military Affairs to correct that situation. Can the gentleman inform me as to the status of that bill?

Mr. FIELDS. I recall that I was one of the very ardent supporters of that bill, and if my memory serves me aright the committee favorably reported it. I am not sure, but that is my recollection.

Mr. NEWTON of Minnesota. It is a situation that works gross injustice and ought to be corrected.

Mr. FIELDS. Yes; I think it ought to be corrected, and without delay.

Mr. DAVIS of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. FIELDS. Yes.

Mr. DAVIS of Tennessee. In my opinion the reimbursement provided for in the first, second, and fourth classes is very meritorious, but it occurs to me that the third class involves a very dangerous proposition. I have reference to the loss or damage to property shipped by common carriers or otherwise. Of course, there are different classes of freight rates and transportation rates. The shipper can take the low rate with a low insurance, or a higher rate with a higher insurance in case of loss. But do you not think that this is not only calculated to involve a very great payment of claims in large amount, but is calculated to encourage a failure to properly protect shipments by shipping them at the proper rate in accordance with the actual value of the property, and also an encouragement to these men to ship valuables in baggage or freight or by express, which they would not do if they felt that they would not be reimbursed by the Government in any event?

Mr. FIELDS. I can say to the gentleman that if a man ships valuables at a low rate at a certain rate of insurance, he could not recover more than the value stipulated in his application for insurance.

Mr. SUMNERS of Texas. Mr. Speaker, will the gentleman yield?

Mr. FIELDS. Yes.

Mr. SUMNERS of Texas. Does not the gentleman think that this proposed legislation is going too far? Does it not undertake to have the Government insure the individual against the hazards which are unavoidably incident to the service, and yet not directly connected with the military service of the Government?

Mr. FIELDS. I will say to the gentleman that the individual is required by the Government to have certain property, and he is in many instances held responsible for a correct accounting for that property.

The SPEAKER. The time of the gentleman from Kentucky has expired.

Mr. FIELDS. Can I have some more time?

Mr. GARD. Mr. Speaker, I yield two minutes to the gentleman from Kentucky.

The SPEAKER. The gentleman from Kentucky is recognized for two minutes more.

Mr. FIELDS. The individual is required to make a proper accounting to the Government for the property. The soldier has no discretion or option in the matter. He must do whatever he is directed to do, and when he sustains these losses owing to circumstances beyond his control, circumstances over which he has no control, it is only fair that the Government should reimburse him for such loss.

Mr. SUMNERS of Texas. A private individual also sustains hazards. His property is subject to them.

Mr. FIELDS. Oh, yes; but I will say that there is a difference between the status of a private individual who ships property on his own volition and takes his own risk for the profit that there is in it and that of the soldier who is drafted by his country to go to the battle field and fight in defense of his country.

Mr. SUMNERS of Texas. While that is true—and it is true, of course—is not that the hazard which he has assumed in that service, and which properly belongs to the service, and which the individual ought to bear rather than open up this wide field for governmental reimbursement?

Mr. FIELDS. Well, so far as I am personally concerned, I differ with the gentleman from Texas. That is a matter of opinion. I can not bring myself into agreement with the opinion of the gentleman from Texas.

Mr. SUMNERS of Texas. My question was directed to the gentleman in the hope to get his views and to get what information he could give on that point.

Mr. FIELDS. I think the Government should reimburse these men.

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

Mr. FIELDS. Yes.

Mr. GRIFFIN. What is the meaning of the term "regulating" in line 2 of page 3 of the bill? It seems to me that it might mean, or ought to mean, regulating the amount of baggage, or perhaps regulatory of the amount.

Mr. FIELDS. That may be a typographical error. I am inclined to think from a casual inspection of the language that it is a typographical error.

Mr. Speaker, I yield back any unused time.

Mr. GARD. Mr. Speaker, I yield eight minutes to the gentleman from Mississippi [Mr. SISSON].

The SPEAKER. The gentleman from Mississippi is recognized for eight minutes.

Mr. SISSON. Mr. Speaker and gentlemen of the House, at the outset I want to state that this is not an opportune or proper time to bring up a bill carrying as much money as this does and opening up the floodgates, as this opens up the floodgates to claims which no man can enumerate.

This, in my judgment, is an invasion of every principle laid down by civilized governments up until the legislation which this act seeks to amend was passed in March, 1918. No Government has ever yet undertaken to make whole a loss which is a necessary incident of war.

Now, there was this sort of principle—and there is justice in it—that where an officer is required to be mounted he is permitted to take his own horse into war, and, if killed, that horse would be paid for by the Government. Or if he is required by law to have some particular class of property which the Government may not furnish him with, but which he says, "I will furnish myself," and that property is lost, then the Government pays for it. Why? Because that is as broad as it is long. If he is required to have it, the Government would then have to purchase it. So many officers, preferring to have their own horses, or preferring to have a certain character of property which they prefer to use, the Government is relieved of the purchase of that necessary equipment.

But this bill goes further than that. This bill proposes to insure to every soldier on the field, whether he is killed or not, if he shall deposit with the officer his money and the officer should be killed, and after being killed the money should be taken by the enemy. That is an instance which they cite here as being one of the reasons why this bill should pass. But the trouble is that that proposition commits the Government to the principle of insurance against loss, which has never been done by any Government.

Mr. DOWELL. Does it not open the door to very many claims?

Mr. SISSON. It opens up the door to claims for loss of property by all the soldiers of the United States Government, provided the soldier can prove that he carried the property with him. Yet here in the dying hours of the session you are passing a bill which involves $300,000, and the man does not live who can tell you what it will finally cost before this thing is over, not only in the way of the actual payment of claims but cost in more clerk hire than you dream of to make all the investigations into these claims. Why, soldiers and citizens everywhere take the chances of losses incident to war. In other words, if your property happens to be within the battle lines, and it is destroyed by the guns of your own Army or the guns of the enemy, no nation pays for that. If it is in a friendly country, and it is necessary to remove your house in order to open up the view, a friendly commander might value your house and take it out of the way.

Mr. SMITH of Idaho. Without the passage of this legislation what relief will be afforded to officers whose property was destroyed in a railroad wreck, for instance, when they were traveling under orders? We have an instance of that kind in Idaho, where officers of the Second Idaho Regiment lost their personal property in a railroad wreck en route to New York to sail for France.

Mr. SISSON. That is provided for in the railroad act, during Government ownership. If the railroad officials were responsible, their negligence would make them responsible and you would go to the railroad.

Mr. SMITH of Idaho. That accident occurred nearly four years ago, and yet these officers have never been paid.

Mr. SISSON. There are thousands of private individuals who get hurt on railroads, and they may never be paid. As a matter of fact a man gets no more rights because he is an officer than a private individual has; and if in the management of a railroad train there was negligence on the part of the employees of the railroad, that is provided for in the act by which we took over the railroads.

Mr. SMITH of Idaho. That would impose upon such officers the expense and trouble of prosecuting their claims in the courts?

Mr. SISSON. Absolutely, if he suffers loss of property. He ought to take care of his property, whether in war or not.

Mr. MANN of Illinois. His action would not be prosecuted in the Court of Claims.

Mr. SISSON. No; of course not.

Mr. MANN of Illinois. It is not a claim against the Government.

Mr. SISSON. It is not a claim against the Government. Yet gentleman seem to be willing to violate every principle that insures the Government against bankruptcy by passing such a bill as this in the dying hours of this Congress. This bill ought not to pass. Yet it is in the last hours of the session that so much legislation is allowed to pass, that the people wake up to when we get back home, and we did not know it was done. So, not only because of the amount of money which is carried in this bill, which is not an inconsiderable amount, $300,000, but because of the far greater future amount involved, this bill ought not to pass. No man can tell where it will end when we throw wide open the Treasury doors to claims of this sort. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. WALSH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WALSH. Has all time expired?

The SPEAKER. The gentleman from Pennsylvania [Mr. CRAGO] has two minutes remaining.

Mr. CRAGO. I agreed to yield two minutes to the gentleman from Michigan [Mr. SMITH].

Mr. SMITH of Michigan. There has been a good deal of talk about the dying hours of Congress. I want these two minutes to speak, out of order, to say good-by to the Members.

Mr. Speaker, it is not given to many persons to speak at their own obsequies or to write their own obituary. I do not wish to sing a swan song, because with that discordant note the life of that picturesque and historic ibis ends for all time.

I have asked for these few minutes to say that on the 4th of March, after a service of 10 years, I shall retire from this honorable body to private life, and that I will carry with me the highest regard not only for my present associates and colleagues of this Congress but also of all those with whom I have previously served. It has been a distinct honor and privilege to be a Member of the House of Representatives of the United States. This is the greatest of all nations, where golden opportunities await every citizen, young or old, rich or poor, as a reward of reasonable effort and ordinary industry. My constituents have honored me by electing me five times to this great office, for which honor I have endeavored to give faithful service and merit the trust reposed in me. No one can relinquish this high office without regret at parting and absolving himself from the personal associations and friendly relations he has formed with the membership. This friendship will be permanent and lasting with me; and for all time to come, you, individually and collectively, will retain my greatest respect and highest esteem. Of humble parentage, I had only such opportunities as any boy about town who largely pursued his own course. Adopting the trade of my father, at the age of 17 I was a fairly good mason, which trade I used to good advantage in acquiring an education, which finally landed me in Congress. What I have done can be done as well or better by any young man of average ability.

During my term of office there has been passed not only some of the most important legislation now on the statute books, but our country has passed through some of its most eventful history. We have successfully waged a great World War. We have passed laws for equal suffrage, prohibition, parcel post, banking and currency, highways, more universal education, and the many laws needed in the conduct of the war to utilize the entire resources and man power of the United States for the winning of the war; taking over the railroads, transportation, and telegraph lines, and for their return; conscription, by which the duty to serve in war fell upon the shoulders of all alike, between the ages of 21 and 31. We reenacted peacetime laws into war-time measures. We rationed to save food, and everybody worked to help win. I voted for daylight and against moonshine. I even voted for Garabed, whatever that is or was.

Peace still awaits needed legislation, and our economic laws need adjusting to the new conditions brought about by war, and while there is much unrest and strange agitation in some quarters of the globe, I have no doubt of the eminent ability of Congress to meet and solve every problem affecting our welfare in the interest of good government and to the glory and perpetuity of our Republic. [Applause.]

The SPEAKER. The time of the gentleman has expired. All time has expired.

During the delivery of the foregoing,

Mr. McCLINTIC. As the gentleman's time has expired, and as he is about to retire from Congress, I ask unanimous consent that he be allowed to extend his remarks in the RECORD.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent that the gentleman from Michigan be allowed to extend his remarks in the RECORD. Is there objection?

There was no objection.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill?

The question was taken; and on a division (demanded by Mr. WALSH) there were—ayes 109, noes 39.

Accordingly, two-thirds voting in the affirmative, the rules were suspended and the bill was passed.

ARMY APPROPRIATIONS—CONFERENCE REPORT.

Mr. ANTHONY. Mr. Speaker, I call up the conference report on the Army appropriation bill.

The SPEAKER. The gentleman from Kansas calls up the conference report on the Army appropriation bill (H. R. 15943). The Clerk will read the conference report.

The Clerk read the conference report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15943) making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 23, 104, and 105.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment as follows: In lieu of the sum proposed in said amendment insert the following: "$77,839,300"; and the Senate agree to the same.

D. R. ANTHONY, Jr.,
LOUIS C. CRAMTON,
C. BASCOM SLEMP,
T. U. SISSON,
Managers on the part of the House.

J. W. WADSWORTH, Jr.,
HOWARD SUTHERLAND,
HARRY S. NEW,
DUNCAN U. FLETCHER,
KENNETH McKELLAR,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 15943) making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying report as to each of the said amendments, namely:

On No. 18: Appropriates $77,839,300, instead of $72,678,659 as proposed by the House and $83,000,000 as proposed by the Senate, for pay of the enlisted men of the line and staff.

On No. 23: Strikes out the paragraph, inserted by the Senate, providing, in the reduction of the Army, for the maintenance of 60 per cent of the strength of the various branches as prescribed in the Army reorganization act.

On No. 104: Strikes out the paragraph, inserted by the Senate, providing for the grade of lieutenant general for two general officers.

On No. 105: Strikes out the paragraph, inserted by the Senate, providing for the issuance of the award of the distinguished service cross or the distinguished service medal in certain cases.

D. R. ANTHONY,
LOUIS C. CRAMTON,
C. BASCOM SLEMP,
T. U. SISSON,
Managers on the part of the House.

Mr. ANTHONY. Mr. Speaker, there were four items in disagreement. The Senate has receded on three of them. The House has receded with an amendment on one of them, the amendment fixing the pay for the Army. We have increased the appropriation from $72,000,000 to seventy-seven million and some odd thousand dollars. This met the Senate exactly halfway in the amount of the appropriation which they demanded, of $83,000,000.

It is figured that this increase will provide an average Army during the next fiscal year of about 158,000 men, exclusive of the Philippine Scouts and flying cadets. It will be necessary

that a drastic reduction be made in the present size of the Army between now and July 1 to bring the number down to 185,000 at that time, and the amount appropriated will, as I say, provide for an average strength of about 158,000 in the Regular Establishment.

Mr. TILSON. Will the gentleman yield?

Mr. ANTHONY. I yield to the gentleman from Connecticut.

Mr. TILSON. As a matter of fact, would it not be a very difficult thing to scale the Army down to an average of 150,000 during the next fiscal year, in view of the size of the Army as it is to-day?

Mr. ANTHONY. It would have been perfectly feasible and possible to have accomplished it if the War Department had not taken advantage of the existing situation, since the House made its initial appropriation, and vastly increased the size of the Army.

Mr. TILSON. That may be true——

Mr. ANTHONY. The conferees recognized the difficulty of bringing this force down without extremely radical steps and agreed to this compromise.

Mr. TILSON. In other words, you face the situation as it is rather than as you would like to have it?

Mr. ANTHONY. Exactly so.

Mr. SISSON. Will the gentleman yield five minutes at this time?

Mr. ANTHONY. I yield five minutes to the gentleman from Mississippi.

Mr. SISSON. Mr. Speaker, if our calculations are correct, before the end of the next fiscal year the Army will be down to 150,000 men. If you do not make a radical reduction now, the Army will be compelled to go below 150,000 men before the end of the next fiscal year.

So, as stated by the chairman of the committee, if the reduction is commenced at once, we are assured by the officers of the Army that made the figures that by making a gradual reduction under the amount of money appropriated as an amendment to this bill they can not keep more men than the pay we have given in the bill will justify them in doing. Therefore they must begin at once to make the reduction, and make rather a radical reduction, for if they do not, before the end of the next fiscal year they will be compelled to reduce the number of men to less than 150,000.

Mr. BRIGGS. Will the gentleman yield?

Mr. SISSON. Yes.

Mr. BRIGGS. The Senate incorporated a provision granting a discharge to men after one year in the service. Is that still retained?

Mr. ANTHONY. Yes; it is granted to all classes.

Mr. SISSON. That has been agreed to before. We feel that your conferees have carried out the expression of the will of the House that the Army shall be fixed at 150,000 men. We felt that you wanted us to act reasonably in this matter and not unreasonably, and we therefore agreed to this amendment, which, in round figures, is seventy-seven millions instead of seventy-three millions, with the idea that seventy-seven millions will be necessary to care for the soldiers necessary to be kept unless you should shoot the divisions all to pieces in a few months. But, by making a gradual reduction, beginning after the passage of this bill, and continuing to the 1st of July, when this bill becomes operative, and continuing a gradual reduction from that during the next fiscal year, you will not put the Army below 150,000 men. If that policy is not pursued and they keep too many men in the first part of the year, they will have to make a radical reduction in the latter part of the year, which will carry it below 150,000.

Mr. MACGREGOR. Will the gentleman yield?

Mr. SISSON. Yes.

Mr. MACGREGOR. Has the gentleman any knowledge of the reduction made in the civilian personnel under the orders lately issued?

Mr. SISSON. I really can not tell the gentleman.

Mr. MACGREGOR. We have 36,000 civilian employees in the Quartermaster's Department, costing three or four million dollars a month.

Mr. SISSON. I must confess that I myself am very much opposed to so many civilian employees and have inveighed against it, with just what success I can not tell you. I fear that we have a great many more than can be justified, and I am afraid that before the end of the next fiscal year you are going to have many more than you ought to have. But under the leadership of my friend Mr. CRAMTON and the sympathy of the subcommittee, the conferees have done the best job we knew how. It is a difficult thing to peel off the civilian employees, because the soldiers love to have the idea that they are soldiering and not working.

Now, I point always to that corps of the Army known as the marines, and every time you mention a marine a soldier in the Regular Army flinches, because the marines get rid of the civilian employees, and the soldiers do the work themselves. That is why among the civilian population in America and to the right-thinking Members of Congress the marines are very popular, and for that reason they are very unpopular in the Army.

Mr. HULL of Iowa. Will the gentleman yield?

Mr. SISSON. Yes.

The SPEAKER. The time of the gentleman from Mississippi has expired.

Mr. HULL of Iowa. Will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. HULL of Iowa. Have they adopted paying the bonus in the Army for reenlistment?

Mr. ANTHONY. I understand not.

Mr. HULL of Iowa. Why is it that you have not provided for stopping the pay of the bonus when you do not want the men?

Mr. ANTHONY. That will be a matter of administration.

Mr. HULL of Iowa. That is not a matter of administration; it is a matter of law. Under the law to-day a man can reenlist in the Army, get $90 cash for it, and to-morrow the officers finding that they do not want the man, they have got to discharge him, and he gets $90 for one day's work.

Mr. ANTHONY. We have put so many restrictions and limitations on the bill that we did not have the heart to put on any more.

Mr. HULL of Iowa. This is not a limitation; it is a matter of law. I call attention to the fact that if the committee last December had properly taken hold of that matter, your Army would be 30,000 or 40,000 less than it is to-day.

Mr. ANTHONY. The gentleman suggests a matter that surely would be legislation and belongs to his committee. [Laughter.]

Mr. HULL of Iowa. I am glad the gentleman is so courteous to the Military Affairs Committee, but the gentleman's committee did not stop at legislation; he has absolutely destroyed the reorganization in this very act.

Mr. ANTHONY. I think the part that we destroyed has been very commendable.

Mr. HULL of Iowa. Does not the gentleman believe that it would have been a good thing to stop paying the bonus to men that they do not need?

Mr. ANTHONY. We will have a Secretary of War possessed of sound common sense, discretion, and good judgment, and I take it that he will see to it.

Mr. HULL of Iowa. We will have one, I admit, but can the Secretary of War change the law? The law says that a man who wants to reenlist can do so and can get $90.

Mr. ANTHONY. They can not reenlist another man beyond what the money in this bill will pay for.

Mr. GREENE of Vermont. That is just what I want to inquire of the gentleman. I would like to ask him, inasmuch as you have a limitation, an absolute prohibition, on the appropriation, how can you expect to get your Army down to the figure you have provided for by the appropriation unless there are wholesale discharges?

Mr. ANTHONY. There will be wholesale discharges.

Mr. GREENE of Vermont. From the gentleman's experience in military affairs, which is a long one and as a colleague I am proud of it, does the gentleman think it is good for the discipline and atmosphere of a professional army to provide a means for men getting in and out of the Army as easy as going through a swinging door?

Mr. ANTHONY. In a matter of that kind I would not hesitate to discharge surplus men any more than I would in the conduct of my own business. If I had more labor than I needed, I certainly would discharge the useless, surplus men.

Mr. GREENE of Vermont. That is all very true, but does the gentleman contend that this is an economic proposition, comparable with the hiring of men for labor? These men are not hired for labor. There is no tangible product from the Military Establishment. It is a training institution; it is a school.

Mr. ANTHONY. I think the Army would be benefited by a judicious weeding out of a third of the present enlisted strength, and the men you would have left would be the very best of the enlisted men. We will get rid perhaps of a large number of men who are not desirable and the whole service will be benefited by this pruning process.

Mr. GREENE of Vermont. Does not the gentleman think that if economy is the goal to which we aspire in appropriations for the Army—and within a practical field it ought to be—that we should first dispense with a large number of the unnecessary, unreasonable activities inside the Military Establishment to-

day and the overheads of their maintenance, which go to make up much of the so-called cost of militarism?

Mr. ANTHONY. That is largely true.

Mr. GREENE of Vermont. Is it not true, then, that if you were to take away those activities and those overheads, or reduce them to a practical point, we would not have to reduce the number of enlisted personnel?

Mr. ANTHONY. And the gentleman, I think, will agree with me when I say that in the reduction of forty-some millions of dollars, which we have made in this bill over that of last year, the reduction has largely been made in those nonmilitary activities of which the gentleman speaks.

Mr. GREENE of Vermont. I am very glad of it, and I approve of it. I am not speaking in a captious spirit of criticism, but I do want to emphasize by reiteration that we are proceeding at the wrong end of the game, in my opinion, to accomplish economy; that the overhead and useless and needless and nonmilitary activities inside the Army are responsible for the great cost that is charged up to militarism, and that it is not a remedy to reduce the number of soldiers. If we were to reduce that overhead or abolish it, then we need not reduce the number of soldiers necessary to a proper peace-time training, and a proper peace-time Army.

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

Mr. ANTHONY. Yes.

Mr. BRIGGS. I want some information about the discharge of these surplus men from the Army. Is there any provision carried in this bill which will allow these men to be discharged upon their own application without a showing of dependency or going through other procedure now required?

Mr. ANTHONY. The Secretary of War is given authority to discharge in his discretion any enlisted man in the military service.

Mr. BRIGGS. There is no provision that he shall do so without a showing of dependency?

Mr. ANTHONY. No. The probabilities are that the Secretary of War will call on the various organizations, the company commanders, for instance, to make lists of the least desirable men they have, and when these lists are made up and gone over the men will be discharged.

Mr. FIELDS. It is probable that the men under 18 years of age will first be discharged.

Mr. ANTHONY. They will probably go out first.

Mr. BRIGGS. But it will be under regulations prescribed by the War Department in accordance with the provisions of the act?

Mr. ANTHONY. Yes. It is compulsory that the War Department shall take such action.

Mr. BRIGGS. But they make the regulations?

Mr. ANTHONY. Yes.

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

Mr. ANTHONY. Yes.

Mr. WALSH. What appropriation is carried in this bill for vocational education—the equipping of men to make toothpicks and curl papers, and so forth, when they get through with the Army? Has that been increased by the Senate?

Mr. ANTHONY. That has been increased $500,000, and is now a million and a half dollars.

Mr. WALSH. I should apologize for asking the question, because I know that this measure has been in another branch and should have realized that the appropriation would probably be increased.

Mr. GREENE of Vermont. Mr. Speaker, the gentleman said inadvertently that this education was to be used by the men when they get through with the Army. As a matter of fact, these men never have too much of anything to do with the Army as a Military Establishment, anyway.

Mr. WALSH. That is why we increase the appropriation?

Mr. GREENE of Vermont. Oh, yes. We are making something of a kindergarten out of our professional fighting institution. That is plain enough. I just want to say that down at Camp Humphreys I saw a statement in a book relating to this vocational training that expressly provides that military duties shall not be allowed to interfere with the studies.

Mr. WALSH. Which is probably considered very sweet and charming for the beneficiaries of this system.

Mr. GREENE of Vermont. Yes.

Mr. WALSH. How much is the increase?

Mr. ANTHONY. We appropriate $3,500,000 less than the department asked for.

Mr. WALSH. How much did they ask for?

Mr. ANTHONY. Five million dollars. We give them only a million and a half, and the education in the Army will be confined solely to those technical branches where the men get the instruction along technical lines; for instance, such as electrical work in the Signal Corps, machine work in the Motor Transport Corps and Coast Artillery, so that it will be largely education that is adapted to the life of the soldier in the branch to which he is assigned.

And we are going to try to cut out this idea of making the Army into classical universities.

Mr. WALSH. The best way, I think, to effect that is to reduce the appropriation and not continue this drawing of pictures under this pleasing theory that has been established to do this.

Mr. ANTHONY. We think we made a pretty good start along that line.

Mr. WALSH. Probably so in view of what you have to contend with.

Mr. ANTHONY. Mr. Speaker, I yield five minutes to the gentleman from Michigan [Mr. CRAMTON].

Mr. CRAMTON. Mr. Speaker, I simply want to take a minute or two to emphasize further the effect of this bill upon the size of the Army. First, I want to emphasize the effect of the Borah amendment, as amended in conference and now agreed to, which is that the officer and enlisted personnel of the Army the next fiscal year must not cost more than the amount appropriated for by this bill. Without that it did not seem to make much difference what Congress appropriated for the War Department to determine the size of the Army, but with that provision in the law the Army will be cut down to the limitation provided. At the present time we have 240,000 men in the Army. A number of thousands of men were enlisted by the Secretary of War after we passed the 175,000 limitation resolution, and before it finally became law, and the figures ran up to about 240,000. To bring the Army from that figure down to a number within the appropriation we have provided it will require action something like this: By the 1st of July, 1921, through the wastage of 6,000 or 7,000 men a month and discharges in addition, either on application or without application, there must be in all about 15,000 men a month turned loose between now and the 1st of July, bringing it down July 1 to 180,000 men. Then by a proportionate reduction the next six months of about 5,000 a month it would bring it to 150,000 the 1st of next January. Then continuing at that figure for the balance of the year that makes an average of 156,653 men for the entire year in addition to the flying cadets, 1,250, and the Philippine Scouts, 6,987. That gives an average total strength for the year of 164,890, but an actual strength the latter half of the year of 158,000, approximately. So that the House has provided, first, money for the size Army that the House believes the country wants, and then has provided legislation in this bill that assures that the wish of the country as expressed in this bill will be respected by the War Department. And now the only other thing that has been referred to here I want to emphasize is the civilian side of the Army. I think there is no one in Washington in the War Department or out who can tell to-day how many civilians there are attached to the Military Establishment. I have tried to find out. One hundred thousand is given, but how many more no one can tell me exactly. We have tried all through this bill by cutting down appropriations used for that purpose to reduce the number and force a reduction. What the number of reductions will be we do not know, but it is safe to say it will be somewhere in the vicinity of 40,000 cut off the civilian roll. It is a subject that Congress can well address its attention to a year from now and we can then take stock and give further attention as may be necessary. [Applause.]

Mr. FIELDS. Will the gentleman yield me a minute?

Mr. ANTHONY. I yield one minute to the gentleman from Kentucky.

Mr. FIELDS. Mr. Speaker, the managers on the part of the House on the military appropriation bill have, in my opinion, done remarkably well under the circumstances, and they are entitled to the thanks and the support of the House on their report. [Applause.]

Mr. McKENZIE. Mr. Speaker, I desire to ask the gentleman from Kansas a question, if he will yield.

Mr. ANTHONY. I will yield.

Mr. McKENZIE. I do not know that the question I am going to ask is quite pertinent at this point. However, I want a little information. When the bill passed the House it carried a million dollars for vocational training?

Mr. ANTHONY. That is correct.

Mr. McKENZIE. With certain limitations on salaries that should be paid to civilian instructors. In the Senate they amended it, making the appropriation $2,500,000.

Mr. ANTHONY. That is right.

Mr. McKENZIE. And struck down the limitation of salaries. In conference you finally agreed to an appropriation of $1,500,-

000, with certain limitations, but not so drastic as the ones placed on by the House.

Mr. ANTHONY. A limitation of $100,000 which can be paid in civilian salaries, as I recall.

Mr. McKENZIE. Let us congratulate the conferees in holding down this appropriation, and I assume that the conferees had in mind that in the next Congress it would be possible entirely to wipe out this extravagance that is now carried on in the name of training men under the Military Establishment?

Mr. ANTHONY. That is true.

Mr. McKENZIE. I want to ask the gentleman one further question—if it is not his judgment that if we cut out the high-priced civilian instructors who are now drawing salaries for teaching soldiers to draw pictures and plow corn, and all those other things which are provided for under vocational training that the bottom will drop out of all of it and we would have an army of soldiers rather than a nondescript army of men studying every conceivable thing on the face of the earth?

Mr. ANTHONY. I think the statement just made by the gentleman from Illinois represents the views of at least 75 per cent of the officers of the Army to-day. They are tired of this buncombe of vocational training in the Army. They are willing to have vocational training, but they want it to be confined to the practical subjects and practical trades and mechanics connected with the administration of the Army.

Mr. TILSON. Is it a fact that there are certain regiments down on the Mexican border where Mexican labor is employed to perform the fatigue duties of the soldiers so as not to interfere with their ukulele lessons being taught as a part of the vocational training?

Mr. ANTHONY. I hope that is not true.

Mr. TILSON. I have heard that statement made.

Mr. GREENE of Vermont. They teach them how to become moving-picture operators down here in one of these camps, which, of course, would be a great aid to us if we should go to war again.

Mr. TILSON. It is perfectly honorable to play the ukulele, and if they played it well it would be helpful to keep up the morale.

Mr. WHEELER. I understood the gentleman to say that the standing Army would be 168,000?

Mr. ANTHONY. One hundred and fifty-eight thousand.

Mr. GREENE of Vermont. You do not mean a "standing" Army. They are sitting down now.

Mr. WHEELER. This provision calls for $5,000,000 additional. I presume it is because we have additional men?

Mr. ANTHONY. The $5,000,000 would provide for 10,500 additional men. Some of them are in the flying cadets, and if we increased the flying cadets to the full amount the $5,000,000 may be needed.

Mr. BLANTON. In reply to the gentleman from Connecticut [Mr. TILSON], I want to say if any soldier who has to stand the privations incident to service down on the Mexican border can get any pleasure out of ukulele lessons, he ought to have it.

Mr. ANTHONY. Mr. Speaker, I move the previous question on the adoption of the conference report.

The previous question was ordered.

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

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

Mr. BLANTON. Division, Mr. Speaker.

The House divided; and there were—ayes 107, noes 7.

Mr. BLANTON. Mr. Speaker, I make the point that there is no quorum present.

The SPEAKER. It is clear no quorum is present. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees. As many as are in favor of agreeing to the conference report will, as their names are called, answer "yea," those opposed will answer "nay," and the Clerk will call the roll.

The question was taken; and there were—yeas 316, nays 23, answered "present" 1, not voting 87, as follows:

YEAS—316.

Ackerman	Bell	Buchanan	Cleary
Anderson	Benham	Burdick	Coady
Andrews, Md.	Benson	Burroughs	Cole
Andrews, Nebr.	Black	Butler	Collier
Anthony	Bland, Ind.	Byrnes, S. C.	Connally
Ashbrook	Bland, Mo.	Byrns, Tenn.	Cooper
Aswell	Bland, Va.	Campbell, Pa.	Cramton
Ayres	Boies	Cannon	Crisp
Babka	Bowers	Cantrill	Crowther
Bacharach	Brand	Caraway	Cullen
Barbour	Brinson	Carew	Currie, Mich.
Barkley	Brooks, Ill.	Carter	Curry, Calif.
Bee	Brooks, Pa.	Chindblom	Dale
Begg	Browne	Christopherson	Dallinger
Darrow	Hill	Merritt	Sims
Davey	Hoch	Michener	Sinnott
Davis, Minn.	Holland	Miller	Sisson
Davis, Tenn.	Houghton	Milligan	Slemp
Dempsey	Howard	Minahan, N. J.	Small
Denison	Hudspeth	Monahan, Wis.	Smith, Idaho
Dickinson, Iowa	Hulings	Mondell	Smith, Ill.
Dickinson, Mo.	Hull, Iowa	Montague	Smith, Mich.
Dominick	Hull, Tenn.	Moore, Ohio	Smith, N. Y.
Donovan	Humphreys	Moore, Va.	Smithwick
Doremus	Husted	Moores, Ind.	Snell
Dowell	Hutchinson	Morin	Snyder
Drane	Ireland	Mott	Stedman
Dunbar	James, Mich.	Mudd	Steenerson
Dunn	James, Va.	Murphy	Stephens, Ohio
Dupré	Johnson, S. Dak.	Neely	Stevenson
Dyer	Johnson, Wash.	Nelson, Wis.	Stiness
Eagan	Jones, Pa.	Newton, Minn.	Stoll
Eagle	Kearns	Nicholls	Strong, Kans.
Echols	Kelley, Mich.	Nolan	Strong, Pa.
Edmonds	Kelly, Pa.	O'Connell	Summers, Wash.
Elliott	Kendall	Ogden	Sumners, Tex.
Elston	Kettner	Olney	Sweet
Esch	Kiess	Osborne	Swindall
Evans, Mont.	Kincheloe	Overstreet	Swope
Evans, Nebr.	King	Padgett	Tague
Evans, Nev.	Kinkaid	Paige	Taylor, Colo.
Fairfield	Kleczka	Parker	Taylor, Tenn.
Farr	Knutson	Patterson	Temple
Ferris	Kraus	Pell	Thompson
Fess	Kreider	Perlman	Tilson
Fields	Lanham	Peters	Timberlake
Fisher	Lankford	Phelan	Tincher
Flood	Larsen	Pou	Treadway
Focht	Layton	Purnell	Valle
Fordney	Lazaro	Quin	Venable
Foster	Lea, Calif.	Rainey, Ala.	Vestal
Frear	Lee, Ga.	Rainey, Henry T.	Voigt
Freeman	Lehlbach	Raker	Volk
French	Lesher	Ramsey	Volstead
Fuller	Linthicum	Ramseyer	Walsh
Gallagher	Little	Randall, Calif.	Walters
Gallivan	Longworth	Randall, Wis.	Ward
Ganly	Luce	Ransley	Wason
Gard	Lufkin	Rayburn	Watson
Garrett	Luhring	Reber	Weaver
Glynn	McAndrews	Reed, N. Y.	Webster
Godwin, N. C.	McArthur	Reed, W. Va.	Welling
Goodall	McDuffie	Rhodes	Welty
Gould	McKenzie	Ricketts	Whaley
Graham, Ill.	McKeown	Riddick	Wheeler
Green, Iowa	McLaughlin, Mich.	Robinson, N. C.	White, Kans.
Greene, Mass.	McLaughlin, Nebr.	Robsion, Ky.	White, Me.
Greene, Vt.	McLeod	Rogers	Williams
Griest	McPherson	Romjue	Wilson, Ill.
Griffin	MacGregor	Rose	Wilson, La.
Hadley	Madden	Rouse	Wilson, Pa.
Hardy, Colo.	Magee	Rowe	Winslow
Harreld	Major	Sabath	Wood, Ind.
Hastings	Mann, Ill.	Sanders, Ind.	Woods, Va.
Hawley	Mapes	Sanders, N. Y.	Woodyard
Hernandez	Martin	Schall	Wright
Hersey	Mason	Scott	Yates
Hickey	Mays	Shreve	Young, N. Dak.
Hicks	Mead	Siegel	Zihlman

NAYS—23.

Almon	Carss	Mansfield	Sinclair
Baer	Huddleston	Nelson, Mo.	Steagall
Blanton	Jacoway	Oldfield	Taylor, Ark.
Bowling	Jones, Tex.	Oliver	Tillman
Box	Keller	Parrish	Wingo
Briggs	McClintic	Sherwood	

ANSWERED "PRESENT"—1.

Clark

NOT VOTING—87.

Bankhead	Goldfogle	Kennedy, R. I.	Rodenberg
Britten	Good	Kitchin	Rowan
Brumbaugh	Goodwin, Ark.	Lampert	Rubey
Burke	Goodykoontz	Langley	Rucker
Caldwell	Graham, Pa.	Lonergan	Sanders, La.
Campbell, Kans.	Hamill	McCulloch	Sanford
Candler	Hamilton	McFadden	Scully
Casey	Hardy, Tex.	McGlennon	Sears
Classon	Harrison	McKiniry	Sells
Copley	Haugen	McKinley	Steele
Costello	Hayden	Maher	Stephens, Miss.
Crago	Hays	Mann, S. C.	Sullivan
Dent	Hersman	Moon	Thomas
Dewalt	Hoey	Mooney	Tinkham
Dooling	Igoe	Newton, Mo.	Towner
Doughton	Jefferis	O'Connor	Upshaw
Drewry	Johnson, Ky.	Park	Vare
Ellsworth	Johnson, Miss.	Porter	Vinson
Emerson	Johnston, N. Y.	Radcliffe	Watkins
Fish	Juul	Rainey, John W.	Wise
Gandy	Kahn	Reavis	Young, Tex.
Garner	Kennedy, Iowa	Riordan	

So the conference report was agreed to.

The Clerk announced the following pairs:

Until further notice:

Mr. LANGLEY with Mr. CLARK.

Mr. KAHN with Mr. DENT.

Mr. SANFORD with Mr. KITCHIN.

Mr. VARE with Mr. DOOLING.

Mr. BURKE with Mr. HARDY of Texas.

Mr. CLASSON with Mr. GANDY.

Mr. COSTELLO with Mr. MAHER.

Mr. EMERSON with Mr. MOON.
Mr. ELLSWORTH with Mr. JOHN W. RAINEY.
Mr. GRAHAM of Pennsylvania with Mr. STEELE.
Mr. HAMILTON with Mr. RUBEY.
Mr. KENNEDY of Iowa with Mr. THOMAS.
Mr. BRITTEN with Mr. HARRISON.
Mr. LAMPERT with Mr. IGOE.
Mr. MCKINLEY with Mr. UPSHAW.
Mr. TINKHAM with Mr. DREWRY.
Mr. RADCLIFFE with Mr. HOEY.
Mr. GOOD with Mr. RUCKER.
Mr. JEFFERIS with Mr. GOLDFOGLE.
Mr. MCFADDEN with Mr. RIORDAN.
Mr. TOWNER with Mr. JOHNSON of Mississippi.
Mr. HAUGEN with Mr. YOUNG of Texas.
Mr. CAMPBELL of Kansas with Mr. HAYDEN.
Mr. COPLEY with Mr. MCGLENNON.
Mr. RODENBERG with Mr. JOHNSON of Kentucky.
Mr. MCCULLOCH with Mr. DOUGHTON.
Mr. REAVIS with Mr. BANKHEAD.
Mr. SELLS with Mr. MCKINIRY.
Mr. FISH with Mr. VINSON.
Mr. GOODYKOONTZ with Mr. O'CONNOR.
Mr. PORTER with Mr. STEPHENS of Mississippi.
Mr. HAYS with Mr. SULLIVAN.
Mr. CRAGO with Mr. GARNER.
Mr. JUUL with Mr. ROWAN.
Mr. KENNEDY of Rhode Island with Mr. SEARS.
Mr. NEWTON of Missouri with Mr. WISE.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will open the doors.

On motion of Mr. ANTHONY, a motion to reconsider the vote by which the conference report 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 without amendment bill and joint resolutions of the following title:

H. R. 13558. An act for the purpose of improving the facilities and service of the Bureau of War Risk Insurance and of further amending and modifying the war-risk insurance act as amended.

H. J. Res. 480. Joint resolution making an appropriation to pay the widow of CHAMP CLARK; and

H. J. Res. 426. Joint resolution providing for the bringing to the United States of the body of an unknown American who was a member of the American Expeditionary Forces, who served in Europe and lost his life during the World War, and for the burial of the remains with appropriate ceremonies.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the joint resolution, S. J. Res. 248.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the bill (S. 4310) to amend an act entitled "the New Mexico enabling act."

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the bill (S. 4332) to exchange the present Federal building and site at Gastonia, N. C., for a new site and building.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had, on March 3, 1921, approved and signed bills of the following titles:

H. R. 644. An act for the relief of Oscar Smith;

H. R. 2328. An act relating to the title to land to be acquired as a site for a post-office building at Spring Valley, Ill.;

H. R. 6414. An act for the relief of Herman W. Schallert;

H. R. 7775. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 8067. An act to establish standard weights and measures for the District of Columbia; to define the duties of the superintendent of weights, measures, and markets of the District of Columbia, and for other purposes;

H. R. 9281. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 10515. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 11554. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 12045. An act to provide for the conveyance of lots on the low grounds of Washington, D. C.; and

H. R. 15682. An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1922.

RELIEF OF CERTAIN CIVIL SERVICE EMPLOYEES.

The SPEAKER. The gentleman from Indiana [Mr. MOORES] is recognized.

Mr. MOORES of Indiana. Mr. Speaker, I move to suspend the rules and pass the bill H. R. 15934.

The SPEAKER. The gentleman from Indiana moves to suspend the rules and pass the bill, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 15934) to provide for the relief of certain employees of the Government who have become eligible for retirement under the provisions of the retirement act of May 22, 1920, and have thereafter been continued in the service or reemployed therein.

Be it enacted, etc., That in the event any employee in the classified civil service of the United States has become eligible for retirement under the provisions of an act entitled "An act for the retirement of employees in the classified civil service, and for other purposes," approved May 22, 1920, because of his attaining the retirement age fixed by such act, or for any other cause stated in said act, and such employee thereafter and prior to the passage of this act has continued in the service or been appointed to any place in the public service, whether or not in the same branch of the service in which he was employed prior to his retirement or eligibility therefor, no fiscal officer of the Government shall, because of such retirement or eligibility therefor, withhold from such employee for services rendered prior to the passage of this act any portion of the salary properly payable under the law to Government employees of the same class, rank, and grade as that in which such retired employee has been employed since his retirement or eligibility therefor; and no fiscal officer shall withhold from any such employee any portion of any annuity allowed him under said act. The appropriation is hereby authorized of such sum or sums as may be necessary to reimburse all such employees for any and all money which may have been refunded to the Treasury by any such employee or employees upon demand of any fiscal officer, based upon the ruling of the Comptroller of the Treasury that such retention in the service or reemployment is unlawful.

Mr. DYER. Mr. Speaker, I demand a second.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. DYER. No, sir.

Mr. BLACK. I demand a second, Mr. Speaker. I am opposed to the bill.

The SPEAKER. The Chair feels he should recognize some gentleman who is opposed to the bill, and the Chair will recognize the gentleman from Texas [Mr. BLACK].

Mr. MOORES of Indiana. I ask unanimous consent that a second be considered as ordered.

The SPEAKER. The gentleman from Indiana asks unanimous consent that a second be considered as ordered. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Indiana is recognized.

Mr. MOORES of Indiana. Mr. Speaker, if there had been a general acquiescence in the civil-service classified employees' retirement and annuity act last summer throughout the departments, there would have been absolutely no necessity for this bill. It is necessary simply as a matter of common justice and right.

That bill passed on the 22d day of last May, as I remember, and it provided for the retirement of employees in the classified civil service after a certain length of service on an annuity—every annuity being very small. The annuities were in six classes, the maximum annuity being $720 a year, or $60 a month, and the minimum annuity being $360 a year, or $30 a month.

That bill which we passed provided for the retention of certain retired civil-service employees upon certification by the heads of the department or bureau in which they worked.

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

Mr. MOORES of Indiana. When I get through with this sentence. They would be retired at the age of 62, or 65, or at the age of 70, according to the class of work on which they were employed.

Now I yield to the gentleman.

Mr. BLACK. I confess that I have not read the bill, but I understood from hearing it read that if one department should retire one of these employees under the retirement law upon the judgment that he was no longer in condition to render satisfactory service, another department of the Government might employ this retired employee. I wanted to ask the gentleman

if it is the purpose of this act to enable that employee to collect a full salary from the Government?

Mr. MOORES of Indiana. It is not.

Mr. BLACK. That is what I wanted the gentleman to bring out. I probably did not catch the correct meaning of the bill.

Mr. MOORES of Indiana. I will explain it as briefly as I can. The act provided that if within 60 days after the passage of the act, or not less than 30 days before the arrival of the employee at the age of retirement, the head of that branch of the Government in which he or she is employed certifies that by reason of his or her efficiency and willingness to remain in the civil service the continuance of such employee therein would be advantageous to the public service, such employee may be retained for a term not exceeding two years, upon the approval and certification of the Civil Service Commission.

Mr. BLACK. Will the gentleman yield?

Mr. MOORES of Indiana. If the gentleman will wait until I get through with a 10-minute speech, I think I can cover the ground so that the gentleman will understand the bill——

Mr. BLACK. I think I do, now——

Mr. MOORES of Indiana. And we can save time in that way.

In one department—and I am told there were others—the heads or chiefs absolutely refused to permit the certification of the competency and willingness and efficiency of civil-service employees, and employees were involuntarily retired in a large number of branches of the public service.

I went to the president of the Civil Service Commission, and he stated to me that there had been no general regard paid to this law. There had been instances when men had been retained upon certification, but in most cases in every branch of the service the men had been retired at 62, 65, or 70, or whatever the age was.

Now, in one of the departments it was impossible to get men to take the places of these classified civil servants, and they had all been retired in August. Their places could not be filled in the civil service, and there was no way of retaining them. These retired employees were employed as substitutes, and they worked from the latter part of August down to the 8th day of December, when the first one was thrown out. The comptroller held on the 8th day of December that these men were not eligible to reemployment; that they could not be reemployed; that if they received an annuity and the small pay that they got as substitutes, 60 cents an hour, or $100 a month—these men were, many of them, $1,200 men and $1,500 men and $1,600 men and $1,800 men, and some of them $2,000 men and $2,400 men, retired at $720—if they got this $100 or $110 a month as substitutes, they had to pay it back, because they were getting $60 a month annuity.

Now, in point of fact, these men were, almost all of them, getting less money on their annuities and on the substitutes' pay than they had been getting when they were involuntarily and forcibly evicted from the service. Those who were taken back would not have been taken back if they had not been efficient and fit for the service, although the departments and some of the bureaus would not so certify. I do not say that any of these men had certificates, but they rendered good service. They were paid by the Government, and they are ordered to refund the $108 or $110 a month that they got as substitutes in return for the $30 or $40 or $50 or $60, as the case may be, in no instance above $60, that they got as a part of the annuity. Their annuity pay they are allowed to retain, but they must, under the ruling of the comptroller, refund the money that they received as substitutes for efficient service in the last six months of last year.

It seems to me that a gross injustice has been done to a very worthy class of civil servants. This bill does nothing more than provide for a refund for those who have repaid the pay which they drew from the Government from August to the 1st of January.

It further provides that the money can not be collected from those who have not so returned it, and that the money due them shall not be withheld.

Mr. BLACK. I confess I have not studied the bill, but I want to understand it. Is it not true that your bill provides that after a man has been retired as the law provides and has been appointed to another position in the civil service he is given the salary of that position?

Mr. MOORES of Indiana. The bill does not so provide.

Mr. BLACK. And also the salary of the retired employee?

Mr. MOORES of Indiana. No. This bill is not general legislation. It is simply a bill to right a wrong.

Mr. BLACK. Does it not enable him to collect the two sums, to wit, the salary attached to the position and the annuity?

Mr. MOORES of Indiana. It forbids the Government to take their pay away from them after it is paid them for the work done last fall. That is all it does. It does not go any further than that.

Mr. KRAUS. Will the gentleman yield?

Mr. MOORES of Indiana. Certainly.

Mr. KRAUS. Did these employees who were appointed as substitutes serve in the same bureau or department in which they served prior to retirement?

Mr. MOORES of Indiana. Some of them did, and Mr. Morrison, president of the Civil Service Commission, said some of them had been employed in other bureaus and branches of the service; but they were all employed, so far as he knew, as substitutes.

Mr. NEWTON of Minnesota. I have not had a chance to examine the bill, and I wish to know if it provides for such a contingency as this: I have an instance in mind where the widow of a retired employee received his check some two weeks after his death, and in the check were included moneys that were rightfully his at the time of his death. She honestly returned the check to the Government, and now the Government refuses to give her a check for the sum due up to the time of his death. Does this bill cover that kind of a case?

Mr. MOORES of Indiana. The gentleman does not state the facts fully enough to enable me to tell him. If he was a former employee, employed as a substitute, his administrator can get his check.

Mr. NEWTON of Minnesota. The Secretary of the Interior rules otherwise.

Mr. MOORES of Indiana. I would advise the gentleman to consult a lawyer about that.

Mr. JONES of Texas. Does not the gentleman think the bill ought to require that during the time a man is serving as a substitute he shall not draw his annuity pay?

Mr. MOORES of Indiana. This bill does not apply to the future at all.

Mr. JONES of Texas. During the time he drew pay as a worker after he had been retired, he should not have the annuity pay for that period.

Mr. MOORES of Indiana. But he has had that.

Mr. JONES of Texas. If I understand this bill, during the period specified a man might be drawing a salary for his work for the Government in one department, and for that same period be drawing annuity pay to which he was entitled for having previously worked in another department.

Mr. MOORES of Indiana. Yes; most of them were getting $100 a month as substitutes and they were getting from $30 to $60—none of them more than $60—as annuity pay.

Mr. JONES of Texas. Does not the bill provide that they may receive both?

Mr. MOORES of Indiana. Most of them were getting from $1,200 to $1,800 a year before they were retired.

Mr. JONES of Texas. Does not the gentleman think the bill ought to be amended so as to provide that during the time they were drawing pay as substitutes they should not for the same period draw their annuity pay? In other words, does not the gentleman think their annuity pay should be suspended during the time they were working as substitutes?

Mr. MOORES of Indiana. I do not think so, and I will tell the gentleman why. This bill was drafted by me after careful consultation with the president of the Civil Service Commission, and I asked him to go over my draft, so as to correct it and reach everybody in the service who might have suffered.

These men were getting small annuities. They were put to work at the request of the Government. They received the smallest compensation paid by the Government for work that they had been accustomed to do, for which they had received much larger pay in the past, and I do not think it would be right to deprive them of what they have received. They returned to the service expecting to get paid for this work.

Mr. JONES of Texas. But their pay as substitutes amounted to more than their annuities, and during the period they were actually at work and drawing pay from the Government it seems to me their annuities should be suspended.

Mr. TIMBERLAKE. Will the gentleman yield?

Mr. MOORES of Indiana. I yield to the gentleman from Colorado.

Mr. TIMBERLAKE. Under the provisions of this bill will any one of the men mentioned receive a larger sum than he was receiving for the work he was performing before his retirement?

Mr. MOORES of Indiana. No; I am informed by the Civil Service Commission that in their opinion it will not pay any one of them more than he received before.

Mr. BLAND of Indiana. Will the gentleman yield?

Mr. MOORES of Indiana. Certainly.

Mr. BLAND of Indiana. I understand they worked as substitutes.

Mr. MOORES of Indiana. Yes.

Mr. BLAND of Indiana. And as such they received smaller compensation than they received when they were working in the department before they retired.

Mr. MOORES of Indiana. Almost without exception, they received from 50 cents to 60 cents an hour.

Mr. BLAND of Indiana. If they had been working for a private corporation at $110 a month, they would have drawn their annuities.

Mr. MOORES of Indiana. Yes.

Mr. BLAND of Indiana. And there is no injustice in their drawing them from the Government.

Mr. MOORES of Indiana. The gentleman is correct.

Mr. HUDDLESTON. Will the gentleman yield?

Mr. MOORES of Indiana. I yield to the gentleman from Alabama.

Mr. HUDDLESTON. The gentleman from Indiana [Mr. BLAND] has expressed in part what I had in mind to say in reply to the gentleman from Texas [Mr. JONES]. These retired men drawing these annuities were entitled to their own time. They could have gone and taken employment with a private concern, and while doing so they would have continued to draw their annuities. There is no more reason why they should not be paid a fair and reasonable wage for their services for the Government, although they were drawing annuities, than there would be if they were receiving pay from private concerns.

It is not a case of double salary; it is a case where these men, acting in good faith under the law, believing themselves entitled to a return, have rendered sure-enough services, and they ought to be paid for it.

Mr. LANHAM. Will the gentleman yield?

Mr. MOORES of Indiana. Yes.

Mr. LANHAM. How many men are there in the service who would be affected?

Mr. MOORES of Indiana. I have tried very hard to find out, and the best information I could get from the Civil Service Commission is that there were two or three in every congressional district.

Mr. SCHALL. Will the gentleman yield?

Mr. MOORES of Indiana. I will.

Mr. SCHALL. I have a concrete illustration. A constituent of mine, on an annuity of $60 a month, was asked by the post-office department in Minneapolis to help out during the holidays. He did so, and earned $57, which was paid him. When his annuity check came in it was for just $3. I think that illustrates the situation. He was called in on account of the lack of help. If he had worked for a private individual, he would have received his money.

Mr. FAIRFIELD. Will the gentleman yield?

Mr. MOORES of Indiana. Yes.

Mr. FAIRFIELD. I have a case where the employee was continued without any intermission and received the same salary as he received before.

Mr. MOORES of Indiana. In the Post Office Department it was found impossible to run the post offices in New York, Boston, Philadelphia, and Baltimore, and possibly one other city, and there were secret instructions to retain the men. The instructions were not made public, and no other city got the benefit of the order permitting the men to be retained. That was only in four or five large cities.

Mr. FAIRFIELD. In most cases the men had been separated from the service.

Mr. LAYTON. Was that done in New York in accordance with law?

Mr. MOORES of Indiana. I get it at third hand; I got it from a man in the civil service. He said it was done in those places without certification.

Mr. LAYTON. I am in sympathy with the gentleman in this respect, that when an employee has been separated from the service and afterwards the Government wants to employ him, that is a different proposition; but I doubt whether it is a good proposition to keep him in the service without disassociation and give him an annuity besides.

Mr. MOORES of Indiana. I yield five minutes to the gentleman from Tennessee [Mr. GARRETT].

Mr. GARRETT. Mr. Speaker, I was opposed to this legislation at the time it passed, and if the matter were before us now for original action I should be in precisely the same attitude. But conditions have arisen under the law in which an injustice has been worked. Sometimes it is easier to illustrate a general principle by a statement of a specific case, and I shall cite a specific case which has come under my observation.

A rural carrier in the district which I represent became 65 years of age on the 20th of July or perhaps the 20th of August, 1920; at any rate shortly after this act went into effect. An order was issued to the postmaster to retire him under the provisions of this act. Let me say that he had not been in the service a sufficient length of time to receive an annuity, and consequently in his case the annuity proposition is not involved.

Mr. BLACK. Will the gentleman yield?

Mr. GARRETT. Yes.

Mr. BLACK. I suppose there have been rural carriers re-employed who were receiving an annuity. It is very probable that there have been. Suppose they are getting $1,800 salary, under this bill they would get the annuity, which would make $2,400 per annum. Does the gentleman think we ought to pay the rural carrier $1,800 per annum and an annuity? That is what I am objecting to.

Mr. GARRETT. I say that I was opposed originally to this legislation. I was opposed to it for a number of reasons, among others was the fact that it brought about the very condition described so well by the gentleman from Alabama [Mr. HUDDLESTON] a few minutes ago. That is to say, these employees could go into private employment and draw an annuity although they might be drawing as large a salary in private employment as they did in the Government service and be fully capable of earning it.

Mr. BLACK. What would be the difference when we call a retired Army officer into the service again if we paid him for his service and also the retirement pay? Of course, we do not do that; we only pay him the salary of the service which he comes back to.

Mr. HUDDLESTON. If the gentleman from Tennessee will allow me, in the case of the retired Army officer nothing has been deducted from his pay. He is receiving really a gratuity. In the case of the civil-service employee they have deducted something from his pay. The money being paid them is part of it from their own pay. That is not the case of the Army officer.

Mr. GARRETT. Now, if I may continue to state the full facts——

Mr. TILSON. Will the gentleman yield?

Mr. GARRETT. Yes.

Mr. TILSON. As a matter of fact, the law under which the Army officer is retired is such that he can be recalled into the service, and therefore it is a part of the contract that he may be recalled and receive only full pay.

Mr. GARRETT. In the case of the carrier of whom I was speaking, an order was issued for his retirement. That order was overlooked by the postmaster. The carrier himself knew nothing of the passage of this law, and if the postmaster knew it he did not realize its importance. Consequently he was not in fact retired. He was in excellent physical condition and is to-day. He was competent to perform the service and was entirely satisfactory to the patrons. Had it been observed at the time by the postmaster or by him, undoubtedly the application could have been made, and the certification could have been properly secured continuing him in the service, but it was overlooked entirely, and he continued in the service without any order. He continued to serve for several months and was paid by the month. Finally the department discovered that he was still in the service, and in January last issued another order that he be discharged. He was discharged at once. Then is when the matter first came to my attention. Now, under the ruling of the comptroller, the postmaster at Nashville, Tenn., through whom the checks went to pay this carrier, serving, of course, from another post office far away from Nashville, has been called on to refund the money, and the postmaster has called on the carrier to repay the money. Of course, the carrier can not repay the money, and I do not think he ought to. He rendered the service, and he rendered good service, and I think the relief ought to be granted. Unless we go back to the original principle that caused me to oppose the bill in the beginning, I do not see why this objection made by the gentleman from Texas should apply.

Mr. BLACK. Mr. Speaker, if all of the concrete illustrations that come under the provisions of this bill were such as the one mentioned by the gentleman from Tennessee [Mr. GARRETT], I would not have the slightest objection to its enactment. If the gentleman from Indiana [Mr. MOORES], who has charge of the bill, will agree to an amendment that would strike out that portion of it which authorizes the disbursing officers of the Government to pay the annuity at the same time a Government salary is being paid the employee, I shall have no objection to the passage of the bill. I am perfectly willing that every employee who has been continued in the service after retirement age, or who has been called back from his retirement, shall be paid the salary which he has earned in that position, but I

am opposed to going ahead and paying him the salary attached to the position and then paying him an annuity also.

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

Mr. BLACK. Yes.

Mr. LANHAM. Does the gentleman think, in so far as the equities are concerned, that this is an analogous case to that stated by the gentleman from Tennessee, where a rural carrier continues to serve, although beyond the retirement age, because of the fact that there is no one to take his place; there is no one to substitute for him.

Mr. BLACK. I will say to my colleague in reply, if an amendment shall be agreed to that will strike the following language from the bill, I shall not oppose it further:

And no fiscal officer shall withhold from any such employee any portion of any annuity allowed him under said act.

What does the act do? It does two things. First, it says to the Government you shall pay any portion of the salary payable under the law to Government employees of the same class, rank, and grade as that in which such retired employee has been employed since his retirement; then it says also you shall not withhold the annuity. Let us take the case of a rural carrier; some of them who have been retired have been in the service sufficiently long to have the annuity granted them. What condition will we have if this bill passes? We will have a rural carrier who has reached the retirement age and has been retired, and subsequently appointed as a temporary carrier, drawing $1,800 salary, and he will also be drawing an annuity. Other instances will probably occur, much more numerous than that of rural carriers. I contend that is not a sound and safe precedent to set. If a retired employee is called back into the Government service, either in the same department or another branch of the service, he is no longer a "retired" employee, and his retirement pay should immediately cease.

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

Mr. BLACK. Yes.

Mr. MOORE of Virginia. My only objection to the bill is its provision for double payment. By the terms of this bill, it is to apply retrospectively, but does it not fix a principle that will be applied prospectively? May there not occur an indefinite number of cases in the future which the fiscal officers of the Government will deal with on the basis of the theory that is set up in this bill?

Mr. BLACK. I think so. I think that is one of the reasons why we should not pass the bill.

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

Mr. BLACK. Yes.

Mr. FESS. The gentleman spoke about an amendment. I would call his attention to the fact that we can not amend the bill that is under the suspension of the rules.

Mr. BLACK. No; and that is why I shall vote against it.

If the bill were before the House in the ordinary way, I believe the House would amend it by striking out the provision that I have referred to. Then I would have no objection to voting for it.

Mr. JONES of Texas. Mr. Speaker, I call the attention of the gentleman to the fact that last night the bill was amended by unanimous consent.

Mr. BLACK. Yes; and I shall offer a unanimous-consent request to amend this bill. Whether it will be agreed to or not I do not know. I want to say just one more word. We have a law retiring Army officers and Navy officers, but allowing the Government whenever their services are needed to call them back into the service. Immediately when they are called back into the service they go on the salary roll at the grade and rank in which they are called back to serve. The Government does not pay them a check for their monthly salary according to their grade and rank and then supplement that check by retirement pay. We pay only the one salary, and I can not see any better ground why we should do it in this instance.

The gentleman from Alabama [Mr. HUDDLESTON] says that this annuity is created by contributions from employees, but, as a matter of fact, the most extravagant statement that I heard in that respect during the debate when the civil service retirement law was passed was that they paid 35 per cent of the annuity. It would be much more accurate to say that they do not pay over 25 per cent of the annuity, and the rest of it is a contribution on the part of the Government. I am unwilling to set a precedent of this kind, and am therefore opposed to the bill unless it is amended in the respect I have mentioned.

I yield three minutes to the gentleman from Oklahoma [Mr. MCCLINTIC].

Mr. MCCLINTIC. Mr. Speaker, there is to be found in practically every congressional district in the United States cases where civil-service employees have been removed from the service, notwithstanding the fact that they have reached the retirement age, because they have not performed 15 years of service. I have a case in point in which a rural carrier had a similar experience to that related by the gentleman from Tennessee [Mr. GARRETT]. I had hoped that this bill could have been amended so that those who were separated from the service could be restored or could be allowed to continue a few months longer so that the 15-year period could be reached, when they would be entitled to the annuity as provided for in the civil service retirement act.

I presented to the chairman an amendment which reads as follows:

Provided, That in case any employee of the Government has been separated from the service who has reached the retirement age and has been employed for a continuous period of 14 years, the Civil Service Commission may restore his eligibility on the recommendation of the department having jurisdiction.

The chairman of the committee and the gentleman from Indiana [Mr. MOORES] were very courteous, but they informed me that a similar bill to this one was at the present time pending before the Senate, and on account of the legislative jam which is always incident to the closing days of the Congress it was thought best not to put this amendment on the present bill, fearing that it might result in defeating the legislation. So, Mr. Speaker, I hope that the committee having jurisdiction of this subject will at the beginning of the next session of Congress bring to this House a bill which will take care of those who have been denied the right given by the retirement act notwithstanding the fact they only lack a few months of having served the Government for 15 years.

The SPEAKER. The time of the gentleman has expired.

Mr. BLACK. Mr. Speaker, I yield two minutes to the gentleman from Texas [Mr. JONES].

Mr. JONES of Texas. I am in full sympathy with the general purposes of this bill. In fact, I think all rural carriers and most of the postal clerks are underpaid. I would therefore go further than this bill. This measure is fatally defective in this. If a man has been retired from the Government on an annuity it is on the theory that he can not properly attend to the duties which are devolved upon him. If, then, the Government sees fit to call him back into service he should draw his salary but he should not at the same time and for the same period draw an annuity from the Government. During the period of his reemployment the annuity should be suspended, to be reinstated when he again retires. This would be fair to everybody. This bill puts the Government in the attitude of granting a man an annuity and then turning around and employing the same man at a regular salary, and paying him that salary and also his annuity, which is wrong in principle, and if you have this applied to the nine months, which the bill provides, you set a precedent, and it will be cited as an inducement and reason for enacting another bill to cover the entire future. This would be a species of favoritism among the employees themselves. Such increases as are made should be uniform in their nature. If the bill is amended as suggested I shall be delighted to support it.

The SPEAKER. The time of the gentleman has expired.

Mr. MOORES of Indiana. Mr. Speaker, I yield the remaining time to the gentleman from New Jersey [Mr. LEHLBACH], chairman of the committee.

The SPEAKER. The gentleman is recognized for three minutes.

Mr. LEHLBACH. Mr. Speaker, this bill does not provide for continuing law, but is merely a bill that applies to the period between May 22, 1920, and the date of its passage, to take care of the situation which has arisen by reason of a peculiar administration of the civil service law. Under the civil service law employees who were eligible by reason of having reached the retirement age to the annuity were granted the privilege of remaining in active service, provided they were efficient and there was need for their work; that is, if it were for the good of the service. In the Post Office Department such certificates of efficiency as would enable a man to continue on the pay roll and do his work were almost universally refused, and thereupon the very men who were refused to be continued in the service because they were inefficient were hired at greatly reduced pay to do exactly that work, and they have done that work. The ruling of the Comptroller of the Treasury—and I have no criticism to make of the ruling—is that when a man is retired under the provisions of the retirement law he can not be employed actively in the civil service, and the comptroller, based upon that, has ruled that any payment for work actually performed by these men is illegal, and where it has not already been paid is to be withheld and where it has been paid the employee is

to refund it, and where he does not refund it it is taken in the future out of the annuity which he gets for retirement. It may be that an amendment such as suggested by the gentleman from Texas may, in a very close analysis of the bill, be a fair thing, but this bill is possibly on its passage in the Senate now. If this act of justice is to be done at all, it must be done in the form in which we find it. I want to say that the suggestion as to the pay for work and annuity, both under the terms of this bill——

The SPEAKER. The time of the gentleman has expired; all time has expired. The question is, Will the House suspend the rules and pass the bill?

The question was taken.

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

The House divided, and there were—ayes 69, noes 7.

Mr. BLANTON. Mr. Speaker, I make the point of order there is no quorum present.

The SPEAKER. It is clear there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 284, nays 30, not voting 113, as follows:

YEAS—284.

Ackerman	Frear	McAndrews	Sanders, N. Y.
Almon	Freeman	McArthur	Schall
Anderson	French	McClintic	Scott
Andrews, Md.	Fuller	McKeown	Sells
Andrews, Nebr.	Gallivan	McKinley	Sherwood
Anthony	Ganly	McKinley	Shreve
Ashbrook	Garrett	McLaughlin, Mich.	Siegel
Babka	Glynn	McLaughlin, Nebr.	Sinclair
Bacharach	Good	McLeod	Sinnott
Barbour	Goodykoontz	McPherson	Slemp
Barkley	Gould	MacGregor	Small
Begg	Graham, Ill.	Madden	Smith, Idaho
Bell	Green, Iowa	Magee	Smith, Ill.
Benham	Greene, Mass.	Major	Smith, N. Y.
Benson	Greene, Vt.	Mann, Ill.	Snell
Bland, Mo.	Griest	Mapes	Snyder
Boies	Hadley	Martin	Stedman
Bowers	Hardy, Colo.	Mason	Steenerson
Brand	Harreld	Mays	Stephens, Miss.
Briggs	Hastings	Mead	Stephens, Ohio
Brinson	Haugen	Merritt	Stevenson
Brooks, Pa.	Hawley	Michener	Stiness
Browne	Hayden	Miller	Stoll
Burdick	Hernandez	Minahan, N. J.	Strong, Kans.
Burroughs	Hersey	Monahan, Wis.	Strong, Pa.
Butler	Hersman	Mondell	Summers, Wash.
Byrnes, S. C.	Hickey	Montague	Sweet
Byrns, Tenn.	Hicks	Moore, Ohio	Swindall
Cannon	Hill	Moores, Ind.	Swope
Cantrill	Hoch	Morin	Tague
Carew	Houghton	Mott	Taylor, Colo.
Carss	Huddleston	Murphy	Temple
Chindblom	Hulings	Neely	Thompson
Christopherson	Hull, Iowa	Nelson, Wis.	Tillman
Cleary	Humphreys	Newton, Minn.	Tilson
Coady	Husted	Newton, Mo.	Timberlake
Cole	Hutchinson	Nolan	Tincher
Cooper	Ireland	O'Connell	Tinkham
Cramton	Jacoway	Ogden	Towner
Crisp	James, Va.	Oldfield	Treadway
Crowther	Jefferis	Olney	Upshaw
Cullen	Johnson, S. Dak.	Overstreet	Vaile
Currie, Mich.	Johnson, Wash.	Padgett	Vestal
Curry, Calif.	Jones, Pa.	Paige	Vinson
Dale	Kearns	Patterson	Volgt
Dallinger	Keller	Perlman	Volk
Darrow	Kelley, Mich.	Peters	Volstead
Davey	Kelly, Pa.	Phelan	Walsh
Davis, Tenn.	Kendall	Pou	Walters
Dempsey	Kennedy, R. I.	Purnell	Ward
Denison	Kettner	Radcliffe	Wason
Dickinson, Iowa	Kiess	Rainey, Ala.	Watson
Doremus	Kincheloe	Rainey, Henry T.	Weaver
Dowell	King	Raker	Webster
Drane	Kinkaid	Ramseyer	Welling
Dunbar	Kleczka	Randall, Calif.	Welty
Dyer	Knutson	Randall, Wis.	Whaley
Eagan	Kraus	Ransley	Wheeler
Elliott	Kreider	Reed, N. Y.	White, Kans.
Elston	Lankford	Reed, W. Va.	White, Me.
Esch	Larsen	Rhodes	Williams
Evans, Mont.	Layton	Ricketts	Wilson, Ill.
Fairfield	Lazaro	Riddick	Wilson, La.
Farr	Lea, Calif.	Robsion, Ky.	Wilson, Pa.
Fess	Lee, Ga.	Rogers	Winslow
Fields	Lehlbach	Rose	Wood, Ind.
Fish	Linthicum	Rouse	Woods, Va.
Fisher	Little	Rowe	Woodyard
Focht	Longworth	Rucker	Wright
Fordney	Luce	Sabath	Young, N. Dak.
Foster	Lufkin	Sanders, Ind.	Zihlman

NAYS—30.

Aswell	Collier	McDuffie	Robinson, N. C.
Black	Connally	Mansfield	Romjue
Bland, Va.	Eagle	Moore, Va.	Steagall
Blanton	Evans, Nebr.	Nelson, Mo.	Sumners, Tex.
Bowling	Evans, Nev.	Oliver	Wingo
Box	Jones, Tex.	Parrish	Young, Tex.
Buchanan	Lanham	Quin	
Carter	Lesher	Rayburn	

NOT VOTING—113.

Ayres	Dunn	James, Mich.	Rainey, John W.
Baer	Dupré	Johnson, Ky.	Ramsey
Bankhead	Echols	Johnson, Miss.	Reavis
Bee	Edmonds	Johnston, N. Y.	Reber
Bland, Ind.	Ellsworth	Juul	Riordan
Britten	Emerson	Kahn	Rodenberg
Brooks, Ill.	Ferris	Kennedy, Iowa	Rowan
Brumbaugh	Flood	Kitchin	Rubey
Burke	Gallagher	Lampert	Sanders, La.
Caldwell	Gandy	Langley	Sanford
Campbell, Kans.	Gard	Lonergan	Scully
Campbell, Pa.	Garner	Luhring	Sears
Candler	Godwin, N. C.	McCulloch	Sims
Caraway	Goldfogle	McFadden	Sisson
Casey	Goodall	McGlennon	Smith, Mich.
Clark	Goodwin, Ark.	McKenzie	Smithwick
Classon	Graham, Pa.	Maher	Steele
Copley	Griffin	Mann, S. C.	Sullivan
Costello	Hamill	Milligan	Taylor, Ark.
Crago	Hamilton	Moon	Taylor, Tenn.
Davis, Minn.	Hardy, Tex.	Mooney	Thomas
Dent	Harrison	Mudd	Vare
Dewalt	Hays	Nicholls	Venable
Dickinson, Mo.	Hoey	O'Connor	Watkins
Dominick	Holland	Osborne	Wise
Donovan	Howard	Park	Yates
Dooling	Hudspeth	Parker	
Doughton	Hull, Tenn.	Pell	
Drewry	Igoe	Porter	

So, two-thirds having voted in the affirmative, the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

Until further notice:

Mr. MUDD with Mr. MILLIGAN.

Mr. PARKER with Mr. WISE.

Mr. OSBORNE with Mr. DREWRY.

Mr. GOODALL with Mr. CANDLER.

Mr. LANGLEY with Mr. CLARK.

Mr. REBER with Mr. GALLAGHER.

Mr. PORTER with Mr. FLOOD.

Mr. RAMSEY with Mr. GOODWIN of Arkansas.

Mr. TAYLOR of Tennessee with Mr. DOMINICK.

Mr. BLAND of Indiana with Mr. CAMPBELL of Pennsylvania.

Mr. ECHOLS with Mr. BEE.

Mr. LUHRING with Mr. DUPRÉ.

Mr. SMITH of Michigan with Mr. SISSON.

Mr. YATES with Mr. HUDSPETH.

Mr. MCKENZIE with Mr. DEWALT.

Mr. JAMES of Michigan with Mr. GRIFFIN.

Mr. CAMPBELL of Kansas with Mr. TAYLOR of Arkansas.

Mr. DAVIS of Minnesota with Mr. O'CONNOR.

Mr. DUNN with Mr. PARK.

Mr. BAER with Mr. SMITHWICK.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will open the doors.

CONGRESSIONAL MEDAL OF HONOR FOR UNIDENTIFIED FRENCH AND ENGLISH SOLDIERS.

Mr. SMITH of Illinois. Mr. Speaker, I move to suspend the rules and pass the bill which I have sent to the Clerk's desk to be reported.

The SPEAKER. The gentleman from Illinois moves to suspend the rules and pass the bill which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 16076) authorizing bestowal upon the unknown, unidentified British soldier buried in Westminster Abbey and the unknown, unidentified French soldier buried in the Arc de Triomphe of the congressional medal of honor.

Whereas Great Britain and France, two of the allies of the United States in the World War, have lately done honor to the unknown dead of their armies by placing with fitting ceremony the body of an unknown, unidentified soldier, respectively in Westminster Abbey and in the Arc de Triomphe; and

Whereas, animated by the same spirit of comradeship in which we of the American forces fought alongside these allies, we desire to add whatever we can to the imperishable glory won by the deeds of our allies and commemorated in part by this tribute to their unknown dead; Now, therefore,

Be it enacted, etc., That the President of the United States be, and he hereby is, authorized to bestow with appropriate ceremonies, military and civil, the congressional medal of honor upon the unknown, unidentified British soldier buried in Westminster Abbey, London, England, and upon the unknown, unidentified French soldier buried in the Arc de Triomphe, Paris, France.

The SPEAKER. Is a second demanded?

Mr. MCCLINTIC. Mr. Speaker, I demand a second for the purpose of asking a question.

A second was ordered.

Mr. MCCLINTIC. Did we not pass a bill to-day authorizing an unknown soldier to be brought back to the United States and to be buried with appropriate ceremonies?

Mr. SMITH of Illinois. That was for an American soldier. This is for a British soldier and a French soldier.

Mr. McCLINTIC. A British soldier and a French soldier, to be buried in their respective countries?

Mr. SMITH of Illinois. One buried in Westminster Abbey and the other in the Arc de Triomphe in Paris.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and two-thirds having voted in the affirmative, the rules were suspended and the bill was passed.

PRIVATE CLAIM 61, TOWNSHIPS 2 AND 3, WAYNE COUNTY, MICH.

Mr. DOREMUS. Mr. Speaker, I move to suspend the rules and pass the bill H. R. 15861, with a committee amendment, and an amendment to the title.

The SPEAKER. The gentleman from Michigan moves to suspend the rules and pass an amended bill, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 15861) to confirm private claim No. 61, of Ambroise Reopel, in townships 2 and 3 south, range 11 east, Michigan meridian, Wayne County, Mich.

Be it enacted, etc., That private claim No. 61 of Ambroise Reopel (between claims Nos. 118 and 119) in townships 2 and 3 south, range 11 east, Michigan meridian, Wayne County, Mich., containing 220.74 acres, according to the survey made in 1809–10 by Aaron Greeley, United States surveyor, shall be, and the same is hereby confirmed to the said Ambroise Reopel, and the Department of the Interior shall cause patent to issue for said land to Ambroise Reopel, his heirs, assigns, and legal representatives: *Provided*, That this act, and the patent which may be issued in pursuance of the same, shall only operate as a relinquishment on the part of the United States, and shall in no way prejudice any valid adverse right, if such exist, to the said land; the intent being that title shall inure to the true owners of the land under the laws of Michigan, including the laws of prescription, in the absence of any interest or estate of the United States.

The SPEAKER. Is a second demanded?

There was no second demanded.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended and the bill as amended was passed.

BRIDGE ACROSS DETROIT RIVER NEAR DETROIT, MICH.

Mr. ESCH. Mr. Speaker, I move to suspend the rules and pass the bill S. 4903.

The SPEAKER. The gentleman from Wisconsin moves to suspend the rules and pass a Senate bill, which the Clerk will report.

The Clerk read as follows:

An act (S. 4903) to authorize the construction and maintenance of a bridge across Detroit River within or near the city limits of Detroit, Mich.

Be it enacted, etc., That the consent of Congress is hereby granted to American Transit Co., its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across Detroit River at a point suitable to the interests of navigation within or near the city limits of Detroit, Wayne County, Mich., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906: *Provided*, That before the construction of the said bridge shall be begun all proper and requisite authority therefor shall be obtained from the Government of the Dominion of Canada.

SEC. 2. That this act shall be null and void if actual construction of the bridge herein authorized be not commenced within three years and completed within seven years from the date of approval hereof.

SEC. 3. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. Is a second demanded?

Mr. MANN of Illinois. Mr. Speaker, if necessary to demand a second, I will, so that the gentleman can explain section 2 of the bill.

A second was ordered.

Mr. ESCH. Mr. Speaker, under the general bridge act one year is allowed within which to commence work and three years are allowed for completion. The pending bill extends both periods on account of the fact that this will be possibly one of the largest bridges in the world, having a span of 1,700 feet. On account of the size of the bridge and the length of time that would be required to complete it, we made extensions of two years and four years.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

RIGHT OF WAY FOR COLUMBIA RIVER HIGHWAY.

Mr. SINNOTT. Mr. Speaker, I move to suspend the rules and pass the bill S. 4511.

The SPEAKER. The gentleman from Oregon moves to suspend the rules and pass the bill, which the Clerk will report.

The Clerk read as follows:

An act (S. 4511) authorizing the Secretary of War to grant a right of way over certain Government lands to the State of Oregon for the Columbia River Highway.

Be it enacted, etc., That the Secretary of War is hereby authorized to grant to the State of Oregon, for the purpose of constructing, maintaining, and operating the Columbia River Highway, a permanent right of way over and across portions of the lands of the United States acquired and held in connection with the improvement of the Dallas-Celilo section of the Columbia River: *Provided*, That the exact location and dimensions of the right of way shall be fixed by the Secretary of War: *Provided further*, That the grant shall be subject to the express condition that the right of way shall be used solely and exclusively for the roadway purpose aforesaid, and any part thereof not so used shall revert to the United States.

The SPEAKER. Is a second demanded?

Mr. SNELL. Mr. Speaker, for the purpose of getting some information, I demand a second.

Mr. SINNOTT. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

A second was ordered.

Mr. SINNOTT. Mr. Speaker, this is a bill to authorize the Secretary of War to grant to the State of Oregon a right of way over certain lands owned by the Government near The Dalles, Oreg., where the Government has a canal. The canal ground in the vicinity of the canal is a link in the Columbia River Highway. The Columbia River Highway is a highway being built by the State and is some three or four hundred miles in length. Already nearly 100 miles of the highway is paved and hard surfaced. It is the highway that runs through the Columbia River gorge. The original bill proposed by the State highway commission contained a description of the highway across the Government land, but the Secretary of War, or the attorneys in the office of the Secretary, thought it would be better to leave the matter entirely within the discretion of the Secretary as to the location and dimensions of the right of way. So the bill was modified in the Senate in accordance with the views of the Secretary.

Mr. SNELL. Will the gentleman yield?

Mr. SINNOTT. Certainly.

Mr. SNELL. Is this the usual procedure to take in matters of this kind if you want to get across Government land?

Mr. SINNOTT. I understand this is the usual procedure to take when crossing Government land connected with waterway development. There is a canal upon the Government land at this point. The highway will parallel the canal. The Secretary of War states that the highway will be of service in connection with the canal.

Mr. SNELL. It does not necessarily take any land of special value?

Mr. SINNOTT. I know every foot of it, and the land is mostly sand and rock.

Mr. SNELL. If we grant this concession, will we have to help build the road eventually?

Mr. SINNOTT. No; the Government will never put up a dollar in connection with the road.

Mr. SNELL. This is not one of the Federal-aided roads?

Mr. SINNOTT. No; it is not.

Mr. WALSH. Is The Dalles the name of a Government reservation?

Mr. SINNOTT. The Dalles is a very famous place on the Pacific coast.

Mr. SNELL. How far is it from the coast where this road is to be built?

Mr. SINNOTT. Probably 100 miles from the coast.

Mr. SNELL. Is there a pavement all the way from there to the coast?

Mr. SINNOTT. It is paved now from Portland to Hood River, and hard surfaced from Hood River nearly to The Dalles, and they are working east of this point and also west of this point. The great fish-wheel fisheries of the Columbia are located right at this point.

Mr. SNELL. How long is this right of way?

Mr. SINNOTT. The canal is possibly 4 miles in length, and the right of way will be on and off the line of the canal at various places.

Mr. JOHNSON of Washington. Will the gentleman yield to me?

Mr. SINNOTT. I yield to the gentleman from Washington for a question.

Mr. JOHNSON of Washington. No part of this Government reservation is used for any purpose except in connection with the canal?

Mr. SINNOTT. No part of it is used for any purpose except in connection with The Dalles-Selilo Canal.

Mr. JOHNSON of Washington. One more question for information. How far is the Columbia Highway to extend?

Mr. SINNOTT. It is called the Columbia Highway 100 miles east of this point.

Mr. MANN of Illinois. Will the gentleman yield for a question?

Mr. SINNOTT. Certainly.

Mr. MANN of Illinois. Is this supposed to be a national highway?

Mr. SINNOTT. No; it is a State highway.

Mr. MANN of Illinois. I do not mean a highway constructed by the National Government, but I mean in the sense of being a transcontinental highway.

Mr. SINNOTT. The Columbia Highway will probably be one of the western ends of the Lincoln Highway.

Mr. MANN of Illinois. And the Government does not make any contribution toward its construction?

Mr. SINNOTT. Not that I know of.

Mr. MANN of Illinois. I am glad to hear of one such case.

Mr. SINNOTT. I ask for a vote, Mr. Speaker.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill?

The question was taken; and two-thirds voting in the affirmative, the rules were suspended and the bill passed.

MEMBER OF PRINTING COMMITTEE AD INTERIM.

The SPEAKER appointed as a member of the Printing Committee, to serve until the Printing Committee is appointed in the next Congress, Mr. ROUSE.

HOSPITAL SERVICES FOR EX-SOLDIERS.

Mr. GOOD. Mr. Speaker, I ask unanimous consent to take from the Speaker's table H. R. 15894, the hospital bill, and to concur in the Senate amendment.

The SPEAKER. The gentleman from Iowa asks unanimous consent to take from the Speaker's table the bill, which the Clerk will report, and to concur in the Senate amendment.

The Clerk read the title of the bill (H. R. 15894) to authorize an appropriation to enable the Secretary of the Treasury to provide medical, surgical, and hospital services and supplies for persons who served in the World War and are patients of the Bureau of War Risk Insurance and of the Federal Board for Vocational Education, Division of Rehabilitation, and for other purposes.

Mr. BLANTON. Mr. Speaker, reserving the right to object, I should like to ask the gentleman from Iowa a question.

Mr. GOOD. Yes.

Mr. BLANTON. I understand the Senate has passed the McLeod resolution?

Mr. GOOD. No. This bill does not have anything to do with the appropriation of $46,000,000 carried in the sundry civil bill for hospital care of the soldiers; that is not even mentioned; but it does make immediately available the $18,600,000 carried in the bill.

Mr. BLANTON. The McLeod bill is not involved in this bill?

Mr. GOOD. Not at all.

Mr. BLANTON. May we expect the passage of the McLeod bill?

Mr. GOOD. There will be no necessity for it.

Mr. BLANTON. Suppose the sundry civil bill fails, which is very probable?

Mr. GOOD. If my request for unanimous consent is granted, and this bill is agreed to, then there will be $18,600,000 available immediately when the President signs the law, to provide hospitals for the soldiers.

The SPEAKER. The Clerk will report the Senate amendment.

The Clerk read as follows:

Strike out all after the enacting clause and insert the following:

"That the Secretary of the Treasury is authorized, within the limits of appropriations made herein, to provide additional hospital and out-patient dispensary facilities for persons who served in the World War and are now or hereafter may be patients of the Bureau of War Risk Insurance or of the Federal Board for Vocational Education, Division of Rehabilitation, (1) by purchase, gift, or lease of existing plants; (2) by construction on sites now owned by the Government or on sites to be acquired, when approved by the President, by purchase, condemnation, gift, or otherwise; or (3) by such remodeling or extension of existing plants and their equipment, owned or acquired by the United States at places now being used or that have been used by the Public Health Service for hospital purposes, as may be necessary economically to adapt such plants to the uses and purposes herein provided. Such hospitals and out-patient dispensary facilities shall include the necessary buildings, and auxiliary structures, mechanical equipment, approach work, roads and trackage facilities leading thereto, vehicles, live stock, furniture, equipment and accessories, and also shall provide accommodations for officers, nurses, and attending personnel, and the Secretary of the Treasury is authorized to accept gifts or donations for any of the purposes named herein.

"The Secretary of War is authorized and directed to transfer without charge to the Secretary of the Treasury for the use of the Public Health Service such mechanical, construction, and miscellaneous material, hospital furniture and equipment, hospital and medical supplies, motor trucks and other motor-driven vehicles, not required by the War Department, as may be required by the Public Health Service for its hospitals.

"The Secretary of the Treasury is authorized, in his discretion, to employ technical and clerical assistants within or without the District of Columbia, without regard to civil-service laws, rules, and regulations, and to pay from the sum herein appropriated for construction purposes, at customary rates of compensation, exclusively to aid in the preparation of the plans and specifications for the above-named objects and for the supervision of the execution thereof, and for traveling expenses, field-office equipment, and supplies, commercial printing in or out of the District of Columbia incident thereto at a total limit of cost for such additional technical and clerical assistants and traveling expenses, etc., of not exceeding 3 per cent of the limit of cost for construction: *Provided*, That all of the above-mentioned work shall be under the direction and supervision of the Secretary of the Treasury.

"In carrying out the purposes herein authorized the President is authorized and empowered, in his discretion, to assign for use of the Public Health Service, under the jurisdiction of the Secretary of the Treasury, such lands or buildings now owned or leased by the United States, not including property under the jurisdiction of the National Home for Disabled Volunteer Soldiers, which, in his judgment, can be used more efficiently for the care of patients of the Bureau of War Risk Insurance, and the Secretary of the Treasury is authorized and directed to take over immediately Fort Mackenzie, Wyo., Fort Walla Walla, Wash., and Fort Logan H. Roots, Ark., with all lands, buildings, and equipment belonging thereto for the uses contemplated herein and to expend from the appropriation in the following paragraph not to exceed $600,000 at Forts Mackenzie and Walla Walla, and not to exceed $250,000 at Fort Logan H. Roots, for providing and increasing hospital facilities thereat.

"For carrying into effect the preceding paragraphs relating to additional hospital facilities there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $18,600,000, to be immediately available and to remain available until expended, of which sum not to exceed $6,100,000 shall be used for remodeling or extending existing plants."

Mr. BYRNS of Tennessee. Reserving the right to object, I want to ask the gentleman a question. There is a hospital amendment in the sundry civil bill. Of course, this amendment has been reported from the Senate without an opportunity for Members of the House to know what it is. I want to ask the gentleman whether the amendment just read by the Clerk is on all fours with the amendment proposed by the Senate and contained in the sundry civil bill now in conference and on which the conferees have agreed?

Mr. GOOD. It is, with the exception that in the suggested agreement to the amendment to the sundry civil bill the words appropriating the money did not appear, because, as the gentleman knows, those words appear in the first paragraph of the sundry civil bill, and apply to everything that follows. So it was necessary to put in the words that "$18,600,000 is hereby appropriated."

Mr. LANGLEY. That was my understanding in my phone conversation a while ago.

Mr. GOOD. Again, in the amendment we had agreed to with reference to the persons who served in the World War we have put in the words "now or hereafter," so that it will read "persons who served in the World War who now or hereafter may be," and so forth.

Mr. SNELL. Will the gentleman yield?

Mr. GOOD. Yes.

Mr. SNELL. Is there any provision for renting the New York State Hospital?

Mr. GOOD. I have been told that because of the action of the Senate the Public Health authorities would take the position that unless the Senate recedes on that item they would not be disposed to use any money appropriated for hospitals or exercise the authority herein granted to lease the New York State Hospital. I will say that I was favorable to that matter, but in conference there were so many things suggested that the amendment here presented seemed to be the only solution. The Senate has voted against the leasing of the New York hospital, I believe, on two occasions.

Mr. SNELL. Is there anything in the provision to take care of the boys up in New York and in New England?

Mr. GOOD. Yes; this bill takes care of the boys in the whole country. It takes the same care of the boys in New York and New England that it takes of the boys in the West, South, and North. There is no discrimination.

Mr. SNELL. The hospitals are not definitely located.

Mr. GOOD. They are not. And for all I know one may be located in the State of New York.

Mr. LANGLEY. If the gentleman will yield——

Mr. GOOD. I yield.

Mr. LANGLEY. I want to state that it was my understanding that was to be left entirely to the discretion of the Secretary of the Treasury.

Mr. SNELL. It applies equally to all parts of the country.

Mr. GOOD. Absolutely.

Mr. OGDEN. Will the gentleman yield?

Mr. GOOD. I will.

Mr. OGDEN. Did the committee take into consideration the availability of the hospital at Camp Zachary Taylor?

Mr. GOOD. Yes; the House conferees tried to have Camp Zachary Taylor included in the list. We carry in the bill general authority for the President to transfer the abandoned camps so far as hospitals are concerned. The hospital at Camp Zachary Taylor has 2,400-bed capacity, and they are not used. They have street-car facilities and other transportation facilities; they have trackage and storage facilities, and all hospital facilities. I think the Government ought to avail itself of these facilities until permanent hospitals are constructed. But the conferees on the part of the Senate would not agree to that because they said they were importuned by numerous persons to include a whole lot of other camps, and so the conferees seeing that we were going to get into confusion and that we would not get any bill at all did the best they could for Camp Zachary Taylor.

Mr. LANGLEY. I understand the gentleman's difficulties in that connection.

Mr. OGDEN. Did they consider that there is no authority under the provisions of this bill that would enable the President to direct the transfer of Camp Zachary Taylor in view of the fact that the act of February 28, 1920, specifically directed the sale of Camp Zachary Taylor? Under the provisions of this bill there will be no authority to exclude Camp Zachary Taylor from the operations of that act.

Mr. GOOD. We did, and as far as the House conferees are concerned we would be willing to vote for a resolution to rescind that action of Congress and direct the turning over of the hospital at Camp Zachary Taylor, but we were faced with certain conditions that we could not control. The Senate insisted that if we put Camp Zachary Taylor in they were going to put in a lot of other camps and we saw that we might not get the necessary hospital. I know that the gentleman from Kentucky would agree if he had been one of the conferees if the same conditions confronted him, because he is vitally interested in providing suitable hospital facilities for the soldiers.

Mr. LANGLEY. I think it is just and fair to my colleague from Kentucky to say that the understanding that I had with the gentleman from Iowa was that Camp Zachary Taylor was to be included in the bill and $200,000 appropriated to improve it. My colleague, Mr. OGDEN, has worked earnestly and faithfully for this.

Mr. GOOD. That is what we carried back to the conference and we were unable to secure it.

Mr. OGDEN. The Senate conferees opposed it——

Mr. GOOD. On the ground that there were other camps that ought also to be considered and therefore they would not go further than the forts and the general authority. They also made the further objection that under the Senate rules the inclusion of an additional camp would make the whole report subject to a point of order, and that Senators who had other camps in their States would have made the point of order if their camps had not been included with Camp Zachary Taylor.

Mr. OGDEN. Mr. Speaker, may I inquire why three camp hospitals were designated in the bill and directed to be transferred to the Public Health Service.

Mr. GOOD. They are permanent Army posts and not temporary camps. They were permanent Army posts that are not used now for hospital purposes.

Mr. SUMMERS of Washington. Does this include the Spanish-American War veterans?

Mr. GOOD. The Spanish-American War veterans under the last sundry civil appropriation act are taken care of in all of the soldiers' homes just as the soldiers of the Civil War. They are not included here, and there is no necessity for it. That was a scheme of the Public Health Service that was understood by the conferees. Other language was also eliminated which, if agreed to, would have made possible the turning over of all soldiers' homes to the Public Health Service. We took care of only the hospitals.

Mr. LANGLEY. The House bill carried that provision, the gentleman will recall.

Mr. GOOD. Yes.

Mr. LANGLEY. Personally, I thought it should go in.

Mr. MACGREGOR. Does this bill contain the provision that there may be an extension of existing Public Health Service hospitals?

Mr. GOOD. Yes. It carries the same provision, and even a broader provision, than the Langley bill carried.

Mr. ALMON. Mr. Speaker, reserving the right to object, and I shall not object, I would ask the gentleman whether it is not a fact that the conferees have agreed on the Senate amendment as to hospital facilities?

Mr. GOOD. No. The Senate amendment contained restatements of authorizations two or three times over. Some of the amendments went in on the floor of the Senate without reference to what was contained in the language of the bill to which the Senate had agreed. The conferees took the Senate amendments and worked them over so that they included all that was in both the Langley bill and in the Senate amendments.

Mr. BYRNS of Tennessee. But there is no change in the substance of the amendment agreed to by the Senate. In other words, some language was cut out because of duplication.

Mr. GOOD. Yes.

Mr. BYRNS of Tennessee. There was no change in the substance of the amendment.

Mr. GOOD. Except the gentleman will recall that one of the Senate amendments designated that money should be expended at certain specific places.

Mr. BYRNS of Tennessee. That is true.

Mr. GOOD. The conferees felt that was not fair, and inasmuch as we did not know and the Senate did not know whether or not money should be expended at one hospital or another, we put it all in the hands of the Treasury Department to determine how much shall be expended for these purposes, and $6,500,000 is carried in the bill and is available for taking over existing plants.

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

Mr. GOOD. Yes.

Mr. LANGLEY. The gentleman says that the Senate bill was broader and more liberal than the Langley bill. The gentleman knows, I am sure, and as a matter of justice to myself and my associates on the committee I think I ought to say, that we put it through the House in as liberal shape as we could. I would have made it broader if I could have done it.

Mr. GOOD. I had no intention of reflecting upon the gentleman's bill. I think the gentleman from Kentucky [Mr. LANGLEY] is entitled to great credit, and the House Committee on Public Buildings and Grounds is entitled to great credit for the bill that bears the gentleman's name. This is the Langley bill perfected. The gentleman can see from a discussion of the matter in both branches of Congress that we could see where the bill could be improved without any reflection upon any committee or any Member. The bill does the gentleman from Kentucky [Mr. LANGLEY] and his committee great credit.

Mr. ANDREWS of Nebraska. Mr. Speaker, I would like to have five minutes to explain some other matters, if the gentleman will yield it to me.

Mr. CULLEN rose.

Mr. BANKHEAD. Mr. Speaker, reserving the right to object, may I ask the gentleman a question?

Mr. GOOD. Mr. Speaker, I yield first to the gentleman from New York [Mr. CULLEN].

Mr. CULLEN. Is there any provision in this report whereby the Secretary of the Treasury is empowered to lease buildings for hospital purposes?

Mr. GOOD. Yes.

Mr. CULLEN. Is that authority general throughout the country?

Mr. GOOD. Yes. The provision carried there is just the same as the one carried in the Langley bill. He is authorized to secure these additional hospital facilities, first, by purchase, gift, or lease of existing plants; second, by the construction on sites now owned by the Government or on sites to be acquired, when approved by the President, by purchase, condemnation, gift, or otherwise.

Mr. CULLEN. I think probably that might meet the New York situation.

Mr. GOOD. It seems to me that the term "or otherwise" is pretty broad. It would authorize the Secretary to make a lease instead of a purchase, and he can secure hospital facilities in any manner whatever. I yield now to the gentleman from Alabama.

Mr. BANKHEAD. This item, of course, was carried in the sundry civil appropriation bill?

Mr. GOOD. Yes; in the Senate amendment.

Mr. BANKHEAD. Were the conferees on the part of the House and the conferees on the part of the Senate unable after a full conference to reach an agreement on these hospital propositions?

Mr. GOOD. The conferees on the part of the House and the Senate agreed tentatively to this provision, just as I explained to the gentleman from Tennessee [Mr. BYRNS]. If we had been able to bring back to the House an agreement on the sundry civil appropriation bill, we would have brought back this provision, and I should have moved that the House recede from its disagreement to these two amendments and concur in the same, striking out all of the Senate amendments——

Mr. BLANTON. Mr. Speaker, I demand the regular order.

The SPEAKER. Is there objection to the present consideration of the Senate amendments?

Mr. BANKHEAD. I want to ask the gentleman a question?

Mr. BLANTON. I withhold the demand for the regular order if the gentleman wants to ask another question.

Mr. BANKHEAD. How long has it been since the conferees on the part of the House and the conferees on the part of the Senate have actually been in conference on the sundry civil appropriation bill? Last time was the day before yesterday, was it not?

Mr. GOOD. I think so; yes.

Mr. BANKHEAD. And then the House conferees declined to have further conference with the Senate conferees?

Mr. GOOD. Oh, no. I have never been invited to another conference myself. I do not know how it is with the other members of the conference committee.

The SPEAKER. Is there objection to the request of the gentleman from Iowa to take the bill from the Speaker's table and consider the Senate amendments?

There was no objection.

Mr. MANN of Illinois. Mr. Speaker, will the gentleman yield for a question?

Mr. GOOD. Yes.

Mr. MANN of Illinois. How much is carried in the sundry civil appropriation bill for these hospital purposes?

Mr. GOOD. The sundry civil appropriation bill as it passed the House did not carry anything for building new hospitals, because we realized we had no authority to do that. Then after the bill went to the Senate the House passed the Langley bill, carrying $12,500,000.

Mr. LANGLEY. And half a million for the two Army posts.

Mr. GOOD. Yes; and the Senate added to that $5,500,000.

Mr. MANN of Illinois. The Langley bill did not make any appropriation; it carried an authorization.

Mr. LANGLEY. Yes; of course, that was all we could do, not being an appropriation committee.

Mr. GOOD. Yes. Now, if I may finish the statement. The Senate then took the Langley bill and incorporated it in the sundry civil bill, which carried an appropriation of $6,100,000 for remodeling existing facilities and remodeling these Army posts that are described, and then carried an appropriation of $12,500,000, authorization for which was carried in the Langley bill.

Mr. MANN of Illinois. That is a total of $18,600,000.

Mr. GOOD. Eighteen million six hundred thousand dollars.

Mr. MANN of Illinois. Does this bill carry all that sum?

Mr. GOOD. It does carry an appropriation for that sum.

Mr. MANN of Illinois. So if this bill becomes a law there will be no item as to appropriation for this purpose in the sundry civil bill?

Mr. GOOD. That is correct.

Mr. CHINDBLOM. Will the gentleman yield for a question?

Mr. GOOD. For a question.

Mr. CHINDBLOM. Does this amendment provide for the remodeling of buildings which may be leased by the Treasury Department for hospital purposes?

Mr. GOOD. It does.

Mr. CHINDBLOM. It covers that entire subject just as fully as it was covered in the sundry civil bill, which is still in conference?

Mr. GOOD. It was thought that the bill should be broad enough so the Secretary of the Treasury might expend the money as needed for hospital purposes, and he can spend $6,500,000 on existing plants, including the forts and camp hospitals.

Mr. CHINDBLOM. What I am getting at is this: Can the Secretary of the Treasury remodel leased buildings?

Mr. GOOD. Yes; it includes leased buildings.

Mr. SWEET. Will the gentleman yield?

Mr. GOOD. I will.

Mr. SWEET. This does not have anything to do with the $46,000,000 fund?

Mr. GOOD. Not at all; it does not refer to it.

Mr. SWEET. This is an out-and-out separate appropriation from that?

Mr. GOOD. Absolutely. The $46,000,000 will be expended in the care of soldiers and that is why this money is made immediately available.

Mr. HAYDEN. Will the gentleman yield?

Mr. GOOD. I will.

Mr. HAYDEN. As I read the amendment there is no limitation upon the number or cost of new hospitals.

Mr. GOOD. The new hospital provision is carried just as it was carried in the Langley bill. I think that is correct.

Mr. HAYDEN. My recollection was that there was a limit of $2,500,000.

Mr. GOOD. That was stricken out and the number left to the discretion of the Secretary of the Treasury.

Mr. MANN of Illinois. Does this take care of the New York proposition in any way?

Mr. GOOD. It does not; the Senate conferees did not agree to the provision that specifically refers to the leasing of the New York proposition. It refused to do so on two votes. It does carry language authorizing the Secretary of the Treasury, by purchase, lease, gift, condemnation, or otherwise, to secure additional hospital facilities.

Mr. MANN of Illinois. Would it authorize the Secretary of the Treasury to enter into a lease with the State of New York?

Mr. GOOD. Yes; certainly of existing hospitals; but I understand the present Treasury office and Public Health Service say they would not treat this as an authorization until the Senate committee had receded from its present position, where they voted twice against that proposition.

Mr. LANGLEY. If the gentleman will permit, I think I can throw some light on the subject. The Secretary of the Treasury held that he could not under existing law enter into a lease for a building not in existence, the law limiting his power to existing plants or institutions. That is the explanation he made to us.

Mr. GOOD. I yield five minutes to the gentleman from Nebraska [Mr. ANDREWS].

Mr. ANDREWS of Nebraska. Mr. Speaker, this bill provides $12,500,000 for new hospitals, according to the purpose of the House bill. Added to that would be a sum to make up the total in the bill of $18,600,000, the difference between those two amounts to be available for the enlargement and remodeling and leasing of other buildings available for hospital purposes according to the discretion of the Secretary of the Treasury. There is no limitation placed upon the exercise of that discrimination as to localities. He can exercise his judgment as to the available resources that will lead to the best results. I regret very much that the way was not found clear to utilize the New York proposition. I need not enter into any discussion of any reasons which may have led to its exclusion by the Senate, as you understand that point. It would have been a tremendous relief to us just at this point if arrangements could have been made for the use of that building under contemplation. Let me state this additional item of information: Informal steps are being taken to secure an inventory of every Government property available for ready transformation into hospital uses, and when that inventory is in the hands of the Committee on Public Buildings and Grounds such recommendations will be brought to the House as the needs of the soldiers may require and the judgment of the committee may direct. I give this simply to cover that phase of the question that has not yet been discussed but is in the minds of Members realizing certain needs beyond what we provide for here. I also regret that the way was not clear to include Camp Zachary Taylor. If the New York proposition and Camp Taylor could have been included, we would have been in a fair way to exclude all possibility of complaint with reference to meager resources and accommodations for the boys. The committee now has under consideration informally certain plans which will cover that phase of the question. [Applause.]

Mr. GOOD. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the Senate amendments.

The Senate amendments were agreed to.

THE PHILIPPINES.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that the gentleman from the Philippines [Mr. GABALDON] may be permitted to address the House for five minutes.

The SPEAKER. The gentleman from Wyoming asks unanimous consent that the gentleman from the Philippines may be permitted to address the House for five minutes. Is there objection? [After a pause.] The Chair hears none. [Applause.]

Mr. GABALDON. Mr. Speaker and gentlemen of the House, I am most grateful to you all for the opportunity you have given me to-day to address you on an issue which is all important to the ten and a half million people whom I represent. This is an issue which has been before the American people for almost a quarter of a century. Its settlement has been pressed a thousand times, but Congress to this day stands unmoved. The reasons for this attitude of yours are unknown to my people. But once again, I, as their representative in this body, desire to remind the American Nation, to whom we owe so much, that America's promise of independence to the Philippines is still unredeemed.

During the last four years no Filipino Resident Commissioner has raised his voice in this Hall to plead for the fulfillment of America's promise to grant us independence. This silence might have been due to the general state of affairs then existing

throughout the world. But it is perhaps due to this silence, also, that the impression has been created among some Members of Congress that there are leaders of the Filipino people who are not in favor of independence for their country.

Mr. Speaker, I would be a traitor to my people, to the political party in the Philippines to which I have the honor to belong, and to my own convictions; I would be recreant to the trust imposed upon me by the people who have elected me to the position I now hold, if I did not express to you in unmistakable language the genuine sentiments of the Filipinos on this question of their political emancipation.

I shall, however, first ask your indulgence to say a few words concerning my own personal feelings relative to this body and the great and mighty Nation that you represent. Permit me to do this to the end that you may the better comprehend the official attitude I shall take in my remarks.

HAS LEARNED TO LOVE AMERICA.

Fifteen years ago I visited this country for the first time. I was impressed with the vigor, aggressiveness, and patriotism of the people of this wonderful land. But it is only now that I am realizing more than what I then realized. It is only now that I have come to really know the American people. I have met scores of Americans in their own homes, and their hospitality has been unbounded. The Members of this body with whom I have come in contact have shown me a thousand courtesies. My heart has been touched by you Americans. And although I am here representing another race and another people, a nation that inhabits an archipelago almost 10,000 miles away, yet I can truthfully say that your own admiration for your people can scarcely exceed mine. [Applause.]

I take great pleasure, also, in reporting to this distinguished body that the relationship existing between the Filipino and American peoples is of the most cordial. Your own official, Maj. Gen. Frank McIntyre, testifies to this happy state of affairs. In his report he expresses surprise "at the depth of the feeling of all the Philippine people, including persons of all classes."

The SPEAKER. The time of the gentleman has expired.

Mr. SNYDER. Mr. Speaker, I ask unanimous consent that the gentleman may have an opportunity to proceed for five minutes more.

The SPEAKER. The Chair understood the gentleman desired only five minutes, and then to extend his remarks.

Mr. SNYDER. I ask that the gentleman's time be extended five minutes.

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

Mr. GABALDON. I thank you very much.

There are various reasons for this attitude of ours toward this magnanimous country. It is a feeling of sincerest gratitude. America has truly treated the Filipino people as no other nation has ever treated an alien race in all the history of the ages. The high points of the American policy in the Philippine Islands have been consistently inspired by altruism. You have implanted there an educational system as fine as any country in the world can boast of. There are American educators who declare that the vocational instruction of our school system is even superior to that in vogue in the United States. Every Filipino is to-day proud of the school system you have established. Our legislature is appropriating more and more funds for school work every year. There are to-day almost a million children, without any compulsory law, in the public schools, and you can travel from one end of the country to the other and make yourself understood in English.

You have also succeeded in stimulating the industrial and commercial instinct of our people. By the example of the men you have sent there to help us rear a modern government you have inculcated the pioneer spirit in a nation that theretofore dared not venture out in the pursuit of new enterprises. Americans have awakened our initiative, and they have taught us how to make better use of the vast natural resources of our virgin country. They have made us realize the potentialities of our undeveloped areas. These are some of the richest areas in the world, capable of supporting a population as large as that of Japan. They are fast being developed to-day, and they will soon make the Philippines a rich nation. History will give America the credit of having started us on our way, not only to political independence but also to agricultural, commercial, and financial independence. [Applause.]

America's work in the Philippines in the interests of hygiene and public health is also monumental.

Marvelous as you are in sanitary engineering works, you have promoted the sinking of artesian wells, the establishment of a splendid system of sanitation, the building of good roads, bridges, and the extension of public and sanitary works of every character. In a sentence, you have shown us how to make our country a better place to live in.

Gentlemen, we knew that in your labors in the Philippine Islands you were actuated by the desire to contribute to our own welfare. This is the reason why we have cheerfully paid every cent of the cost of your undertakings. We have responded to your magnificent approach, and it is not too much to say that you could not have succeeded in the marvelous way you have succeeded if you had not found in the Philippines a people willing and anxious and capable of working with you in these betterments. We also deserve credit, therefore, for having so loyally, eagerly, and intelligently cooperated with you in your colonial experiment.

Such, gentlemen of the Congress, are the ties of gratitude which to-day bind the hearts of the people of the Philippine Islands to this great Republic. I pray that these existing bonds of affection and sympathy may endure throughout all time. [Applause.]

INDEPENDENCE HELD DEARER THAN LIFE ITSELF.

Nevertheless, paradoxical as it may seem, we wish to tell you that our desire to be independent, to have an international personality of our own, to be entitled to a place in the community of the nations, is as strong as ever. America's task in the Philippine Islands is finished. What you have assumed as your sacred obligation in that part of the world has been fulfilled. A people with a medieval system of institutions has been transformed into a conscious nation, imbued with all that is modern in the activities of nations. We are now a modern State, much like you in the truest sense. While, therefore, we are grateful for all the good that America has done us, permit me to state that we love you for nothing else quite so much as your solemn promise to grant us that which we hold dearer than life itself—our freedom. Independence is our national ideal. It is our all-absorbing aim. It is the national aspiration toward which all our activities are directed. It grows stronger every week, every day, every hour. For the spirit of nationalism never dies. Much less can it be subdued. It only acquires intensity with the lapse of time. We believe that we can never hope to be a sturdy nation if we are to rely forever on the magnanimity of the United States. We must be allowed to stand the battering of the times if we are some day to be a nation as respected and as great as any other. Hence our insistence that the promise you have so solemnly given us be carried out at the first opportunity. Our gratitude to you will increase a thousandfold; it will last forever if you keep faith with us. [Applause.]

The SPEAKER. The time of the gentleman has again expired.

Mr. GABALDON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from the Philippines asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. McCLINTIC. Reserving the right to object, Mr. Speaker, how much time would it take to conclude?

Mr. GABALDON. I think about 10 minutes more.

The SPEAKER. Is there objection to the gentleman extending his remarks?

Mr. McCLINTIC. Mr. Speaker, I am interested in the Philippine question, and in view of his enunciation I think this permission ought to be extended to him.

The SPEAKER. Is there objection to the gentleman extending his remarks in the RECORD? [After a pause.] The Chair hears none.

Mr. GABALDON. Mr. Speaker, certainly when Filipino-American association became a fact 22 years ago nobody dreamed that the sovereignty of this country over the Archipelago would last this long, indefinitely. Contemporary events in history, the declarations then of your own elective officials, could only admit of one course to take, and that is the turning over of the reins of government to the Filipinos soon after the framework of our Government was reconstructed, much in the same manner as the Government of Cuba was unselfishly handed over to the Cuban people.

Certainly America would not like us to suspect that all the vaunted policy of altruism and all the promises that have been made by this Republic were empty things that were not meant at all. And yet this would be the inevitable outcome if the concession of our independence is delayed indefinitely. The signs are that it will be delayed. Certainly you would not want to be branded as a country great for preachments but reluctant to practice what it preaches, and yet this would be the sum total of the impression that would be created if after all the repeated pleas of the Filipinos no steps are taken leading to the concession of their promised liberty.

We do not want to lose the friendship of America. You also would not want to lose ours. You should instead maintain unshaken our respect and our admiration for you. If you have a mission in the Orient or if you intend to play a part in the Pacific, we are ready to cooperate at all times, but we claim that for these purposes you do not need to perpetually annex the Philippine Islands. All you would need in that part of the world are military posts and naval and commercial bases to protect your interests. These the Filipinos are ready to grant in testimony of our sterling gratitude to you.

STABLE GOVERNMENT IS ONLY ISSUE.

Mr. Speaker, there is only one issue to-day between the United States and the Philippine Islands; it is the only vital issue before Congress in the settlement of the Philippine question.

That issue, gentlemen of the House, is whether or not there exists in the Philippines at present a stable government. The existence of such a stable government has invariably been the condition precedent which the American Nation has imposed in the recognition of new governments. It was the condition precedent required of Cuba.

The Jones law, approved August 29, 1916, proclaimed in its preamble that—

It is, as it always has been, the purpose of the people of the United States to withdraw their sovereignty over the Philippine Islands and to recognize their independence as soon as a stable government can be established therein.

By virtue of this law the hazy Philippine attitude of yesterday was translated into a living formula. The Filipino people rejoiced, and they accepted the declaration of the representatives of the American people as the official pledge of this Republic. Relying upon that pledge, the work of establishing a stable government in the Philippines was immediately begun. It is now completed.

The phrase "stable government" has a definite meaning in the foreign relations of the United States. According to President Grant:

To establish the conditions of things essential to the recognition of this fact (stability), there must be a people occupying a known territory, united under some known and defined form of government, acknowledged by those subject thereto, in which the functions of government are administered by usual methods, competent to mete out justice to citizens and strangers, to afford remedies for public and private wrongs, able to assume the correlative international duties resulting from its acquisition of the rights of sovereignty.

The phrase has been construed by Mr. Root as:

A government based upon the peaceful suffrage of the people, representing the entire people and holding their power from the people, and subject to the limitations and safeguards which the experience of constitutional government has shown to be necessary to the preservation of individual rights.

Briefly defined, therefore, a "stable government" is a government elected by the peaceful suffrages of the people, supported by the people, capable of maintaining order and of fulfilling its international obligations.

STABLE GOVERNMENT EXISTS TO-DAY.

The Filipino people have that stable government to-day. It is elected by the people and supported by the people. It maintains order and administers justice. It can fulfill its international obligations. It is patterned after republican institutions. It has the necessary checks and balances. It is run on the party system. It combines the fine traits of American institutions and the virile attributes of the English, because it has substituted the budget for the ordinary system of appropriation, and it practices the system of parliamentary responsibility. It is anchored on the enduring bedrock of constitutional government—public opinion.

Clearly there exists in the Philippines at present the conditions of order and government which America has for nearly a century and a half required in all cases in which she has recognized the independence of a country or the establishment of a new government.

What more positive facts demonstrating the full capacity of the Filipinos for self-government and national independence can be found throughout the entire record of over 20 years?

In the plan of a general free education and of sanitary improvements; in the vast public-works program with respect to roads and bridges, public buildings, and irrigation system; in the fostering of agriculture, industry, and commerce, including the provision of banking facilities, port improvements, and an adequate system of transportation by land and sea; in the establishment of an efficient civil service and an independent judiciary; in the constant development of self-government in the local organization and the central government and in the adoption of measures for the free and orderly exercises of the popular suffrage; in the exercise, in fine, of all the political powers intrusted to the Filipinos no effort has been spared to promote the public good. Any unprejudiced critic will find, after an impartial examination, that our people, in managing their own affairs, can maintain law and order and afford equal protection to all whether foreigners or nationals.

But not alone do Filipinos claim the existence of a stable government in the Philippine Islands to-day. America's highest official in the islands for the last seven years, Gov. Gen. Francis Burton Harrison, supports this claim. In testifying before a joint committee of Congress on June 3, 1919, he said:

I wish to state upon my responsibility as the governor general that in my opinion there exists to-day in the Philippine Islands a stable government, which I think should answer the requirements laid down by Presidents Grant and McKinley, and, as I understand it, also by Mr. Root, namely, a government elected by the suffrages of the people, which is supported by the people, which is capable of maintaining order and of fulfilling its international obligations.

The President of the United States has also officially reported the existence of a stable government to the Congress. In his message of December 7, 1920, President Wilson stated:

Allow me to call your attention to the fact that the people of the Philippine Islands have succeeded in maintaining a stable government since the last action of the Congress in their behalf and have thus fulfilled the condition set by the Congress as precedent to a consideration of granting independence to the islands. I respectfully submit that this condition precedent having been fulfilled, it is now our liberty and our duty to keep our promise to the people of those islands by granting them the independence which they so honorably covet.

Gentlemen of the House, it is on the above premises that the Filipino people predicate their righteous claim to freedom. We feel that to be independent is our birthright. By the terms of your immortal Declaration of Independence, which proclaims that governments derive their just power from the consent of the governed; by the terms of the official promise of independence embodied in a law of Congress, and by the avowal of America in the recent World War that it was championing the right of every people to choose the sovereignty under which they shall live, as well as the right of smaller States to enjoy that respect for their sovereignty and territorial integrity which the powerful nations insist upon—by all these tokens America can not now consistently refuse to grant independence to the Philippine Islands.

OPPORTUNITY FOR AMERICA TO SHOW CONSISTENCY.

At the time when the world was engaged in the realignment of national boundaries; in the settlement of the most stupendous dispute that the world has ever known, the Congress of the United States had presented before it no less than 30 resolutions expressing sympathy with the aspirations of the Irish people, if not actually urging England to grant independence to Ireland. At that time, also, the Filipinos were knocking at your door. The answer was that the world was in a state of flux and change. Even now there are multitudes of Americans who would risk their all if only the republic of Ireland could be made a reality. Out of the womb of war many European republics were also born, and America has rejoiced to uphold the same, because she knew it was her job. And yet the claim of the Filipinos is still unheeded. Must there be exceptions, then, in international justice? Must the heart of America beat only for the freedom of Ireland, of Poland, and of the Czecho-Slovaks and not for the independence of the Philippine Islands?

We are told that Japan is at our door; that Japan is bent on a career of aggression for more dominion; that the moment American sovereignty is withdrawn Japan will seize us in her iron claw. All sorts of intentions are being imputed to the Nipponese Empire. Whether the Japanese menace exists or not admits of much debate. But if it exists in fact, is it not equally clear that that menace will never disappear by merely talking about it? If the granting of Philippine independence must be postponed until such a menace disappears, is it not equivalent to refusing to grant independence forever, since Japan will always be right where she is to-day? Surely American ingenuity in solving national or international problems will not stop at merely talking about Japanese wiles and Japanese aggressive intentions. The present premier of Japan has made assurance that in case independence is granted to the Filipino people Japan will be the first to sign an agreement guaranteeing the integrity of a Philippine republic. The channels of diplomacy are therefore wide open, whereby the territorial integrity of an independent Philippines could be adequately safeguarded.

Why, then, does America tarry? Why may not negotiations be started now leading to the concession of our promised liberty?

My plea, therefore, gentlemen of the American Congress, is that you ignore no longer the repeated pleas of a deserving people for an independence that rightfully belongs to them. The granting of Philippine independence now affords the United States a golden opportunity to give to the world unanswerable proof of its sincerity, its consistency, and its altruism. It will be the greatest example of international square dealing in the history of the ages.

COMMITTEE ON ACCOUNTS AD INTERIM.

The SPEAKER appointed as a temporary Committee on Accounts, to serve after the House adjourns, Mr. IRELAND, Mr. MAPES, and Mr. PARK.

BOUNDARY WATERS BETWEEN STATES.

Mr. VOLSTEAD. Mr. Speaker, I move to suspend the rules and pass a Senate joint resolution.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Senate joint resolution 233 giving consent of the Congress of the United States to the States of North Dakota, South Dakota, Minnesota, Wisconsin, Iowa, and Nebraska, or any two or more of said States, to agree upon the jurisdiction to be exercised by said States over boundary waters between any two or more of said States.

Resolved, etc., That the consent of the Congress is hereby given to the States of North Dakota, South Dakota, Minnesota, Wisconsin, Iowa, and Nebraska, or any two or more of them, by such agreement or compact as they may deem desirable or necessary, or as may be evidenced by legislative acts enacted by any two or more of said States, not in conflict with the Constitution of the United States or any law thereof, to determine and settle the jurisdiction to be exercised by said States, respectively, over offenses arising out of the violation of the laws of any of said States upon any of the waters forming the boundary lines between any two or more of said States, or waters through which such boundary line extends, and that the consent of the Congress be, and the same is hereby, given to the concurrent jurisdiction agreed to by the States of Minnesota and South Dakota, as evidenced by the act of the Legislature of the State of Minnesota approved April 20, 1917, and the act of the Legislature of the State of South Dakota approved February 13, 1917.

The SPEAKER. Is a second demanded?

A second was not demanded.

The SPEAKER. The question is on suspending the rules and agreeing to the resolution.

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended and the resolution was agreed to.

PANHANDLE AND PLAINS SECTION; STANDARD CENTRAL TIME ZONE.

Mr. JONES of Texas. Mr. Speaker, I move to suspend the rules and pass the bill which I send to the Clerk's desk.

The SPEAKER. The gentleman from Texas moves to suspend the rules and pass the bill which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 14490) to transfer the Panhandle and Plains section of Texas and Oklahoma to the United States standard central time zone.

Be it enacted, etc., That the Panhandle and Plains section of Texas and Oklahoma be, and the same are hereby, transferred to and placed within the United States standard central time zone.

The Interstate Commerce Commission is hereby authorized and directed to issue an order placing the western boundary line of the United States standard central time zone in so far as the same affects Texas and Oklahoma as follows:

Beginning at a point where such western boundary time zone line crosses the State boundary line between Kansas and Oklahoma; thence westerly along said State boundary line to the northwest corner of the State of Oklahoma; thence in a southerly direction along the west State boundary line of Oklahoma and the west State boundary line of Texas to the southeastern corner of the State of New Mexico; thence in a westerly direction along the State boundary line between the States of Texas and New Mexico to the Rio Grande River; thence down the Rio Grande River as the boundary line between the United States and Mexico: *Provided*, That the Chicago, Rock Island & Gulf Railway Co. and the Chicago, Rock Island & Pacific Railway Co. may use Tucumcari, N. Mex., as the point at which they change from central to mountain time and vice versa; the Colorado Southern and Fort Worth & Denver City Railway Cos. may use Sixela, N. Mex., as such changing point; the Atchison, Topeka & Santa Fe Railway Co. and other branches of the Santa Fe System may use Clovis, N. Mex., as such changing point, and those railways running into or through El Paso may use El Paso as such point: *Provided further*, That this act shall not, except as herein provided, interfere with the adjustment of time zones as established by the Interstate Commerce Commission.

SEC. 2. That all laws and parts of laws in conflict herewith are hereby repealed.

The SPEAKER. Is a second demanded?

Mr. MANN of Illinois. Mr. Speaker, I demand a second.

Mr. JONES of Texas. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

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

The gentleman from Texas [Mr. JONES] is recognized.

Mr. JONES of Texas. Mr. Speaker, this bill simply transfers a little strip of west Texas and a little corner of Oklahoma from mountain time to central time. Up to the time of the passage of the daylight saving law it was always central time, and the people are in favor of going back to central time. This does not affect anyone except those living in that section.

Mr. MANN of Illinois. I think the gentleman ought to explain——

Mr. JONES of Texas. I will be glad to do so.

Mr. MANN of Illinois (continuing). Why it was not sufficient to give to the Interstate Commerce Commission authority to do this without directly requiring it.

Mr. JONES of Texas. The authority could have been given to the Interstate Commerce Commission perhaps instead of requiring them to do it, but the law, which was a general one, that was passed recommended them to make the time zone as nearly as possible along certain meridians.

Mr. MANN of Illinois. I understand, but that was very rigid, and under that they could not do that.

Mr. JONES of Texas. They did not have authority.

Mr. MANN of Illinois. Instead of giving them authority to do it, we propose now, without our knowing anything about it, to require them to do it.

Mr. JONES of Texas. That is true, and yet the commission has a great many things on its hands, and it is difficult to secure a hearing, and if you got action at all on a local matter like this it would probably be done by some clerk. The commission did not seem to have any objection to this measure when it was submitted to them. I considered doing it the other way, and it seemed this was the easier way to do it. I did not think anyone would complain if it should be done. And if the general law were passed we would still be under the necessity of securing further action by the commission.

Mr. MANN of Illinois. It may be that the gentleman represents the sentiment of the entire country down there. I do not know whether he does or not.

Mr. JONES of Texas. The Texas House of Representatives unanimously passed a resolution favoring it.

Mr. MANN of Illinois. Oh, an ordinary State legislature will pass a resolution asking Congress to do anything on earth at the request of a Representative in Congress.

Mr. JONES of Texas. I made no such request. The people were so much interested that they secured a hearing before a representative of the Interstate Commerce Commission, and I think practically every organization in that whole country attended, and there was hardly a dissenting voice on the proposition.

Mr. MANN of Illinois. It is nothing to me, I am sure. I think it would be wiser in the first place to give the Interstate Commerce Commission more latitude. Then this case would not have arisen. I think it would be wiser to give them more latitude now than a positive direction.

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

Mr. JONES of Texas. Yes.

Mr. GRIFFIN. What is represented to be the real advantage of the change? Can you state it?

Mr. JONES of Texas. It puts Texas all under the same time zone, where it was until the passage of the daylight saving act. With the adoption of the daylight saving act the time was made an hour earlier. Then about the time of the repeal of the daylight saving act, the new order was made placing us in mountain time, so that what was 12 o'clock under the daylight saving time is now 10 o'clock. In other words, as soon as the daylight saving act was repealed they threw it into mountain time by an order issued just about the same time, and the whole territory of western Texas and the eastern part of Oklahoma was thrown into mountain time. Central time is much more convenient for the train crews. They have their division points where I have placed them in the bill, and they will not have to change the time on these trains.

Mr. GRIFFIN. Is the effect of this bill to place the entire State of Texas under the central time zone?

Mr. JONES of Texas. Yes. It runs it down to the border line.

Now, Mr. Speaker, I will yield to the gentleman from Oklahoma [Mr. MCCLINTIC] one minute.

The SPEAKER. The gentleman from Oklahoma is recognized for one minute.

Mr. McCLINTIC. Mr. Speaker, a portion of the territory in the congressional district I have the honor to represent will be affected by this legislation. The line zigzags from the northern to the southern part of the State about 20 miles from the western line of the State of Oklahoma. Only a few people in that section of Oklahoma pay any attention to the Rocky Mountain time, for the reason that they have always used central time, and I am of the opinion that all the people residing in that section of Oklahoma will welcome this legislation. I hope the bill will pass.

Mr. KING. Mr. Speaker, will the gentleman yield there?

Mr. McCLINTIC. I yield.

Mr. KING. I wonder if the gentleman will not retain his censorship on the CONGRESSIONAL RECORD and take the opportunity to extend his own remarks. [Laughter.]

Mr. McCLINTIC. Well, that question may be a little out of order, but nevertheless I shall be glad to answer it.

Mr. Speaker, I have felt for a long time that the CONGRESSIONAL RECORD should be elevated from its present position, in that it should not be a dumping ground for speeches never made.

The SPEAKER pro tempore (Mr. WALSH). The time of the gentleman from Oklahoma has expired.

Mr. JONES of Texas. Mr. Speaker, I yield to the gentleman four minutes more.

The SPEAKER pro tempore. The gentleman from Oklahoma is recognized for four minutes more.

Mr. McCLINTIC. The CONGRESSIONAL RECORD should be elevated from the wastebasket class up to the place where it will be considered the highest-class periodical that is published; and I have suggested to certain Members on that side that an extension of remarks does not constitute a speech; it is simply printing an article for the benefit of the people throughout the country.

I realize that under certain circumstances there are some things in addition to speeches that should be allowed to go into the RECORD, but inasmuch as an extension of remarks is usually printing, nothing more and nothing less, I believe that the jurisdiction over the matter should be lodged in the Printing Committee, and that the Printing Committee should have a right to pass upon all extraneous matters sought to be published in the RECORD.

Mr. KING. Mr. Speaker, will the gentleman yield again?

Mr. McCLINTIC. Yes.

Mr. KING. Then the action of the gentleman in the past few weeks on the floor of the House has been action on behalf of the Committee on Printing?

Mr. McCLINTIC. No. I am not a member of the Committee on Printing at this time, and the gentleman can not properly lay that charge at my door.

Mr. KING. Then the gentleman is doing this on his own initiative? He has no authority from the Committee on Printing? The gentleman is acting the part of censor on his own motion? The gentleman ought to know what happened to Cato the Censor. [Laughter.]

Mr. McCLINTIC. The gentleman ought to be courteous to another gentleman.

Mr. KING. I am courteous to the gentleman.

Mr. McCLINTIC. I would like to see a rule put into effect which would cause all matter sought to be extended in the RECORD other than on legislation under consideration to be referred to the Committee on Printing, and then if that committee felt that an article that was referred to it contained information which should be given to the House or to the country the committee could refer it back and have it printed in the RECORD, and the information would thus be given to the people. If a rule of this kind could be brought in concerning such matters not affecting legislation then under consideration, the gentleman could then get the opportunity that he now desires.

Mr. KING. Will the gentleman yield for another question?

Mr. McCLINTIC. I will be glad to yield for a question.

Mr. KING. I have an article, for example, with reference to fish-rescue stations in the Mississippi River. Would the gentleman be kind enough to take that and read it over, and if it is in proper English and of interest to the people of the Mississippi Valley, would the gentleman allow me to extend it in the RECORD? [Laughter.]

Mr. McCLINTIC. The gentleman has his rights. If the article is of sufficient importance to warrant its being made a public document, the Committee on Printing already has jurisdiction and can immediately order it printed.

Mr. KING. I want to ask the gentleman if he will not use his discretion in looking over the article and permit me to have it inserted in the RECORD? [Laughter.]

Mr. McCLINTIC. The gentleman has his rights.

Mr. MONDELL. Mr. Speaker, will the gentleman permit me?

Mr. McCLINTIC. I will.

Mr. MONDELL. I know of one or two very short addresses, one of them being the one that the gentleman from Illinois [Mr. KING] desires to put into the RECORD, and another one that the gentleman from Ohio [Mr. DAVEY] desires to insert.

Mr. McCLINTIC. I think the gentleman from Ohio [Mr. DAVEY] should have that right.

Mr. MONDELL. I think both of them are exceptionally good and informing. Will the gentleman from Oklahoma [Mr. McCLINTIC] make an exception for these two——

Mr. BANKHEAD. What about the gentleman from Illinois [Mr. KING]?

Mr. MONDELL. And allow the gentleman from Illinois [Mr. KING] and the gentleman from Ohio [Mr. DAVEY] to insert in the RECORD their own articles?

Mr. MANN of Illinois. I hope the gentleman from Ohio [Mr. DAVEY] will have a little time on the floor before he inserts the balance of his article in the RECORD, because I want to hear it.

Mr. MONDELL. If the House will agree to unanimous consent for five minutes for each of the gentlemen and then allow them to extend I think this matter can be satisfactorily adjusted.

Mr. McCLINTIC. I appreciate the spirit of the gentleman. He has made a very courteous request. The gentleman from Ohio [Mr. DAVEY] will not be with us in the next session, much to the regret of all of his friends. Inasmuch as this will probably be his last speech, I think he ought to have the right to extend his remarks, and I will make a similar request later as to the other gentlemen whose terms expire with this session, and I will not object to the request as far as it relates to the gentleman from Ohio.

The SPEAKER pro tempore. Is there objection?

There was no objection.

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

Mr. MANN of Illinois. Mr. Speaker, the bill now before us came from the Committee on Interstate and Foreign Commerce. I had the pleasure of serving on that committee for 14 years, and for a time of being its chairman. It never had an abler membership than it has now, and it never had an abler or a truer chairman than JOHN J. ESCH. [Applause, the Members rising.]

Mr. Speaker, the gentleman from Wisconsin was named on that committee by that grand old man, Uncle JOE, whom we all love, and I think he was so named partly because I urged his appointment, because I believed in his worth. I have never regretted anything that I did toward putting him on that committee, and, if I could have my way and it were possible, I would make him an honorary Member of the House for life. [Applause.] I hope that he may be continued in another sphere along the line of work with which he has become so familiar in his committee capacity. [Applause.] We shall part with him and many others in this House with a feeling of sorrow at our loss and hope for the best in their future.

I yield the remainder of my time to the gentleman from Wisconsin [Mr. ESCH]. [Applause, the Members rising.]

The SPEAKER pro tempore. The gentleman from Wisconsin [Mr. ESCH] is recognized for 17 minutes.

Mr. ESCH. Mr. Speaker and gentlemen of the House, this demonstration of your feeling toward me is very gratifying, but on the other hand extremely embarrassing. I do not know what claims I have upon your regard. In my long service in this House I have simply sought to do in a plain and common way the duties that fell to my lot. What has been accomplished is a matter of record, but it has been accomplished very largely through the hearty and efficient cooperation of every member of the Committee on Interstate and Foreign Commerce, and your ratification of the work of that committee.

I would not be frank with the House if I said I did not regret my separation from it. One can not easily sever the ties of 22 years. There are too many feelings and too many emotions to make such separation an easy task. But I have always sought to be an optimist, and believe that possibly my defeat for reelection to this House may have its compensations.

In leaving the House I wish to pay a tribute of respect to the ranking member of the minority on the Committee on Interstate and Foreign Commerce, Judge SIMS, of Tennessee. [Applause.] We have served together many years. For faithfulness in attendance upon the meetings of our committee there is no one with a better record. He has given to the work of the committee his most constant cooperation. No task assigned to him has been left undone, and I know I voice the sentiments not merely of the Committee on Interstate and Foreign Commerce but of the House when I say that we all feel deep regret at the separation from it of the gentleman from Tennessee, and I know we all hope that his future may be bright and undimmed after he leaves this body. [Applause.]

Gentlemen, I express to you, one and all, my deep appreciation of the many kindnesses which you have shown to me. [Applause, the Members rising.]

The SPEAKER pro tempore. The question is on the motion of the gentleman from Texas [Mr. JONES] to suspend the rules and pass the bill.

The question was taken; and two-thirds voting in the affirmative, the rules were suspended and the bill passed.

CERTAIN HOMESTEAD ENTRIES.

Mr. SMITH of Idaho. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1695) validating certain homestead entries, with House amendments.

The SPEAKER pro tempore. The gentleman from Idaho moves to suspend the rules and pass a Senate bill with amendments, which the Clerk will report.

The Clerk read as follows:

Be it enacted, etc., That all pending homestead entries made in good faith prior to January 1, 1916, under the provisions of the enlarged homestead laws, and all rights to enter land under said laws, based on settlement made thereon in good faith before said date, and while the land was unsurveyed, by persons who, before making such enlarged homestead entry, had acquired title to land under the homestead laws, and therefore were not qualified to make an enlarged homestead entry, or such settlement, be, and the same are hereby, validated, if in all other respects regular, in all cases where the original homestead entry was for less than 160 acres of land: *Provided*, That no settlement claim shall be validated hereby where adverse claim for the land has been initiated before the passage of this act.

SEC. 2. That no homestead entry heretofore made under the provisions of section 2 of the act of Congress entitled "An act for the relief of the Colorado Cooperative Colony, to permit homestead entries in certain cases, and for other purposes," approved June 5, 1900, shall be canceled for the reason that the former entry made by the entryman was commuted under the provisions of an act entitled "An act relating to the public lands of the United States," approved June 15, 1880 (21 Stat., p. 237). And all entries heretofore canceled on the ground that an entryman who commuted under the provisions of said act of June 15, 1880, is not entitled to the benefits of the act of June 5, 1900, shall be reinstated upon a showing by the entryman or his heirs, within one year from the approval of this act, that there were no valid grounds for the cancellation of such entries except that a former entry was perfected under the act of June 15, 1880, in all cases where valid adverse rights have not attached to the lands covered by such second entries since the date of their cancellation.

SEC. 3. That the Secretary of the Interior be, and he is hereby, authorized to issue patents upon the entries hereinafter named upon which proof of compliance with law has been filed:

Homestead entry, Havre, Mont., No. 021390, made by Michael F. Campion on December 10, 1913, for the southwest quarter of the northwest quarter and northwest quarter of the southwest quarter of section 17, and southeast quarter of the northeast quarter and northeast quarter of the southeast quarter of section 18, township 29 north, range 9 east, Montana meridian.

Homestead entry, Havre, Mont., No. 024214, made by Lila J. Herbert (formerly Simmons) on December 31, 1913, for the northeast quarter of the northeast quarter of section 29 and north half of the northwest quarter and southeast quarter of the northwest quarter of section 28, township 37 north, range 4 east, Montana meridian.

Homestead entry, Las Cruces, N. Mex., No. 08171, made by Pearl B. Brazil on March 13, 1913, for the northeast quarter section 8, township 29 south, range 8 west, New Mexico meridian.

Homestead entry, Miles City, Mont., No. 018452, made by Edgar J. Snyder on May 14, 1913, under the act of February 19, 1909 (35 Stat. L., p. 639), for the south half of the south half, northeast quarter of the southeast quarter, east half of the northeast quarter, and northwest quarter of the northeast quarter of section 22, township 14 north, range 58 east, Montana meridian.

Homestead entries, Clayton, N. Mex., Nos. 020669 and 026795, made by Cole Weir, for the south half of the northeast quarter of section 10 and southwest quarter of the northwest quarter and northwest quarter of the southwest quarter of section 11, township 17 north, range 30 east, and the southeast quarter of the southeast quarter of section 3 and northeast quarter of the northeast quarter of section 10, township 17 north, range 30 east, New Mexico principal meridian.

Homestead entry, Havre, Mont., No. 024832, made by Elma Hixon Benton on February 24, 1914, under the act of February 19, 1909 (35 Stat. L., p. 639), for the south half of section 31, township 35 north, range 22 east, Montana principal meridian.

SEC. 4. That the entries hereinafter named be, and the same are hereby, validated, and the Secretary of the Interior authorized to issue patents thereon upon submission of satisfactory proof of compliance with the laws under which such entries were allowed:

Homestead entry, Salt Lake City, Utah, No. 023329, made by Parley P. Warren on August 1, 1918, for the west half of the southeast quarter of section 1, and west half of the northeast quarter of section 12, township 14 south, range 10 east, Salt Lake meridian, subject to the provisions of the act of June 17, 1902 (32 Stat. L., 388), and acts amendatory thereof and supplemental thereto.

Homestead entry, Carson City, Nev., No. 010909, made by Perrin D. Hinckley on December 12, 1918, for the northeast quarter of section 33, township 43 north, range 37 east, Mount Diablo meridian.

Homestead entry, Douglas, Wyo., No. 016443, made by William H. Struble on March 29, 1918, under the act of February 19, 1909 (35 Stat. L., 639), for the east half of the southeast quarter of section 18, west half of the southwest quarter and southeast quarter of the southwest quarter of section 17, north half of the northwest quarter and southeast quarter of the northwest quarter of section 20, township 39 north, range 60 west, sixth principal meridian.

SEC. 5. That the Secretary of the Interior be, and he is hereby, authorized to allow the following applications to make entry:

Homestead application, Phoenix, Ariz., No. 035825, filed by Kit Carson Kirby for the north half of the northeast quarter of section 13 and the south half of the southeast quarter of section 12, township 22 north, range 4 east, Gila and Salt River meridian.

Additional nomestead application, Timber Lake, S. Dak., No. 09546, filed by Willis A. Simmons for the southeast quarter of section 34, township 16 north, range 18 east, Black Hills meridian.

Homestead application of Hugh H. Gunn, being Rapid City series 039363, for the southeast quarter northwest quarter, east half southwest quarter, southwest quarter southwest quarter, section 13, east half northeast quarter, section 23, west half northwest quarter, section 24, township 3 south, range 9 east, Black Hills meridian, subject to applicant's compliance with the provisions of the enlarged homestead act as to residence, cultivation, and improvements.

SEC. 6. That the Secretary of the Interior be, and hereby is, authorized to issue a patent to the Yosemite Stone Co., a corporation organized under the laws of Arizona, for the northeast quarter of the southwest quarter of section 13, township 4 south, range 15 east, Mount Diablo meridian, Sacramento, Calif., land district: *Provided*, That such patent shall contain a reservation to the United States and its authorized permittees, licensees, or lessees of the sole right to enter upon, occupy, and use any part or all of such land reasonably necessary for the accomplishment of all purposes connected with the development, generation, transmission, or utilization of hydroelectric power or energy.

SEC. 7. That the Secretary of the Interior is hereby authorized and directed to certify to the Secretary of the Treasury the amounts paid as fees, commissions, and purchase moneys by the persons hereinafter named, in connection with homestead entries at the United States land office at Glasgow, Mont., in the year 1917, as follows:

Serial No. 044427, Nick Sitch, west half southeast quarter, section 27, and west half of northeast quarter, section 34, township 29 north, range 41 east.

Serial No. 044521, Billie H. Evashanks, south half southeast quarter, northwest quarter southeast quarter, section 34, township 29 north, range 41 east, and west half east half, northeast quarter southwest quarter, section 1, township 28 north, range 41 east.

That upon receipt of the certificate from the Secretary of the Interior as provided in section 1 of this act the Secretary of the Treasury is hereby authorized and directed to make payment of the amounts so certified out of any moneys not otherwise appropriated, and issue his warrant in settlement thereof.

The SPEAKER pro tempore. Is a second demanded?

Mr. SNELL. As this is rather an unusual bill, I think we ought to have a second.

The SPEAKER pro tempore. The gentleman from New York demands a second.

Mr. SMITH of Idaho. I ask unanimous consent that a second be considered as ordered.

The SPEAKER pro tempore. The gentleman from Idaho asks unanimous consent that a second be considered as ordered. Is there objection?

There was no objection.

The SPEAKER pro tempore. The gentleman from Idaho has 20 minutes and the gentleman from New York 20 minutes.

Mr. SMITH of Idaho. Mr. Speaker, the gentleman from New York [Mr. SNELL] speaks of this bill as being of an unusual character. I wish to say that it has been the custom to enact legislation of this character at almost every session of Congress, and there is nothing unusual about it. It represents a group of homestead entries and desert-land entries on the public domain which require legislative action in order to enable the Secretary of the Interior to give relief to the various entrymen. The legislation suggested has been recommended by the Secretary of the Interior and it has been carefully considered by the Committee on the Public Lands and its enactment recommended.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. SMITH of Idaho. Yes.

Mr. GREEN of Iowa. Why does this legislation become necessary?

Mr. SMITH of Idaho. For different reasons; for instance, in one case the husband who made the entry on the land was very ill of consumption and finally died before he actually established a residence on the land. The widow proceeded with the improvements on the land and complied with the law in every respect with reference to cultivation, but the Secretary of the Interior could not give her the patent without direct authority of Congress.

Mr. MANN of Illinois. Will the gentleman yield?

Mr. SMITH of Idaho. Yes.

Mr. MANN of Illinois. This is a Senate bill with a long House amendment.

Mr. SMITH of Idaho. Yes.

Mr. MANN of Illinois. Has the gentleman spoken to the engrossing clerk or the enrolling clerk in reference to having the bill prepared in advance?

Mr. SMITH of Idaho. No; but I shall have to do so if its passage is much longer delayed.

Mr. MANN of Illinois. I have no objection to the passage of the bill, but it is now within 20 hours of final adjournment. This amendment will have to be engrossed and sent to the Senate, will have to be agreed to by the Senate, and the Senate enrolling clerk will have to enroll the bill. It will be a matter of lightning change.

Mr. SMITH of Idaho. I have been attempting for several days to get consideration of the bill, and as soon as it is passed I shall endeavor to have consideration expedited in the Senate.

Mr. MANN of Illinois. If it should pass now the enrolling clerk would not have time unless the gentleman makes some arrangement in advance.

Mr. SMITH of Idaho. Mr. Speaker, I reserve the balance of my time.

Mr. SNELL. Mr. Speaker, I yield three minutes to the gentleman from New York [Mr. MACGREGOR].

Mr. MACGREGOR. Mr. Speaker, for the last two weeks, as a member of the Select Committee on War Expenditures, I have been investigating the question of the amount of property that the War Department has now on hand. For the purpose of bringing it to your attention and giving you that information, with the idea that Members of this body want to have that information, and feeling that this vast amount of property should be turned into cash for the benefit of the Government, I desire to make a statement of the amount of property now in the possession of the War Department. This is the statement of the property contained in the inventories submitted by the War

Department, which are not entirely accurate, but as accurate as can now be presented by the department.

Medical Department	$37,202,778.88
Chemical Warfare Service	97,194,638.28
Engineer Corps	10,259,270.05
Signal Corps	17,421,375.28
Ordnance Department	1,364,013,767.00
Quartermaster Department	1,613,696,166.05
Air Service	349,313,853.00
Director of Sales	233,182,000.00
Total	3,722,233,848.54

Mr. CHINDBLOM. Will the gentleman yield?

Mr. MACGREGOR. I will.

Mr. CHINDBLOM. How much of this property has been declared surplus? Anything beyond that in the hands of the Director of Sales?

Mr. MACGREGOR. As soon as it is declared surplus it is turned over to the Director of Sales.

Mr. SNELL. Mr. Speaker, I yield five minutes to the gentleman from Ohio [Mr. DAVEY].

Mr. DAVEY. Mr. Speaker, it is my desire, during the time at my disposal, to speak of the tree as a living thing, to show something of its vital relation to human life. To the man who is familiar with tree life it might seem almost superfluous to emphasize the fact that a tree lives and yet the average man, unfortunately, looks upon the tree as an inanimate and more or less useful accident on the face of the earth.

And yet the tree lives—it breathes. It has a real circulation. The tree digests its food and assimilates it. It has sexual processes that are just as real and beautiful as in any other form of life. It has the power to adapt itself to its environment. To be sure, it lacks intelligence and a nervous system and the power of locomotion. But in all the other elemental processes the tree functions just as truly as man himself.

The tree breathes through the leaves chiefly and, to a small extent, through the tiny lenticels in the young bark. The air is taken into the leaf in just as real a sense as it is taken into the human lungs. It enters through the many microscopic openings on the underside of the leaf. There on the inside of the leaf the elements of the air are separated. The carbon is absorbed and is used in the building process. The oxygen is given off again to enrich the air for the benefit of all animal life.

The circulation in the tree is just as real as in the human body. It does not move so fast nor move round and round in response to heart action. Yet it does move and goes from the tiniest root hairs way down underground up to the leaves and back again all the way to the roots again. On the upward flow the circulation proceeds through the sapwood, traveling from cell to cell from the small roots to the large ones, into the trunk, and from there to the large branches, and then through the smaller ones to the leaves. From the leaf, where it undergoes the necessary chemical change to transform it into tree food, it travels downward through the cells of the inner bark all the way to the smallest roots, building the cambium layer as it goes.

The digestive processes of the tree take place in the leaf. There the crude food material, brought up from the roots in the sap, is spread out among the tiny cells of the marvelous leaf structure, and, under the influence of the sunlight, is combined with the carbon extracted from the air and is transformed into tree food—digested, as we call it in animal life. This digested tree food is assimilated into the entire growing parts of the tree in the downward flow through the cells of the inner bark, from which the cambium layer is built and all growth takes place.

The sexual processes of the tree are fundamentally the same as elsewhere in living things. The male and female exist as positive factors. Sometimes the male and female exist in the same flower. Many times they exist in different flowers in the same tree. In a few cases all the flowers of a tree are entirely male or entirely female. The pollen is created in the male and is carried by insects or birds and in a vast number of cases by the wind to the female portion of the flower or to the female flower. There it fertilizes and produces the seed which nature designed to reproduce its kind.

The tree adapts itself to its environment to an amazing degree. Where trees are thick they grow tall to reach the sunlight. Where two or more trees grow close together, it grows on one side to accommodate its fellows. When it grows in rocks, it sends its roots into almost impossible places in search of food and anchorage. It often sends its roots hundreds of feet in search of water, and the roots travel back and forth among the many obstacles toward their destination.

All life has two primal purposes of existence—one is self-preservation and the other is reproduction. The tree subscribes to both and is governed by both. It undergoes a constant battle for life from the time of its advent until the end. It must battle against the tremendous winds, against drought, against insect enemies and deadly diseases; and now it must battle against man himself, who is the most destructive, the most thoughtless, and inconsiderate enemy that the tree has encountered. Indeed, it has a lifelong struggle for self-preservation. Its scheme of reproduction is the same elemental plan of sex attraction that makes possible the continuity of all life.

The leaf is probably the most wonderful, and is certainly the most vital and indispensable factor in the world of living things. Without the leaf all life must perish. It is the one and only connecting link between the organic and inorganic worlds. It is the only thing capable of transforming the various mineral elements into available food material for both plant and animal. The only minerals that man can take into his system and use are water and salt, but he can use only a limited quantity of these. Every other element of food must come to him either directly or indirectly through the leaf.

Every grain, every fruit, every vegetable food product, every foot of lumber, and every other vegetable product that is used for the pleasure and profit of man is made in the leaf. And thus we see that the great God who created the world and the life that inhabits it made of the lowly leaf the greatest and most wonderful instrumentality of that life.

Perhaps the most insidious and persistent enemy of the tree is the group of diseases called fungi, which attack any exposed portion of woody tissues and start to grow by consuming the wood cells. A fungus disease exists in a decaying tree—it produces the decay. At the proper time in the growing season the fungus produces a fruiting body or bodies. These produce their fruit in due time, which are called spores. These spores, light in weight and microscopic in size, are given off in myriads and are carried by the winds and sometimes otherwise to the adjacent vegetation. Most of them fall harmless, but some of them find lodgment in a wound where the protecting bark has been removed. There in the exposed woody tissues the microscopic fungus spore starts to grow, sending out little threadlike tentacles from cell to cell and breaking them down.

The fungus is a parasite—a low form of vegetable life. It lives by destroying some other form of life. That which attacks the living tree destroys the interior cells and persists until the tree is consumed. What we call decay is only the result of an active disease which consumes the woody interior that constitutes the structural strength of the tree.

The interior of a tree is often referred to as the heart or heartwood. This conveys an entirely wrong impression. The vital parts of a tree are the leaves nd roots, the bark and cambium, and outer layers of sapwood. It is the outside layers of sapwood which are most active, and each succeeding layer inward toward the center becomes less and less active until those near the center become practically dormant.

This gives the reasons for the development of tree surgeons and the science of tree surgery. The disease creates decay against which the tree, unaided, is helpless. It is the function of the tree surgeon to do for the tree what the dentist does for the teeth and the surgeon does for the human body. In the practice of his art he must remove the decay, disinfect to prevent further decay, thoroughly waterproof to protect the exposed wood, put in place various kinds and forms of mechanical bracing often complicated and always ingenious, prepare the cavity so that the filling will remain permanently in place, and then fill with skill and precision so that the filling will become a permanent part of the tree. Water and all foreign substance must be excluded. The filling must be cleverly built up in sections somewhat like the backbone in the human body in order to permit a reasonable movement between the sections in the swaying and twisting of the tree in heavy winds. Nature rewards the skill of human hands by the gradual healing of the bark over the filling. I can not pass this interesting science of tree preservation without paying a little tribute to John Davey, the nature lover and creative genius who gave to the world an invaluable science, which he called tree surgery. It represents his love. It is the product of his life of service. It was born of his faith and determination. It is the result of his consecration to a great purpose; his contribution to the race of which he is happy to be a part.

But there is one more phase of the whole tree question that ought to be hit a smashing blow. America must wake up and reforest or America will rue the day of her spendthrift debauch. The early settlers sent back word that they had discovered a land of inexhaustible fertility. Americans of succeeding generations have proceeded on the theory that all the God-given assets of the Nation were inexhaustible. We have destroyed with prodigal waste more and more of the native woodlands—

the timber supply. We have done exceedingly little replanting. We are consuming the principal of our inheritance just as fast as a reckless unconcern will permit.

Where will the future lumber supply come from? Where will we get the wood pulp for print paper? We are sweeping away the God-given forests and building great cities with breathless haste. We say we are creating wealth. We are merely transforming it on the one hand and destroying it on the other.

Take a daylight ride across the Alleghenys and look at the denuded mountains! Contemplate the devastation that man, selfish and thoughtless man, has wrought! And then, when you realize what all this prodigal destruction means to the future of America, let your soul shudder at the thought of the future condemnation that awaits us from generations yet unborn. We who revel in our false wealth and unpardonable profligacy must answer to the God of nations and the children whom we bring forth to struggle in an impoverished land.

Men and women of America, we cut down the great forests that blessed this country. We allow the remnants to be burned over and vegetation destroyed. The rains pour down, and, instead of being held in check by the loose and porous soil in the network of roots, it rushes down over the hillsides and carries with it the fertile soil, leaving in its wake barren hills and deep ravines.

Thus we have alternating floods and droughts. The fertile soil is gone, the product of hundreds of years of nature's providence. The little springs that come from water held in check and feed the lakes and streams must gradually diminish and, I greatly fear, cease to exist in large part.

This question of reforestation is of monumental importance. America can not continue to exist as a virile, forward-moving Nation unless we protect what we have and start to build up that which we have so ruthlessly destroyed. We can not afford to be a Nation of vandals much longer. America must reforest, or America must drink the bitter dregs of national decline and impotency. [Applause.]

The SPEAKER pro tempore. The question is on the motion of the gentleman from Idaho to suspend the rules and pass the bill.

The question was taken; and two-thirds having voted in the affirmative, the rules were suspended and the bill was passed.

EXTENSION OF REMARKS.

Mr. SCHALL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the work of this session.

The SPEAKER pro tempore. The gentleman from Minnesota asks unanimous consent to extend his remarks in the RECORD on the work of this session; is there objection?

There was no objection.

Mr. KING. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. McCLINTIC. Mr. Speaker, when the time comes to say good-bye, perhaps I will not object, but for the present I object.

SEWER SYSTEM ACROSS FORT DE RUSSY MILITARY RESERVATION, HAWAII.

Mr. HULL of Iowa. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 4572) granting to the city and county of Honolulu, Territory of Hawaii, a right of way over and across the Fort De Russy Military Reservation for the purpose of extending its sewer system, which I send to the desk and ask to have read.

The SPEAKER pro tempore. Is there objection?

Mr. GARD. Mr. Speaker, reserving the right to object, my recollection of the bill from having read it is that it provides for an extension of water line to the city of Honolulu, across the United States Military Reservation.

Mr. HULL of Iowa. It is a sewerage system across the Fort De Russy Reservation.

Mr. GARD. And the project has the approval of the Board of Engineers?

Mr. HULL of Iowa. It has. The War Department has approved it and has made a favorable report upon it.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read the bill as follows:

Be it enacted, etc., That there be, and there hereby is, granted to the city and county of Honolulu, Territory of Hawaii, subject to the conditions named in section 2 of this act, a right of way over and across the Fort De Russy Military Reservation in said Territory for the purpose of constructing an extension of its sewer system, including a booster station in connection therewith, and of maintaining and operating the same, said right of way to include a strip of land 12 feet in width and approximately 1,420 feet in length, and in addition thereto a contiguous area of approximately 800 square feet for the erection, maintenance, and operation of said booster station.

SEC. 2. That the grant made in section 1 of this act is upon the condition that said sewer and booster station shall be placed underground; that the United States shall have the right at any and all times to connect with said sewer at such place and places as it shall deem desirable and to use the same for purposes of drainage and sewer disposal from said reservation; and that the construction of said sewer and booster station upon the right of way herein granted shall be along such route and upon such site and in accordance with such plans and specifications as shall have been previously approved by the Secretary of War.

Mr. HULL of Iowa. Mr. Speaker, this is simply a bill to extend the sewerage system of the city of Honolulu. It will take a strip of land 12 feet wide and some 1,500 feet long, and probably some additional space for a booster station.

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

Mr. HULL of Iowa. Yes.

Mr. SNELL. What is a booster station?

Mr. HULL of Iowa. A booster station in the language of our country would probably be a pumping station for lifting the sewage up.

Mr. SNELL. Is this going to be beneath the surface of the reservation?

Mr. HULL of Iowa. It is, as I understand. The matter is fully covered in the report of the Secretary of War.

Mr. SNELL. As I understand it, the Federal Government also has a right to connect in with this sewer without any expense to it.

Mr. HULL of Iowa. It would have. Of course it is all to be put in under the regulations of the War Department.

Mr. SNELL. And without expense whatever to the Government?

Mr. HULL of Iowa. Without any expense to the Government. I yield now to the gentleman from Hawaii [Mr. KALANIANAOLE].

Mr. KALANIANAOLE. Mr. Speaker, this is simply asking Congress to allow the military to give us a right of way over the Fort De Russy Reservation. We are extending our sewers, and to do so we must go through this reservation. This reservation was formerly Territorial property. All we ask is that we be allowed for sanitary purposes to lay this sewer through the reservation. I believe under the bill the military will have the use of it without paying the county for the use of it.

Mr. SNELL. All the expense is going to be paid by the city of Honolulu?

Mr. KALANIANAOLE. Yes.

Mr. SNELL. And it is to be put back into good shape and left in good condition?

Mr. KALANIANAOLE. Yes. The people of Honolulu at the last election voted a bond issue of $600,000 for the laying of this sewer.

Mr. SNELL. Are there any buildings in the line of where the sewer will be placed?

Mr. KALANIANAOLE. No.

The SPEAKER pro tempore. The question is on the third reading of the Senate bill.

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

On motion of Mr. HULL of Iowa, a motion to reconsider the vote by which the bill was passed was laid on the table.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message in writing from the President of the United States was communicated to the House of Representatives, by Mr. Sharkey, one of his secretaries, who also informed the House of Representatives that the President had approved and signed a bill of the following title:

H. R. 15543. An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes.

ENROLLED BILLS SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill and joint resolutions of the following titles:

H. R. 15943. An act making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes;

H. J. Res. 426. Joint resolution providing for the bringing to the United States of the body of an unknown American who was a member of the American Expeditionary Forces who served in Europe and lost his life during the World War and for the burial of the remains with appropriate ceremonies; and

H. J. Res. 480. Joint resolution making an appropriation to pay the widow of Champ Clark.

SENATE ENROLLED BILL SIGNED.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 4332. An act to exchange the present Federal building and site at Gastonia, N. C., for a new site and building.

STEVENS INSTITUTE OF TECHNOLOGY.

Mr. LEHLBACH. Mr. Speaker, I move to suspend the rules, take from the Speaker's table and pass the bill (S. 3695) for the relief of the Stevens Institute of Technology, of Hoboken, N. J.

The SPEAKER pro tempore. The gentleman from New Jersey moves to suspend the rules and pass the Senate bill 3695. Is a second demanded?

Mr. BLANTON. Mr. Speaker, I demand a second.

Mr. LEHLBACH. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay to the trustees of the Stevens Institute of Technology, of Hoboken, N. J., out of any money in the Treasury not otherwise appropriated, the sum of $45,750, being the sum paid to the United States January 28, 1870, as a collateral inheritance tax upon the request which provided for the establishment and endowment of said institute.

Mr. LEHLBACH. Mr. Speaker, I desire to say that the case of the Stevens Institute of Technology, of Hoboken, is substantially, as far as investigation discloses, an isolated case. It is the only case as far as we can find in the history of the country where a substantial sum from a bequest to an educational institution has been withheld by the Government, having collected the same as collateral inheritance tax. The money was collected under the Civil War revenue act and was paid in 1870. At the time that this assessment was levied and this tax was paid by the Stevens Institute there were also levied taxes against Vassar College and against the Augustinian Society of Lawrence, and the Augustinian Society of New York, also educational associations. These withheld the payment of the tax, and Congress in each instance passed a special act remitting the taxes of these educational institutions. Stevens, without endeavoring to secure such action, unfortunately paid the tax and shortly thereafter the law itself was repealed.

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

Mr. LEHLBACH. Yes.

Mr. SNELL. How long ago was this?

Mr. LEHLBACH. In 1870.

Mr. SNELL. How much is the amount of the tax paid at that time?

Mr. LEHLBACH. $45,750.

Mr. SNELL. And the gentleman says that institutions under similar conditions have had taxes rebated to them by the Federal Government?

Mr. LEHLBACH. They have. When taxes were levied under the Spanish War revenue act, the act following the language of the Civil War revenue act, there was collected from educational institutions something in the neighborhood of $889,000. Subsequently Congress voted to refund every penny of this tax. There was returned to Harvard the sum of $78,900; to the Massachusetts Institute of Technology $58,500; and there were refunds to Yale, Columbia, Williams, Vassar, Roanoke, Worcester Polytechnic, and a long list of other colleges. The Treasury books as they were kept in the Civil War period and subsequently do not disclose who made payments, and under what provisions of the Civil War act, so an independent investigation was made to discover what other educational institutions had paid such tax without any return to them subsequently.

And the only colleges that paid any such tax that could be ascertained were Williams College which paid $300, the New Brunswick Theological Seminary which paid $1,400, small amounts. With these exceptions Stevens Institute is the only educational institution that has paid such a collateral inheritance tax, and has had repayment withheld by the Government. Congress manifestly by these refunds has shown that it is against the policy of taxing an educational institution upon the endowment of a benefactor. At present the income-tax law does not tax the income of an individual who used it for such purposes.

Mr. BANKHEAD. Will the gentleman yield for a question?

Mr. LEHLBACH. I will yield to the gentleman from Alabama.

Mr. BANKHEAD. I understand that the amount of this tax is approximately $45,000?

Mr. LEHLBACH. That is right.

Mr. BANKHEAD. And this amount the gentleman is seeking to have refunded?

Mr. LEHLBACH. We are not asking for any interest whatsoever, or any costs, or anything of that kind, simply the amount actually paid.

Mr. BANKHEAD. Has this amount been retained as a segregated fund in the Treasury or in the general fund?

Mr. LEHLBACH. I assume it is carried in the general fund like other taxes that have been received.

Mr. KELLY of Pennsylvania. I just want to say that the Claims Committee made a very thorough and extensive investigation into this bill and found that really the promptness with which this institution paid its taxes was made a penalty upon it. The other institutions that did not pay the taxes promptly were not obliged to pay them, and, therefore, I think that this bill should pass.

Mr. HUSTED. Will the gentleman yield?

Mr. LEHLBACH. I will.

Mr. HUSTED. Why was the tax retained in this case and was not retained in other cases?

Mr. LEHLBACH. Because, while the taxes were due from other institutions in this period from 1865 to 1870, apparently the other institutions had bills introduced remitting the tax, but the Stevens Institute of Technology did not take that step.

Mr. HUSTED. And this institution has slept on its rights during all of that time?

Mr. LEHLBACH. No; it has not slept on its rights. It has asked repeatedly to have a bill passed for that purpose and there has been no adverse report from either the Senate or House Committee, but the gentleman himself knows how difficult it is to pass such legislation.

Mr. HUSTED. Has the matter ever been brought before the Congress in the past?

Mr. LEHLBACH. It has; and there has never been an adverse report from a committee of either house, and the Senate has passed this bill. I want to say just one word——

Mr. HUSTED. Then there is not any special reason why this tax should not be refunded in this case which does not apply to all the other cases?

Mr. LEHLBACH. Absolutely none.

Mr. TILSON. Will the gentleman yield?

Mr. LEHLBACH. I will yield.

Mr. TILSON. I am glad to give a little testimony that will carry the gentleman back about a dozen years. During my first term in the House of Representatives I was a member of the Committee on Claims. This bill was before that committee at that time. We considered it and passed upon it favorably—unanimously, as I now recall—and attempted to get it through the Sixty-first Congress, but failed.

Mr. BANKHEAD. How does it happen that this claim has been pending since the days of the Civil War and has failed up to this late hour to receive favorable action?

Mr. TILSON. The gentleman has been here long enough to understand the situation pretty well. Let him undertake to get a claims bill through this House regardless of the merits of the bill and he will understand why this claim has been so long pending.

Mr. LEHLBACH. I reserve the balance of my time and yield five minutes to the gentleman from New Jersey [Mr. EAGAN].

Mr. EAGAN. Mr. Speaker, and gentlemen of the House, this bill has been before the Congress for a great many years. I introduced a bill in the Sixty-third Congress of similar purport; again in the Sixty-fourth Congress and in the Sixty-fifth Congress. It is a bill that ought to have the favorable consideration of this body because while in some degree it might be called a private bill, Stevens Institute, like all educational institutions, is doing a very important public work and the only persons who can benefit by the passage of this bill will be the young men from all over the country who attend Stevens Institute of Technology. The institute is located in Hoboken, in the district I have the honor to represent in this House. I hope, gentlemen of the House, that this bill may become a law and belated justice be done to the Stevens Institute. As indicated by the gentleman from Pennsylvania [Mr. KELLY], Stevens Institute was prompt, punctual, and patriotic in the payment of this tax. If this bill does not become a law, the institute in effect will be penalized for the patriotism and promptness with which it paid this tax. Other educational institutions, as explained by my colleague from New Jersey [Mr. LEHLBACH], were subject to this tax, but failed to pay, and, when the repealer of the law was passed, escaped the payment of the tax. In at least two cases Congress by special act in 1870 remitted the tax assessed against bequests to educational institutions.

Mr. EDMONDS. If the gentleman will yield, I wish to say that there is now on the Private Calendar a House bill of simi-

lar purport, and it has been three times reported favorably from the Claims Committee since I have been a member of it.

Mr. EAGAN. I thank the gentleman. The question has been asked as to why Stevens Institute has delayed so many years in asking for repayment. As a matter of fact the institute has been asking for this refund for nearly 50 years. The Government has had the use of this money for 50 years and the interest alone would amount to much more than the principal. The bill, of course, does not provide for the payment of the interest. It simply calls for the refunding of the actual amount of the tax. I respectfully submit, gentlemen of the House, that Congress never intended to tax bequests to educational, charitable, and religious institutions. Notwithstanding the enormous demand for revenue with which to prosecute the World War, specific exception was made in favor of educational, charitable, and religious institutions. This is a good bill and I hope it may become a law at this session.

Mr. GARRETT. Mr. Speaker, I yield five minutes to the gentleman from Ohio [Mr. GARD].

Mr. GARD. Mr. Speaker, in the apparently generous mood of the House to-night it might be considered ungenerous on the part of anyone to make a suggestion that this bill should not pass, inasmuch as there has been shown the disposition to pass bills in the last few days without very much consideration.

Now, as to this bill—and I do not speak against it sentimentally at all—it is only fair to call the attention of the membership of the House to the attitude and the report of the Secretary of the Treasury to show that it is without foundation in precedent, and unless we desire to make a precedent which will open all legacies taxed in the Civil War days, this bill should not pass. The Secretary of the Treasury has said that this tax was collected along about 1870 and no application for refunder was made; that all these years have gone by and there has been no general law passed that pretended to have been passed for the relief of those who paid taxes on legacies in the Civil War times. And the establishment of this is not alone giving this money to the Stevens Institute of Technology, which I, for one, would hesitate to insist upon if it stood alone, but it is the policy of opening up through the channels of the action of Congress at this time and in this manner all payments from the Treasury of the United States, which may know no limit. Now, it is this only that I desire to call to the attention of the membership of the House. If it is the intention to create a precedent, if here we are now to advance the idea that taxes once paid by institutions of this kind, or collateral inheritance taxes, and paid by anybody, an educational institution or a private person, if they are now to be refunded, then it is best for us to know the policy.

Mr. EAGAN. Will the gentleman yield?

Mr. GARD. Certainly.

Mr. EAGAN. Is the gentleman aware of the fact that the report shows that there were only two or three other educational institutions out of the 300 that might have been subject to the payment of an inheritance tax on bequests received by them that could possibly be affected, and that they amount to less than $4,000?

Mr. GARD. I do not know what the others amount to. I say the question as disclosed by the report of the Secretary of the Treasury is this: Here was a proper tax, collected in a proper way. If you desire to abandon the collection of taxes and make refunder of taxes lawfully collected, it is well to understand that proposition, and that is exactly what it means. Because if this tax has the right to be refunded, or if the refunder is made as a matter of right, then refunders can be made as a matter of right to thousands of cases of taxes collected on legacies during the Civil War period.

As I say, I hesitate to approach this matter in any critical sense, but I feel that somebody must say a word here to show what the conditions are. Nobody is told of the report of the Secretary of the Treasury, and yet that report is one which should have the consideration of the membership of this body. It is a frank report, stating that as a matter of precedent and as a matter of policy a bill of this kind should not pass unless the House, fully informed, establishes the precedent that it desires to refund taxes collected on legacies back in the Civil War days. And that is the only comment I make. If the House does desire to do that, if it desires to turn around in these closing days of generosity and good will, and with the public money pay back taxes honestly due and honestly collected, then it is well for us to know that.

And it is well for us to know, too, that if we establish this precedent or a similar one, then in all fairness hundreds of other cases should be submitted to our consideration and should receive the same action as this particular case.

Mr. EAGAN. Will the gentleman yield again?

Mr. GARD. I do not desire to use any further time, but I will yield.

Mr. EAGAN. Is it not a fair inference, if there are other cases of this kind, they would have been represented in bills introduced here?

Mr. GARD. I think not, because I think the fair inference is that with taxes collected so long ago, honestly collected under laws properly administered, the realization was that the taxes were honestly owed and were paid, and the people by whom they were paid did not desire to ask for a refund of taxes, because they realized that they were getting something in the first instance, and the only tax collected was the legacy tax. They were glad to get the legacy; they were glad to pay the tax; and they did not ask for a refund. That is the history of them. That is the history of this one until this question was raised.

The SPEAKER. The question is on agreeing to the motion to suspend the rules and pass the bill.

The question was taken; and the Speaker announced that, two-thirds having voted in the affirmative, the bill was passed.

Mr. GARRETT. A division, Mr. Speaker.

The SPEAKER. A division is demanded.

The House divided; and there were—ayes 73, noes 9.

So the bill was passed.

WAR MATERIAL FOR THE NATIONAL MUSEUM.

Mr. FIELDS. Mr. Speaker, I move to suspend the rules and pass the bill S. 4827.

The SPEAKER. The gentleman from Kentucky moves to suspend the rules and pass the bill. The Clerk will report it.

The Clerk read as follows:

A bill (S. 4827) to authorize the Secretary of War to furnish to the National Museum certain articles of the arms, matériel, equipment, or clothing heretofore issued or produced for the United States Army, and to dispose of colors, standards, and guidons of demobilized organizations of the United States Army, and for other purposes.

Be it enacted, etc., That the Secretary of War be, and he hereby is, authorized to furnish to the National Museum, or exhibition, upon request therefor by the administrative head thereof, such articles of arms, matériel, equipment, or clothing as have been issued from time to time to the United States Army, or which have been or may hereafter be produced for the United States Army, and which are objects of general interest or of foreign or curious research, provided that such articles are surplus or can be spared.

SEC. 2. That the Secretary of War be, and he hereby is, authorized to dispose of all colors, standards, and guidons of demobilized organizations of the United States Army in the following manner: Any which were used during their service by such organizations and which were brought into the service of the United States from the National Guard of any State may be returned to that State upon request therefor from the governor thereof, and all others may be sent, upon request of the governor thereof, to whatever State the Secretary of War may determine to have furnished the majority of men to any such organization at the time of its formation: *Provided, however*, That where it is impossible to determine what State furnished a majority of the men of an organization at the time of its formation, or where any organization was so cosmopolitan in its original make-up that it is impossible to identify it with any particular State, the colors of such organization will be turned in to the Quartermaster General for such national use as the Secretary of War may direct: *Provided further*, That the title to all such colors, standards, and guidons shall remain in the United States: *And provided further*, That the Secretary of War shall require assurance that proper provision has been or will be made for their care and preservation before returning or sending the same as herein authorized.

SEC. 3. That in all cases in which the Secretary of War has heretofore furnished to the National Museum any property of the kinds described in section 1 hereof, or has disposed of any colors, standards, or guidons of demobilized organizations of the United States Army in the manner provided by section 2 hereof, his acts and doings in the premises are hereby ratified and confirmed.

The SPEAKER. Is a second demanded?

Mr. SNELL. Mr. Speaker, we do not seem to know much about this bill. As yet we have not been able to get a copy. We ought, under the circumstances, to have a pretty full explanation. I demand a second.

The SPEAKER. The gentleman from New York demands a second.

Mr. FIELDS. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. The gentleman from Kentucky asks unanimous consent that a second be considered as ordered. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Kentucky is recognized.

Mr. FIELDS. Mr. Speaker, the purpose of this bill is to authorize the Secretary of War to furnish to the National Museum certain articles used by the Army, and also to furnish to States, upon the application of the governors thereof, certain articles, standards, guidons, and so forth, taken into the service by the National Guard organizations of such States. Practically all of the material has already been placed in the National Museum.

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

Mr. FIELDS. Yes.

Mr. HICKS. I understand the purport of this bill is to establish in the National Museum a collection of these war trophies. Notwithstanding the gentleman's explanation a moment ago, may I ask if there is a proviso here to loan some of this material to the States and have some of it on deposit in the States?

Mr. FIELDS. Yes.

Mr. Speaker, I ask that the report on the House bill of similar character be read by the Clerk.

The SPEAKER. Without objection, the Clerk will read.

The Clerk read as follows:

Report to accompany H. R. 15664.

The Committee on Military Affairs, to whom was referred the bill H. R. 15664, having considered the same, report thereon with a recommendation that it do pass.

The bill (H. R. 15664) is recommended by the Secretary of War, as per letter from the Secretary, which is made a part of this report and which reads:

WAR DEPARTMENT,
Washington, January 8, 1921.

The CHAIRMAN,
Committee on Military Affairs, House of Representatives.

SIR: I have the honor to invite your attention to draft of an act herewith, which it is desired to submit for consideration of your committee, with the request that it be introduced with the approval of the committee.

The proposed act deals with the matter of furnishing to the National Museum, for exhibition, articles of arms, equipment, and matériel issued to or produced for the Army, and with the disposal of the colors, standards, and guidons of demobilized organizations of the Army to the various States; and also ratifies the action heretofore taken by me as to both of these matters.

Respectfully,
NEWTON D. BAKER,
Secretary of War.

It is the information of your committee that much of the matériel referred to in the bill has already been furnished to the National Museum and is now on exhibition in that institution, but upon investigation it was decided that there was no authority of law for such disposition of said matériel. Section 3 of the bill is, therefore, designed to ratify the action of the Secretary of War in thus disposing of such matériel.

Mr. HICKS. Mr. Speaker, will the gentleman yield again?

Mr. FIELDS. Yes.

Mr. HICKS. Is this American-made matériel? Is it all American?

Mr. FIELDS. It is matériel used by the American armies.

Mr. HICKS. There is nothing that was used on the other side at all?

Mr. FIELDS. It is my understanding that it does not apply to war trophies or anything that was captured from the enemy.

Mr. HICKS. What is the special object of having this material sent out? Is it just as a matter of interest and curiosity to the different States?

Mr. FIELDS. That is all. The matériel that will be sent to the States is only matériel that was brought into the service by the National Guard organizations of the States.

Mr. HICKS. How will this be distributed? By a ratio of any kind? Will the large States have more than the small ones? How will it be distributed?

Mr. FIELDS. Oh, no. If it were something that was brought in by an organization that was composed wholly or in the main from a particular State it would go to that State. If the composition of the organization that used the material was so cosmopolitan that it could not be decided from what State the majority part of the organization came, then the Quartermaster General would take charge of it, to be disposed of as directed by the Secretary of War.

Mr. HICKS. Does the governor of the State make requisition or the adjutant general of the State?

Mr. FIELDS. The governor of the State, I think, makes requisition.

Mr. HICKS. Have many of the States made requests?

Mr. FIELDS. I can not answer that question. I think not, though, because the legislation has not yet been enacted.

These are things of historic value. For instance, the National Guard of the gentleman's own State would doubtless feel a great deal of interest in preserving the guidons that they carried in the battles overseas, and it seems to me that it would be only fair to that organization that the Secretary of War be authorized and directed by this legislation to turn this matériel over to the States. That is the object of the bill.

Mr. SNELL. This matériel belongs to the Federal Government at this time, does it?

Mr. FIELDS. Yes; and it will continue to belong to the Federal Government.

Mr. SNELL. Where is it stored?

Mr. FIELDS. In various parts of the country.

Mr. HICKS. Will these articles be deposited at the capitals of the various States?

Mr. FIELDS. I judge that will be determined by the States themselves, because this bill does not undertake to say where they shall be deposited.

Mr. HICKS. I presume if the Federal Government ever needs this matériel it can get it back?

Mr. FIELDS. It can recall it. That is provided for in the bill.

Mr. FESS. Will the gentleman yield?

Mr. FIELDS. I yield to the gentleman from Ohio.

Mr. FESS. I have a request from the Ohio Historical Association for the plane used by the famous Eddy Rickenbacher, whose home was in Columbus, Ohio, and who did wonderful work in the air over in Germany.

Mr. SNELL. Does this bill go so far as to authorize the distribution of planes?

Mr. FESS. I did not think so, and I was inquiring whether under this bill the State authorities would be permitted to deposit this particular plane with the Historical Association of Ohio.

Mr. FIELDS. That would depend upon whether it was needed by the War Department or not. If the War Department should decide that it was not needed, then it would be within the power of the Secretary of War under this bill to turn that plane over to the governor of the State of Ohio upon his request.

Mr. FESS. My friend will recognize that the plane will not be of any use in the future, and the Ohio Historical Association would like to have it for its historical significance.

Mr. FIELDS. And they should have it, and that is the purpose of this bill. There are many of these things that would be of great historic interest and value to the States, and they are now in storage, and there is no reason why they should not be put in museums or on exhibition wherever the States want them.

Mr. SNELL. Would not the word "matériel" cover practically everything in storage, such as planes and various other things?

Mr. FIELDS. I think so.

Mr. HICKS. As I understand the gentleman's answer, this bill would not provide for the distribution of any war trophies; and yet in reading the bill I see no limitation at all, and I should think they could take trophies, cannon, or anything else.

Mr. FIELDS. If the bill would permit the distribution of war trophies, I would be that much more interested in it. I do not think it will do that. That is, I mean captured war trophies.

Mr. HICKS. It says matériel of interest that was produced for the United States Army.

Mr. FIELDS. Yes.

Mr. HICKS. Now, if an airplane was produced for the United States Army, it might be of historical value, and under this bill it could be turned over as provided in the bill.

Mr. FIELDS. Yes; and it should be, if no longer needed by the War Department.

Mr. GREENE of Vermont. I do not think "matériel" would include any captured war trophies.

Mr. SNELL. What does "trophy" mean?

Mr. GREENE of Vermont. I refer the gentleman to the dictionary for its meaning, but I think common usage makes it something which was the object of a contest or combat.

Mr. FESS. That is it.

Mr. FIELDS. I do not think it is the opinion of anybody that this would apply to the matériel captured from the enemy during the war.

Mr. SNELL. This refers to clothing. Would it include surplus clothing and uniforms?

Mr. FIELDS. There is nothing in the bill that confines it to old clothing.

Mr. SNELL. They might distribute superfluous uniforms which they have.

Mr. FIELDS. They might do so.

Mr. GREENE of Vermont. One of the most interesting exhibits in the war section of the Smithsonian Institution to-day is a row of cases showing the various types of field uniforms worn by men of the several services among the Allies.

Mr. FIELDS. I think in years to come it will be of great interest to all people to have preserved each style of uniform worn in this war.

Mr. SNELL. Does this bill confine it to this war or to any previous wars?

Mr. FIELDS. I am of the opinion that this is to apply to all wars.

Mr. SNELL. Are there enough for a full and complete line for each State in the Union?

Mr. FIELDS. If the supply should become exhausted, the distribution would stop.

The SPEAKER. The question is on the motion of the gentleman from Kentucky to suspend the rules and pass the bill.

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

Mr. BELL. Mr. Speaker, I wish to submit a report of the Joint Commission on Postal Salaries, authorized by section 3 of the Post Office appropriation bill for the fiscal year ending June 30, 1920. A preliminary report was submitted on May 24, 1920, together with the draft of the postal salary bill. I ask that the same be printed as a public document.

The Clerk read as follows:

Report of the Joint Commission on Postal Salaries authorized by the act of June 30, 1920.

The SPEAKER. Ordered printed.

Mr. HAUGEN. Mr. Speaker, I desire to file a conference report on the bill (H. R. 9521) to prevent hoarding and deterioration of and deception with respect to cold-storage foods, to regulate shipments of cold-storage foods in interstate commerce, and for other purposes.

The conference report is as follows:

COLD-STORAGE FOODS—SECOND CONFERENCE REPORT.

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9521) to prevent hoarding and deterioration of and deception with respect to cold-storage foods, to regulate shipments of cold-storage foods in interstate commerce, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"That this act may be cited as the 'United States cold storage act.'

"SEC. 2. Whenever used in this act—

"(a) The term 'person' includes an individual, partnership, corporation, or association;

"(b) The term 'commerce' means commerce among the several States or between any State, Territory, or the District of Columbia and any foreign nation, or between any Territory or the District of Columbia and any State, or between any Territory and any other, or between any Territory and the District of Columbia, or within any Territory or the District of Columbia, or between points in the same State but through any other State or any Territory or the District of Columbia or any foreign nation;

"(c) The term 'cold storage' means the storage or keeping of any article of food at or below the temperature of 45° above zero (Fahrenheit) in a cold-storage warehouse;

"(d) The term 'article of food' means—

"(1) Meat, meat products (including all edible portions of food animals), poultry and game whether drawn or undrawn, poultry products, game products, fish, fish products, shellfish, oysters, and clams;—if fresh, cooked, prepared, cured, or frozen;

"(2) Eggs or portions thereof;—if in shell, dried, or frozen;

"(3) Butter, oleomargarine, lard, lard substitutes, butter substitutes, and cheese;

"(4) Oils for food purposes; and

"(5) Milk, evaporated or powdered;—

but does not include any such article not intended or designed for food purposes which is plainly and conspicuously marked in such manner as correctly to show the fact in accordance with such regulations as the Secretary of Agriculture shall prescribe;

"(e) The term 'cold-storage warehouse' means any place, including a car, vessel, or other vehicle, in which the temperature is artificially cooled to or artificially maintained at or below 45° above zero (Fahrenheit); but does not include a place used exclusively for storage of any article of food for the sole use of the occupant, owner, or maintainer thereof (1) for consumption by himself or his family or guests, or (2) in his business of serving meals, or (3) in connection with his retail business only, except that such place shall, in respect to any article of food held therein for more than 30 days in connection with such retail business, be deemed a cold-storage warehouse for the whole of the period of storage therein of such article;

"(f) The term 'warehouseman' includes any person maintaining or operating a cold-storage warehouse; and any person who rents and controls a room or space therein; and

"(g) The term 'mark' includes stamp, brand, tag, and label, and the term 'marked' includes stamped, branded, tagged, and labeled.

"SEC. 3. (a) It shall be unlawful at any time more than 30 days after an article of food is first placed in cold storage, for any person to ship, deliver for shipment, sell or offer for sale, in commerce, or to hold in cold storage in commerce, or having received in commerce, to sell or offer for sale in the original unbroken package, such article of food, unless it is plainly and conspicuously marked, in accordance with this act and the regulations thereunder, in such manner as correctly to show (1) the words 'Cold Storage,' (2) all the dates when put in and taken out of cold storage, and (3) the names and locations of all the cold-storage warehouses in which stored, or suitable distinguishing designations thereof approved by the Secretary of Agriculture for the purpose.

"(b) If any article of food which is required by subdivision (a) of this section to be marked, is subdivided, or is in or is placed in a container, or is transferred to a different container, the person who is liable under this act for any failure to have such article of food marked, shall mark the subdivision or the container thereof in the same manner as provided by subdivision (a).

"(c) If (1) an article of food that has not been held in cold storage is mixed or mingled with an article of food, whether or not of the same kind, that is or has been held in cold storage, or (2) the containers of such articles of food are mixed or mingled, or (3) an article of food that is or has been held in cold storage is mixed or mingled with an article of food, whether or not of the same kind, that is or has been held in cold storage during a different period of time, or (4) the containers of such articles of food are mixed or mingled; then for the purposes of subdivisions (a) and (b) of this section and for the purposes of section 6, the dates required to be placed upon the article of food, if any, resulting from such mixing or mingling, or upon the containers so mixed or mingled, and from which the periods of time referred to in subdivision (a) and in section 6 are to be computed, shall be those of that one of such articles of food which was first placed in cold storage, and the names and locations of cold-storage warehouses shall be those of all such warehouses in which each of such articles of food is or has been held in cold storage.

"SEC. 4. If the Secretary of Agriculture finds that the proper and customary manner of handling any article of food is such that it is commercially impracticable to mark the same or the container thereof in accordance with this act, the person otherwise required under this act to have the same so marked shall furnish or display, as the Secretary of Agriculture may require, to the receiver of such article of food a written statement, or an invoice or bill of lading or other shipping document, which shall describe such article of food, shall correctly state the facts otherwise required by this act to be marked, in the manner prescribed in the regulations under this act, and shall be preserved and be subject to examination by an officer, employee, or agent duly authorized under this act, for such reasonable length of time as the Secretary of Agriculture deems necessary for the purposes of this act; except that, in the case, under this section, of a sale at retail to the consumer, the facts required by clauses (2) and (3) of subdivision (a) of section 3 may be omitted unless otherwise requested by such consumer.

"SEC. 5. Except as otherwise permitted by this act, it shall be unlawful for any person (a) to alter, mutilate, destroy, obscure, obliterate, or remove any mark required by this act to be placed on any article of food or the container thereof, while it is in commerce or, having been transported in commerce, remains unloaded, unsold, or in the original, unbroken package, or (b) to alter, mutilate, destroy, obscure, or obliterate any statement, invoice, or document or portion thereof, required to be furnished or displayed, during the time the same is required to be preserved under section 4.

"SEC. 6. It shall be unlawful for any person to ship, deliver for shipment, sell, or offer for sale, in commerce, or to hold in cold storage in commerce, any article of food, or having received in commerce, to sell or offer for sale, in the original, unbroken package any article of food, after the expiration of 12 months following the date when such article of food was first placed in cold storage; except (1) that the Secretary of Agriculture may in such instances in respect to frozen eggs and portions thereof as he deems advisable, extend such period of time to not more than 18 months following the date when such eggs or portions thereof were first placed in cold storage, and (2) that the above provisions of this section shall not apply to cheese held for the purpose of ripening and improving the quality thereof.

"SEC. 7. The provisions of sections 3, 4, 5, and 6 shall not apply to any article of food shipped or sold or delivered for shipment to any foreign country, if in respect to the requirements of such section the article of food complies with the specifications and directions of the purchaser or consignee in such foreign country and is not in contravention of the laws of such country; but if the article of food is not actually exported, this section shall not exempt such article of food from the operation of sections 3, 4, 5, and 6.

"SEC. 8. (a) No person shall receive in commerce any article of food for cold storage after the cold-storage warehouse in which it is to be stored is found by the Secretary of Agriculture, after due notice and hearing, to be insanitary or otherwise unfit for the storage of any such article of food. Such finding shall remain in force until the Secretary shall, after further hearing, determine that such condition has been remedied.

"(b) No person shall receive in commerce any article of food for cold storage in a cold-storage warehouse if such person has refused inspection, when requested under this act, of such warehouse; nor shall any person ship in commerce any article of food if he has refused inspection of such article of food when requested under this act.

"SEC. 9. In order to carry out the provisions of this act, the Secretary of Agriculture or any officer, employee, or agent specifically authorized by him in writing for the purpose may, on any business day during the usual hours of business, enter any cold-storage warehouse which receives, or from which is shipped or delivered, any article of food, in commerce, and may inspect such warehouse and the contents thereof, and any statements, books, papers, letters, or documents relating thereto.

"SEC. 10. (a) In order to carry out the provisions of this act and to provide information for the Congress, every warehouseman shall keep such records and accounts and make such reports, in such manner and form, verified under oath or otherwise, every three months and at such other times, as the Secretary of Agriculture may require, as to (1) the amounts and kinds of all articles of food or foodstuffs held or in transit in cold storage by such warehouseman, (2) loans made by such warehouseman upon the security of such articles or foodstuffs, (3) charges made by such warehouseman for storage and other services rendered by him, and (4) the size or capacity of his warehouse. The Secretary of Agriculture in his discretion may at any time require such further reports as he deems necessary or proper concerning the ownership, receipt, delivery, or transportation of any such articles of food or foodstuffs. Any information obtained by the Secretary of Agriculture under this act shall be available for the use of either House of Congress. The Secretary of Agriculture shall cause such information as may be of public interest to be published from time to time.

"(b) No person shall willfully (1) fail or refuse to make full and true entries or make any false entry in the accounts or records of his business required to be kept pursuant to this section, or (2) alter, mutilate, conceal, or destroy any such account or record, or (3) make any report required under this section which is false or fraudulent in any material particular, or (4) fail or refuse to make any report required under this section.

"SEC. 11. No person shall willfully hinder, obstruct, or resist the Secretary of Agriculture or any duly authorized officer, employee, or agent, in the performance of his duties under this act.

"SEC. 12. Any person who violates any provision of section 3, 4, 5, 6, 8, 10, 11, or 16 shall upon conviction thereof be punished by a fine not exceeding $1,000 or imprisonment not more than one year, or both. After judgment of any court with respect to any violation of this act, the Secretary of Agriculture may give notice thereof by publication in such manner as he by regulation may prescribe. A person shall not be prosecuted for any violation of section 3, 4, or 6, resulting from the act, omission, or failure of any other person not acting for or employed by him, prior to the time when the article of food involved came into his possession or control, if he shows that such violation was not knowingly committed by him and also (except in such cases as the Secretary of Agriculture deems necessary and advisable and shall by regulation prescribe), establishes a written guaranty signed by such other person who shall be a resident of the United States, from whom he obtained the possession or control of such article of food, to the effect that such article of food has not been in cold storage or that, if it has been in cold storage and is apparently marked or represented in accordance with subdivision (d) of section 2 or section 3 or 4, the marks or representations are true. The guaranty shall contain the address of the person required to sign it, and such person shall be amenable to the prosecution, fine, penalty, or imprisonment which would otherwise attach to the person to whom he delivered the possession or control of the article of food.

"SEC. 13. (a) When construing and enforcing the provisions of this act, the act, omission, or failure of any person acting for or employed by any individual, partnership, corporation, or association, within the scope of his employment or office, shall in every case also be deemed the act, omission, or failure of such individual, partnership, corporation, or asssociation, as well as of such person.

"(b) If any person acting for or employed by any individual, partnership, corporation, or association negligently or willfully omits personally to perform any necessary act or properly to supervise or apportion duties among his subordinates, in the execution of the authority or functions vested in him, and by reason of such omission a violation of this act directly results, he shall be liable to all the penal and other provisions of this act with respect to such violations; but nothing in this subdivision shall be held to relieve the individual, partnership, corporation, or association from such provisions.

"(c) The provisions of this section shall be held to extend and not to limit the application of section 37 or 332 of the act entitled 'An act to codify, revise, and amend the penal laws of the United States,' approved March 4, 1909, as amended.

"SEC. 14. (a) Whenever in the case of any article of food being offered for importation, the Secretary of Agriculture has reason to believe that any provision of this act is being violated with respect to such article of food, he shall give due notice and opportunity for hearing thereon to the owner or consignee, and certify such fact to the Secretary of the Treasury, who shall thereupon (1) refuse admission and delivery to the consignee of such article of food, or (2) deliver such article of food to the consignee pending examination, hearing, and decision in the matter on the execution of a penal bond to the amount of the full invoice value of such article of food, together with the duty thereon, if any, and to the effect that on refusal to return such article of food for any cause to the Secretary of the Treasury when demanded, for the purpose of excluding it from the country or for any other purpose, the consignee shall forfeit the full amount of the bond.

"(b) If, after proceeding in accordance with subdivision (a) of this section, the Secretary of Agriculture is satisfied that any provision of this act is being violated with respect to such article of food, he shall certify the fact to the Secretary of the Treasury, who shall thereupon notify the owner or consignee and cause the sale or other disposition of such article of food refused admission and delivery or entered under bond, unless it is exported by the owner or consignee within three months from the date of such notice, under such regulations as the Secretary of the Treasury may prescribe. All charges for storage, cartage, or labor on any such article of food which is refused admission or delivery or is entered upon bond shall be paid by the owner or consignee.

"SEC. 15. Whenever it appears that any article of food in cold storage in commerce is in such condition that it is likely immediately to become or is unsound, unwholesome, or unfit for food, the Secretary of Agriculture may cause the immediate seizure of such article of food and thereupon shall at once cause notice of the facts to be given to the United States district attorney for the district in which the article of food is seized. Such district attorney shall proceed without delay against such article of food in any court of the United States in such district for confiscation by process of libel for condemnation. If in the opinion of the court the article of food is in such condition that it is likely immediately to become or is unsound, unwholesome, or unfit for food, it shall be immediately disposed of by destruction or sale as the court shall direct, but such disposition shall not be contrary to any law of the United States, or of the State, Territory, or District where such destruction or sale takes place. The proceeds of any sale under this section, less legal costs and charges, shall be paid to the person entitled thereto. The proceedings in such libel for condemnation shall conform as nearly as may be to proceedings in admiralty and shall be at the suit and in the name of the United States. For the purposes of this section the Secretary of Agriculture may cause investigations, inspections, analyses, and tests to be made and samples to be collected of any article of food in commerce. The Department of Agriculture shall pay to the person entitled, upon his request, the reasonable market value of any such samples.

"SEC. 16. The Secretary of Agriculture is authorized to designate in writing specifically officers, employees, and agents of the Department of Agriculture to administer oaths for the purpose of this act. All such officers, employees, and agents are authorized and empowered to administer to or take from any person an oath, affirmation, or affidavit for the purposes of this

act, or for use in prosecutions or proceedings thereunder. Any such oath, affirmation, or affidavit, authenticated by the official seal of the Department of Agriculture, shall, when offered for use in any proceeding under this act or in any court of the United States, have like force and effect as if administered or taken by or before the clerk of such court, without further proof of the identity or authority of such officer, employee, or agent. No such officer, employee, or agent shall demand or accept any fee or compensation whatsoever for administering or taking any oath, affirmation, or affidavit under the authority conferred by this act.

"SEC. 17. For the enforcement of this act, the sum of $200,000 is hereby appropriated, to be available until expended, out of any moneys in the Treasury not otherwise appropriated, and the Secretary of Agriculture (a) is authorized to prescribe and promulgate such regulations as may be necessary; (b) may cooperate with any department or agency of the Government, any State, Territory, District, or possession, or department, agency, or political subdivision thereof, or any person; and (c) shall have the power to appoint, remove, and fix the compensation of such officers and employees, not in conflict with existing law, and make such expenditures for rent outside the District of Columbia, printing, telegrams, telephones, law books, books of reference, periodicals, furniture, stationery, office equipment, travel, and other supplies and expenses as shall be necessary to the administration of this act in the District of Columbia and elsewhere.

"SEC. 18. This act shall take effect and be in force from and after its passage; but no penalty, fine, forfeiture, or imprisonment shall be enforced for any violation occurring within 90 days after its passage.

"SEC. 19. No provision of this act shall be deemed to repeal or limit the operation of any provision of any other act of Congress, unless directly in conflict therewith.

"SEC. 20. If any provision of this act or the application of such provision to certain circumstances is held unconstitutional, the remainder of the act and the application of such provision to circumstances other than those as to which it is held unconstitutional shall not be affected thereby."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title of the bill and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert the following:

"An act to prevent hoarding and deterioration of, and deception with respect to, cold-storage foods; to regulate shipments of cold-storage foods in interstate and foreign commerce; and for other purposes."

And the Senate agree to the same.

G. N. HAUGEN,
J. C. MCLAUGHLIN,
JAMES YOUNG,
Managers on the part of the House.
A. J. GRONNA,
E. D. SMITH,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9521) to prevent hoarding, deterioriation of, and deception in respect to cold-storage foods, to regulate shipments of cold-storage foods in interstate commerce, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and submitted in the accompanying conference report.

The amendment of the Senate strikes out all after the enacting clause in the House bill. The House recedes from its disagreement therewith with an amendment which is a substitute for the Senate amendment:

Section 1: This section gives the short title of the bill, "United States cold storage act." The title is the same in the House bill and the Senate amendment.

Section 2: This section contains the definitions:

(a) The House bill defines "person" to include an individual, partnership, corporation, and association. The Senate bill varies the language describing associations. The subdivision as agreed by the conferees retains the House language.

(b) The House bill defines "commerce" so as to include interstate and foreign commerce. The Senate amendment and the subdivision as agreed to by the conferees retains the House definition.

(c) The House bill defines "cold storage" to include all storage in a cold-storage warehouse. The Senate amendment limits such storage to storage at or below the temperature of 45° above zero Fahrenheit in the warehouse and excludes storage space used for chilling or precooling for not more than 30 days for manufacture, sale, or transportation. The subdivision as agreed to by the conferees retains the Senate provision with verbal changes and the omission of the 30-day exemption, which, however, is carried over into section 3.

(d) The House bill defines "article of food" to include all foods, except liquids, no matter what their condition or form. The Senate amendment limits the definition to fresh meat, including all fresh edible portions of food animals, fresh fish, fresh poultry drawn or undrawn, fresh game, eggs in shell or frozen, butter, oleomargarine, and butter substitutes. The subdivision as agreed to by the conferees makes verbal changes and adds to the Senate list cooked, prepared, cured, or frozen meats, meat products, fish, fish products, poultry products, and game products, and also shellfish, oysters, clams, dried eggs, lard, lard substitutes, cheese, oils for food purposes, and milk in other than in liquid form.

(e) The House bill defines "cold-storage warehouse" as any establishment artificially cooled to or below the temperature of 45° above zero Fahrenheit, and excludes from the definition an establishment used exclusively for the storage of food for the sole use of the owner for consumption by himself or his family or guests, in connection with his business of serving meals or his retail sale business. The House bill also excludes refrigerator vehicles from its definition of cold-storage warehouse; but a separate definition was provided bringing "refrigerator vehicles" within the act and including in the term any car, vessel, or other vehicle. The Senate amendment excludes refrigerator vehicles completely from its definition of cold-storage warehouse, and thereby from the act, and also excludes places used for chilling or precooling for manufacture, sale, or transportation. The Senate amendment limits the exception as to places used for storage in connection with retail sale business to places so used in respect to any particular article of food for 30 days only. The subdivision as agreed to by the conferees retains the provisions of the House bill, including refrigerator vehicles, and not exempting chilling and precooling space and the provisions of the Senate amendment limiting the exception as to retail sale business to 30 days.

(f) The House bill defined "warehouseman" to include any person owning a warehouse or renting or controlling any space therein. The Senate amendment contained no such provision. The subdivision as agreed to by the conferees retains the House provision.

(g) The House bill defines the term "mark" to include stamp, brand, tag, and label, and the term "marked" to include stamped, branded, tagged, and labeled. The Senate amendment and the subdivision as agreed to by conferees contains this provision with verbal alterations.

On section 3: The House bill makes it unlawful for any person to ship or hold in interstate or foreign commerce an article of food that is or has been in cold storage, unless marked with the words "cold storage," the dates when placed in and taken out of cold storage, and the names of the warehouses in which stored. The House bill further makes provision as to the mixing or intermingling of the articles of food, the subdivision of an article of food, or the placing of it in a container. The Senate amendment contains similar provisions with many verbal changes. The section as agreed to by the conferees retains and inserts at this point with modifications the Senate provisions previously referred to, exempting from the cold-storage period the first 30 days an article of food is held below a temperature of 45° F. by making it unlawful to ship or hold in interstate or foreign commerce an article of food at any time more than 30 days after it was first placed in such temperature. The section as agreed to by the conferees also retains, with the verbal changes necessary for clarification and rearrangement, the provisions of the House bill and the Senate amendment with respect to the adjustment of marks in case of mixing or intermingling, subdivision, or placing in a container.

On section 4: The House bill provides that in case it is found commercially impracticable to mark any article of food or container, then the Secretary of Agriculture may permit a written statement or document accompanying the article of food to state the required facts as to the times and places of storage. The Senate amendment contains a similar provision with verbal changes and the limitation that in case of a sale to a consumer the dates and the names of the warehouses but not the words "cold storage" may be omitted from the statement or document. The section as agreed to by the conferees retains the Senate provision.

On section 5: The House bill makes it unlawful to alter or destroy any marks upon cold-storage food while in interstate or foreign commerce. The Senate amendment has a similar

provision which is retained in the section as agreed to by the conferees.

On section 6: The House bill makes it impossible for any person to ship in interstate or foreign commerce an article of food, except cheese, after the expiration of 12 months from the time when it was first placed in cold storage. The Senate amendment contains a similar provision, omitting the exception as to cheese but providing different time limitations and restrictions in respect to imported eggs. The section as agreed to by the conferees retains the House provision with the exception as to cheese and permits the Secretary of Agriculture to extend, in his discretion, the time limit from 12 to not more than 18 months for frozen eggs.

On section 7: The House bill exempts from the requirements of the act articles of food shipped in compliance with specifications and directions of foreign purchasers. The Senate amendment and section as agreed to by the conferees retains the same provision.

On section 8: The House bill prohibits the placing of articles of food in a warehouse found insanitary by the Secretary of Agriculture, after due notice and hearing. The Senate amendment has no provision upon this subject. The section as agreed to by the conferees retains the House provision with verbal changes.

On section 9: The House bill permits any authorized officer of the Department of Agriculture to inspect a warehouse, its contents, and books relating thereto. The Senate amendment and the section as agreed to by the conferees retain the same provision.

On section 10: The House bill requires monthly reports by each warehouseman as to the amounts of food and their ownership held in cold storage by him. The Senate amendment leaves the time of such reports to the discretion of the Secretary of Agriculture and extends the subject matter of the reports to the charges for the warehouseman's services and the loans made upon the security of foodstuffs stored. The section as agreed to by the conferees retains the Senate provision, except for a requirement of trimonthly reports and provision for greater flexibility as to reports upon ownership.

On section 11: The House bill forbids the obstruction of the Secretary of Agriculture or his officers in the performance of duties under the act. The Senate amendment and the section as agreed to by the conferees retains the same provision.

On section 12: The House bill provides a penalty of $1,000 or imprisonment for one year or both for violation of the act, but exempts from liability any person whose act, omission, or failure in violation thereof results from his reliance in good faith upon the act, omission, or failure of any other person with respect to marks or absence of marks upon the article of food or container. The Senate amendment provides the same penalties, but requires a guaranty certificate from previous holders of the article of food, in order to be exempt from liability because of their errors as to marking. The section as agreed to by the conferees retains the provision of the Senate amendment with verbal changes, and a provision permitting the Secretary of Agriculture to omit the guaranty certificate if he deems it advisable.

On section 13: The House bill and the Senate amendment contain comprehensive provisions varying in detail and language as to the liability of corporate officers for acts of their subordinates and of the corporation itself for the acts of its officers. The section as agreed to by the conferees contains a clarifying substitute to the same general effect for both the House and Senate provisions.

On section 14: The House bill provides for the exclusion from this country of imported articles improperly marked or otherwise shipped in violation of the law. The Senate amendment and the section as agreed to by the conferees retain the same provision.

On section 15: The House bill provides for the seizure and condemnation, by proceedings in rem, of articles of food held in cold storage which are likely immediately to become or are unsound, unwholesome, or unfit for food. The Senate amendment has no provision upon this subject. The section as agreed to by the conferees retains the House provision with verbal changes.

On section 16: The House bill provides that oaths and affidavits administered by officers of the Department of Agriculture may be used in court proceedings without further proof of the identity or authority of such officer. The Senate amendment and the section as agreed to by the conferees retain the same provision.

On section 17: The House bill provides for appointments and expenditures for the administration of the act, the issuance of regulations by the Secretary of Agriculture, cooperation with State agencies, and makes an appropriation of $50,000 for the fiscal year. The Senate amendment varies the House provision in extending the appropriation to $200,000, to be available until expended, and omits a requirement that preference in appointments be given to members of the military and naval forces. The section as agreed to by the conferees adopts the Senate provision.

On section 18: The House bill provides that no penalty shall be enforced for a violation occurring within 90 days after the passage of the act. The Senate amendment and the section as agreed to by the conferees retains the same provision.

On section 19: The House bill provides that the United States cold-storage act shall not be deemed to repeal or limit the operation of any other act of Congress unless directly in conflict therewith. The Senate amendment and the section as agreed to by the conferees retains the same provision.

On section 20: The House bill contains a provision as to the separability of the provisions of the act in case of the unconstitutionality of one provision. The Senate amendment and the section as agreed to by the conferees retains the same provision.

Amendment to the title: The Senate amendment amends the title so as to refer to foreign as well as interstate commerce. The title as agreed to by the conferees retains the Senate provision.

G. N. HAUGEN,
J. C. MCLAUGHLIN,
JAMES YOUNG,
Managers on the part of the House.

ARTHUR LUCAS.

Mr. IRELAND. Mr. Speaker, I present a privileged resolution.

The Clerk read the resolution, as follows:

House resolution 695.

Resolved, That the Clerk of the House of Representatives be, and he is hereby, authorized and directed to pay, out of the contingent fund of the House, $30 to Arthur Lucas for special janitor services rendered during the third session of the Sixty-sixth Congress.

Mr. IRELAND. This is the usual resolution providing janitor service for the gentleman from Illinois [Mr. CANNON].

The resolution was agreed to.

ADDITIONAL SERVICE FOR THE ENROLLING ROOM.

Mr. IRELAND. Mr. Speaker, I ask for the present consideration of the following resolution.

The Clerk read the resolution, as follows:

House resolution 702.

Resolved, That there shall be paid out of the contingent fund of the House, until and including March 4, 1921, not exceeding the sum of $250, for the employment of such additional clerical and messenger service as may be necessary in the enrolling room.

Mr. IRELAND. This is to enable the employees in the enrolling room to get out the bills in time with the congestion that now prevails.

The resolution was agreed to.

REPAIRS OF HOUSE WING OF CAPITOL.

Mr. IRELAND. Mr. Speaker, I ask for the present consideration of the following privileged resolution:

House resolution 693.

Resolved, That there shall be paid out of the contingent fund of the House, until otherwise provided for by law, not exceeding the sum of $5,000 for the restoration of decorations in the House wing of the Capitol Building, the employment of personal services, and the purchase of materials therefor, to be under the direction of the Superintendent of the Capitol Building and Grounds (Architect of the Capitol), with the approval of the Committee on Accounts.

Mr. IRELAND. Mr. Speaker, this resolution is offered at the request of the Superintendent of the Capitol Building and Grounds to enable him to put the House wing of the Capitol and the corridors in the same shape as the Senate wing, which has been redecorated and retinted. They have been indulging in this restoration on the Senate side for some time, and we are not looking quite as neat as we might at this end of the Capitol by comparison.

Mr. GARD. I am not interested so much on what has been done on the Senate side, but what is to be done over here with this $5,000?

Mr. IRELAND. Perhaps it would be better for me to read a memorandum which I induced the superintendent to give me. The superintendent is probably as modest a man in making approaches on the Treasury of the United States as anyone in the employ of the House or the Senate. He has given me this memorandum:

Memorandum.

A simple inspection of the walls in the Senate and House wings of the Capitol will show that in the early days of their construction the Senate wing received a far greater portion of attention than the House wing, in so far as decoration is concerned, both as to the important rooms and walls in that wing.

For the last two years the Senate has appropriated annually $5,000 for restoring the decorations in the Senate wing. This is a special

appropriation for the purpose, and there is no reason why a like sum can not be bestowed for a similar purpose for the House wing; in fact, such a proceeding would have been taken before the Appropriations Committee of the House before this had it not been for the advent of the war. During that period of time all appropriations for the Capitol were kept at the lowest possible basis—far too low, in fact—and, now that an opportunity offers itself, it would be wise to start on a definite plan of simple but adequate decoration of the House wing. A specific appropriation for this class of work is better than to make it a part of the general building fund for the annual repairs necessary to a building of this character. While the intention to expend some of the money for special decorative purposes might be strong, the wish often gives way to the use of the money for the structural work rather than for the special work. If the sum of $5,000 were furnished annually for this specific purpose, the Superintendent of the Capitol would probably spend a sum approximating $3,500 for a competent decorator and approximately $1,200 for a competent assistant; in other words, $4,700 for the labor feature and $300 for the material, which in all such cases is a smaller part of the service.

Mr. GARD. In other words, this is a plan to put the decorations in the House end of the Capitol on an equality with the decorations in the Senate end.

Mr. IRELAND. An attempt to do so.

Mr. GARD. I am in favor of that attempt.

Mr. KING. Does the gentleman think this is a sufficient amount to do the work; should there not be more than this?

Mr. IRELAND. I am not in a position to say as to that, myself. I am relying upon the estimate of the superintendent. He thinks that he can possibly do it with this amount. It may be that an additional sum will have to be asked for later on. The Senate has appropriated $5,000 a year for the last two years, I believe.

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

Mr. IRELAND. Yes.

Mr. BLANTON. Can the gentleman tell us how much was expended during the past year in replacing the floors out in the corridor downstairs?

Mr. IRELAND. I can not, from memory.

Mr. BLANTON. Taking up the other floor and putting down the marble floor that is there now.

Mr. IRELAND. I do not remember.

Mr. WALSH. That was provided for. It was authorized by law.

Mr. IRELAND. In an appropriation bill; yes.

Mr. BLANTON. I am wondering if the new floor is as artistic as the one taken up or is better than the old one that was taken up and thrown away?

Mr. IRELAND. Probably there is no one in this House who is competent to judge as to that.

Mr. WALSH. I notice in reading the resolution that two titles of the official who has charge of this appropriation are used. My recollection is that we changed the title of Superintendent of the Capitol to Architect of the Capitol. The latter title is in parentheses in this resolution. What was the purpose of using both titles?

Mr. IRELAND. So that there could be no confusion, but perhaps we have provoked confusion by putting them both in. It was the intention to designate the same individual.

Mr. WALSH. I thought perhaps the change is in one of the bills that has not yet become a law.

Mr. IRELAND. I am not certain about that.

Mr. SNELL. Is any provision made for restoring certain rooms in the House Office Building?

Mr. IRELAND. There is a certain amount carried in the legislative bill, I think, for that.

Mr. SNELL. Then the gentleman thinks there is enough to take care of that in this coming recess?

Mr. IRELAND. In all probability there is not enough, but what is lacking can be taken care of in the first deficiency bill.

Mr. WALSH. That is in the legislative bill?

Mr. IRELAND. I believe so. Mr. Speaker, I move the adoption of the resolution.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

Mr. IRELAND. Mr. Speaker, I ask unanimous consent to proceed for 10 minutes out of order.

The SPEAKER. The gentleman from Illinois asks unanimous consent to address the House for 10 minutes out of order. Is there objection?

There was no objection.

Mr. IRELAND. Mr. Speaker, I explained to the membership of the House some time ago the new arrangement that had been arrived at for the use of the franking privilege on Western Union telegrams by the Members of the House. That arrangement will not in any great degree inconvenience the Members or change the mode that has been employed in the past. It is, however, necessary that identification cards be provided for every Member of the House for the sending of messages on which prepayment will not be required and at Government rates. This is a different identification card from that which Members have been furnished heretofore, and all who desire them or who desire to use them during the probable vacation we may have can secure them at the office of the Committee on Accounts. Those who fail to secure them will have them mailed to them later. If there is any question about the new arrangement I would be glad to try to answer it now.

Mr. McARTHUR. The cards that we have now expire tomorrow?

Mr. IRELAND. Yes. That is the reason I am making the announcement now. It is a different card from the one carried before.

Mr. SNELL. I think the gentleman better explain to us just what the change is.

Mr. NOLAN. Before the gentleman does that, will he yield to me?

Mr. IRELAND. Yes.

Mr. NOLAN. Is there any change regarding the Postal and the old frank?

Mr. IRELAND. No; we pursue the same method which formerly obtained with the Postal.

Mr. BLAND of Indiana. Why could they not be mailed to Members now if they are ready for delivery?

Mr. IRELAND. Because before they could reach their offices the Members might be on their way home, many of them. This is just an alternative they may avail themselves of if they care to do so. The new arrangement deviates in no great degree from the old. Messages sent on Government business by Members of the House from Washington will be sent over the Western Union in the same manner as they have in the past. No difference occurs in the arrangement with the Postal Telegraph Co. On the Western Union messages each Member will be given a charge account at his home address for the sending of Government messages at Government rates. Those messages will be forwarded to the Committee on Accounts of the House, and the corresponding committee in the Senate, and will be taken care of there and payment made to the several offices at the homes of Members through the disbursing clerk of the House. Now, other messages which you may send while traveling or away from your domicile or away from Washington will require this identification card that you will be provided with by applying at the office of the Committee on Accounts, or it will be mailed to you later.

Mr. HICKS. Then I understand if a man is away from his home town and sends a telegram by the Western Union, he has to have some identification card when he delivers that telegram, and it will go without any money charge?

Mr. IRELAND. That is exactly it.

Mr. SNELL. I can see no very great difference between this plan and the plan operated under before.

Mr. IRELAND. The gentleman from New York and all the others will discover the difference when they understand that the billing, auditing, checking, and crediting work is transferred from the Western Union to the Committee on Accounts, and possibly I shall have to come to the House asking for additional clerical assistance next session. If we can possibly accomplish the task without it, that is what we will try to do, but if we can not, we will have to make that request and be somewhat embarrassed in doing so.

Mr. PADGETT. Will the gentleman explain what he means by each Member will be given a charge account for use at his home?

Mr. IRELAND. Well, I do not know that I can make it any clearer. You are not troubled with the charge account yourself. You have this charge account at home and these bills which you may contract on Government business are rendered to the Committee on Accounts here at the House and you are not troubled with it at all. It has been our object to obviate any inconvenience Members might suffer, and that has been our sole aim.

Mr. FIELDS. As I understand, the Member is not required to present his card with the telegram at his home city?

Mr. IRELAND. No; I do not think so. I should presume the Member will be known.

Mr. FIELDS. When will these identification cards be ready?

Mr. IRELAND. I have them in my office and they can be secured immediately by any Members who desire them.

Mr. FIELDS. Some gentlemen do not seem to know where the headquarters of the Committee on Accounts are.

Mr. IRELAND. The most important committee in the House has quarters right below the Hall of the House, right across from the restaurant. [Applause.] The gentleman ought to know the location of the restaurant, I assume.

Mr. FIELDS. I know where it is.

Mr. WALSH. If that is what you want to call it.

Mr. IRELAND. I have heard it called other things. I thought I might improve the gentleman's knowledge of the geography of the House, but I see I can not.

Mr. WALSH. The gentleman states there is no difference in the method of using the frank or sending Government messages over the line of the Postal Co.?

Mr. IRELAND. No, sir; the old method remains in vogue.

Mr. WALSH. If Members transfer messages to that company, it will not throw any additional burden upon the Committee on Accounts?

Mr. IRELAND. No, sir.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Craven, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4521) to prevent hoarding and deterioration of and deception with respect to cold-storage foods, to regulate shipments of cold-storage foods in interestate commerce, and for other purposes.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 10963. An act granting the consent of Congress for the construction of a bridge across the Savannah River near Haileys Ferry and between the counties of Anderson, S. C., and Hart, Ga.;

H. R. 9036. An act to repeal and annual certain parts of the charter and lease granted and made to the Washington Market Co. by act of Congress entitled "An act to incorporate the Washington Market Co.," approved May 20, 1870; and

H. R. 10883. An act authorizing the counties of Beaufort, S. C., and Chatham, Ga., to construct a bridge across the Savannah River at or near Savannah, Ga.

VETO MESSAGE—EMERGENCY TARIFF.

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

The Clerk read as follows:

The House of Representatives:

I return herewith without my approval H. R. 15275, an act imposing temporary duties upon certain agricultural products to meet present emergencies, to provide revenue, and for other purposes.

The title of this measure indicates that it has several purposes. The report of the Committee on Ways and Means reveals that its principal object is to furnish relief to certain producers in the Nation who have been unable to discover satisfactory markets in foreign countries for their products and whose prices have fallen. Very little reflection would lead anyone to conclude that the measure would not furnish in any substantial degree the relief sought by the producers of most of the staple commodities which it covers. This Nation has been for very many years a large exporter of agricultural products. For nearly a generation before it entered the European war its exports exceeded its imports of agricultural commodities by from approximately $200,000,000 to more than $500,000,000. In recent years this excess has greatly increased, and in 1919 reached the huge total of $1,904,292,000. The excess of exports of staple products is especially marked. In 1913 the Nation imported 783,481 bushels of wheat valued at $670,931, and in 1920, 35,848,648 bushels worth $75,398,834; while it exported in 1913, 99,508,968 bushels worth $95,098,838, and in 1920, 218,280,231 bushels valued at $596,957,796. In the year 1913 it imported 85,183 barrels of wheat flour valued at $347,877, and in 1920, 800,788 barrels valued at $8,669,300; while it exported in the first year 12,278,206 barrels valued at $56,865,444, and in 1920, 19,853,952 barrels valued at $224,472,448. In 1913 it imported $3,888,604 worth of corn, and in 1920, $9,257,377 worth, while its exports in the first year were valued at $26,515,146, and in 1920, at $26,453,681. Of unmanufactured cotton in 1920 it imported approximately 300,000,000 pounds valued at $138,743,000, while it exported more than 3,179,000,000 pounds, worth over $1,136,000,000.

Of preserved milk in the same year it imported $3,331,812 worth and exported $65,239,020 worth. Its imports in the same year of sugar and wool of course greatly exceeded its exports. It is obvious that for the commodities, except sugar and wool, mentioned in the measure, which make up the greater part of our agricultural international trade, the imports can have little or no effect on the prices of the domestic products. This is strikingly true of such commodities as wheat and corn. The imports of wheat have come mainly from Canada and Argentina and have not competed with the domestic crop. Rather they have supplemented it. The domestic demand has been for specific classes and qualities of foreign wheat to meet particular milling and planting needs. They are a small fraction of our total production and of our wheat exports. The price of wheat is a world price; and it is a matter of little moment whether the Canadian wheat goes directly into the markets of the other countries of the world or indirectly through this country. The relatively small quantity of corn imported into this country has a specialized use and does not come into competition with the domestic commodity.

The situation in which many of the farmers of the country find themselves can not be remedied by a measure of this sort. This is doubtless generally understood. There is no short way out of existing conditions, and measures of this sort can only have the effect of deceiving the farmers and of raising false hopes among them. Actual relief can come only from the adoption of constructive measures of a broader scope, from the restoration of peace everywhere in the world, the resumption of normal industrial pursuits, the recovery particularly of Europe, and the discovery there of additional credit foundations on the basis of which her people may arrange to take from farmers and other producers of this Nation a greater part of their surplus production.

One does not pay a compliment to the American farmer who attempts to alarm him by dangers from foreign competition. The American farmers are the most effective agricultural producers in the world. Their production is several times as great for each worker as that of their principal foreign rivals. This grows out of the intelligence of the American farmer, the nature of his agricultural practices and economy, and the fact that he has the assistance of scientific and practical agencies which in respect to variety of activity, of personnel, and of financial support exceed those of any other two or three nations in the world combined. There is little doubt that the farmers of this Nation will not only continue mainly to supply the home demand but will be increasingly called upon to supply a large part of the needs of the rest of the world.

What the farmer now needs is not only a better system of domestic marketing and credit, but especially larger foreign markets for his surplus products. Clearly measures of this sort will not conduce to an expansion of the foreign market. It is not a little singular that a measure which strikes a blow at our foreign trade should follow so closely upon the action of Congress directing the resumption of certain activities of the War Finance Corporation, especially at the urgent insistence of representatives of the farming interests, who believed that its resumption would improve foreign marketing. Indeed, when one surveys recent activities in the foreign field and measures enacted affecting the foreign trade one can not fail to be impressed with the fact that there is consistency only in their contradictions and inconsistencies. We have been vigorously building up a great merchant marine and providing for improvement of marketing in foreign countries by the passage of an export-trade law and of measures for the promotion of banking agencies in foreign countries. Now it appears that we propose to render these measures abortive in whole or in part.

I imagine there is little doubt that while this measure is temporary it is intended as a foundation for action of a similar nature of a very general and permanent character. It would seem to be designed to pave the way for such action. If there ever was a time when America had anything to fear from foreign competition, that time has passed. I can not believe that American producers, who in most respects are the most effective in the world, can have any dread of competition when they view the fact that their country has come through the great struggle of the last few years, relatively speaking, untouched, while their principal competitors are in varying degrees sadly, stricken and laboring under adverse conditions from which they will not recover for many years. Changes of a very radical character have taken place. The United States has become a great creditor Nation. She has lent certain Governments of Europe more than $9,000,000,000, and as a result of the enormous excess of our exports there is an additional commercial indebtedness of foreign nations to our own of perhaps not less than $4,000,000,000. There are only three ways in which Europe can meet her part of her indebtedness, namely, by the establishment of private credits, by the shipment of gold, or of commodities. It is difficult for Europe to discover the requisite securities as a basis for the necessary credits. Europe is not in a position at the present time to send us the amount of gold which would be needed, and we could not view further large imports of gold into this country without concern. The result, to say the least, would be a larger disarrangement of international exchange and disturbance of international trade. If we wish to have Europe settle her debts, governmental or commercial, we must be prepared to buy from her, and if we wish

to assist Europe and ourselves by the export either of food, of raw materials, or finished products, we must be prepared to welcome commodities which we need and which Europe will be prepared, with no little pain, to send us.

Clearly, this is no time for the erection here of high-trade barriers. It would strike a blow at the large and successful efforts which have been made by many of our great industries to place themselves on an export basis. It would stand in the way of the normal readjustment of business conditions throughout the world, which is as vital to the welfare of this country as to that of all the other nations. The United States has a duty to itself as well as to the world, and it can discharge this duty by widening, not by contracting, its world markets.

This measure has only slight interest so far as its prospective revenue yields are concerned. It is estimated that the aggregate addition to the Nation's income from its operation for 10 months would be less than $72,000,000, and of this more than half would arise from the proposed duty on sugar. Obviously, this and much more can be secured in ways known to the Congress, which would be vastly less burdensome to the American consumer and American industry.

The rates, however, have a peculiar interest. In practically every case they either equal or exceed those established under the Payne-Aldrich Act, in which the principle of protection reached its high-water mark, and the enactment of which was followed by an effective exhibition of protests on the part of the majority of the American people. I do not believe that the sober judgment of the masses of the people of the Nation, or even of the special class whose interests are immediately affected by this measure, will sanction a return, especially in view of conditions which lend even less justification for such action, to a policy of legislation for selfish interests which will foster monopoly and increase the disposition to look upon the Government as an instrument for private gain instead of an instrument for the promotion of the general well being. Such a policy is antagonistic to the fundamental principle of equal and exact justice to all, and can only serve to revive the feeling of irritation on the part of the great masses of the people and of lack of confidence in the motives of rulers and the results of government.

WOODROW WILSON.

THE WHITE HOUSE,
3 March, 1921.

[Applause on the Democratic side.]

HOSPITAL SERVICE FOR EX-SOLDIERS.

Mr. MANN of Illinois. Mr. Speaker, I wish to prefer a unanimous-consent request, which I would like to explain. I think nobody will have opposition to this. This afternoon—only a short time ago—the House unanimously concurred in the Senate amendment to the bill H. R. 15894—the hospital bill. There was an official copy sent from the Senate to the House which was typewritten. There was also subsequently an official copy sent that was printed. The printed copy is correct. In the typewritten copy which the House acted upon the word "material" was left out, where it provides:

The Secretary of War is authorized and directed to transfer without charge to the Secretary of the Treasury for the use of the Public Health Service such mechanical construction and miscellaneous—

"Material" it should be. The word "material" was left out. I ask unanimous consent to reconsider the vote by which we concurred in the Senate amendment, and that we may concur in the amendment of the correct official copy.

The SPEAKER. The gentleman asks unanimous consent to reconsider the vote by which the House concurred in the Senate amendment. Is there objection? [After a pause.] The Chair hears none.

The question now is on concurring in the correct copy. Is there objection? [After a pause.] The Chair hears none.

VETO MESSAGE—TARIFF.

Mr. FORDNEY. Mr. Speaker, I ask unanimous consent that action on the message just read be deferred until after the evening recess and after the eulogies, not to interfere with conference reports.

The SPEAKER. The gentleman asks unanimous consent that the action on the veto message just read be deferred until after the recess this evening. Is there objection?

Mr. GARRETT. Reserving the right to object, are we to understand that at that time the House will be expected to vote?

Mr. FORDNEY. Yes, sir.

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

POINT OF NO QUORUM.

Mr. BLANTON. Mr. Speaker, I make the point of no quorum.

Mr. MANN of Illinois. If the gentleman does that we can not take a recess.

Mr. BLANTON. I withdraw it.

PRINT OF DIGEST AND MANUAL OF RULES, ETC.

Mr. KIESS. 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 708.

Resolved, That there be printed as a House document 2,000 copies of the Digest and Manual of the Rules and Practice of the House of Representatives for the Sixty-sixth Congress, the same to be bound and distributed through the folding room.

The SPEAKER. Is there objection?

Mr. GARRETT. Mr. Speaker, reserving the right to object, this is right at the conclusion of the Sixty-sixth Congress. Why should they be published now?

Mr. KIESS. The idea in publishing them at this time was to have them available for the new Congress when it convenes.

Mr. GARRETT. The gentleman assumes, I suppose, that the rules of the next Congress shall be the same as the rules of this Congress?

Mr. KIESS. Mr. Speaker, I withdraw the resolution.

RECESS.

Mr. MONDELL. Mr. Speaker, it is very near the hour fixed for recess, and I ask unanimous consent that the House now stand in recess until 8 o'clock p. m.

The SPEAKER. The gentleman from Wyoming asks unanimous consent that the House stand in recess until 8 o'clock p. m. Is there objection? [After a pause.] The Chair hears none.

Accordingly (at 5 o'clock and 41 minutes p. m.), the House stood in recess.

AFTER RECESS.

The recess having expired, the House was called to order by the Speaker.

ORDER OF BUSINESS.

Mr. MONDELL. Mr. Speaker, after consultation with gentlemen, I find it will be entirely agreeable to everyone, I believe, to have the regular order preceded by the consideration of the conference report on the sundry civil bill.

The SPEAKER. Without objection, the general order will be postponed until after the consideration of the sundry civil bill. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Iowa [Mr. GOOD] is recognized.

SUNDRY CIVIL APPROPRIATION BILL—CONFERENCE REPORT.

Mr. GOOD. Mr. Speaker, I present a conference report on the bill (H. R. 15422) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes.

The SPEAKER. The gentleman from Iowa presents a conference report, which the Clerk will report.

The Clerk read the conference report, as follows:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 15422) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 2, 5, 6, 7, 11, 16, 21, 22, 28, 31, 32, 33, 34, 35, 36, 37, 38, 39, 76, and 78.

That the House recede from its disagreement to the amendments of the Senate numbered 9, 80, 81, 101, 103, 104, 105, 132, 133, and 134, and agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$3,750,000"; and the Senate agree to the same.

Amendment numbered 87: That the House recede from its disagreement to the amendment of the Senate numbered 87, and agree to the same with an amendment as follows: In line 4 of the matter inserted by said amendment after the word "Vancouver" insert the words "and Seattle"; and the Senate agree to the same.

Amendment numbered 102: That the House recede from its disagreement to the amendment of the Senate numbered 102,

and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,439,300"; and the Senate agree to the same.

Amendment numbered 141: That the House recede from its disagreement to the amendment of the Senate numbered 141, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment amended as follows:

"For expense incident to foreclosing mortgages, conducting sales under deeds of trust, or reacquiring title or possession of real property under default proceedings, including attorney fees, witness fees, court costs, charges, and other miscellaneous expenses, $10,000: *Provided*, That the United States Housing Corporation is hereby authorized to allow as an offset any equitable claim in any collection made against any State or any political subdivision thereof."

And the Senate agree to the same.

Amendment numbered 142: That the House recede from its disagreement to the amendment of the Senate numbered 142, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,110,000"; and the Senate agree to the same.

Amendment numbered 151: That the House recede from its disagreement to the amendment of the Senate numbered 151, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$6,256,390"; and the Senate agree to the same.

Amendment numbered 152: That the House recede from its disagreement to the amendment of the Senate numbered 152, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$7,318,700"; and the Senate agree to the same.

The committee of conference have not agreed upon amendments of the Senate numbered 60, 82, 162, 163, 164, 165, and 166.

JAMES W. GOOD,
WALTER W. MAGEE,
JOSEPH W. BYRNS,
Managers on the part of the House.

F. E. WARREN,
REED SMOOT,
LEE S. OVERMAN,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 15422) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying report as to each of the said amendments, namely:

On No. 1: Strikes out the appropriation of $60,000, proposed by the Senate, for the purchase of property in Salt Lake City, Utah.

On No. 2: Strikes out the authorization of a site for an archives building and the appropriation of $10,000 for the preparation of working drawings for said building, proposed by the Senate.

On No. 5: Strikes out the authorization, proposed by the Senate, to expend $5,000 from the appropriation for repairs and preservation of public buildings for the repair and preservation of structures at Marcus Hook Quarantine Station.

On Nos. 6 and 7, relating to general expenses of public buildings: Restores, as proposed by the House, the limitation of $195,000 on expenditures for the pay of technical employees in the field, proposed by the Senate to be reduced to $170,000; and appropriates $424,600, as proposed by the House, instead of $399,600, as proposed by the Senate.

On No. 8: Appropriates $3,750,000 for operating force, public buildings, instead of $3,800,000 as proposed by the House and $3,700,000 as proposed by the Senate.

On No. 9: Appropriates $625,000 for furniture and repairs of furniture, public buildings, as proposed by the Senate, instead of $700,000, as proposed by the House.

On No. 11: Strikes out the paragraph, inserted by the Senate, directing heads of departments to issue and enforce regulations to prevent smoking in certain portions of Government buildings.

On No. 16: Strikes out the appropriation of $281,345, proposed by the Senate, for improvements and purchasing land at the Coast Guard Academy, New London, Conn.

On Nos. 21 and 22, relating to additional hospital facilities: Strikes out the legislation and the appropriation of $18,600,000, proposed by the Senate, with respect to additional hospital facilities for patients of the Bureau of War Risk Insurance and the Federal Board for Vocational Education, Division of Rehabilitation, and for veterans of the War with Spain, the Philippine insurrection, and the Boxer rebellion, suffering from neuropsychiatric and tubercular ailments and diseases.

On No. 28: Strikes out the appropriation of $300,000, proposed by the Senate, to enable the Public Health Service to assist the States in protecting the military and naval forces against venereal diseases.

On Nos. 31 to 39, inclusive, relating to the Employees' Compensation Commission: Appropriates $3,000, as proposed by the House, instead of $2,750, as proposed by the Senate, for pay of secretary; appropriates $3,500 for pay of chief statistician, as proposed by the House, instead of $3,000, as proposed by the Senate; restores an assistant chief of accounts at $1,600 stricken out by the Senate; restores 2 assistants at $1,600 each, 2 clerks of class 3, 3 clerks of class 2, 7 clerks of class 1, and 1 clerk at $1,000, stricken out by the Senate; and appropriates $124,940, as proposed by the House, instead of $102,590, as proposed by the Senate.

On No. 76: Strikes out the appropriation of $150,000, proposed by the Senate, for continuing improvement of the Willapa River and Harbor, Wash.

On No. 78: Appropriates $6,670,000, as proposed by the House, instead of $8,000,000, as proposed by the Senate, for flood-control work, Mississippi River.

On Nos. 80 and 81, relating to transportation facilities on inland and coastwise waterways: Appropriates in a lump sum for transportation facilities, as proposed by the Senate, instead of by items, as proposed by the House, and increases from $17,680 to $30,000, as proposed by the Senate, the limitation on expenditures for the compensation of civilian assistants in the War Department.

On No. 87: Authorizes the consolidation of the offices of registers and receivers at district land offices at Alliance, Nebr., and Vancouver, Wash., as proposed by the Senate, and also said offices at Seattle, Wash.

On Nos. 101 and 102, relating to the Bureau of Mines: Appropriates $132,000 for enforcing the oil-land leasing act of February 25, 1920, as proposed by the Senate, instead of $50,000, as proposed by the House.

On No. 103: Strikes out, as proposed by the Senate, legislation with respect to the reconveyance of title to land acquired under the reclamation law upon repayment to the United States of the amount paid therefor less amount for damage, if any, as the result of the use thereof.

On Nos. 104 and 105, relating to Alaskan insane: Appropriates $127,000, as proposed by the Senate, instead of $120,630, as proposed by the House, and increases the amount to be paid the Sanitarium Co., of Portland, Oreg., for the care and maintenance of Alaskan insane from $540, as proposed by the House, to $570, as proposed by the Senate.

On Nos. 132 to 134, inclusive, relating to the Bureau of Fisheries: Strikes out, as proposed by the Senate, the appropriations for the compensation of the personnel of the steamers *Osprey*, *Gannet*, and *Phalarope*.

On Nos. 141 and 142, relating to the Housing Corporation: Appropriates $10,000 instead of $20,000, as proposed by the House, for miscellaneous expenses on account of property sold, and authorizes, in connection with the sale of property, the payment of any equitable claim of any State or political subdivision thereof.

On Nos. 151 and 152, relating to the Government Printing Office: Appropriates $6,256,390 for public printing and binding instead of $6,286,890, as proposed by the House, and $5,826,390, as proposed by the Senate.

The committee of conference have not agreed upon the following amendments of the Senate:

On No. 60: Appropriating $10,000,000 on account of nitrate plant.

On No. 82: Amending section 201 (c), transportation act, 1920.

On Nos. 162 to 166, inclusive, relating to the office of the superintendent of documents: Striking out two clerks at $1,600 each, two clerks at $1,400 each, and two clerks at $1,200 each; appropriating $9,100 for salaries and expenses incident to indexing the CONGRESSIONAL RECORD; and striking out the provision charging the superintendent of documents, under the direction of the Joint Committee on Printing, with the duty of preparing, etc., indexes of the CONGRESSIONAL RECORD.

JAMES W. GOOD,
WALTER W. MAGEE,
JOSEPH W. BYRNS,
Managers on the part of the House.

Mr. GOOD. Mr. Speaker, the report is a complete report except on Senate amendment No. 60, for the nitrate plant; amendment No. 82, dealing with inland and coastwise water-

ways; amendments Nos. 162 and 163, which have to deal with the indexing of the CONGRESSIONAL RECORD; amendment No. 164, which deals only with totals; and amendment No. 165, which also has to do with the indexing of the CONGRESSIONAL RECORD and is dependent upon the other amendments above mentioned.

The matters upon which the Senate receded are as follows: Senate amendment No. 1, carried an appropriation of $60,000 to purchase additional property for the Federal building at Salt Lake City, Utah. Inasmuch as the sundry civil bill was built upon the principle that we would not buy any property for public buildings at the present time and would not carry any appropriation for purchasing such property, the Senate conferees were willing in this case to recede, and they have receded.

Senate amendment No. 2 carried an appropriation of $10,000 for preparing plans for an archives building. Sometime in the near future, maybe, we shall erect an archives building in the District of Columbia. The Senate amendment provided that the plans should be drawn to build an archives building on property that has already been purchased for the State and other departments. It was apparent, I think, to everybody who gave even a passing thought to the subject that that property should not be used for such a purpose, and the House conferees refused to recede from its disagreement to the Senate amendment No. 2, and the Senate conferees have receded from that amendment.

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

Mr. GOOD. I yield.

Mr. FESS. Does that mean that the archives building is to go just south of the Post Office Department Building?

Mr. GOOD. No. It rather means that it will not go on the property between Fourteenth and Fifteenth Street on B Street.

Mr. FESS. Then did the committee definitely decide that it is to go between Thirteenth and Fourteenth Streets, which, I think, was the original site?

Mr. GOOD. No; that was not involved, but there is some property in that vicinity under consideration for such purpose.

There have been some very good suggestions made in regard to an archives building. One was to take the old Interior Department Building, which is now used by the Patent Office. It is not a desirable office building. There is an acre of vacant ground in the court within that building. It has been suggested that that be excavated, and that the archives building be made of the old Interior Department Building, which the Government already owns, and that a new modern building, suitable for the use of the Patent Office, should be erected. This might be done.

All that the conferees have done here is to refuse $10,000 to prepare plans for an archives building down on the property that was acquired for the State Department.

Mr. FESS. Was the only objection to the original site the fact that they objected to closing Ohio Avenue? Was that the only objection?

Mr. GOOD. That did not come up in conference. The only thing we had before us was to prepare plans for the one site which had not been acquired for an archives building, but for another purpose. The site that the gentleman refers to is a plot of ground that the Treasury Department desired to purchase and made an estimate for before the committee some time ago.

Mr. WALSH rose.

Mr. GOOD. I yield to the gentleman from Massachusetts.

Mr. WALSH. There are several amendments with reference to the fisheries service. What disposition was made of them?

Mr. GOOD. As to those amendments the House receded and concurred.

Those amendments had to do largely with putting out of commission three of the vessels used at some of our fish hatcheries. In one case the department claimed that the vessel was not safe and that they could not use the vessel at all. In the other two cases the Bureau of Fisheries say that they can get along next year by using their regular force to run the vessels all the time that they will have any need for them. They say that it will not interfere seriously with the operation of those two vessels. I think the Bureau of Fisheries were led to believe that by making that statement they would get an appropriation of $30,000 for making some studies in fishes for food, and the Senate committee were given to understand that if that appropriation was given they might drop these three other appropriations. As I recall, they carry about $6,000 each. I do not have the exact figures in mind. The Senate committee refused to give them the $30,000, and then, after the bureau had said they could get along without these vessels, the Senate cut out these three appropriations.

Mr. WALSH. Was any reduction made by way of amendment in any of the scientific staff of the bureau?

Mr. GOOD. No; no amendment by the Senate affected the Bureau of Fisheries at all, with the exception of the three vessels and crews for the three vessels.

Mr. McKENZIE. Will the gentleman yield?

Mr. GOOD. I yield to the gentleman from Illinois.

Mr. McKENZIE. Does the bill carry the provision for the employment of a scientific experimenter to go out on the Atlantic Ocean and experiment on food fishes?

Mr. GOOD. Yes; the bill that passed the House carried an appropriation increasing the salary of the scientist on the *Albatross*. That boat has been tied up over at Baltimore for about 18 months, and the 90 men aboard that vessel have not been doing anything. The vessel is manned by the Navy Department, and we did increase the salary for the scientist, so that that vessel could be put to sea to make the scientific investigation.

Mr. TILSON. Will the gentleman yield?

Mr. GOOD. Yes.

Mr. TILSON. I note that the Senate recedes on amendment 16, relating to the Coast Guard Academy and the appropriation therefor. Is it the determination of the House committee that this appropriation for this Coast Guard Academy shall not be made?

Mr. GOOD. The only determination the committee came to with regard to that was this: There was no estimate for that academy. The Committee on Appropriations conducted no hearings with regard to it. The Coast Guard Service did not ask for it. They asked nothing for this purpose, and while the bill was pending before the House, and no hearings were had, as I recall, before the Senate, we felt that if they did not need this building last fall, when the estimates were made, they did not need it very badly now and that it could afford to go over temporarily.

Mr. TILSON. Did not the Senate have hearings on it?

Mr. GOOD. I understand the Senate did not have any hearings upon it. At least, there are no hearings printed.

Amendment numbered 5 carries an appropriation of $5,000 for repair and preservation of the structure at Marcus Hook Quarantine Station. This is leased property, and the committee of conference felt that it was not necessary to authorize this expenditure at the present time.

The next amendment on which the Senate receded was amendment numbered 6, on page 8 of the bill.

The House carried a limitation of $195,000 for technical and clerical services in the general expenses of the Treasury Department. This has to do with the drafting service. The Senate cut that to $170,000. When we considered that the hospitals authorized by a bill passed this afternoon would require a great deal of technical and clerical services, and that those services would be paid for out of this appropriation, the Senate were willing to recede and did recede.

Mr. SNELL. Mr. Speaker, may we have order? We can not hear what is being said.

The SPEAKER. The Chair thinks the disorder is not on the floor, but in the galleries, and unless the galleries maintain order they will have to be cleared.

Mr. CRISP. I think there is disorder on the floor as well as in the galleries.

Mr. GOOD. Mr. Speaker, Senate amendment No. 7 is an amendment that had to do with the totals, and inasmuch as the former amendment had not been agreed to, the Senate receded from that amendment.

No. 11 was an amendment put on by the Senate which directed the heads of executive departments and independent establishments of the Government to issue and enforce regulations with regard to smoking. It was contended here in the House that the heads of departments had this authority, and on that amendment the Senate has receded.

Amendment 16 relates to the Coast Guard Academy, and my answer to the gentleman from Connecticut [Mr. TILSON] fully explains that.

Twenty-one and 22 have to do with the provision for hospital facilities, and those amendments were taken care of this afternoon in the agreement which the House made with respect to what is known as the Langley bill. The Senate receded on those amendments.

Amendment 28 is an amendment appropriating $300,000 for venereal diseases. The Senate had already stricken out the provision in the House bill carrying $300,000 for the diseases of man. The Senate receded from its disagreement on that amendment for $300,000 and they have receded on this, leaving the amount, therefore, for the diseases of man carried in the bill at $300,000 and $200,000 carried in the bill for venereal diseases, with $800,000 carried in the Army for recreational

purposes, a part of which is for the same purpose. The Senate receded on that item.

Amendments 31 to 39 are amendments dealing with the Employees' Compensation Commission. The Senate by those amendments reduced the force, and upon discussion it was found that the force could not with safety be reduced. The Senate has receded on those amendments.

Senate amendment No. 76 carried an appropriation of $150,000 for the improvement of the Willapa River. There seemed to be no emergent reason for carrying this appropriation at this time, and the Senate has receded.

No. 78 deals with the Mississippi River. The House bill carried $6,670,000 for improvements in the Mississippi River. The Senate amendment increased this amount to $8,000,000. On this the Senate has receded.

Those are all of the Senate recessions. The House receded on amendment No. 9, which reduced the appropriation for furniture for the public buildings by $75,000.

Amendments numbered 80 and 81 deal with inland water transportation and amend the transportation act. It permits the Government to loan money to municipalities or to States or political subdivisions thereof, and to corporations in order that these improvements may be made in that way if necessary.

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

Mr. GOOD. Yes.

Mr. DENISON. On amendments Nos. 80, 81, and 82, providing for an appropriation for interchangeable terminals, did the House recede and accept the Senate amendments as made to the bill?

Mr. GOOD. On amendments Nos. 80 and 81 the House receded, but on 82 when the conference report is adopted I shall move to recede and concur; 82 is the amendment that has to do with the amending of section 201, subdivision (c) of the transportation act, and as that is legislation, we have brought the item back.

Mr. DENISON. What action does the gentleman propose to take with reference to that?

Mr. GOOD. I propose to move to recede and concur and leave it just as the gentleman from Illinois wants it and as the Senate has already fixed it.

Senate amendment No. 101 increases the appropriation for enforcing the oil leasing act from $50,000 to $132,000. After the House conferees had conducted hearings upon this subject, it became apparent that it would require a larger sum of money than we had provided to enforce the provisions of the oil leasing act. Inasmuch as we are receiving every year several million dollars in revenue from these leases, and this money is expended to see that the Government is protected, the conferees thought that the amount in the Senate amendment was not excessive, and we have receded and concurred in the amendment.

Amendment No. 103 strikes out the legislation to reconvey the title to land acquired under the reclamation act. That was a provision inserted at the request of the Reclamation Service. The Senate conferees thought the language was too broad, and that a strict enforcement of it might place the Reclamation Service in the position of attempting to take land without due process of law or without compensation, and therefore involve the settlers in expensive lawsuits to protect their property. Therefore we have receded and concurred in that amendment.

Amendments 104 and 105 increase the allowance to the sanitarium in Oregon where we care for the insane of Alaska. Under the House provision they were paid not in excess of $540 per year for each person who has committed to their care. The Senate amendment increased that to $570 per year, and in that the conferees have concurred. It makes an additional appropriation of $7,000.

Mr. DENISON. I wish the gentleman would state for the information of the House what the bill carries for hospitalization.

Mr. GOOD. This bill does not carry anything for new hospitals.

Mr. DENISON. What does it carry?

Mr. GOOD. It would have carried $18,600,000; but, when it appeared that this bill might fail, that provision, which was incorporated in the Senate amendment, was taken out of the bill, because the Langley bill was enacted this afternoon carrying $18,600,000, $12,500,000 of which is to erect new hospitals and $6,100,000 for the improvement of existing facilities.

Mr. DENISON. What is the status of the Langley bill now?

Mr. GOOD. It has passed the Senate and the House and has been sent to the President for his signature.

Mr. DENISON. Does the gentleman think that that bill carries a sufficient amount for hospitalization?

Mr. GOOD. It carries a great deal more than the Treasury Department estimates can be expended next year in the construction of hospitals. If we were to appropriate only what can be expended in the next fiscal year, the amount could be reduced by at least four or five million dollars, and it may be more. We carry here the full authorization for the erection of the hospitals.

Senate amendments 132 and 134 have already been explained, in answer to the question by the gentleman from Massachusetts [Mr. WALSH], dealing with fisheries.

Mr. Speaker, I think that covers all of the matters included in the conference report.

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

The question was taken, and the conference report was agreed to.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Amendment No. 60: "Nitrate plant: For continuing construction of locks, dams, power houses, and appurtenances authorized by the national defense act approved June 3, 1916, $10,000,000."

Mr. GOOD. Mr. Speaker, I move that the House further insist on its disagreement to Senate amendment No. 60.

Mr. BYRNS of Tennessee. Mr. Speaker, I make a preferential motion that the House recede from its disagreement to the Senate amendment No. 60 and agree to the Senate amendment. I will state that I do not care for time myself, but the gentleman from Alabama [Mr. ALMON] would like a little time.

Mr. GOOD. How much time does the gentleman want?

Mr. ALMON. Ten minutes.

Mr. GOOD. I will yield 10 minutes to the gentleman from Alabama.

Mr. ALMON. My friends and colleagues, I would not ask for this time at the closing hours of the session if I did not think that this was one of the most important questions that has been before this House for many days. The Government of the United States to-day is engaged in the construction at Muscle Shoals of the greatest dam that has ever been constructed in the world. It is 1 mile long and develops 550,000 horsepower. It is about one-third complete—$17,000,000, and this item is for $10,000,000 more. There are to-day about 5,000 men at work there. They are from every State in the Union, who went there and took their families expecting to continue in the service of the Government for two or three years until this dam is completed; but if this appropriation fails, 20,000 men and women and children, white and colored, will be deprived of a support, many of whom will be without funds sufficient to return to their former homes. About 30,000 will be added to the great unemployed list of to-day. When this item was considered by the House Committee on Appropriations there was a tie vote, and on a vote in the House there was a majority of 11 against it. It was reported favorably by the Senate Committee on Appropriations and passed the Senate by 7 majority. Since then the Senate by a vote of 40 to 31 instructed its conferees to insist on this appropriation.

Oh, but somebody said the other day that the farmers were deceiving themselves and that this would not give them relief. My observation is that the farmers of this day and time are intelligent people. They know what they are doing and they know what they are talking about. Every farmers' organization in the United States, from the Lakes on the north to the Gulf on the south, from the Atlantic to the golden shores of the Pacific, have investigated this proposition. They sent intelligent representatives to Muscle Shoals. They have investigated and studied it, and they have reported that it is the only remedy, it is the only way to get from under the Chilean monopoly. The farmers have been robbed, and robbed all these years by the Chilean nitrate trust. We paid them during the last 29 years $163,000,000 export duty simply for the privilege of having Chilean nitrates sent out of that country to this country. The Chilean Nitrate Commission in Great Britain fixes the price of fertilizer in the United States, and we must look to them and to them alone for nitrogen with which to replenish the soil.

And what do the farmers find to-day with this slump in the prices of agricultural products? Cotton in the South has gone from 35 to 12 cents a pound; corn has gone from $3 to 50 cents and 75 cents a bushel; mules have gone from $300 to $75 and $100; and to-day the farmer, if he gets any fertilizer, will pay as much or more than he ever did before. What is the remedy? The nitrogen experts have said that this is the only remedy in sight. Oh, somebody said that Col. Cooper and Dr. Parsons said that fertilizer could not be made at Muscle Shoals cheaper

than it could be gotten from Chile. The experts have been heard before four different committees of the Congress, and I challenge any man to read all the hearings and find one scintilla of evidence that fertilizer can not be made at Muscle Shoals for about one-half of what the farmers of this country are paying for it to-day. Why, the distinguished chairman of this committee [Mr. GOOD] said that Col. Cooper was not in favor of the use of any of this power at Muscle Shoals for the operation of a nitrogen plant. Col. Cooper said he knew nothing about fertilizer. He said that this great dam ought to be completed; that it would be a national calamity not to do so; and that the Government should then determine what disposition should be made of the power. Col. Cooper says that he will stake his reputation as a hydraulic engineer that the power can be leased or sold for enough to pay 5 per cent interest on the cost of the dam and 5 per cent to operating and maintenance charges even if it cost $50,000,000. When an estimate comes in for $30,000,000 or $50,000,000 for a battleship, or most anything else, it is granted without a word, but when the farmers of this country come here in one solid phalanx and ask Congress to appropriate $25,000,000 or $30,000,000 more to complete a water-power dam at the Government nitrate plant in order to operate the plant economically and give them cheaper and better fertilizer, somebody holds up his hands in holy horror and says that the Government ought not to engage in business in competition with private industry. I want to tell you, my friends, that there is no private capital in this country directly engaged in the manufacture of nitrogen. The only nitrogen that is manufactured in this country is a by-product of the coke oven, and it will be made whether this plant is operated or not.

Somebody said that one engineer said a year ago this dam would cost $25,000,000. That is true. Col. Brown stated it, but in doing so he was considering the development and the installation of 100,000 horsepower, whereas under the present plan that Col. Cooper talked about it provides for the installation of 550,000 horsepower.

The question of whether primary or secondary power should be used to operate the nitrate plant is a question to be determined after the locks and dam are completed and the power installed.

Of the questions which press for attention upon the nations none is more important than the question of nitrates, for nitrogen is the basis of all food supplies and the fundamental necessity in the manufacture of all explosives for military and other purposes.

The Great War brought this subject into prominence, and every nation has been studying the problem and making suitable arrangements to meet its requirements. The United States built the largest and best nitrogen plant in the world during the recent war.

The downfall and disappearance of the great nations of the earth have been due to two causes—it was either their military defeat and overthrow or the exhaustion of their soil, leaving the nation confronted with starvation. Whichever the cause, the remedy is found in an adequate supply of nitrogen, so that this nitrate plant, the greatest nitrate plant in the world, is a national necessity and a national asset, for it points the way to the maintenance of America's supremacy among the nations.

The war has demonstrated beyond dispute that no nation is safe which is dependent upon a foreign supply of nitrogen.

The necessity for the plant, therefore, was both military and agricultural. The military necessity was seen when the program of the War Department called for an expeditionary force in Europe of 80 to 100 divisions. No more reprehensible thing could be imagined than the sending of such a force to face the enemy without an adequate supply of munitions, particularly explosives, and the War Department would have merited the most severe criticism, and more than criticism, if it had failed to provide an adequate supply of ammunition for this great army.

To make these explosives nitrates were required, and the nitrates must come from Chile. There was a shortage of ships, and every vessel that was available was needed in the work of transporting our army and supplies to Europe, and in spite of this pressing need a large number of ships had be to diverted to the work of carrying nitrates.

The military necessity being established, the plant was so located as to have the greatest possible permanent value to this country. It was placed within the safety zone designated by the War College. It was so located as to be surrounded by the necessary raw materials. It was placed where transportation by water and rail in all directions was available, and under favorable conditions of climate, but, more than these, it was so located that after the war there could be developed adjacent to the plant a great water power which would enable this plant to produce agricultural fertilizers at remarkably low cost. The water power was not available during the war, and it was not expected that it would be. A steam-power plant was built for war-time operation, and this steam plant now stands as a most valuable auxiliary to the water power, for it will assist the water-power plant in time of low water and will make commercially available a much larger amount of water power than would otherwise be commercially valuable.

The nitrate plant is completed. It has been tested and is ready to work. If operated, it will be a great asset to the farmer and a blessing to the entire country.

In all lines of commercial activity the great difficulty of the day is the shortage of labor. Even in those plants where the laboring man is paid higher wages than were ever known there has been complaint of shortage, but to the farmer, unable to meet automobile factory wages and short hours, the situation has become almost intolerable, and hundreds of thousands of acres are lying uncultivated in the face of our great needs because of the lack of sufficient labor.

Fertilizers have long been recognized to be the greatest labor-saving device known to the farmer. By their use one man can produce what requires the labor of two men without fertilizer, but there have been two serious limitations in its use. The first is that nitrogen plant food in any form has cost too much for the farmer to use it as liberally as he desires, and the second is that the form in which this fertilizer is sold is such that to secure a ton of useful plant food the farmer has had to carry 7 or 8 tons of material from the factory to his farm.

The nitrate plant points the way to the solution of both of these difficulties, and it is not too much to say that the proper operation of this plant is the initial step in the greatest program of conservation and agricultural development that this country has seen since the establishment of the Reclamation Service.

The agricultural demand for nitrates would be tremendous if the price were low enough. Computations based on the statements of Dr. C. G. Hopkins, the late agronomist in the University of Illinois, have been given in recent testimony, and show that in 1909 the three great cereal crops of America—corn, wheat, and oats—removed from the soil in the grain alone 3,965,000,000 pounds of nitrogen, and the statistics show that in 1909 there was replaced in the soil only 93,000 tons of nitrogen, or less than 5 per cent of the amount which was removed by these three crops alone. To replace the loss of nitrogen due to these three crops by the use of ammonium sulphate, which is the fertilizer compound that the War Department proposes to manufacture at Muscle Shoals, would require about 10,000,000 tons of this ammonium sulphate. The demand for this material, therefore, is practically without a limit if it can be supplied cheaply enough.

The high price of nitrogen in the United States is not due to a lack of nitrogen but a lack of available nitrogen. The principal source of available nitrogen is in the form of ammonium sulphate produced by the by-product coke ovens, which in 1909 produced 188,000 tons. This supply is limited, and will always be limited, because it is a by-product of coke, made in a certain kind of oven, and the amount of coke made depends upon the demands of the iron and steel industry. It is true that the oven capacity in the United States has been greatly increased because of the war-time demands for iron and steel, but only a portion of those ovens are being operated, or will be operated, until we again have such a tremendous abnormal production of iron and steel as existed in this country during the war. Other sources of nitrogen are the so-called organic materials, including cottonseed meal, bone and blood meal, tankage, and so forth, but these materials command a high price as feed for live stock, and have almost entirely left the fertilizer market. But there is a source of nitrogen in the United States that is literally inexhaustible. Above every square mile of the earth's surface, according to the Bureau of Soils, there are 21,683,200 tons of nitrogen. This is sufficient to supply the world's requirements, at the war-time rate of consumption, for 27 years. To exhaust this nitrogen by fixation methods in the great plant at Muscle Shoals would be as impossible a task as to bail out the ocean with a tin dipper.

The necessity for fertilizer is felt in every State in the Union and its use is widespread and rapidly growing. It is a most significant fact that during the last few years those States which had previously used the least fertilizer are showing the greatest gains in its consumption. For example, during the period of eight years, from 1911 to 1918, inclusive, the State showing the greatest gain in 1918 over 1911 is South Dakota, with a gain of 1,150 per cent. Other States in which fertilizer consumption is rapidly growing are the Mississippi Valley States—Minnesota, where the gain was 250 per cent; Okla-

homa, 212 per cent; Wisconsin, 200 per cent; Iowa, 150 per cent; Missouri, 122 per cent; and Arkansas, 121 per cent. The Eastern States continue to use increasing amounts, the increase in Delaware being 216 per cent and in Connecticut being 200 per cent, while on the Pacific coast the State of Washington showed an increase of 208 per cent and Oregon 100 per cent.

As a result of these increases our dependence upon Chile has increased tremendously. In 1868 the United States imported 8,230 long tons of Chilean nitrate. In 1909, which was also a peace-time year, the imports were 1,346,679 long tons, an increase of 16,240 per cent. Since 1876 this country has paid Chile in export duty about $165,000,000 for this essential material, and the cost at American ports, which as late as 1899 was only about $36.80 per ton, in 1919 was about $85 per ton, an increase of 133 per cent in 20 years.

The output of this plant will not compete with the product of any domestic private industry whose principal product is nitrogen fertilizer. The present source of nitrates for fertilizer in the United States are the coke ovens, and it has been testified by competent authority that the cost of ammonium sulphate to these producers is about $25 per ton. It has been further testified that the price at which the Government proposed to sell this fertilizer is $65 per ton, and it would seem to any reasonable person that a profit of $40 on an article costing $25 should be sufficient to suit even the United States Steel Corporation, which is the principal by-product operator. Another source of nitrogen compounds is cottonseed meal, but as has been stated, this material, together with the other organic ammoniates, is being used for feed for live stock and practically out of the fertilizer market. Furthermore, these materials are a by-product of the cottonseed oil and meat-packing interests, with which interests the Members of this House are well acquainted. The other sources of nitrogen fertilizers are Chilean nitrate and cyanamide, neither of which is produced in the United States. It is true that cyanamide is manufactured on the Canadian side of Niagara Falls by the company which built the Muscle Shoals plant, but this company is protected by a royalty on every ton of the Muscle Shoals product, which royalty will pay them about 10 per cent on the testified value of their plant. Ammunition has been made by a plant at Syracuse to utilize the so-called Haber process, but authorities state that this process is not even commercialized in Germany, the only country in which it has reached successful development. In Germany, under war-time pressure, this process was successfully operated, but it is stated by expert scientists that the Haber process of fixing nitrogen is the most difficult technical process known to industry.

And so we have these private interests arrayed on one side and the national farmers' organizations, without exception, on the other side. These farmers maintain that if it is a proper Government activity to promote agriculture in this country by supplying what is needful to agriculture in the West, it is a proper Government activity to provide that which is needful in the East, and if it is good government to compete with private interests in supplying water to lands, as is done in the irrigation districts of the West, it is equally good government to provide plant food to meet the needs of the East.

The future of this plant promises more than simply nitrogen fertilizers, for the great hydroelectric power at Muscle Shoals will supply the fundamental requirements for producing concentrated compounds of phosphoric acid and potash, as well as nitrogen, by the modern method of the electric furnace. As the Department of Agriculture has recently pointed out, by use of cheap power in electric furnaces not only can nitrogen of the air be made available as a fertilizer but the phosphoric acid in the Tennessee phosphate rock and the potash of our southern shales and slates can be concentrated so that compounds can be formed containing 70 per cent or more of plant food, as against 12 or 14 per cent in our present compounds.

As developed to-day, the electric furnace represents a series of industries which are in themselves directly monopolies. How much do any of us know regarding the secrets of manufacture of that most valuable modern product, metallic aluminum? The policy of the company which manufactures this product is absolute secrecy. And while it is not my purpose to contend this is an improper policy as regards aluminum, I do contend most emphatically that the methods of making those materials which feed our soils—the soils which feed our people—are too fundamental in the economic structure of the country to be concealed within the secret process rooms of any private corporation.

It has been testified in a recent hearing that one of our great establishments which manufactures dyestuffs employs 460 chemists, constantly working for the improvement of their processes and the development of new ones. For whose benefit do these chemists work? The answer is self-evident—for the benefit of those who employ them and no one else.

To follow the recommendations of Mr. GRAHAM's committee and turn this plant over to private interests is to decide that the improvements and the developments of these fundamental materials upon which our supply of foodstuffs and clothing so largely depend shall be guarded in a private laboratory for the private benefit of the lessee of this great plant. The farmers of the country, in their statement before the Committee on Agriculture, have contended that a laboratory, greater than that of Germany's nitrate monopoly, should be established in connection with this plant, and that there should be employed in the interest of agriculture more chemists than has Germany or any other country, and in this contention I most heartily concur, but if the farmers are to have the benefit of these improvements then these chemists must work for the farmer. The farmer can not maintain such a plant, and therefore, if he is to have the benefit, the Government must do it.

The fixation of nitrogen and the development of electric-furnace fertilizers are embryo industrial arts which are in their earliest infancy. That they will be improved and developed in a large way is beyond question, but it is up to this Congress to say whether these improvements shall be made by a few private concerns and the advantages secured by a few special interests, or whether these improvements shall be placed at the disposal and to the advantage of the American farmer.

England has no such fixation plant as we, but they propose to have one, and it will be a great cyanamide plant using the same process that we have already established. France, Italy, Canada, Japan, and Norway have all adopted a forward-looking policy in this particular, and are spending large sums to do precisely what is contemplated by the War Department, and as is well known the Central Powers, and Germany in particular, have outdistanced all civilization in their wonderful accomplishments in this field. America can not afford to be laggard among the nations in these important developments.

It may be argued, and in fact it has been argued, that the product of this plant will not be sufficient to affect the price of fertilizers as to bring about the great results which we foresee, but those who are in the best position to know have stated in recent testimony that the operation of this plant, according to the plans of the War Department, will mean the general reduction in price of nitrate fertilizers, and may possibly drive the Chilean product out of our market. There is a world competition coming in this line, and we are bound to face it. Shall we face it prepared with product of our own equal to those produced by any nation, or shall we idly sit by and see ourselves outstripped in this fundamental requirement of national preparedness and agricultural prosperity?

In conclusion, the nitrate program made necessary by our war-time needs was a blessing in disguise, and among the assets left over from the war it occupies the foremost position, for it provides us not only with a domestic source of explosives upon which we may rely with utmost confidence in time of war, but it makes possible a program by means of which this Nation can maintain the fertility of the soil and can largely increase the effectiveness of farm labor and assist in the solution of this great problem, while its future promises to lead to scientific developments which will have a most far-reaching benefit in every section of the country.

As the farmers' representatives have so well said in a recent hearing, the nitrate plant opens the way to greater production and greater prosperity on the farm through the development of modern electric-furnace fertilizers. To refuse to adopt such a plan as that proposed is to close this door of opportunity in the face of our present needs and turn the key over to private interests.

Let this great dam be completed, and the Congress can then determine upon a policy as to operation of the plant so as to give the farmers cheaper and better fertilizer and preserve the plant for munition purposes in the event of a military emergency. [Applause.]

Mr. GOOD. Mr. Speaker, I yield five minutes to the gentleman from Tennessee [Mr. BYRNS].

Mr. BYRNS of Tennessee. Mr. Speaker, I have no intention of undertaking to discuss the merits of the proposition before the House. It could not be done in five minutes. Every Member here is well acquainted with the proposition. It has been discussed a number of times. I have asked for this time more particularly for the purpose of correcting a statement which was made by my friend, the chairman of the committee [Mr. GOOD], the other day in the heat of argument, when he unintentionally did a very great injustice to prominent citizens in Alabama and Tennessee in the statement that the printed brief

which was published and placed in the hands of every Member of Congress with reference to Muscle Shoals and its possibilities had been prepared and paid for by the Alabama Power Co.

I hold in my hand two telegrams, which I desire to read to the House, correcting that statement. One is addressed to me and signed by Maj. E. B. Stahlman, a prominent and distinguished citizen of Nashville, Tenn. It reads as follows:

NASHVILLE, TENN., *February 28, 1921.*

JOSEPH W. BYRNS, M. C.,
Washington, D. C.:

Chairman GOOD'S charge that the splendid brief designated as America's Gibraltar was propaganda put forth by the Alabama Power Co. and paid for by that company is without a shadow of justification. Muscle Shoals Association, which has its headquarters in Nashville, Tenn., had this splendid brief printed in Nashville. The towns of Chattanooga, Memphis, Florence, and Nashville furnished the money to pay for the preparation and printing of this brief, and also to meet all other expenses of the Muscle Shoals Association. The Alabama Power Co. did not contribute a farthing.

The other telegram which I hold in my hand is addressed to my friend and colleague, the Hon. SAM R. SELLS, from the State of Tennessee. It is signed by Hon. C. H. Huston, a distinguished and prominent citizen of Chattanooga, Tenn. It reads as follows:

CHATTANOOGA, TENN., *February 28, 1921.*

Hon. SAM R. SELLS,
House Office Building, Washington, D. C.:

Notice in Friday's CONGRESSIONAL RECORD Chairman GOOD makes unchallenged statement that Muscle Shoals brief was paid for by Alabama Power Co. Insidious and selfish interests seem to be at work in opposition to Muscle Shoals and they have evidently taken advantage of the unusual pressure under which the Appropriations Committee has been laboring by supplying that committee with information unqualifiedly false. I was treasurer of the Muscle Shoals Association and handled from the original subscribers every dollar used in connection with the Muscle Shoals brief. The Alabama Power Co. neither directly nor indirectly contributed to this expense, but the money came in small sums from hundreds of citizens of the Tennessee Valley who supported this meritorious project just as they support other civic activities. After brief was prepared and paid for out of the funds collected from public-spirited citizens, men of national prominence, entirely nonpartisan, and with no selfish interests at stake, presented this brief to the President and Members of Congress. Chairman GOOD has simply been misled, and I am sure will be glad to have this statement appear in the RECORD.

C. H. HUSTON.

Now, gentlemen, the proposition before you is simply this: The conference committee has agreed upon the amendments to the sundry civil bill, with the exception of this one amendment and two others, and the chairman of the committee has announced that he intends to move that the House concur in those other Senate amendments. The adoption of this particular amendment will not in any sense send this bill back to conference, but, on the contrary, it closes the issue.

The SPEAKER. The time of the gentleman from Tennessee has expired.

Mr. BYRNS of Tennessee. Will the gentleman yield me two more minutes?

Mr. GOOD. I will yield the gentleman two minutes more.

Mr. BYRNS of Tennessee. And it passes the sundry civil bill for the next fiscal year.

You know what the result was in the other end of this Capitol when the vote was taken on this proposition. The vote there was 40 to 31 in favor of insisting upon this amendment. If you vote down the motion to concur in this amendment, this bill must go back to the Senate, and if the Senate by the same majority or any majority shall determine to insist upon its amendment, then you are in the position of this bill going to conference again, and, since only a few hours remain between now and adjournment, it will be impossible for it to become a law. It carries an appropriation of millions of dollars for irrigation purposes; it carries more than $200,000,000 for the soldiers. I wish to appeal to all of you in the interest of millions of farmers who are asking Members to pass this bill because they believe it to be in their interest. I appeal to you in the interest of the Treasury of the people, because there is involved in this the question of whether you will absolutely sacrifice every dollar of the $17,000,000 already expended in the construction of this dam, or whether you will continue the completion, which, as Col. Cooper says, will enable the Government to realize 10 per cent gross on the entire investment. That is the proposition that is before this House, and I hope you will concur in the amendment. [Applause.]

Mr. GOOD. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. MANN].

Mr. MANN of Illinois. Mr. Speaker, in order for the House to understand my position at this time upon this matter it is necessary to consider the parliamentary situation. When this bill passed the Senate with Senate amendments, the Senate asked for a conference. The House agreed to the conference and the bill went to the conference. The bill came back from the conference, and the House disposed of the conference report and a number of Senate amendments but did not ask for a further conference. The House that agrees to a conference has possession of the papers during the conference or, at least, acts upon the conference report. And this bill was in this situation: The conferees between the House and the Senate could not reach an agreement. The papers were in the possession of the chairman of the House conferees, and he, exercising the power that had been conferred upon him by the House, did what probably I would have done if I had been in his position, from his standpoint, proposed to hold the papers and let the bill die unless he could be sure that the Muscle Shoals proposition would not be reversed in the House. There the bill stood for a day or two, at least, during the last three or four days of the session. And this morning it seemed to me perfectly apparent that the sundry civil bill was dead unless some of us on the Republican side of the House who believed in the Muscle Shoals proposition, who had voted for the Muscle Shoals proposition, would take a back track at this particular time. The Republicans of the House have the majority. We have the responsibility of the legislation. The sundry civil bill carries large sums of money, vast expenditures of great interest to the country, of great importance to the country. I could not see how the killing of the sundry civil bill would help the Muscle Shoals proposition any.

It would not be in the law, because there would be no law. I was not willing to place myself in the position where, because I could not have my way about a particular proposition, I would help to kill the great appropriation bill. [Applause.]

And this morning I went to the Republican leader and to Mr. GOOD, of Iowa, and said to them that I would consult as far as I could with the Republican Members who voted for the Muscle Shoals proposition, and who believed, as I believed, that it ought to be passed, and would advise them, as far as my advice went, that we could afford to say, in order to get the sundry civil bill again before the House, that we would vote to further insist upon disagreement, so that possibly the bill might become a law without the Muscle Shoals proposition.

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. GOOD. Mr. Speaker, I yield five minutes more to the gentleman.

Mr. MANN of Illinois. I think the Republicans of the House have made a great mistake on the Muscle Shoals proposition. [Applause.] I shall not cease, so far as I am concerned—and I think I speak for those Republicans who voted for this proposition—we will not cease in the future to endeavor to have the Government proceed with this great work, which is of such great value to the farmer and the orchard grower. [Applause.] I will do all within my power in the future, but I have agreed if this bill came before the House at this time, for the purpose of saving the bill, to vote temporarily against the Muscle Shoals proposition, and a number of the other Republicans in the House who feel as I do have authorized me to make the same statement in their behalf as an excuse for the action we take, without any backward step on what we believe is the merit of the proposition. [Applause.]

Mr. GOOD. Mr. Speaker, the House conferees had a clear duty to perform. One hundred and ninety Members on this side of the House had voted against Muscle Shoals. One hundred and ninety men on this side of the House desired to be "shown" that an expenditure of $33,000,000 or more on the Wilson Dam at Muscle Shoals was a justifiable expenditure. These men desired to be "shown" that the $12,500,000 more for Muscle Shoals, pending in another bill, would be a justifiable expenditure out of the Treasury of the United States. We believe that the incoming administration will make an investigation and determine that proposition. When the House conferees were sent to conference we were sent there to carry out the will of the House; and in that we have attempted as best we could to perform that obligation.

At all times there was a disposition on the part of the conferees of the House to bring back a conference report with the Senate receding on the Muscle Shoals amendment, with the gentleman from Tennessee [Mr. BYRNS] not signing the conference report and able then to stand in his place, under the rules of the House, to make a motion to recommit the conference report and agree to Muscle Shoals.

That would have brought the issue as we have it now. When we were holding the papers there were involved hospitals for the soldiers. That is not in the bill now. We have this great proposition now of further insisting on our disagreement or of receding and concurring in the Senate amendment and appropriating for this expenditure.

Some complaint has been made in another Chamber because the House conferees "picked up their hats and carried away the papers." Mr. Speaker, we did carry away the papers.

When this House intrusted even us with papers carrying appropriations of $384,196,760.41, we kept the faith; we performed our duty. [Applause on the Republican side.] We kept the papers, and we have brought them back with credit to the House. We protected the Treasury of the United States against this attempted steal at this time. [Applause on the Republican side.]

Mr. CLARK. Mr. Speaker, will the gentleman permit me to ask him a question?

Mr. GOOD. Yes.

Mr. CLARK. The gentleman speaks of taking care of the soldiers. I want to ask him if it is not a fact that the Committee on Public Buildings and Grounds reported a hospitalization bill last June, and that it has been on the calendar ever since, and the gentleman's party has not seen fit to bring it up until this day?

Mr. GOOD. Oh, the gentleman is mistaken about that. The Langley bill passed, I think, at least two or three weeks ago, went to the Senate, and was incorporated in the Senate bill.

Mr. CLARK. Oh, no; the original bill we reported on the 3d of last June.

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

Mr. GOOD. No; I regret I can not yield.

I want to say that I am advised by the Senate conferees that if the House to-night insist upon its disagreement, the Senate will then recede from Senate amendment No. 60.

Mr. BYRNS of Tennessee. The gentleman makes that statement. I would like to know by what authority 1 or 2 or even 3 conferees can bind 40 independent Senators?

Mr. GOOD. I do not know as to that, but that statement was made many times in conference, as the gentleman knows, by the Senate conferees.

Mr. Speaker, I move the previous question.

The SPEAKER. The gentleman moves the previous question.

The previous question was ordered.

The SPEAKER. The question recurs on the motion of the gentleman from Tennessee [Mr. BYRNS] that the House recede and concur in the Senate amendment.

Mr. BYRNS of Tennessee. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 144, nays 207, answered "present" 4, not voting 72, as follows:

YEAS—144.

Almon	Davey	Lanham	Robinson, N. C.
Ashbrook	Davis, Tenn.	Lankford	Romjue
Aswell	Dickinson, Mo.	Larsen	Rouse
Ayres	Dominick	Lazaro	Rucker
Babka	Doremus	Lea, Calif.	Sabath
Bankhead	Drane	Lee, Ga.	Sells
Barbour	Dupré	Lesher	Sherwood
Barkley	Eagan	Linthicum	Sims
Bee	Eagle	McAndrews	Sisson
Bell	Evans, Mont.	McClintic	Small
Benson	Ferris	McDuffie	Smithwick
Black	Fields	McKeown	Steagall
Bland, Mo.	Fisher	Major	Stedman
Bland, Va.	Flood	Mansfield	Stephens, Miss.
Blanton	Ganly	Martin	Stevenson
Bowling	Gard	Mays	Sumners, Tex.
Box	Garrett	Milligan	Swope
Brand	Godwin, N. C.	Minahan, N. J.	Tague
Briggs	Harrison	Montague	Taylor, Ark.
Brinson	Hastings	Moore, Va.	Taylor, Colo.
Brumbaugh	Hayden	Neely	Taylor, Tenn.
Byrnes, S. C.	Hoey	Nelson, Mo.	Tillman
Byrns, Tenn.	Holland	Nicholls	Upshaw
Campbell, Pa.	Howard	O'Connell	Venable
Cantrill	Huddleston	O'Connor	Vinson
Carew	Hudspeth	Oldfield	Weaver
Carss	Hull, Tenn.	Oliver	Welling
Carter	Humphreys	Overstreet	Welty
Casey	Igoe	Parrish	Whaley
Christopherson	Jacoway	Phelan	Wilson, La.
Clark	James, Va.	Quin	Wilson, Pa.
Cleary	Johnson, Ky.	Rainey, Henry T.	Wingo
Coady	Johnson, Miss.	Raker	Woods, Va.
Collier	Jones, Tex.	Randall, Calif.	Wright
Crisp	Keller	Rayburn	Yates
Curry, Calif.	Kincheloe	Riordan	Young, Tex.

NAYS—207.

Ackerman	Campbell, Kans.	Dickinson, Iowa	Fordney
Anderson	Cannon	Dowell	Foster
Andrews, Md.	Chindblom	Dunbar	Frear
Andrews, Nebr.	Cole	Dunn	Freeman
Bacharach	Cooper	Dyer	French
Begg	Copley	Echols	Fuller
Benham	Cramton	Edmonds	Gallivan
Bland, Ind.	Crowther	Elliott	Glynn
Boies	Cullen	Elston	Good
Bowers	Currie, Mich.	Esch	Goodall
Brooks, Ill.	Dale	Evans, Nebr.	Goodykoontz
Brooks, Pa.	Dallinger	Fairfield.	Gould
Browne	Darrow	Farr	Graham, Ill.
Burdick	Davis, Minn.	Fess	Green, Iowa
Burroughs	Dempsey	Fish	Greene, Mass.
Butler	Denison	Focht	Greene, Vt.
Griest	Lampert	Ogden	Smith, N. Y.
Hadley	Langley	Olney	Snell
Hardy, Colo.	Layton	Osborne	Steenerson
Harreld	Lehlbach	Paige	Stephens, Ohio
Hawley	Little	Parker	Strong, Kans.
Hays	Longworth	Patterson	Strong, Pa.
Hernandez	Luce	Perlman	Summers, Wash
Hersey	Lufkin	Peters	Sweet
Hickey	McArthur	Porter	Swindall
Hicks	McGlennon	Purnell	Temple
Hill	McKenzie	Radcliffe	Thompson
Hoch	McLaughlin, Mich.	Ramsey	Tilson
Houghton	McLaughlin, Nebr.	Ramseyer	Timberlake
Hulings	McLeod	Randall, Wis.	Tincher
Hull, Iowa	McPherson	Ransley	Towner
Husted	MacGregor	Reber	Treadway
Hutchinson	Madden	Reed, N. Y.	Vaile
Ireland	Magee	Reed, W. Va.	Vestal
James, Mich.	Mann, Ill.	Rhodes	Voigt
Jefferis	Mapes	Ricketts	Volk
Johnson, S. Dak.	Mason	Riddick	Volstead
Johnson, Wash.	Mead	Robsion, Ky.	Walsh
Jones, Pa.	Merritt	Rogers	Walters
Kearns	Michener	Rose	Ward
Kelley, Mich.	Miller	Rowe	Watson
Kelly, Pa.	Monahan, Wis.	Sanders, Ind.	Webster
Kendall	Mondell	Sanders, N. Y.	Wheeler
Kennedy, Iowa	Moore, Ohio	Schall	White, Kans.
Kennedy, R. I.	Moores, Ind.	Scott	White, Me.
Kiess	Morin	Shreve	Williams
King	Mott	Siegel	Wilson, Ill.
Kinkaid	Mudd	Sinclair	Winslow
Kleczka	Nelson, Wis.	Sinnott	Wood, Ind.
Knutson	Newton, Minn.	Slemp	Young, N. Dak.
Kraus	Newton, Mo.	Smith, Idaho	Zihlman
Kreider	Nolan	Smith, Ill.	

ANSWERED "PRESENT"—4.

Crago	Goldfogle	Smith, Mich.	Wason

NOT VOTING—72.

Anthony	Emerson	Lonergan	Rodenberg
Baer	Evans, Nev.	Luhring	Rowan
Britten	Gallagher	McCulloch	Rubey
Buchanan	Gandy	McFadden	Sanders, La.
Burke	Garner	McKiniry	Sanford
Caldwell	Goodwin, Ark.	McKinley	Scully
Candler	Graham, Pa.	Maher	Sears
Caraway	Griffin	Mann, S. C.	Snyder
Classon	Hamill	Moon	Steele
Connally	Hamilton	Mooney	Stiness
Costello	Hardy, Tex.	Murphy	Stoll
Dent	Haugen	Padgett	Sullivan
Dewalt	Hersman	Park	Thomas
Donovan	Johnston, N. Y.	Pell	Tinkham
Dooling	Juul	Pou	Vare
Doughton	Kahn	Rainey, Ala.	Watkins
Drewry	Kettner	Rainey, John W.	Wise
Ellsworth	Kitchin	Reavis	Woodyard

So the motion to recede and concur was rejected.

The Clerk announced the following additional pairs:

On this vote:

Mr. DENT (for) with Mr. KAHN (against).

Mr. RAINEY of Alabama (for) with Mr. GALLAGHER (against).

Mr. PADGETT (for) with Mr. WASON (against).

Mr. POU (for) with Mr. WOODYARD (against).

Mr. EVANS of Nevada (for) with Mr. ANTHONY (against).

Mr. CRAGO (for) with Mr. VARE (against).

Mr. BUCHANAN (for) with Mr. SULLIVAN (against).

Mr. RUBEY (for) with Mr. MCKINLEY (against).

Mr. BURKE (for) with Mr. SANFORD (against).

Mr. CONNALLY (for) with Mr. ROWAN (against).

Mr. JOHN W. RAINEY (for) with Mr. DOOLING (against).

Mr. KITCHIN (for) with Mr. BRITTEN (against).

Mr. GARNER (for) with Mr. HAMILTON (against).

Mr. SEARS (for) with Mr. COSTELLO (against).

Mr. THOMAS (for) with Mr. PELL (against).

Until further notice:

Mr. RODENBERG with Mr. CARAWAY.

Mr. REAVIS with Mr. PARK.

Mr. MURPHY with Mr. HARDY of Texas.

Mr. MCCULLOCH with Mr. STOLL.

Mr. SNYDER with Mr. WATKINS.

Mr. TINKHAM with Mr. WISE.

Mr. STINESS with Mr. HERSMAN.

Mr. JUUL with Mr. MOON.

Mr. ELLSWORTH with Mr. DREWRY.

Mr. GRAHAM of Pennsylvania with Mr. KETTNER.

Mr. EMERSON with Mr. DONOVAN.

Mr. HAUGEN with Mr. GRIFFIN.

Mr. SMITH of Michigan with Mr. MAHER.

Mr. BAER with Mr. GANDY.

Mr. LUHRING with Mr. DOUGHTON.

Mr. MCFADDEN with Mr. GOODWIN of Arkansas.

Mr. CLASSON with Mr. MCKINIRY.

The SPEAKER. The question is on the motion of the gentleman from Iowa [Mr GOOD] that the House further insist on its disagreement.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment numbered 82: Page 73, line 21, strike out the figures "1920" and insert:

"1920: *And provided further*, That section 201 (c), transportation act, 1920, be amended by striking out the words 'whose constitution prohibits the ownership of such terminal facilities by other than the State or a political subdivision thereof,' and insert in lieu thereof the following: 'municipality or transportation company; or to expend such moneys for necessary terminal improvements and facilities upon property leased from States, cities, or transportation companies under terms approved by the Interstate Commerce Commission, or otherwise, in accordance with any order rendered by said commission under subheading (a), paragraph 13, section 6, interstate commerce act.'"

Mr. GOOD. Mr. Speaker, I move that the House recede from its disagreement to Senate amendment 82 and concur therein.

The motion was agreed to.

Mr. GOOD. I ask unanimous consent that we next consider Senate amendment 165. The reason for this is that Senate amendment 162 and Senate amendment 163 depend upon what we do with regard to Senate amendment 165.

Mr. LANKFORD. I object.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment numbered 162: Page 179, line 124, strike out "two at $1,600 each."

Mr. MANN of Illinois. I suggest to the gentleman from Iowa that he ask unanimous consent to consider these three amendments together. They are all interdependent.

Mr. GOOD. I ask unanimous consent that amendments 162, 163, and 165 be considered at the same time.

The SPEAKER. Is there objection?

Mr. LANKFORD. I object.

Mr. GOOD. I move to recede and concur in Senate amendment 162.

Mr. BYRNS of Tennessee. Mr. Speaker, I do not wish to take up the time of the House, but I hope you will hear me for two or three minutes while I explain what is involved in this amendment.

At the present time the CONGRESSIONAL RECORD is indexed at an expense to the Government of many thousands of dollars. I forget the exact figures, but I have heard it estimated as high as $17,000 to $30,000 a year. It is paid for at so much per page.

The House Committee on Appropriations reported to the House a proposal to do away with that system. They did this with the thorough approval of the gentlemen from Pennsylvania [Mr. KIESS], the chairman of the House Committee on Printing, who came before the committee and requested that it be done. It was proposed to give the superintendent of documents the authority to index the CONGRESSIONAL RECORD. That was done by a provision carried in this bill, and the committee recommended to the House that five additional cataloguers be allowed to the superintendent of documents in order to enable him to do this work, at an expense of a little over $6,000 a year. The superintendent of documents was before the committee complaining that for the work he then had on hand, his current work, he did not have a sufficient number of cataloguers; but the statement was made that if this was done and he was allowed five additional cataloguers to index the RECORD he could use those cataloguers in the recess of Congress and possibly be able to get along without an additional number of cataloguers for his regular work. These cataloguers were to be under the civil service. It went to the Senate and the Senate struck out the House provision and undertook to create four new positions outside of the civil service, one of them, a chief indexer, at $3,000 a year, another at $2,500 a year, and two cataloguers at $1,800 a year each. I do not know what the chief indexer is going to do. He has got three cataloguers, one of whom is paid $2,500. You gentlemen on that side and on this side were elected to this Congress on a platform of economy. Here you are proposing to create four noncivil-service positions, one paying $3,000 and another $2,500. Under the House provision you can have the same work done by five civil-service employees in the office of the superintendent of documents, getting $1,600 and $1,400 apiece, and who will do other Government work when Congress is in recess and the RECORD is not being printed. That is the whole proposition, and I appeal to you in the interest of economy not to create these new positions, which I presume will be under the appointment of the chairman of the Senate Committee on Printing.

Mr. MANN of Illinois. I am not so much interested in what it costs as I am in knowing whether we will get a decent index of the RECORD.

Mr. BYRNS of Tennessee. I do not think there is any question but that the index made by the superintendent of documents will be just as good an index. I am sure that the gentleman from Illinois approved of the proposition when it went through the House, because I have been here 12 years and I think I never saw an appropriation bill pass through the House that the gentleman from Illinois was not familiar with every line and syllable of it.

Mr. MANN of Illinois. I thought when it went through the House that they could not make it any worse than it is now, but what I want to know is, Will the Senate amendment make it any better?

Mr. BYRNS of Tennessee. Does the gentleman think it will make it any better?

Mr. MANN of Illinois. I do not know.

Mr. BYRNS of Tennessee. We will have these new positions, but there is no guaranty that these appointees will know anything about cataloguing. Certainly, we have control of the superintendent of documents and can see to it that the indexing is properly done. That is the reason I am opposed to the motion of the gentleman from Iowa. I do not believe we should create new offices to be filled by some one man, without regard to the civil service, and especially when it is going to cost more money to do so.

Mr. GOOD. The only thing remaining in the conference report are these items. Personally I would prefer the House bill, but the House conferees thought that $1,600 was not sufficient salary. The Senate amendment carries $9,100, as against an appropriation of about $30,000 during the time that the gentleman's party was in power. Strange, indeed, that they should have made no complaint then against men receiving high salaries for indexing, one of whom received more than $12,000 a year. Under Republican administration we propose to cut down those salaries.

Mr. BYRNS of Tennessee. The gentleman says "under Republican administration." The Republicans have been in power for the last two years, and I submit that they operated under the same old plan.

Mr. GOOD. The gentleman's party was in power a good many years and there was not a thing said against it.

Mr. BYRNS of Tennessee. Let us be entirely fair; this is not a partisan question.

Mr. GOOD. The gentleman himself raised the partisan question.

Mr. BYRNS of Tennessee. Oh, no; there is nothing partisan in this. The gentleman knows that this same practice prevailed when the Democrats came into power, and that the Republican Party has continued that practice during the past two years.

Mr. GOOD. I think I have the floor, or a part of it [laughter], and I want to answer the gentleman by saying that the gentleman said that we had created new positions here that were not civil-service positions——

Mr. BYRNS of Tennessee. Is not that true?

Mr. GOOD (continuing). Leaving the inference that we came into power and were playing politics, when all along during all the time the gentleman's party was in power you never said a single word against the appropriation for this purpose when it amounted to more than $18,000 and the Senate amendment is only $9,100.

Mr. BYRNS of Tennessee. Was not my statement that this creates four new positions outside of the civil service true?

Mr. GOOD. Yes.

Mr. BYRNS of Tennessee. I thought so.

The SPEAKER. The question is on the motion of the gentleman from Iowa to recede and concur.

The question was taken; and on a division (demanded by Mr. BYRNS of Tennessee) there were 182 ayes and 108 noes.

So the motion was agreed to.

The SPEAKER. The Clerk will report the next Senate amendment.

The Clerk read as follows:

Page 172, line 8, strike out the words "two at $1,400 each, six" and insert the word "four."

Mr. GOOD. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The SPEAKER. The question is on the motion of the gentleman from Iowa.

The question was taken, and the motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 164: On page 180, line 4, strike out "$223,793.23" and insert "$215,393.20."

Mr. GOOD. Mr. Speaker, I move that the House recede from its disagreement to Senate amendment No. 164 and concur in the same.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 165: Page 180, after line 5, insert:
"CONGRESSIONAL RECORD Index: For salaries and expenses of preparing the semimonthly and session indexes of the CONGRESSIONAL RECORD, under the direction of the Joint Committee on Printing, as follows: Chief indexer, $3,000; cataloguer, $2,500; two cataloguers, at $1,800 each; in all, $9,100."

Mr. GOOD. Mr. Speaker, I move that the House recede from its disagreement to Senate amendment No. 165 and concur in the same.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 166: Page 181, strike out all of lines 1 to 9, inclusive, being the following language:
"The duty of preparing, publishing, and distributing the semimonthly and session indexes of the CONGRESSIONAL RECORD shall be performed, beginning with the 1st day of July, 1921, and thereafter, by the superintendent of documents of the Government Printing Office, under the direction of the Joint Committee on Printing. For the performance of this work the superintendent of documents shall assign from time to time from among the persons appropriated for his office such of them as he may deem competent and necessary."

Mr. GOOD. Mr. Speaker, I move that the House recede from its disagreement to Senate amendment No. 166 and concur in the same.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Craven, one of its clerks, announced that the Senate had passed, without amendment, bills of the following titles:

H. R. 10104. An act to renew patent No. 25909;

H. R. 15085. An act to perpetuate the memory of the Chickasaw and Seminole Tribes of Indians in Oklahoma;

H. R. 16076. An act authorizing bestowal upon the unknown unidentified British soldier buried in Westminster Abbey and the unknown unidentified French soldier in the Arc de Triomphe of the congressional medal of honor;

H. R. 1299. An act for the relief of George LeClear;

H. R. 3984. An act for the relief of Thomas Bayton and Bertha M. Hartt;

H. R. 15861. An act to confirm private claim No. 61 of Ambroise Reopel in townships 2 and 3 south, range 11 east, Michigan meridian, Wayne County, Mich.;

H. R. 14669. An act for the consolidation of forest lands in the Carson National Forest, N. Mex., and for other purposes;

H. R. 11851. An act authorizing the exchange of lands within the Rainier National Forest in the State of Washington, and for other purposes; and

H. R. 14490. An act to transfer the Panhandle and Plains section of Texas and Oklahoma to the United States standard central time zone.

ENROLLED BILLS SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 10883. An act authorizing the counties of Beaufort, S. C., and Chatham, Ga., to construct a bridge across the Savannah River at or near Savannah, Ga.;

H. R. 10963. An act granting the consent of Congress for the construction of a bridge across the Savannah River near Haileys Ferry, and between the counties of Anderson, S. C., and Hart, Ga.; and

H. R. 13558. An act for the purpose of improving the facilities and service of the Bureau of War Risk Insurance, and of further amending and modifying the war risk insurance act, as amended.

THE LATE REPRESENTATIVE CHAMP CLARK OF MISSOURI—MEMORIAL EXERCISES.

Mr. RUCKER. Mr. Speaker, I ask unanimous consent that all Members may be permitted to extend their remarks in the RECORD upon the life, character, and public services of Mr. CLARK, for 10 calendar days.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. By special order the House has set aside this hour for memorial exercises in honor of the late Representative CHAMP CLARK. The gentleman from Missouri [Mr. RUCKER] will please take the Chair.

Mr. RUCKER assumed the chair as Speaker pro tempore.

The SPEAKER pro tempore. The Chair will recognize the gentleman from Missouri [Mr. DICKINSON].

Mr. DICKINSON of Missouri. Mr. Speaker, a great character has passed into history. Missouri's foremost and best-beloved citizen has gone into the great beyond. The mystery of life has given way to the mystery of death. CHAMP CLARK lives no more on earth, yet he lives in the hearts and affections of his multitude of friends and admirers. Those who knew him best, loved him most. His career has been notable. His life work has been worth while. His years have been full of work and of deeds well done.

His personality was most striking. Tall of stature, large of build, and big of heart, he commanded the respect and love of all.

Born on March 7, 1850, in Anderson County, Ky.; on yesterday he died here in this Capital City, 71 years of age if he had lived till March the 7th. He was educated at Kentucky University and Bethany College and the Cincinnati Law School. At 22 he was president of Marshall College, West Virginia. In 1875 he moved to Missouri and attained high rank in the practice of law.

He was a member of the Missouri Legislature and was in Congress 26 years. He was the minority leader of his party in the House. He was eight years Speaker of this great representative body. His worthy record as Speaker endeared him to the entire membership of the House, and no man ever served in this House more loved than this big-hearted, red-blooded Missourian. He was almost named by his party in the national convention at Baltimore in 1912. On nine ballots he was the majority choice, and if the precedent of other conventions had not been broken, when a majority vote was quickly followed by a two-thirds vote, he would have been nominated and elected President of the United States. The history of that convention is known to all.

He was worthy of all the ambitions of his life. He was highly educated in the classics, in literature, in law, and in history. He was a great historian and knew the history of his country and its public men. He was a great figure in national politics, a stalwart in his own party. He presided with distinguished ability as permanent chairman of the national convention in St. Louis, when Alton B. Parker was nominated for President. Not a mere politician, he was a statesman of high order. He loved his country, his State, his home, his friends.

He was a man of rugged honesty and fearless courage, with a heart as tender as a child's. He was just, he was considerate, he loved the right, and hated wrong. He made a good fight in the great battle of life. He loved this House—it was a home to him. His history is mingled with the strong characters with whom he served and battled in earnest debate. His friendships knew no party lines. In the closing hours of this session it is fit that unusual ceremonies be had in honor of this great and much loved character, before he is taken to his home and buried among his friends at Bowling Green, Mo.

The name of CHAMP CLARK will rank high with the best and strongest of our great men and live as long as history lives. His familiar face will not be seen again in this Hall. His best life work was here. He declined the urgent request of his party associates to run for governor of his State and for Senator of the United States. He was tendered the appointment for Senator by Gov. Gardner of Missouri to succeed his much-loved friend, Senator William J. Stone. He declined, preferring his work here among his friends, whom he loved, and who had honored him by repeated evidences of their confidence and affection. He died in official harness as the Representative of a great Missouri district and as a Member of the greatest deliberative body on earth.

He has gone to his reward. His place in the hereafter is assured. He acted well his part in life. His established character and great record of deeds well done entitles him not only to live in the fond and endearing memory of all men, but to a home of happiness in the great eternity beyond.

The SPEAKER pro tempore. The Chair will recognize the gentleman from Massachusetts, Mr. Speaker GILLETT.

Mr. GILLETT. Mr. Speaker, I think those of you who have known Mr. CLARK only of late years must have formed a very erroneous estimate of his characteristics and ability. It seems to me that I have seen coming over him for years the shadow of that doom which descended upon him yesterday. He had lost vigor, and energy had become languid and inert. Slow disease was obviously sapping his vitality. But 20 years ago I remember him as an intellectual gladiator in this House, of splendid physique, fine presence, strong voice, handsome and impressive head, good elocution, and back of that was an intellect, keen and vigorous, stored with the very kind of knowledge most useful in this House, because his favorite study was the political history of our country, and he was full of facts and reminiscences with which he could illustrate and illuminate his arguments. I remember him, therefore, as a splendid, impressive, and forceful figure in this House.

I may be mistaken in my recollection, because I find as we grow older that we see the past through a mist which seems to magnify, which makes the past look larger than it probably was, but it seems to me the conflicts and debates in this House at that time were marked by a higher vigor and ability, certainly a greater rancor and partisanship than we have witnessed of late. In those debates Mr. CLARK always distinguished himself. He was ready, powerful, acute, full of energy, with a sort of sledge-hammer style that beat down resistance. He was always an enemy to be dreaded and an ally to be welcomed. By that vigor and ability he literally fought his way into leadership, and for several years was leader of the minority. Then he became Speaker. He there developed qualities that we hardly would have anticipated from his previous career, because as Speaker I think he was mainly distinguished for the splendid impartiality and judicial quality which characterized his service.

I have served here under five Speakers—Crisp, Reed, Henderson, Cannon, Clark—all men of great ability, men of striking qualities, for all of whom I have great admiration and regard. Yet above them all, it seems to me, in an impartial construction of the rules, in the power of setting aside partisanship and standing forth as the judge, Mr. CLARK was preeminent. He won the admiration, affection, and confidence of both sides of the House. Then again for two years he became minority leader and in that capacity it was within his power to cause me, as Speaker, great embarrassment and annoyance.

But, on the contrary, his considerateness, kindness, and courtesy made a position, which he well might have made uncomfortable, pleasant and easy and left in me the warmest feeling of regard for his generous forbearance. I shall always recall him with respect and admiration, and I feel toward him a warm and cordial friendship which will be one of the precious treasures of my memory.

Mr. CANNON. Mr. Speaker, I remember CHAMP CLARK's first appearance in the House in August, 1893, the extra session of the Fifty-third Congress. He was in the prime of life, and as fine a specimen of physical manhood as I ever saw—a handsome man, and a man of fine mental preparation for the work of a legislator.

He had the one quality which has developed leadership in all times—confidence in his cause and confidence in himself. The man who does not believe in himself as well as in what he advocates is rarely successful.

Mr. CLARK had this confidence in his cause, and opposed the President of his own party affiliation in the very beginning of his service. He was severely criticized, but he had the courage of his convictions and began his service by opposing the recommendations of President Cleveland for the repeal of the Sherman silver purchase law. As I learned to know Mr. CLARK, his first action here in the House was typical of his whole service. He cooperated but did not blindly follow.

I was an old Member then, though I had been out one term, and I exercised the privilege of catechizing the new Member from Missouri in that Congress. I thought I did it very thoroughly, but while I may have had the advantage and made him appear to disadvantage, I also developed the mettle of the man, and 18 years later he succeeded me in the Speaker's chair, and held the confidence of his own party and the respect of the House whether he led the majority or the minority.

The succession of events tells the story. Speaker CLARK was not an accident. He developed along the lines of American ideals, and American opportunities met with responsibility—a splendid type of American statesmanship.

Mr. CLARK and I had the same kind of preparation for service here, only his was better. We both grew up on the farm; both studied law with few law books and a diversified, though modest, practice; both became State's attorneys; both were defeated in our first efforts to come to the House, but were not discouraged by failure. Our experiences were those of the average American citizen. We were both defeated after service here, but we came back, as I believe he would have again come back to the House had he lived.

In these experiences Mr. CLARK developed the confidence with which he was naturally endowed. Experience and courage completed the leadership he won and long held in the House. He asked no quarter and gave none, but fought in the open and according to the approved rules of debate. In those older days we had great contests here, and we engaged in fierce conflicts which left only honorable scars and no personal resentments, for we did not strike below the belt.

Mr. CLARK showed the same quality of leadership in contests for the highest leadership, and after holding the majority vote through eight ballots in the great national convention of his party and then defeated, he took his place in the ranks to fight as though he had never aspired to the Presidency. No man ever showed better courage and better American spirit than CHAMP CLARK in 1912 and from that time to his death.

Mr. CLARK and I engaged in many conflicts, and we continued warm personal friends from the beginning of our acquaintance to his death, and none of you here from the personal standpoint mourn the loss of the leader of that side of the House more keenly than I do.

I say loss of a leader, from a personal standpoint, because he and I differed about the proper policies without the loss of confidence in the patriotism of either CHAMP CLARK or myself.

Mr. JOHNSON of Kentucky. Mr. Speaker, a pall of grief hangs over this Chamber. The best-loved man who ever had a seat here has been called away by Him whose commission he ever sought most faithfully to execute. There are at least three earthly things that never will go out of fashion—music, oratory, and courage. These three our friend possessed in an extreme degree. I have seen his great soul moved to its very depths by the strains of patriotic music, when the fortunes of the world seemed to hang in the balance.

Not that sort of eloquence that he, in his homely, Lincoln-like way, would have called "Highfalutin' stuff"; not that sort that undertakes to inflame a rabble; not that sort that endeavors to lull into dangerous inactivity did he ever employ; but, instead, he used that sort of speech which Heaven approves and to which men respond. By that unpretentious but effective way which was his alone I have witnessed big men, entertaining opposite views, yield to the power of his mind and his unique expression of thought.

For centuries Julius Cæsar has been held by the world to be the greatest exemplar of courage. I have read with bated breath of his daring deeds, of his unflinching and never-quailing spirit, which men throughout all time will never cease to admire, even though they should not always approve.

His was only a physical courage. The courage of him of whom I speak on this occasion was of that same supreme kind, but coupled with a moral courage of no less proportions.

He whom we mourn was born and spent his early life within a very few miles of the place of my own nativity.

As a child I learned of many incidents in his life in each of which he was the chivalrous hero. The old men on Hardins Creek in Kentucky still tell their children and their children's children of the prowess of CHAMP CLARK. They tell of the punishment he could take in unyielding silence. They tell how his magnanimity toward a beaten antagonist was ever present; they tell that when he thought it possible for him to have been too hasty or in the wrong in the least degree, how, out of a great moral courage, he could make abject apology.

Added to the qualities of which I have just spoken there was ambition—not that ambition of the selfish man seeking power—but, rather, that to serve the ends of justice; to protect the weak from the strong; to promote right; to prevent wrong.

One afternoon as he and I together were returning from the Capitol to our respective homes he said to me, "Let's go by the Union Station. There is something there that I like to read and reread." When we had reached the station he pointed up and read aloud, "Let all the ends thou aim'st at be thy country's, thy God's."

His great brain was housed behind features which correctly portrayed the character of this strong and good man.

Clothed in an exterior, sometimes thought to be brusque by those who knew him not intimately, there beat the biggest, the warmest, the best heart ever placed in the breast of mortal man.

Because he was but human he must have had faults; but he had a thousand redeeming traits of character for every fault he may have had.

He never saw an object of pity that his heart did not go out in the fullness of sympathy. He never came across one needing help that his hand did not go to his pocket.

If yonder, in the Great Beyond, aught has been held against him I believe—I know—that that charity, that mercy which ever abided in him has been met by that same charity, that same mercy in Him who is all charity, all mercy.

To us CHAMP CLARK is dead; but whatever it is that a Supreme Being holds for the good, he is now enjoying; wherever the place may be his noble spirit is there.

Mr. MANN of Illinois. Mr. Speaker, I hold in my hand a gavel made from second growth hickory grown in Worth County, Ga., in the district represented by Hon. FRANK PARK, furnished by the Georgia delegation in this Congress for presentation by

the Members of the House of Representatives to Hon. CHAMP CLARK.

The gavel bears the following inscription:

"This gavel is presented by a unanimous vote of the House of Representatives to the great ex-Speaker, CHAMP CLARK, on the day of his retirement from Congress, after 26 years of continuous, faithful, and most useful service, this March 4, 1921. He was chosen by a majority vote nine times successively at the Baltimore convention in 1912 as the nominee of his party for President of the United States; a typical American in stature, feature, mind, and feeling. Great in victory and greater in defeat.

"Inter pares facile princeps."

When the Georgia delegation informed our departed friend of their desire to have this gavel presented to him and the presentation speech made by a Republican Member of the House, and asked him to name one, he did a great honor to me in his loving kindness to suggest that I should present the gavel to him on behalf of the House. It is not possible for me to do that. It will be presented to his family. I loved the man. We were on opposite sides of the House. We never had extra close personal relations, but in all the touch and contests of bitter fights we learned not merely to respect each other but to love as two brothers might. This House saw him in the days of great parliamentary contests and no one ever appeared on this floor in a parliamentary fight who was his superior, and some of us doubted when he was elected Speaker if it were possible for a man with the parliamentary fighting propensities such as he had to preside without partisanship. He left the Speaker's chair with the respect, with the admiration, with the affectionate regard of every Member of the House, regardless of party. He has gone to his heavenly reward, but his memory will linger long in the Halls of this House, influencing those who are here and those who come afterwards to remember that contests over principles do not need to degenerate into personal animosities. He was the exemplification of the American spirit to contest for principles and to abide peacefully by the results.

Mr. MONDELL. Mr. Speaker, CHAMP CLARK was an ideal example of American citizenship, of American statesmanship. He exemplified to the fullest in his life and character the personal and civic virtues which we are pleased to believe reach their most perfect development under the conditions of American life. He not only measured up to the highest and best standards of American ideals, but his virtues were peculiarly American in their manifestation and expression. His very faults, if he may be said to have had any, were American in their form and flavor. He was a son of the soil, an ideal product of a peculiarly sound and sane environment, a fine example of all that is best and most praiseworthy in American life and character.

Few men in our time have appealed so strongly to the popular imagination; have had so many devoted friends or faithful followers as CHAMP CLARK. He appealed to the popular imagination, because, while sane and sound, he was picturesque in a pleasing and attractive way. His friends embraced men of every shade and variety of opinion, for to know him well was to be his friend. However much one might differ with him, his splendid human qualities compelled admiration and attracted men to him. His followers were legion, and their allegiance, based and grounded on their confidence in his ability and judgment, was strengthened and cemented by their admiration of his kindly, considerate, and consistent character.

Our friend ran the gamut of human experience. Providence gave him the full measure of happiness in his family and social relations. His ear was familiar with the plaudits of admiring constituencies, audiences, and conventions, but with these joys and triumphs came the trying experiences of personal bereavement and of keen political disappointment. Providence was very good and kind to him in many ways, but the fates held for him from time to time the agony of temporary defeat. As we think of our friend we are glad to remember that his joys and his triumphs so far outnumbered and outweighed the occasional unkindly flings of fate.

It has been my good fortune during my political life to know many men for whom I have conceived a high regard; to become acquainted with many men whom I have been glad to claim as friends, but I have known no man whom I have held in higher regard, none for whom I have had a greater affection, than our friend to whose memory we offer tribute to-night. His was a rare spirit, kindly and courageous, confident and considerate. If all the world were cast in his mold what a wonderful place it would be to live in. He has finished his work; he has gone to his reward, but we are happier because we knew him, and the world is better for his example. We mourn that he is gone, but we know full well that no harm shall come to his pure, kindly, and courageous spirit.

Mr. HENRY T. RAINEY. Mr. Speaker, we have assembled to-night to do honor to the memory of a great man amid the scenes of his labors, his successes, and his triumphs. With a heavy heart, I pay this tribute of respect and love to the memory of my friend. As I stand here there comes thronging upon me tender memories extending back over a quarter of a century of time.

He was my nearest congressional neighbor. For over a hundred miles our districts join—his in Missouri, mine in Illinois—separated only by the Mississippi River. I knew him when he was a practicing lawyer, a handsome, manly man, in full possession of all the strength and vigor of young manhood. With admiration I followed his career in the National Congress for nearly a decade before I came here, and I have served here with him during the long period of 18 years. It is peculiarly appropriate that we conduct these ceremonies here in the Hall which has so often rung to the stately grandeur of his eloquence, but which will know him no more forever.

The life and achievements of CHAMP CLARK will remain always an inspiration for the young. A farm hand, a college graduate, a president of a college, a clerk in a country store, the editor of a country newspaper, a country lawyer, a prosecuting attorney, a presidential elector, a member of the legislature of his State, the author of the Missouri antitrust laws and the Missouri Australian ballot law, chairman of a great national convention, for 26 years a Member of Congress, a candidate for the Presidency, receiving in the national convention of his party a clear majority on many ballots, for eight years Speaker of the National House of Representatives, the second highest office in this Republic; this, in brief, is the career of the man we honor here to-night.

Full of years, his life work ended, he died in this beautiful city under the very shadow of the National Capitol. During all the years of his sojourn upon this earth he was prompted always by the tenderest of human sympathies. He has passed now beyond the mists which bound him here into a new and a larger life on an unseen shore. Through these halls there has passed in the decades of our national life a stately procession of great men, moving through the very center of American life. With many of them he came in contact here in this Hall. CHAMP CLARK will rank in history among the greatest of all these. His colleagues in this House were always his friends, whether they sat on this side of the Chamber or on that side. He has gone to greet the friends who have sailed before over an unknown sea to an unseen shore. A few hours from now a train moving across meridians of longitude will convey his earthly remains to the neighbors and friends who knew him and loved him during the years of his sojourn upon this earth. His achievements are now a part of the history of his country. His great soul has passed beyond the grave to participate in a larger existence in an unknown land.

Mr. DYER. Mr. Speaker and gentlemen of the House, Missouri, one of the splendid States of this great Union, universally and generally bows in mourning with you at the loss of our great and good friend. The name of Missouri has been made great by the public service of CHAMP CLARK. He brought to that State great renown. He was one of our greatest citizens. For the last half century no Missourian has measured up to him. He ranked with men like Benton and Blair. I knew Mr. CLARK as a boy. I knew him when he first was entering politics. I knew him when he was first nominated for Congress. With my father I went from the farm to hear him speak at the county seat. I was born and reared in the district that he so well represented here. He was to me an ideal, he was to me a man to look up to and watch and be benefited by his high sense of honor and statesmanship.

He was beloved by the people that knew him, and he was respected and honored by all the people. When I first came here in the Sixty-second Congress, when the roll was being called for the election of Speaker, I felt almost, when the name of CHAMP CLARK was called, that I, though a Republican, should cast my vote for him for Speaker, because I had known him so well as a boy and because I had always admired him so greatly. I would go to him for advice; I would go to him for counsel.

He was beloved by my relatives and family. He was one of our dearest friends. And I tell you, my colleagues, that not only our splendid State of Missouri suffered an irreparable loss, but likewise has the Nation, because CHAMP CLARK was not only a great Missourian but he was one of the greatest Americans that has lived for many a day. And we shall be the poorer

here in this great legislative body for years to come because he has gone from us. It will be a long time before we will find a man to take his place as an upright, splendid, broad-minded statesman.

He was not one who would stoop to any small things to gain an advantage in legislation or in politics. He was a man, as has been stated by those who have served with him here longer than I, that would fight for that which he believed to be right, but he always fought with the greatest honor and with clean hands. And of that kind, my colleagues, have been the men who have made America what it is. It is men of that kind who write into law the things that have made our country great. And to-night, I say again, every Missourian, yea, every American, must be bowed with sorrow at the passing of CHAMP CLARK, the former Speaker, and the splendid and great American.

Mr. GARRETT. Mr. Speaker, I accept the opportunity to participate in these ceremonies with infinite pride and unutterable sadness—pride because for 16 years I enjoyed the assurances of the confidence and esteem of the great dead man who stood a peer among the most illustrious characters of his generation; sadness because I have looked for the last time into his handsome, classic face and felt for the last time the warm outflow of his great and splendid and generous soul.

The intimate facts of his life and career are so fully known to contemporary peoples, and particularly here, as to render any attempted recital of them quite unnecessary. His birth, his early struggles, his education, his success at the law, his political career with its triumphs and its disappointments, all are familiar to reading people in every hamlet of the Republic.

The uniqueness of his characteristics is familiar to unnumbered thousands who have heard him upon platform and stump; and everywhere that his name is known there is associated with it in the public thought the fine idea of inherent instinctive honesty, moral and intellectual. He was candid to the point of bluntness. He was intellectually and spiritually and physically rugged; a fighter all his life.

When I say he was physically rugged, I do not mean in features. His face was one of the handsomest and most striking possessed by any public man in history. He was distinctly individualistic and of original temperament. His physical movements, his mental processes, his modes of expression, were peculiar to himself.

His life was linked in some form to all the activities of the Congress of the United States for a quarter of a century; he became conspicuous in the early days of his service and grew to the highest honors which the House of Representatives could bestow. All that we had here we gave him and wished it could be more—the best of committee assignments, the floor leadership of his party, the Speakership.

In return he gave to us and to his country a loyal and illustrious service which has added to its greatness and its glory.

My poor story must be imperfect and incomplete at best, but it would be inexcusably so did I fail to stress the fact that he was not only an eminent student, not only an author of distinction, not only a statesman of world fame, but a lover. All the tenderness of affection which his great heart could pour out was lavished upon the happy family of which he was the beloved head.

He was of two States, Kentucky and Missouri, and was worthy of them. He kept their faith, even their great faith, the faith of their finest, sweetest traditions, the faith of their past great glories and their past loves and their public virtues; and I have no doubt these Commonwealths in especial degree will, with all others, cherish his memory because he maintained unbroken every thread in the line of public honor and measured up to the full requirements of their bravest and their best.

I shall not speak of his death in any language of my own. Some day, perhaps, we shall know what it means; we do not know now. The poet may know; the poet does know most of the deep things of earth, and perhaps his vision mounts to the things beyond the earth. A great poet has written a great poem about death, some stanzas of which I think may with entire appropriateness be quoted here:

Sad mortal! Couldst thou but know
What truly it means to die,
The wings of thy soul would glow
And the hopes of thy heart beat high;
Thou wouldst turn from the Pyrrhonist schools,
And laugh their jargon to scorn,
As the babble of midnight fools
Ere the morning of truth be born;
But I, earth's madness above,
In a kingdom of stormless breath—
I gaze on the glory of love
In the unveiled face of death.

I tell thee his face is fair
As the moon-bow's amber rings,
And the gleam in his unbound hair
Like the flush of a thousand springs;
His smile is the fathomless beam
Of the star-shine's sacred light,
When the summers of Southland dream
In the lap of the holy night;
For I, earth's blindness above,
In a kingdom of halcyon breath—
I gaze on the marvel of love
In the unveiled face of death.

Through the splendor of stars impearled
In the glow of the far-off grace,
He is soaring world by world
With the souls in his strong embrace;
Lone ethers, unstirred by a wind,
At the passage of death grows sweet
With the fragrance that floats behind
The flash of his winged retreat;
And I, earth's madness above,
'Mid a kingdom of tranquil breath,
Have gazed on the luster of love
In the unveiled face of death.

But beyond the stars and the sun
I can follow him still on his way,
Till the pearl-white gates are won
In the calm of the central day.
Far voices of fond acclaim
Thrill down from the place of souls,
As death, with a touch like flame,
Uncloses the goal of goals;
And from heaven of heavens above
God speaketh with bateless breath—
My angel of perfect love
Is the angel men call death!

Mr. TILLMAN. Mr. Speaker, CHAMP CLARK was a man's man. He never daily begged the world's pardon because he had a few masculine vices. He was possessed of his share of human weaknesses, and while not puffed up about it he was not constantly apologizing to mankind because he had feet of clay, as most men have. For this reason we loved him.

He was no carpet knight. He mixed and fought with men. The powder smoke of battle appealed to him and the sensual musk of the drawing-room did not.

The House was his forum; the Speaker's chair his throne. He declined an appointment to the Senate, as his friends expected he would do, when it was tendered. For 26 busy years he was a Member of the House sanhedrin, and for 8 years he wielded the gavel fairly, justly, with patience and strength.

Speaker CLARK was especially courteous and helpful to the new Member, and a freshman never forgets the helpful tolerance of the senior. Personally, I shall never forget the kindly touch of his vanished hand nor the sound of his hopeful, helpful voice, now stilled forever.

The lion-faced Speaker had deep religious convictions, but he had scant patience with cant and hypocrisy. He had a contempt for any plea that was tainted or corrupt, and more so if the pleader sought to obscure the show of evil with a whining or gracious voice; likewise, he spurned with his foot sugar-coated error, although he blessed and approved with a sober brow.

As a debater on the floor he could give and take blows, and his blade was as keen as the best. He found time to lecture in every part of the Nation, and his lectures were pleasing and profound. He wrote much that will endure as valuable contributions to current literature.

And he loved his family. That is the true pathos and sublime of human life. His loyalty to his wife and children constitutes one of the pillars upon which his popularity will rest.

Again, I say he was a man's man.

The color of the ground was in him, the red earth,
The smack and tang of elemental things.
The rectitude and patience of the cliff;
The good will of the rain that loves all leaves;
The friendly welcome of the wayside well.
He held his place—
Held the long purpose like a growing tree—
Held on through blame and faltered not at praise.
And when he fell in the whirlwind, he went down
As when a lordly cedar, green with boughs,
Goes down with a great shout upon the hills,
And leaves a lonesome place against the sky.

Mr. FLOOD. Mr. Speaker, I shall not undertake to recite the history of the life and fortunes of CHAMP CLARK. This has been graphically done by his colleagues and those who have preceded me.

But, Mr. Speaker, I held his character and his great services to mankind and his country in the very highest esteem; I admired his splendid talents, his magnificent loyalty to principles and to friends, his courage, his lovable traits of character; and I was bound to him by ties of friendship which continually grew stronger. Such tribute as I can pay him in the limited time that I can occupy the floor to-night flows from a heart

that loved him, was in sympathy with his history, and felt a joyous pride in his mighty achievements.

Possessed of a strong and graceful figure, a splendid head and face, he was one of the handsomest men I ever saw. With an ardent, ambitious heart, a quick, strong, and penetrating intellect that quickly mastered the tasks it undertook, his course from plow to school, from school to college, from college to the presidency of a college, and from this to the study of his profession, was one of intellectual triumphs.

At the age of 25 we find him a poor and briefless barrister in an adopted State and amid new surroundings.

The situation would have daunted a less courageous spirit. All honor to the republican institutions of this country and to the deep-seated republican spirit of the people which enabled CHAMP CLARK to so quickly sweep away the barriers to his professional and political triumphs. He was successful almost from the beginning.

He desired that his life should illustrate those principles. He was a born democrat, in the most elevated sense of the word. He was a man of the people, sprung from them, uplifted by them, loving them, and beloved by them. The truth of this latter statement is amply testified to in the way he carried State after State which held primaries for the expression of the choice for the Democratic nomination for the Presidency in 1912.

He possessed a genius, fertile and diversified, which might have developed into many forms of distinction. He was a great lawyer. He had what lawyers call a legal mind; keenly analytical, closely logical, penetrating through rules to the reason of them. Whether in set speech or in running debate, his powers lifted him to the height of all occasions.

But above all he was a man of a great, loyal, loving heart, and it was through this fact, as well as by dint of his decisive character and intellectual force, that he became the great and beloved leader of his party in the country.

His home was his shrine. It was there that his gentle nature found and shed earth's richest joys amongst wife, children, and friends. To them his death is a calamity unspeakable, but in his good name and in his great and spotless reputation they have all that death can leave to alleviate its pang.

No questionable act ever marked the fair pages of the private or public life of this man among men. He stood in the fierce light which beats against the throne, but no flaw was ever found in his armor through which the shafts of envy and slander could enter and wound his fame. He was gentle, yet strong, courteous, yet brave, ready to extend the soft hand of charity and grasp with comprehensive thought the great questions of government and of law.

Mr. Speaker, in his essay upon death, Lord Bacon has pictured that of ex-Speaker CLARK:

> He that dies in an earnest pursuit is like one that is wounded in hot blood, who for the time scarce feels the hurt, and therefore a mind fixed and bent upon somewhat that is good doth divert the troubles of death.

And so, Mr. Speaker, while our hearts are attuned to sorrow that a life fraught with so much good should be cast off from among us, our chastened reflection can discern echoes of counsel and encouragement from his life which should animate us all to a renewed and higher consecration, to worthy and unselfish devotion to our country and our kind.

And whilst among the perplexities of this world we "can not always see the way," we can all become better and stronger for the example of such a life; and with pride and gratitude for such a career, we can cry to our Father and his Father:

> Lord, I believe, help Thou mine unbelief.
> And grant Thy servant such a life and death.

Mr. WOOD of Indiana. Mr. Speaker, the gentleman who has just preceded me has paid a beautiful tribute to CHAMP CLARK, citizen of Kentucky and Missouri. I wish to add one word concerning him whose memory we so deeply revere as a national character.

The sun has its place; the moon has its place; the stars have their place in glory, all differing. We all know that by reason of fixation the sun and the moon shall cover their course. There may be a difference with reference to the stars. Men, like stars in their myriads, have their place; some of them brilliant, some of them without brilliancy, but all serving their purpose. Our departed friend has fixed for himself a place that will last not only through this present generation, but with many generations yet to be, for he has established a reputation worthy of the emulation of all mankind.

If I were called upon to write an epitaph upon the monument of our departed friend, I would say, "Here lies an honest man. He was honest to himself. He was honest to the world." And that is the noblest tribute that could be paid him. And to his family and to those who most intimately mourn his passing there is a beautiful thing that can be said, that out of the darkness of night there comes this reflection of hope, that it is the glory of the morning that brings the greatest promise of the light of a brighter day.

The SPEAKER pro tempore. The Chair will recognize the gentleman from Georgia [Mr. CRISP].

Mr. CRISP. Mr. Speaker, it was my rare good fortune to know intimately our beloved dead chieftain, and that association bound me to him "with hooks of steel." I had the honor of being his parliamentarian during his first term as Speaker. This House in all of its history has never had a fairer or more impartial or better-beloved Speaker than our dead friend.

I was with him all during the most eventful days of his life, during those days when he was a candidate for the Democratic nomination for the Presidency; and during all of that contest and during the Baltimore convention he never did or said one single thing that he ever had cause to regret, and it has furnished to me a marvel—that self-control, that courage, that forgiveness, that loving-kindness that he exemplified since those days.

Mr. Speaker, my admiration and love for him are too great, my grief too poignant, for me to attempt to delineate those noble traits of character by which he rose to places of power and eminence and enshrined himself in the hearts of all of his countrymen. I never knew a sweeter, a kindlier, or a more lovable man than CHAMP CLARK. In the language of the immortal poet, he was an honest man, the noblest work of God. He was a tender and affectionate husband, a proud and devoted father, and one of the truest and most loyal friends anyone ever had. Our country has lost in him one of its purest and ablest statesmen, and I have lost a benefactor and a friend. I never hope to look upon his like again.

Mr. Speaker, availing myself of the privilege granted to the Members to extend their remarks in the RECORD, I shall incorporate as a part of my remarks a beautiful tribute written concerning our beloved friend by Mr. Theodore Tiller, who for 10 years has been one of the Washington correspondents and intimate with Mr. CLARK. The article appeared this afternoon in the Washington Times and in the Atlanta Journal and a number of other newspapers that Mr. Tiller represents.

Following is the article referred to:

CHAMP CLARK PASSED INTO GREAT UNKNOWN UNIVERSALLY MOURNED.

(By Theodore Tiller.)

As the shadows of the evening of his long and eventful political life fell about him, CHAMP CLARK, for 26 years a Member of Congress from Missouri and 8 years the Speaker of the House of Representatives, crossed over the borderland into eternity.

It is "Uncle JOE" CANNON, long the associate and friend of CHAMP CLARK, who always speaks of "crossing over," instead of "dying." Perhaps the term fits better the passing of Mr. CLARK, one of the stalwart and picturesque figures in the politics and national life of America.

CHAMP CLARK'S term of office would have expired at noon March 4. So he "died in harness," as probably he preferred to go if the end was to come soon.

This is a story about Mr. CLARK, not merely his biography. The historians will write the latter, giving to him his great, yet rather pathetic rôle, so far as his later days were concerned, in our history.

SETTING OF SORROW.

A scene without precedent was given its setting of sorrow when his death was announced to the House of Representatives. Congressman RUCKER, of Missouri, himself a veteran in service and confidant and friend of the departed minority leader and former Speaker, attempted to make the formal announcement. His feelings overcame him, his voice faltered, and then he cried.

On the Republican side Congressman JAMES R. MANN, of Illinois, who had served a quarter of a century with Mr. CLARK, gave way to his emotions. Congressman MADDEN wept, and CHARLES R. CRISP, of Georgia, one time parliamentary clerk under Speaker CLARK and now Member of the House, made no effort to conceal his grief. Then all about the House floor men were seen with handkerchiefs to their eyes. Some of them were youngsters in legislative service whom CHAMP CLARK had advised. Others were men who came to Congress with him and had labored through all the years in personal friendship regardless of the aisle that divides the parties. Flags on the Capitol Building, dropping to halfmast, told the story to the sightseers and tourists outside.

Announcements of the death of a Member are always occasions of sadness in the House, but old-timers could not recall to-day when that body so openly and generally manifested its grief. In the bustle of the closing days of the session a 30-minute recess was taken in honor of the memory of Mr. CLARK. Adjournment was not ordered because among his dying requests was one that legislation be not halted to pay him tribute.

PATHOS IN PASSING.

There is unusual pathos in the passing of CHAMP CLARK. For years he was a national figure. At the Baltimore convention in 1912 the presidential nomination was almost within his grasp for twenty-nine ballots. For eight ballots he had a clear majority in the convention, but the two-thirds rule and a coup of his adversaries took victory from him. Only once before, if memory is right, had the Democratic Party failed to nominate the man receiving a majority—and then a

great domestic issue was at stake and the comparison is not entirely pertinent.

Nomination at that time was virtually equivalent to election because of the split in the opposition. Ollie James, chairman of the convention, who has preceded Mr. CLARK into the beyond, so told the convention, and his words were prophetic.

CHAMP CLARK never recovered fully from the shock of that defeat. For several years he showed the traces of supreme disappointment, not unmixed with a certain resentment toward the man he held primarily responsible. Time healed up, but did not obliterate the scars of the wound received at Baltimore.

When his convention lines were faltering CHAMP CLARK came to Baltimore at night to make a dramatic appearance before the convention. His friends dissuaded him. Had he appeared, there might have been a different result, with another man now yielding the scepter of power to Warren G. Harding, and with another man having shaped the stirring events of the Nation and the world during its recent years of travail.

SERVED WITH DISTINCTION.

But that is "water over the wheel," as Mr. CLARK would sometimes say in talking of things that had gone by. CHAMP CLARK, chastened, disappointed, the victim of political circumstance, and with his day dreams failing to come true, went back into the relative ranks of the only party to which he had ever given allegiance, and there he served, with all that was in him, until his final roll was called.

Yet no one who knew him, as the writer has known him, can say that he spent his last days in contentment. He died more or less a broken-hearted man.

Last November Mr. CLARK went down in the Republican landslide and his district voted to retire him after nearly 26 years of patriotic service. This hurt him, too. He showed it in his walk, in his mannerisms, and in converse with intimate friends. Philosopher that he was, appreciative of the vicissitudes of American politics—which he knew as a participant and historian—CHAMP CLARK weakened noticeably after that defeat. Only once in his long service had he been defeated for reelection, but that was a score of years ago. CLARK was younger then and possessed greater powers of political recuperation and was more adaptable to a sense of resignation.

Age was upon him in this last defeat—age, and the memories of Baltimore and a life's ambition gone, with perhaps a feeling that after all republics and constituencies are ungrateful.

Anyway, the tragedy of the later years began to tell upon him recently. Just a day or so before his death a friend summed it all when he said:

RESERVE POWER GONE.

"I am afraid he will not get well. His power of resistance seems to have gone. He doesn't seem to care any more."

Such realization as this doubtless brought the moisture to the eyes of many of his colleagues when it was announced that CHAMP CLARK had died as the end of his public service drew near. He was leaving life and leaving that service at the same time.

Necessarily the death of such a man has put a saddening imprint upon the Harding inaugural ceremonies. He was known to the President elect and to every man in Congress. All of them respected and admired him; most of them loved him.

Though sometimes a man of moods, CHAMP CLARK had a way about him that brought into relief his nobler traits, his wholesomeness, his rugged sincerity, his good heart—and that drew to the shadows of the background all human frailties and whatever inconsistencies he had.

When in reminiscent mood, Mr. CLARK was a delightful story-teller. His knowledge of history and contemporaneous affairs was comprehensive. The younger generation loses much because he postponed too long the publication of a book of memoirs. Whether on the floor of Congress or the lecture platform he drew from this fund of knowledge and always had an attentive audience.

In debate Mr. CLARK did not attempt oratorical flights nor studied phrase making and rounded periods. Rather was his delivery forceful, direct, straightforward, with epigrams and homely philosophy that made a political enemy wince and an audience laugh at his flashes of wit and satire. Commanding in physique, handsome in face and figure, resourceful while in the heat of verbal battle, he was an effective orator and a debater worthy of any adversary. He struck above the belt, always holding the respect of his auditors regardless of their political creeds.

AIDED YOUNG MEMBERS.

His aphorisms would make a volume. The common-sense advice he has given throughout his long career would fill a library. The aid he has given the young, and "cub" legislator has been invaluable. His fairness as a presiding officer is one of the heritages of the House. The friendships he has made and held are monuments to his personality, his bigness, and his personification of man's humanity to man.

Whatever may have been his trials toward the end, his life throughout was eventful. That he did not reach the Presidency was simply one of the tragedies of politics and fateful unrealization of personal ambitions. He began as a farm hand. Later he was the youngest college president in America. Once he edited a country newspaper, and then worked in a country store. He studied law and eventually moved from Kentucky, where he was born, to Missouri, where he was signally honored first as a prosecuting attorney and then as a Representative in Congress.

COMMANDED HOUSE.

With the exception of one term, following a defeat, he was a strong figure in the House since the Fifty-third Congress. World stirring events made their permanent impressions during his years at Washington. He was here when war was declared against Spain. As Speaker of the House he signed the resolution declaring a state of war against Germany. One of the notable speeches in years—a speech in which he rose to real eloquence in a body surcharged with tension and packed on floor and in galleries—was the speech of CHAMP CLARK on the Panama Canal tolls issue that shook the country in the early days of the Wilson administration.

As Speaker or party leader he participated in historic tariff debates with men whose names are linked inseparably to the statute books of the country. He was early a convert to woman suffrage, and while he served he saw woman suffrage, the direct election of Senators, and national prohibition written into the law of the land.

CAREER WORTH WHILE.

Truly a career worth while was his—and yet as he came to the twilight of his day his heart was heavy and, little doubt, the spirit was broken. None but his intimates knew with what sorrow he approached the breaking up of his associations here, nor how bitter was the cup whose dregs he drained in Baltimore eight years ago. None better than his intimates knew with what fortitude eventually he accepted his lot and turned to such tasks for party and for country as were left to him to do.

He died within two days of the end of his term. He was still a Congressman of the State he loved and still the floor leader of the party that had honored him—and yet withheld its highest honor, but to which, to the end, he gave "the last full measure of devotion," while serving meanwhile his country.

Mr. RODENBERG. Mr. Speaker and fellow Members, there are chords reaching from millions of hearts to this Capitol today upon which, if the winds could play, they would "sing a song sad enough to make angels weep."

A great man has passed away and the Nation mourns his passing. CHAMP CLARK is no more. He sleeps the sleep of eternity. Hushed forever is that patriotic voice and pulseless now that lion heart. The great soul that once inhabited the tenement of clay has taken its flight and is now glorified in the light of the eternal morn.

CHAMP CLARK was great in the best and truest meaning of the word—great in character, great in ability, great in his conception of public duty, great in his devotion to the public service, and great in his abiding love for humanity.

Intellectually honest, always candid, sincere, and straightforward, he abhorred hypocrisy in all its forms. The mask of an actor never fitted our departed friend. He knew naught of expediency, and he did not care to know. Throughout his long, eventful, and distinguished public career he followed the path of duty outlined clearly and unmistakably by a conscience that was responsive always to the noblest impulses of true manhood. That was his crowning characteristic.

We who knew him recognized his many robust virtues and admired them, and whatever faults he had we merged them into his manly qualities, because he wore them all on his knightly breast.

My friends, soon we will consign his mortal remains to the cheerless grave, and as the sods moistened by our tears close in above them we call and listen. From the silent tomb there comes no answer. Only an echo, which mocks our sorrow, is wafted back. The somber shadows thicken. All is dark. We are overwhelmed in doubt, but suddenly the mystic veil that separates the present from the hereafter is swept aside. A light breaks forth! It is the light of the spirit of immortality, triumphant still, shedding joy and peace and hope eternal. There in yon windowed palace of heaven we see our friend and colleague crowned with the wreath of immortal glory that awaits him of whom it can be honestly said that in all the vicissitudes of life he was true to his God, true to his country, true to family and friends, and true to himself.

Mr. GARD. Mr. Speaker—

Who is the happy warrior? Who is he
That every man in arms should wish to be?

* * * * * * *

Who, if he rise to station to command,
Rises by open means; and there will stand
On honorable terms, or else retire,
And in himself possess his own desire;
Who comprehends his trust, and to the same
Keeps faithful with a singleness of aim;
And therefore does not stoop nor lie in wait
For wealth, or honors, or for worldly state;

* * * * * * *

Whose powers shed round him in the common strife,
Or mild concerns of ordinary life,
A constant influence, a peculiar grace.

* * * * * * *

He who, though thus endued as with a sense
And faculty for storm and turbulence,
Is yet a soul whose master bias leans
To homefelt pleasures and to gentle scenes.

* * * * * * *

'Tis, finally, the man, who, lifted high,
Conspicuous object in a nation's eye,
Or left unthought of in obscurity—
Who, with a toward or untoward lot,
Prosperous or adverse, to his wish or not—
Plays, in the many games of life, that one
Where what he most doth value must be won.

* * * * * * *

And, while the mortal mist is gathering, draws
His breath in confidence of heaven's applause:
This is the happy warrior; this is he
That every man in arms should wish to be.

—Wordsworth.

Mr. SHERWOOD. Mr. Speaker, we shall all miss CHAMP CLARK, not only now but in the future. He was a man we all loved, because he had the qualities of mind and heart which endeared him to his colleagues. He was one of us only a few days ago, as a guide, as an example. All in all, the country has produced but few statesmen who have been so universally respected and loved as CHAMP CLARK. Few will be longer remembered in affection and reverence. I can not find words to-day

to fittingly express my love for him, which grew stronger as I knew him better.

It is better than any eloquently worded eulogy to say that he served 26 years in Congress and never betrayed a friend or a cause, and died poor. Born in a log cabin, like Lincoln, he was, from the first to the end of his career, a self-made, self-educated, manly man. It can be said of him by those who knew him best, that he never wronged a man or a woman during his entire career.

No man, however high his official perch, can be truly great in a Republic like ours who lacks the vital element of human sympathy for his fellows. No public man will be long or gratefully remembered, however gifted intellectually, who lacks moral ideals.

We should learn a valuable lesson from the life and career of CHAMP CLARK. Every poor young man yearning for an honorable career can see the brightest gleam of hope in the career of CHAMP CLARK. Over and above all his sterling qualities as a statesmen he was enthusiastically patriotic.

Let us consecrate ourselves to that fervent patriotism, that high purpose to serve the people we are here to represent, with the fidelity and courage which always characterized our departed friend—a colleague whose friendship added to our joys of living and whose example and character give us hope for the best ideals of popular government.

Mr. HAYS. Mr. Speaker, the great Missouri Commoner has gone to his reward. CHAMP CLARK is dead.

Back in Missouri where partisan political strife at times becomes the moving spirit among our people, it is but natural that some strong characters should stand out almost as supermen among their fellows. CHAMP CLARK was one of these. Always a Democrat, always a partisan, always brave and wise, always a leader whose voice was supreme in counsel, there was never a day in all his long life when his conduct was unmanly or when his methods were unfair. Gifted by nature with a magnetic personality, a rugged physique, a face of inspiring dignity, a powerful intellect, a rare judgment of men, a clean conscience and a heart responsive to the finer impulses of humanity, he soon became a comprehensive student of the great problems of public welfare. Small wonder is it that politics became the absorbing passion of his life. CHAMP CLARK was always a politician, but he had nothing in common with the cheap demagogue or the charlatan trickster. He was a politician whose every thought and act were measured in terms of statesmanship. He was a strong party man, because under the American method of handling great welfare problems it is through the agency of party organization that the Government can function to best advantage.

Just a hundred years ago Thomas H. Benton came to the United States Senate from Missouri. Few men of this generation can define the party faith of that great man, but every Missourian knows that Benton was a statesman of the type whose memory endures long after the world has forgotten the battles of political warfare in which they were engaged.

When the future historian of our great Commonwealth calls in reverend memory the roll of Missouri's illustrious dead, along with the names of Benton and Blair and a few others of equal distinction, will sound the name of CHAMP CLARK.

Born in Kentucky in 1850, and educated to the profession of law, he became at 23 as the head of Marshall College in West Virginia the youngest college president in America. A little later he located in Missouri and began the practice of his profession, taking from the first an active part in the political affairs of his chosen State. His legislative experience began in the Missouri Legislature a third of a century ago. For 26 years he has been a commanding figure in the American Congress and one of the molders of American political thought. Four times he was accorded the distinguished honor of the Speakership of the House of Representatives.

CHAMP CLARK was a hard fighter, but he always fought fair; he knew both victory and defeat. But in the adversity of political misfortune, as well as in the hour of gratifying triumph he was ever a calm, serene, and placid philosopher. Unmoved and unshaken either by the despair of defeat or the ecstasy of victory, he was at all times loyal and affable, and appreciative of the slightest courtesy. On the floor of the House, where his principal contests were waged, and where the followers of his leadership met his adversaries in almost daily conflict, he held the admiration and respect of every man in the Chamber on either side of the party line.

It had been my privilege to know CHAMP CLARK in a casual way for many years. When I came to Congress, unacquainted with legislative procedure, I found in him an advisor and a counselor, always kind and considerate and anxious to be of service. With all the burdens of his arduous labor, he was never too busy to extend a friendly courtesy.

I am told that in his last conscious hour, as he realized that the end was near, he requested that his death should not be permitted to halt the work of Congress. Knowing the customary procedure in paying respect to the memory of a departed Member, and realizing the emergencies of the closing days of a session, the same spirit of self-effacement that had always marked his career, prompted him to think of his country even when he knew that his soul was ready to take its flight.

To his friends, and their circle is as broad as the Nation, it will always be a sweet and solemn pleasure to know that he died as he lived, with the Nation's welfare his one supreme concern, his self-denying statesmanship the ruling passion strong in death.

Mr. ROMJUE. Mr. Speaker, when the last breath of life passed from the breast of CHAMP CLARK this Nation witnessed the passing of one of its most distinguished citizens, one of its most honored statesmen, and one of its most able legislators. And with that passing the great Commonwealth of Missouri lost its most beloved citizen and son.

As we are conducting these memorial exercises to-night Missourians everywhere grieve over the death of CHAMP CLARK. The Nation mourns that veteran gladiator of many political arenas and of long public service, who has been removed from the activities of this life. He has gone, but the affection, the esteem, and the respect in which we Members of this House hold CHAMP CLARK will live on and on as long as there is one of us remaining.

I have listened with deep interest to the eulogies pronounced here to-night by men who have had long service in this House with CHAMP CLARK. When Mr. MANN made the remark, "I loved him," it called to my mind a speech that I heard CHAMP CLARK make in Missouri. On the platform, one night, when he was much more in his prime than we have seen him in the last two or three years, when he was driving away, enunciating Democratic policies and principles in which he so thoroughly believed, and as he was punching and jabbing at the doctrines taught by the Republican Party, he referred to the gentleman from Illinois, and when he did refer to him he said, "I love JIM MANN; I respect him; he is honest and conscientious"; and then he proceeded in his way to pound out as best he could the ideas for which he stood and to differentiate them from Republican policies. I know what we will witness at the funeral ceremony in Missouri next Monday. More tears have been shed, more tears will be shed over the passing of CHAMP CLARK than have ever been shed over any half dozen men that ever lived in the State of Missouri. His life and his character have been a beacon to ambitious young men in Missouri; pointing the way along the right path, he has been followed and admired. The most remarkable thing, perhaps, about CHAMP CLARK's character was his sturdy honesty. I knew of a thing CHAMP CLARK did once that very few men would do. In his early political career, either when he was making his first or second race for membership in this body—and those were the days when we did not have the primaries, but the nominations were settled by convention—it was a bitter fight and contest. It grew so warm and so much interest was manifested in it that two neighbors riding along the highway one day engaged in a controversy, one being for CLARK and one for his opponent, and after a while they dismounted from their horses and fought it out.

When the convention came on CHAMP CLARK was nominated, getting the nomination by, I believe, only a few votes. After the convention had adjourned the defeated opponent went away much dissatisfied, and said that he should have been nominated, and that he had been deprived of the nomination; that if the matter had been left to popular vote of the people in the district he claimed that he would have been nominated.

As soon as CHAMP CLARK heard of this he sent word to his opponent saying, "I feel that you have no reason to complain that we have submitted our cases to the decision of the convention, but if you feel aggrieved I am quite willing to submit it to a popular vote of the district"; and it was submitted to a popular vote of the district and CHAMP CLARK was renominated.

My friends, anyone who knows the life of CHAMP CLARK, as many of you know it who have served long with him, know that not only the State of Missouri has lost, not only has our Nation lost, from the standpoint of a great political career, but there are no greater losers in all this Nation than the young men of my State, who have learned to know and to love CHAMP CLARK. He began his public career without financial backing. He was industrious, ambitious, thoroughly honest, and by sheer force of character, ability, energy, and honesty he made his way up in

the political world. He rose gradually and steadily until he was within a hair's breadth of the Presidency of the United States, a position to which he was entitled, having received a clear majority of votes in the nominating convention on nine separate ballots; and had the Democratic convention operated like the Republican convention, under the majority instead of the two-thirds rule, CHAMP CLARK would have been nominated and elected. He became Speaker of the House of Representatives, in which position he served with distinction. In this position he impressed upon the minds of the membership of the House, by his demeanor and impartial rulings, his splendid ability and fitness for this high honor.

CHAMP CLARK was not a politician in the common acceptation of the term, but he was a statesman of the highest order, a scholar of impressive standing, a historian of great depth, and truly an American of the foremost rank.

He was the best and most completely informed man in the United States concerning the lives, character, and achievements of the world's public men; in this he was marvelously well informed.

Side by side in the silent hall of death our beloved CHAMP CLARK, our colleague and comrade, takes his place among our Nation's noblest children who have crossed the great divide, and in that group are many brilliant statesmen, warriors, pioneers, and benefactors—heroes all, God bless them, every one.

Next Monday, March 7, he will be laid to rest among his legion of friends in Missouri. This date is the seventy-first anniversary of his birth, and in the beautiful cemetery at Bowling Green, Mo., he shall be laid in honor, and the tear-dimmed eyes of sorrowing friends by the thousands, who knew him best, will attest the highest love and affection of which the human heart is capable.

Like Napoleon with his eagles, so CHAMP CLARK surrounded himself with the scenes of this Chamber in the House of Representatives in his last hours and put the question, "The question is on the conference report." We shall miss him—we shall miss his kindly counsel and advice, and those who have served with him in Congress will, as the years go by, hear in that stentorian voice, "Evidently a sufficient number," but with all, and above all, will live on and on that splendid character and rugged honesty with which he has impressed his countrymen.

In his last conscious moments he, noble statesman and citizen that he was, asked that public business in Congress be not suspended on account of his passing away, stating that "the life of one man is so insignificant compared with the great public welfare." How like CHAMP CLARK—always he had uppermost in his mind the public weal. He held that above all his personal interests.

My colleagues, the achievements, the character, and the life of CHAMP CLARK, in the great eternal extent of time, shall run like Tennyson's Brook.

Mr. STEDMAN. Mr. Speaker, in the brief space of time to which I would be necessarily compelled to restrict myself tonight it would be idle and vain to attempt to deliver a eulogy on the character of Hon. CHAMP CLARK, our deceased colleague and friend. Of his high and disinterested patriotism, of his attainments as a statesman, of his love of truth and abhorrence of falsehood, cant, and hypocrisy, and of other traits which belong only to the noble, I can not now speak and do justice to his memory. I shall seek the opportunity to do so by permission of the House at some time during the special session. To all of us his death is a grievous affliction, and to none I believe more than to myself.

Mr. BELL. Mr. Speaker, we have met to pay our last tribute of respect to a great man, who only yesterday passed into the great beyond, from whence no traveler e'er returns. We are loath to give him up, but God knows best.

I can not think thee wholly gone;
The better part of thee is with us still;
Thy soul its hampering clay aside hath thrown,
And only freer wrestles with the ill.

No man in the United States was more widely known or more universally loved than CHAMP CLARK. His name had long since become familiar at the fireside of every American home. But few people in this great Commonwealth of ours did not know the history and life of this great man.

His public service and his great personal work were such as to make him easily one of the greatest leaders our country has ever known. He was for nearly 30 years one of the most successful legislators in this great body of selected men. During his eight years as Speaker he commanded the respect of every Member on both sides of the aisle, and all had perfect confidence in his word, his honesty, his loyalty, his judgment, and his good intentions.

How modest, kindly, all-accomplished, wise—
Not swaying to this faction or to that;
Not making his high place the lawless perch
Of wing'd ambition, nor a vantage ground
For pleasure; but thro' all this tract of years
Wearing the white flower of a blameless life.

He was a man of marked ability, calm, cool, collected, and absolutely sincere. He always spoke the truth and abhorred the slightest fabrication in any way. He was as true as the needle to the pole and never played false to a friend. He leaves behind him a name which can not be defamed and a character which, if measured by gold, could not be counted in the days, months, and years in which he lived. He was an educated man, the manner in which he obtained his education, almost entirely through his own efforts, being familiar to us all and appreciated by everyone. His love for the right and his hatred for the wrong were the predominating characteristics which made him truly a great man. He was brave, courageous, determined, and self-possessed. His handsome face and stalwart form attracted the attention of people wherever he was found.

He loved his friends and they loved him. I was thrown almost constantly with him for 16 years and was one of his most intimate and closest friends. He was the standard bearer of my faith in the innate nobility of mankind. He was not like the proud sycophant, who knows so much and loves so little. He was never domineering nor in any sense resentful, but always had the highest regard for the wishes and desires of those with whom he associated. He had a heart overflowing with love for his fellow man—

A life that all the Muses deck'd
With gifts of grace, that might express
All comprehensive tenderness,
All subtilizing intellect.

Yes; our friend, our brother, has left us, but—

Thou sleepest not, for now thy love hath wings
To soar where hence thy hope could hardly fly.
And often, from that other world, on this
Some gleams from great souls gone before may shine,
To shed on struggling hearts a clearer bliss,
And clothe the right with luster more divine.

Mr. TILSON. Mr. Speaker, I am not willing to let pass unimproved the opportunity to record a word of appreciation of ex-Speaker CLARK. He was already at the zenith of his great power and influence as a Member of the House when I entered the Sixty-first Congress. He was then ranking minority member of the Committee on Ways and Means and floor leader of the minority. An extra session of Congress had been called to revise the tariff. Partisan lines were somewhat tightly drawn and party feeling was at times tense. It was a critical period in the history of American political parties. If the Republicans could preserve party solidarity through the tariff revision period, it would go far toward making the revision satisfactory to the country, while Republican dissension meant Democratic opportunity. Able, aggressive, resourceful leadership in the House was absolutely essential for the Democrats in order to take advantage of any Republican mistakes, and such leadership they had in the person of CHAMP CLARK.

Democratic opportunity soon came, and it was not allowed to go unimproved. CHAMP CLARK was preeminently a party man and a party fighter. He did not confine his activities to the times when it was political fair weather for his party. He had fought the battles of his party in foul weather as well as fair for many years, but in the Sixty-first Congress the political weather was surely most propitious for the Democrats, and he made the most of it. At that time no other one man in America was so completely or accurately representative of the Democratic Party.

From a stinging defeat in 1908 he saw his party rally under his leadership in Congress, take full advantage of Republican dissension, and easily capture the House in 1910. He was not only the logical candidate of his party for the Speakership, but no one else was even mentioned for the place. It was one of the unfortunate consequences of taking full advantage of Republican division that, substantially with his advent to the great office of Speaker, political exigency demanded that that high office be stripped of much of its power, influence, and usefulness, for CHAMP CLARK was in every way qualified to become a great Speaker, and to exercise with wisdom as well as patriotism all the duties and responsibilities usually associated with the office.

Of the powers and duties not shorn from the Speaker, that of presiding over the House in actual session is, of course, the most

conspicuous, and it was along this line that Mr. CLARK had had least experience. As a parliamentary advocate and debater he had shown great strength, but as a parliamentarian it was not so certain that he would find it easy. No one will probably ever know whether or not he found it easy, and it does not matter, but it is history too recent and too well known to need comment that he did become a great presiding officer.

CHAMP CLARK was a party man, a real partisan, and never claimed for a moment that he would not use the power of his office to advance the interests of his party, so far as this could be done legitimately; but he had great respect for the office of Speaker and he was careful that his rulings should be founded upon reason as well as parliamentary precedent, so that they might be worthy of a place among the decisions of the great Speakers of the House. His work as Speaker will entitle him to rank high in the galaxy of great Americans who have filled that high office. His greatest work, however, in my judgment, was his work as a strong, rugged political fighter, both in the ranks and as a leader of the party of which he was so valiant a champion.

Our Government is, in effect, a Government by party and has ever been most satisfactorily carried on when there are present and active two strong, well-organized parties, one in control of the Government and the other in opposition. CHAMP CLARK was always a militant member of his party whether in power or in opposition, and as such rendered his greatest and most effective service. The country needs more of such party men, regardless of the party to which they belong. But CHAMP CLARK was much more than a party man, more than a party fighter, more than a party leader. He was a big American and a fine rugged type of the best product of American political life. If his loyalty to party was great, it was but indicative of his still greater devotion to country. Much as he loved his party, he loved his country more. His party was for him but the instrument through which he served his country.

Mr. FULLER. Mr. Speaker, I can not let this occasion pass without expressing, briefly, my tribute to the life and public services of our departed friend, former Speaker CHAMP CLARK, and my appreciation of the many kindnesses shown me by him while he was Speaker of this House. In his death I know that we all feel the loss of a friend, and the country has lost one of its greatest statesmen. As Speaker of the House he was always fair and just. As a Representative he was always for what he believed to be for the best interests of the country. He was a typical American—honest, sincere, just, and always patriotic. He loved this country and its institutions, and ever had an abiding faith in the continued greatness, prosperity, and success of free government as embodied in the Constitution and laws of the country. To his family and most intimate friends we can only express the sympathy we all feel, and to the country the fact of the loss of a great statesman, whose patriotic services and devotion to duty will ever be entitled to grateful remembrance.

Mr. IGOE. Mr. Speaker, the people of the entire Nation join the people of the State of Missouri in mourning the death of CHAMP CLARK. His passing takes from us a man who was loved, admired, and respected, and one whose admirable and distinguished public career will find a permanent place in the history of our country.

To the Members of Congress who served with him, he seemed to be as much a part of the House of Representatives as its rules and customs. He had become almost an institution. The memory of his service will always be an inspiration to the present and future Members of the House. His splendid character, his warm sympathy for the toiler, his championship of human rights, his passionate and undivided love of his country, his simple and unaffected manner even in the high place he attained, marked him as a genuine and great American.

The story of his struggles and achievements will always appeal to the imagination of the American youth and will urge them on to high and noble efforts in their own behalf and in behalf of their country.

When I became a Member of the House, he went out of his way to help me. Many times he called me aside and, relating his own experiences as a Member, would encourage and advise me. With all the demands upon him by reason of his office as Speaker, he seemed to delight in finding time to tell new Members of the customs and traditions of the House, of the opportunities for great service that was theirs and of the responsibilities of membership in the House. He believed in the House of Representatives, he had confidence in its membership, and he never lost an opportunity to answer, in public and private, any unfair or unjust criticism of the House or its membership.

Speaker CLARK was always approachable, always ready to advise and assist his fellow Members, always frank, candid, and honest. He could not try to make himself appear to be what he was not. He would not hide behind a mask nor would he attempt to give anyone a false impression of his attitude or position. A dissembler he never was. Courageous in every sense of the word, he formed his own opinions and fought nobly for them. His conscience was his guide—the welfare and happiness of his country the sole object of his public acts.

He was never unmindful of his obligations to those he represented. Upon one occasion he said: "No man is fit to be the lawgiver for a mighty people who yields to the demands and solicitations of the few who have access to his ear and is forgetful of the vast multitude who may never hear his voice nor look into his face." CHAMP CLARK never listened to the few and was never forgetful of the vast multitude.

He loved his party and was deeply attached to the principles upon which it was founded. He fought for these principles, even against members of his own party. He believed that the triumph of these principles and their faithful preservation were of more importance than the success of any individual or even the temporary success of the party achieved by being false to them.

The best known and the most beloved citizen of Missouri has passed away. The people of that great State will never forget his splendid public service and they will always be proud of this distinguished son who by his life, character, and works brought such great honor and distinction to her.

Mr. SIEGEL. Mr. Speaker, when I first came to Congress six years ago one of the first Members that I had the pleasure of being introduced to was the late CHAMP CLARK.

I shall always recollect how, when meeting him, he jocosely started to spar remarking, "Now I fight mit SIEGEL." Similarly this attitude continued during the entire time, and on January 18 last, when the reapportionment bill was being considered, he delivered his last speech, commencing with the following:

Mr. CLARK of Missouri. Mr. Chairman and gentlemen, all over Missouri there are old Union soldiers whose chief boast is that they "fought mit Siegel." And to-day I am going to "fight mit SIEGEL" myself. [Laughter and applause.]

He was one of the best-read men in Congress and was one of its greatest students of English literature. He spent considerable of his time in reading American history and at all times and places had the work of Congress in mind. As he was passing away his last words were "The question is on the conference report."

During his lifetime he uttered many words of friendly advice to his colleagues and to the country. It is fitting, therefore, that his view as to the functions of the majority leader, minority leader, and the whip, as described by him in his book at pages 337 and 338 of volume 2, entitled "My quarter century of American politics," should be here referred to. He believed that—

The chief function of the majority leader is to keep the business of the House well in hand, to look after details, to see to it, especially on important occasions, that his party fellows are present, and generally to supervise and lead in debate. He must necessarily keep in close touch with the chairmen of committees.

The duties of the minority leader are much the same as those of the majority leader. In order to succeed both leaders must possess tact, patience, firmness, ability, courage, quickness of thought, and knowledge of the rules and practices of the House.

The whips are the right hands of the two leaders. To be efficient they must know the membership by sight; be on as friendly a footing with them as possible; know where they reside, both in Washington and at home; know their habits, their recreations, their loafing places, the condition of their health and that of their families; the numbers of their telephones; when they are out of the city; when they will return; how they would probably vote on a pending measure; what churches they attend; what theaters they frequent—in short, all about them. The ideal whip should be able to furnish a fairly good skeleton biography of his flock on short notice. His principal duty is to have his fellow political Members in the House when needed. On critical occasions, when great questions are to be decided, especially when a close vote is expected, much energy is expended by the whips in order to muster the full party strength.

It may seem strange that men who are over 25 years of age, holding the great office of Representative in Congress—a place to secure which they undergo all sorts of labor and wear and tear of brawn and brain—will, having attained it, play hooky, like a lot of schoolboys when fishing is good and enticing; but there are some such—not a great number, however. Still, there are enough of them to sometimes decide the fate of important measures. These render the whips necessary. The right sort of whip soon becomes a great force in the House. He keeps the Speaker and the leader informed as to the probable vote on particular measures and the inclinations and predilection of Members. His duties are multifarious and onerous, but he has his ample reward in the good opinion of the House and his enhanced prospects of promotion. An active and capable new Member can not secure an assignment more for his own benefit than that of whip, particularly when the House is in a situation approximating political equilibrium. In a House with a big majority one way or the other he is not of such great importance.

A vast majority of measures are nonpolitical; but on many nonpolitical questions the fight is as hot and the excitement is as tense as on political questions.

When he wrote this description of the duties of these three important officials of the House he expressed his matured thought and judgment as to the duties and obligations of those who lead in the House and of all of the Members thereof.

I shall never forget the manner in which he showed his affection for the three boys who happened to be on the floor of the House of Representatives at the time when the last session of the Sixty-fourth Congress was closed. He spoke to the two sons of the Hon. JOHN ESCH, the able Representative for many years from Wisconsin, and my oldest son, Seymour, now 12 years of age. In addition thereto he wrote upon a sheet of congressional paper the words "Your friend, CHAMP CLARK," which will always be held in affection by him.

CHAMP CLARK left the world better than he found it, having found pleasure in his work all of his life. He always judged men by the best that was in them, and never sought to find their faults. Children loved him for his intense interest in them, and all who knew him admired his sterling character, genial disposition, and his love for his fellow men.

CHAMP CLARK has passed to the far beyond, where we all must go some day. His name, however, is endeared in the hearts of the American people for all time, and in years to come the rising generations will point to the career of a man who put service to his country far above everything else.

Mr. BYRNS of Tennessee. Mr. Speaker, CHAMP CLARK has been called home. The news of his passing away had been hourly expected by his colleagues in Congress, for everyone knew that he had been critically ill for several days in his hotel near the Capitol and that his doctors had announced that his life was fast ebbing away. The death of a friend and loved one always comes as a great shock, even though it has been long expected, and when the announcement was made in the House during the noisy and busy hours incident to the close of the session that the brave and chivalrous spirit of CHAMP CLARK had taken its flight to his Maker, the sudden hush and stillness which swept over the Chamber and the unchecked tears in the eyes of many of the oldest Members bore eloquent witness of the universal love and esteem of his colleagues.

I dare say that no Member of Congress ever enjoyed to a greater degree the respect and friendship of all of his colleagues, regardless of party affiliation. No greater tribute could be paid him, for, as I have often heard him say, there is no place outside the House of Representatives where a man's measure is taken with such unerring and merciless exactness. He early chose a life of service to his country and to his fellow man, rather than the pursuit of riches and his own personal and selfish happiness. In this broad field of usefulness, he made good in the highest sense. For more than two decades he served as a Member of the House of Representatives. He has left the imprint of his wisdom and statesmanship in many of the highly constructive and beneficial statutes passed during that time. He served for eight years as Speaker of the House. In times past many great Americans have presided over the House, but it can be truly said that CHAMP CLARK presided with such great fairness and impartiality and with such ability that he will always rank as one of the greatest Speakers of the House.

Mr. Speaker, it was a great privilege to have known CHAMP CLARK, and a much greater privilege to have shared his friendship. I have taken advantage of this opportunity to very briefly express my admiration for this great American, statesman, and orator, who has written his name high on the scroll of those who have rendered distinguished service to their country and to their fellow man; and to express my gratitude for the many kindnesses shown me and the wise counsel and advice given me during the years of my service with him. His warm friend and colleague, Judge DICKINSON, of Missouri, has truly said that those who knew him best loved him most. And let me add that millions of American men and women who perhaps did not know him personally but who nevertheless are familiar with his life and character, mourn the loss of this splendid American citizen and statesman.

Lives of great men all remind us
We can make our lives sublime,
And departing, leave behind us
Footprints on the sands of time.

Mr. SMITH of Michigan. Mr. Speaker and gentlemen of the House, I knew CHAMP CLARK very well. During the first eight years of my service in the House of Representatives he was the Speaker, and for the last four years we lived at the same hotel. As Speaker he had the respect and confidence of all the Members. He was a strong Democrat, but his decisions were fairly made and are cited to-day as precedents by the present Republican Speaker.

I attended the Baltimore Democratic convention in 1912, as an onlooker, because of its proximity to Washington. At that convention he led in the ballots for President 29 times and received a majority of all the votes on 8 ballots. Any one of those eight ballots would have nominated him in a Republican convention, but a nominee in a Democratic convention must have not only a majority but also must receive two-thirds of all the votes cast. I was present in the House the next morning when the House met after the convention had nominated Mr. Wilson. When Mr. CLARK mounted the Speaker's stand we all stood up and applauded and cheered him. He had a careworn look and was almost as white as marble, clearly showing the disappointment and effect of his defeat. He immediately called us to order, and without a word of comment concerning his defeat proceeded with the order of business.

He declined the appointment by the governor of Missouri for United States Senator in 1918. At the last election he was beaten for election to Congress by a Republican, and it would be strange if defeat following defeat had made no inroad upon his health. But through it all he never lost the good will or regard of his friends, and when the dread message came to CHAMP CLARK to close the book of his active earthly career a pall of sadness and sorrow swept over a Nation of admirers and loving friends who deeply mourn his departure.

He was born on the 7th of March, 1850, and died March 2, 1921, at his hotel in Washington, while still in the harness. He had hoped that he might end his days in Congress, and this desire came to pass. Had he lived five days longer he would have been 71 years of age.

CHAMP CLARK was not only a great statesman but as well an author, scholar, and historian. His latest work, entitled "My Quarter Century of American Politics," of two volumes undoubtedly will become the leading authority of the politics of his career and of his time. It was a real treat to listen to him discourse on political events, both current and passed, during the long winter evenings at his hotel surrounded by a large circle of friends. It seemed as if he knew all the Members of the Continental Congress and all of the chief events of all the other Congresses. He spoke of Thomas Jefferson as if they had been boon companions. He described Jefferson as having red hair, a freckled face, tall, lean, and lank, played a fiddle, and was fond of dancing. Stated that Divinity guided the hand of Jefferson when he wrote the Declaration of Independence.

Strong in statute, in the prime of life, a giant in intellect always, he died the Grand Old Man. His life might well be referred to as an inspiration to any poor boy or young man who must be the author of his own fortune. He tells us that his mother died when he was only 3 days old. That his father never had $500 worth of property at any one time in his life. That his first books were "The Life of Patrick Henry," "The Articles of Confederation," "The Declaration of Independence," "The Constitution of the United States," and "Washington's Farewell Address." Besides these he also gave great attention to the Bible. For it was said of him that he quoted the Bible more frequently and accurately than any other public man in a quarter of a century. I have heard him preach and marveled at the readiness with which he turned to different passages of scripture.

That he laid the foundation of his after life and successful career by hard work and hard study is shown by his attending first the common schools, then Kentucky University, Bethany College, and the Cincinnati Law School. President of Marshall College at the age of 24. No blessing ever befell or has been of greater benefit to the world than the opportunity of acquiring schooling and an education. But he saw the practical side of life as well, for he was a hired farm hand, clerk in a country store, editor, and lawyer. His ability was known to his constituents, for he has held the office of city attorney, prosecuting attorney, member of the legislature, and of Congressman for 24 years.

He was very proud of his son Bennett; a most exceptionally talented young man, who acted as his parliamentary clerk and who resigned to enter the World War. In an address delivered on the floor of the House he stated that should his son make the supreme sacrifice he would have inscribed on the simple tablet that would mark his resting place, "Here lies the remains of a true American soldier, who died in the defense of his country."

The great American citizen has departed. He leaves legions of friends. He spent the best of his life in the service of his country. He leaves a great name and a most honorable career.

While he was a strong partisan, he was nevertheless a great patriot. And while he belonged to the old school of statesmen, he was vigilant at all times of the welfare of his country. We assign his faults to oblivion, while his gentle spirit wings itself with the sunset of eventide to the haven of eternal bliss, and remember him as we last knew him, "CHAMP CLARK, the Grand Old Man."

Mr. SCHALL. Mr. Speaker, as I listened to-night to the men of this House "bringing their robin's leaf to deck the hearse" of that great champion of democracy, the rightful leader of the Democratic Party, in whose life its principles have been fostered and exemplified, a glowing, living, brilliant example of pure Americanism, it seemed the recital of the cold facts of a man's life as little show forth his warm, intrinsic personality as does the cold bodily habitation after the spirit has released its hold. The thing that made us love CHAMP CLARK defies the facile phrase maker. His influence and personality can not be measured by the rule of thumb. When the last tribute has been paid him, the hearts that love him will yearn for more. Words can not do justice to the wealth of the spirit that has passed beyond our ken.

The loss of his kindly, well-loved presence is personal to every man in this House. I could not see the striking, handsome face, the majesty of bearing, but I could feel the power of his character, the calm mastery and dignity of his manner, the warmth and steadiness of his friendship. He is not dead; he is more living than we.

As I heard our beloved leader, JIM MANN, handling the gavel which was to have been presented by him to his old friend and colleague I could not resist the impulse which coursed through my understanding that CHAMP was here among us and only marveled at our misunderstanding that he was not, and was tried by our lack of comprehension and sympathized at our limited material vision which could not see him. I wanted to suggest, "CHAMP CLARK is here. Present the gavel to him." He may not be able to take it materially, but radiant and unshackled as he is, he is ready to receive the sign and symbol of respect, love, veneration.

It seemed I could sense his presence here with us to-night; could almost feel the friendly pressure of his hand upon my knee, and hear, as was his wont, his thoughtful "Hello, SCHALL," as he passed by. I can not feel that he has gone to some far country, but rather is communing with us, and were it not for a dullness of our spiritual eye, a muffling of our faith, we could perceive him.

He was so full of little kindnesses, simply given. He never forgot a friend. A plain, blunt patriot, whose dry wit played unoffendingly over friend and foe alike.

When the House was evenly divided, at the opening of the war Congress, it fell to my lot to cast the deciding vote for CHAMP CLARK for Speaker. While the motive which influenced me was not one of personal friendship, as I hardly knew Mr. CLARK, but rather a desire that the machinery of war should be speedily set in motion and not be retarded by a long-drawn-out battle, such as marked the previous occasion, still his mind was so broad and fair and his vision so keen that he took the deed for an earnest and gave me his prized friendship ungrudgingly.

For the sake of the RECORD and for his family, who may treasure the memory of his participation in that most tense crisis of our national history, I wish to insert at this point my speech made April 2, 1917, giving reason for my vote as a Republican for CHAMP CLARK as Speaker and for the organization of the House by the Democrats, and whence arose my honored privilege of nominating him for his last speakership.

ELECTION OF SPEAKER.

The CLERK. The next business in order is the election of a Speaker. Nominations for Speaker are in order.

Mr. SCHALL. We are met to-day efficiently and harmoniously to organize the House and quickly to put it into condition to transact the public business. The issue of the organization of this House is the issue of the Nation. It is not the tariff; it is not whether any one party, any one man, or any one group of men shall fail or succeed. The question is whether the Nation, involved in an international crisis, shall show to the world a solid front. [Applause.] Full cooperation between the President and Congress should be a national benefit, impossible with one branch Republican and one branch Democratic. [Applause.] A State divided against itself would stand in time of peace, but to-day such a condition might hold a serious menace. To-day our vision should project beyond party cleavage. The responsibility weighing down our President should inspire the utmost cooperation, even to the extent of foregoing party advantage, that to-day's action may square with the public good. [Applause.]

The extraordinary peril to-day renders partisanship dangerous, for it would be interpreted as showing a divided spirit. To-day there should be just one party and that is the American party. [Applause.] We can settle our domestic differences later. Standing at the crossway of party and Nation, as an independent Progressive Republican I have no hesitancy as to which way is right. The responsibility of my vote has weighed heavily upon my soul. I have reviewed and re-reviewed the situation from every possible angle, and I have again and again been forced to the same conclusion. I have asked God to guide me, that in my vote I might not be false to any man, much less betray a trust confided in me.

I am not unmindful of the sterling, deserving, patriotic character of the able, hard-working, faithful Republican candidate, and were our country not facing an international crisis, with a Democratic President and a Democratic Senate, I should with full party pride cast my vote for the Republican candidate. My father was a Republican and voted for and fought under Abraham Lincoln. I have always been a Republican and still am a Lincoln Republican, and I believe that the spirit of that greatest American is here with us to-day, guiding the destiny of our Nation upholding the hands of our President in this hour of trial.

But I am ready at any time to give of myself whatever my country can use. With my sightless eyes I would be of little service on the field of battle, but in the position I hold I can to-day, with the light that God gives me, vote right and let the consequences to me be what they may. [Applause.] The responsibility of Congress, I believe, should be with the President. Should the Republican Party succeed in organizing the House, evenly divided as it is, with a Democratic Senate and a Democratic President, it could accrue no possible advantage and would only furnish an excuse for Democratic failures. The party that have controlled our Nation during the development of the present crisis should reap the harvest of the seeds they have sown.

From all over the country, by wire, by letter, by petition, by newspaper, by voice, have come the word, whatever it may mean, "Stand by the President." [Applause.] The legislature of my State, with only one dissenting vote, passed resolutions to that effect. Labor, professional, business, civic, farmers, and church organizations and individuals all urge the upholding of the President. Leading Republicans from all over the country, among them no less than the illustrious ex-Presidents Roosevelt and Taft, and Elihu Root and Charles E. Hughes, pledge their word to stand by the President in this international crisis. Newspapers from coast to coast are editorially calling upon the men intrusted with the Nation's heritage to stand by the President. I know of no better way, at the outset of this Congress, to assist the President in standing erect under his heavy burden than to help him retain the organization of the House, and I shall therefore cast my vote for that progressive Democrat CHAMP CLARK [applause], one of the most able and one of the squarest men who has ever graced the Speaker's chair. [Applause.] In so doing it is my patriotic hope that not to-morrow nor the next day, but to-day, after the first roll call, the trained lightning may flash the message of our unity, a warning to all the world that, despite internal differences, when external danger threatens, from North to South, from East to West, Americans stand for America. [Applause.]

The CLERK. Did the gentleman from Minnesota intend to place Mr. CLARK of Missouri in nomination for Speaker?

Mr. SCHALL. It was not my intention. I merely wished to state the reasons and motive for my vote, but since I am going to vote for him I can see no reason why I should not. I deem it an unusual honor and gladly place him in nomination for Speaker.

The CLERK. CHAMP CLARK, of Missouri, has been placed in nomination for Speaker of the House.

However great were his mental qualities, his courage, his integrity, his justice, it was his heart of understanding that made him one of the few—never too proud to be a simple human being, never too dignified to show an honest emotion. Devoted to his family, the offering up of his beloved son on the altar of his country caused his step to halt a little and the tones of his voice to deepen with sorrow. He shamed not to let the tears fall, and it seemed to me I could note each day the chain drag a little more toilsomely. Even the safe return of the boy did not restore his former spirit, and the death of the adored little grandson, Champ Clark 3d, wrenched away another hold on life. But when, after a long series of fruitful years and honest, faithful service, he was swept into the discard for the faults of another, faults he saw and results he foretold, then burst his mighty heart. I saw him in the corridors of the House one day in early December and said, "But you'll come back, Champ." He rejoined with bitter conviction, "SCHALL, I'll never come back." The chill foreboding of the fate that was to be his spoke in his words. I could not answer him.

Yet it is a fitting end, that he should die in action, die as he has lived, fighting forward. Lawyer, statesman, patriot, his life will be an inspiration to the youth of our land and a guide to those in authority. With Washington, Jefferson, Franklin, Patrick Henry, Lincoln, Roosevelt, and other bulwarks of the Nation, he has joined the ages, to guard, by his example of life and the force of his spirit, the destiny of his country, his beloved America, the hope of the world.

The SPEAKER pro tempore. These services have now been concluded.

VETO MESSAGE—EMERGENCY TARIFF BILL.

The SPEAKER. According to the agreement before the recess the Chair lays before the House the tariff bill and the veto message of the President.

Mr. FORDNEY. Mr. Speaker, I move the consideration of the message from the President on the bill H. R. 15275, and on that motion I move the previous question. I suggest to the House that every Member of the House is thoroughly familiar with this matter and due to the lateness of the hour I hope there will be no discussion upon the bill.

The question was taken, and the previous question was ordered.

The SPEAKER. The question is, Will the House on reconsideration pass the bill, the objections of the President to the contrary notwithstanding? The Clerk will call the roll.

The question was taken; and there were—yeas 201, nays 132, answered "present" 3, not voting 91, as follows:

YEAS—201.

Ackerman	Good	McArthur	Rowe
Anderson	Goodykoontz	McKenzie	Sanders, Ind.
Andrews, Md.	Graham, Ill.	McLaughlin, Mich.	Sanders, N. Y.
Andrews, Nebr.	Green, Iowa	McLaughlin, Nebr.	Scott
Ashbrook	Greene, Mass.	McLeod	Shreve
Aswell	Griest	McPherson	Sinclair
Barbour	Hadley	MacGregor	Sinnott
Bee	Hardy, Colo.	Madden	Slemp
Begg	Harreld	Magee	Smith, Idaho
Benham	Haugen	Mann, Ill.	Smith, Ill.
Bland, Ind.	Hawley	Mansfield	Smith, Mich.
Blanton	Hays	Mapes	Smithwick
Bowers	Hernandez	Martin	Snell
Brooks, Ill.	Hersey	Mason	Snyder
Brooks, Pa.	Hickey	Michener	Stephens, Ohio
Browne	Hicks	Miller	Strong, Kans.
Butler	Hill	Monahan, Wis.	Strong, Pa.
Campbell, Kans.	Hoch	Mondell	Summers, Wash.
Chindblom	Houghton	Moore, Ohio	Sweet
Christopherson	Hudspeth	Moore, Va.	Swindall
Cole	Hulings	Morin	Swope
Cooper	Hull, Iowa	Mott	Taylor, Colo.
Copley	Husted	Mudd	Taylor, Tenn.
Crago	Hutchinson	Murphy	Temple
Cramton	Ireland	Nelson, Wis.	Thompson
Crowther	Jefferis	Newton, Mo.	Timberlake
Currie, Mich.	Johnson, S. Dak.	Nolan	Tincher
Curry, Calif.	Johnson, Wash.	O'Connor	Towner
Dale	Jones, Pa.	Ogden	Vaile
Darrow	Jones, Tex.	Osborne	Vestal
Dempsey	Juul	Parker	Voigt
Denison	Kearns	Parrish	Volstead
Dickinson, Iowa	Kelley, Mich.	Patterson	Walters
Donovan	Kelly, Pa.	Porter	Ward
Dowell	Kendall	Purnell	Wason
Dunbar	Kiess	Radcliffe	Watson
Dunn	King	Raker	Webster
Dupré	Kinkaid	Ramsey	Wheeler
Dyer	Kleczka	Ramseyer	White, Kans.
Echols	Knutson	Randall, Calif.	White, Me.
Edmonds	Kraus	Randall, Wis.	Williams
Elliott	Kreider	Ransley	Wilson, Ill.
Esch	Lampert	Reber	Wilson, La.
Evans, Nebr.	Langley	Reed, N. Y.	Wood, Ind.
Fairfield	Lankford	Reed, W. Va.	Wright
Farr	Layton	Rhodes	Yates
Fess	Lazaro	Ricketts	Young, N. Dak.
Fish	Lea, Calif.	Riddick	Zihlman
Focht	Lehlbach	Robsion, Ky.	
Fordney	Little	Rodenberg	
French	Luhring	Rose	

NAYS—132.

Almon	Davis, Tenn.	Larsen	Rayburn
Babka	Dominick	Lesher	Robinson, N. C.
Bacharach	Doremus	Linthicum	Rogers
Bankhead	Drane	Luce	Romjue
Barkley	Eagan	Lufkin	Rouse
Bell	Eagle	McAndrews	Rucker
Benson	Fields	McClintic	Sabath
Black	Fisher	McDuffie	Sherwood
Bland, Mo.	Flood	McGlennon	Siegel
Bland, Va.	Freeman	McKeown	Sims
Bowling	Gallivan	Major	Sisson
Box	Ganly	Mays	Small
Brand	Gard	Mead	Smith, N. Y.
Briggs	Garrett	Merritt	Stephens, Miss.
Brinson	Glynn	Milligan	Stoll
Burdick	Godwin, N. C.	Minahan, N. J.	Sumners, Tex.
Burroughs	Greene, Vt.	Montague	Tague
Byrnes, S. C.	Harrison	Moores, Ind.	Taylor, Ark.
Byrns, Tenn.	Hastings	Neely	Tillman
Campbell, Pa.	Hoey	Nelson, Mo.	Tinkham
Candler	Howard	Newton, Minn.	Treadway
Cantrill	Huddleston	Nicholls	Upshaw
Caraway	Hull, Tenn.	O'Connell	Venable
Carew	Humphreys	Oldfield	Vinson
Carss	Igoe	Oliver	Volk
Carter	Jacoway	Olney	Walsh
Cleary	James, Va.	Paige	Weaver
Coady	Johnson, Ky.	Pell	Whaley
Collier	Johnson, Miss.	Perlman	Wilson, Pa.
Connally	Keller	Peters	Wingo
Cullen	Kennedy, R. I.	Phelan	Winslow
Dallinger	Kincheloe	Quin	Woods, Va.
Davey	Lanham	Rainey, Henry T.	Young, Tex.

ANSWERED "PRESENT"—3.

Crisp	Ferris	Steagall

NOT VOTING—91.

Anthony	Dooling	Graham, Pa.	McFadden
Ayres	Doughton	Griffin	McKinley
Baer	Drewry	Hamill	McKinley
Boies	Ellsworth	Hamilton	Maher
Britten	Elston	Hardy, Tex.	Mann, S. C.
Brumbaugh	Emerson	Hayden	Moon
Buchanan	Evans, Mont.	Hersman	Mooney
Burke	Evans, Nev.	Holland	Overstreet
Caldwell	Foster	James, Mich.	Padgett
Cannon	Frear	Johnston, N. Y.	Park
Casey	Fuller	Kahn	Pou
Clark	Gallagher	Kennedy, Iowa	Rainey, Ala.
Classon	Gandy	Kettner	Rainey, John W.
Costello	Garner	Kitchin	Reavis
Davis, Minn.	Goldfogle	Lee, Ga.	Riordan
Dent	Goodall	Lonergan	Rowan
Dewalt	Goodwin, Ark.	Longworth	Rubey
Dickinson, Mo.	Gould	McCulloch	Sanders, La.
Sanford	Stedman	Sullivan	Welling
Schall	Steele	Thomas	Welty
Scully	Steenerson	Tilson	Wise
Sears	Stevenson	Vare	Woodyard
Sells	Stiness	Watkins	

So, two-thirds not having voted in favor thereof, the veto was sustained.

The Clerk announced the following pairs:

On this vote:

Mr. LONGWORTH and Mr. VARE (to override the veto) with Mr. FERRIS (to sustain).

Mr. STEAGALL and Mr. CRISP (to override the veto) with Mr. STEVENSON (to sustain).

Mr. ANTHONY and Mr. WOODYARD (to override the veto) with Mr. BUCHANAN (to sustain).

Until further notice:

Mr. KAHN with Mr. DENT.

Mr. FOSTER with Mr. JOHN W. RAINEY.

Mr. MCKINLEY with Mr. STEDMAN.

Mr. ELSTON with Mr. DICKINSON of Missouri.

Mr. KENNEDY of Iowa with Mr. GARNER.

Mr. TILSON with Mr. LEE of Georgia.

Mr. SELLS with Mr. WISE.

Mr. FREEMAN with Mr. GALLAGHER.

Mr. GOODALL with Mr. THOMAS.

Mr. SCHALL with Mr. HARDY of Texas.

Mr. CANNON with Mr. CLARK.

Mr. FULLER with Mr. RIORDAN.

Mr. DAVIS of Minnesota with Mr. POU.

Mr. HAMILTON with Mr. OVERSTREET.

Mr. JAMES of Michigan with Mr. MAHER.

Mr. MCCULLOCH with Mr. PADGETT.

Mr. FREAR with Mr. GRIFFIN.

Mr. GOULD with Mr. MOONEY.

Mr. EMERSON with Mr. SEARS.

Mr. BRITTEN with Mr. KITCHIN.

Mr. BOIES with Mr. SULLIVAN.

Mr. SANFORD with Mr. HAYDEN.

Mr. STEENERSON with Mr. DOUGHTON.

Mr. BURKE with Mr. HOLLAND.

Mr. COSTELLO with Mr. GODWIN of North Carolina.

CORRECTION OF REPRINT OF BILL.

The SPEAKER. A mistake was made in the Senate in printing a bill that passed the House. The Chair asks unanimous consent for the consideration of the following resolution, which the Clerk will report.

The Clerk read as follows:

House concurrent resolution 78.

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill H. R. 14490, entitled "An act to transfer the Panhandle and Plains section of Texas and Oklahoma to the United States Standard Central Time Zone" the Clerk of the House be authorized and directed to insert, on page 2, line 13, after "Santa Fe," the words "Railway Co. and other branches of Santa Fe"; and on page 2, line 13, strike out all after "Clovis" down to and including "Clovis" in line 14.

The SPEAKER. Is there objection to the consideration of the resolution? [After a pause.] The Chair hears none. The question is on agreeing to the resolution.

The resolution was agreed to.

REPRINT OF MANUAL AND DIGEST.

Mr. GARRETT. Mr. Speaker, the gentleman from Pennsylvania [Mr. KIESS], the chairman of the Committee on Printing, presented a resolution this afternoon for the printing of the Manual. I ask the gentleman to lay that before the House and call it up again.

The SPEAKER. The gentleman from Pennsylvania [Mr. KIESS] offers a resolution from the Committee on Printing, which the Clerk will report.

The Clerk read as follows:

Resolved, That there be printed as a House document 2,000 copies of the Digest and Manual of the Rules and Practice of the House of Representatives for the Sixty-sixth Congress, the same to be bound, and distributed through the folding room.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. FOCHT. Mr. Speaker, I desire to move the suspension of the rules——

The SPEAKER. There is another matter before the House. Is there objection? [After a pause.] The Chair hears none.

Mr. MANN of Illinois. I do not know whether this would provide for bringing the Manual down to date or is just a reprint of the old Manual.

The SPEAKER. The Chair is informed it will be brought down to date.

Mr. MANN of Illinois. What is the provision in there in reference to the distribution?

The SPEAKER. The distribution to be through the folding room.

Mr. GREENE of Vermont. Mr. Speaker, is it proper to ask that the resolution be again reported?

The SPEAKER. The Clerk will again report the resolution.

The resolution was again read.

Mr. HULINGS. Mr. Speaker, I object.

The SPEAKER. The objection comes too late.

Mr. GARRETT. Mr. Speaker, I move the previous question.

Mr. WALSH. Will the gentleman withhold that?

Mr. GARRETT. I will.

Mr. WALSH. Mr. Speaker, is this the exact resolution that was laid before the House earlier in the evening and withdrawn?

The SPEAKER. The Chair is informed that it is.

Mr. WALSH. If I understand correctly, the reason this resolution is presented at this time is that the printed supply of the Manual is practically exhausted, and that we would find ourselves in the situation in the new Congress of being without an available supply of the rules and printed forms, with the precedents annotated, and that it is the desire to have a sufficient number until a complete revision can be procured——

Mr. SNELL. Will the gentleman yield for a question?

Mr. WALSH (continuing.) And parallel the reprint and the supplement of Hinds' Precedents.

Mr. SNELL. Is the present supply all exhausted?

Mr. WALSH. I understand that it is practically exhausted; that there will be such a demand for it——

Mr. HOWARD. Mr. Speaker, a parliamentary inquiry——

Mr. WALSH. I do not yield to a parliamentary inquiry. I yielded to the gentleman from New York. I understand that with the large number of new Members in the new Congress there will be such a demand for it that the existing supply will probably soon be depleted.

Mr. SNELL. Will the Rules XXI and XXII be in this new print of the Manual?

Mr. WALSH. The new rules as they exist at present.

Mr. SNELL. In the Sixty-sixth Congress.

Mr. WALSH. I assume that is so.

Now I yield to the gentleman from Oklahoma.

Mr. HOWARD. Mr. Speaker, a parliamentary inquiry: Some of us, though victims of the late landslide, are very much interested in the proceedings of Congress. I would like to ask if the word "distribution" means distribution to the outgoing as well as to the incoming Members of this House?

The SPEAKER. That is not a parliamentary inquiry.

Mr. MANN of Illinois. This will mean distribution to the Members of the Sixty-seventh Congress. The Manuals will not be placed to the credit of the Members of the Sixty-sixth Congress, because they will not be placed in the folding room in time. If the gentleman has not got a Manual of the Sixty-sixth Congress I will be glad to present him with one.

Mr. HOWARD. I should be delighted to have a copy of the Manual with the autograph in it of the distinguished gentleman from Illinois.

Mr. MANN of Illinois. I can not promise the autograph, but I will give the gentleman a copy of the Manual right now. It is the best Manual in the House.

Mr. GREENE of Vermont. Does the gentleman from Massachusetts [Mr. WALSH] understand that by the wording of the text of this resolution it will include a revision down to the adjournment of the present Congress—the Sixty-sixth Congress?

Mr. WALSH. It will include the rules of the present Congress down to the adjournment. The annotations upon the rules, I assume, will be brought down to a very recent date.

Mr. GREENE of Vermont. No one could understand better than the gentleman from Massachusetts, who so frequently graces the chair, and with such parliamentary authority when he does, that the printing of the rules is one thing and the interpretation of the rules, by means of decisions and annotations, is quite another; and the thing that we are looking for at present is to understand these very rules that we have been working under in the present Congress; and if, just before we go out we could get a book that would explain them to us, it might be worth while to print 2,000 copies. [Laughter.]

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

Mr. WALSH. I will yield to the gentleman from Kentucky if he desires to answer the gentleman from Vermont.

Mr. FIELDS. Is the gentleman an expert on rules?

Mr. GREENE of Vermont. No; I am not an expert on rules, but I am trying to find somebody who is the father of this resolution.

Mr. GARRETT. Mr. Speaker, I do not yield to the gentleman from Massachusetts further.

Mr. WALSH. I thought the Speaker had recognized me without assuming to trespass on the courtesy of the gentleman from Tennessee.

Mr. GARRETT. The gentleman is mistaken. I withheld the motion for the previous question and yielded to the gentleman, but I still have the floor.

Mr. Speaker, I move the previous question.

The SPEAKER. The gentleman from Tennessee moves the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

MESSAGE FROM THE SENATE.

The message also announced that the Senate had agreed to the amendment of the House to the bill (S. 1695) validating certain homestead entries.

Also that the Senate had passed the bill (H. R. 12161) to amend an act entitled "An act to codify, revise, and amend the penal laws of the United States," approved March 4, 1909 (35 Stat. L., 1134), with an amendment, in which the concurrence of the House was requested.

Also that the Senate had passed joint resolution (S. J. Res. 255) admitting Emil S. Fischer to the rights and privileges of a citizen of the United States, in which the concurrence of the House of Representatives was requested.

The message also announced that the Senate had passed with amendments the following resolution:

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (H. R. 14490) entitled "An act to transfer the Panhandle and Plains section of Texas and Oklahoma to the United States standard central time zone," the Clerk of the House of Representatives be authorized and directed to insert on page 2, line 13, after "Santa Fe Railway Co." "and other branches of the Santa Fe," and on page 2, line 13, strike out all after "Clovis" down to and including "Clovis," in line 14.

ENROLLED BILLS SIGNED.

Mr. RAMSEY, from the committee on enrolled bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 3984. An act for the relief of Thomas Bayton and Bertha M. Hartt;

H. R. 15085. An act to perpetuate the memory of the Chickasaw and Seminole Tribes of Indians in Oklahoma;

H. R. 14669. An act for the consolidation of forest lands in the Carson National Forest, N. Mex., and for other purposes;

H. R. 1299. An act for the relief of George LeClear;

H. R. 11851. An act authorizing the exchange of lands within the Rainier National Forest, in the State of Washington, and for other purposes; and

H. R. 15861. An act to confirm private claim No. 61 of Ambroise Reopel in townships 2 and 3 south, range 11 east, Michigan meridian, Wayne County, Mich.

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

S. 3750. An act to amend an act entitled "An act to provide for the settlement of the claims of officers and enlisted men of the Army for the loss of private property destroyed in the military service of the United States," approved March 3, 1885, as amended by the act of July 9, 1918, and for other purposes;

S. 4903. An act to authorize the construction and maintenance of a bridge across Detroit River within or near the city limits of Detroit, Mich.;

S. 1695. An act validating certain homestead entries;

S. 4572. An act granting the city and county of Honolulu, Territory of Hawaii, a right of way over and across the Fort De Russy Military Reservation for the purpose of extending its sewer system;

S. 3695. An act for the relief of the Stevens Institute of Technology, of Hoboken, N. J.;

S. 4511. An act authorizing the Secretary of War to grant a right of way over certain Government lands to the State of Oregon for the Columbia River Highway;

S. 4827. An act to authorize the Secretary of War to furnish to the National Museum certain articles of the arms, matériel, equipment, or clothing heretofore issued or produced for the United States Army, and to dispose of colors, standards, and guidons of demobilized organizations of the United States Army, and for other purposes; and

S. J. Res. 233. Joint resolution giving consent of the Congress of the United States to the States of North Dakota, South Dakota, Minnesota, Wisconsin, Iowa, and Nebraska, or any two or more of said States, to agree upon the jurisdiction to be exercised by said States over boundary waters between any two or more of said States.

BILL AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bill and joint resolutions:

H. R. 15943. An act making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes;

H. J. Res. 480. Joint resolution making an appropriation to pay the widow of Champ Clark; and

H. J. Res. 420. Joint resolution providing for the bringing to the United States of the body of an unknown American, who was a member of the American Expeditionary Forces, who served in Europe and lost his life during the World War, and for the burial of the remains with appropriate ceremonies.

H. J. Res. 346. Joint resolution extending the time for payment of purchase money on homestead entries in the former Standing Rock Indian Reservation, in the States of North and South Dakota, and for other purposes.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had, on March 3, 1921, approved and signed bills of the following titles:

S. J. Res. 251. Joint resolution to authorize payment to members of the Army and Navy who were employed as enumerators during the Fourteenth Decennial Census to take the census of persons in the Army and Navy;

S. 4554. An act to amend an act entitled "An act to create a Federal power commission; to provide for the improvement of navigation; the development of water power; the use of the public lands in relation thereto; and to repeal section 18 of the river and harbor appropriation act approved August 8, 1917, and for other purposes," approved June 10, 1920;

S. 4710. An act to authorize the Commissioner of the General Land Office to dispose of certain trust funds in his possession;

S. 4826. An act to amend section 5 of the act entitled "An act to incorporate the American National Red Cross," approved January 5, 1905;

S. 5000. An act directing the Mississippi River Commission to make an examination and survey of the Atchafalaya, Red, and Black Rivers, and to report plans for protection of their basins from flood waters of the Mississippi River;

S. 5030. An act authorizing the city of New Orleans, La., to extend Dauphine Street in said city across the United States military reservation known as the Jackson Barracks;

S. 5032. An act for the construction of a bridge across Rock River at or near Shirland Avenue, in the city of Beloit, Wis.;

H. R. 15812. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1922;

H. R. 16100. An act making appropriations for fortifications and other works of defense, for the armament thereof, and for the procurement of heavy ordnance for trial and service, for the fiscal year ending June 30, 1922, and for other purposes;

H. J. Res. 382. Joint resolution declaring that certain acts of Congress, joint resolutions, and proclamations shall be construed as if the war had ended and the present or existing emergency expired;

H. R. 10074. An act to enlarge the jurisdiction of the municipal court of the District of Columbia, and to regulate appeals from the judgments of said court, and for other purposes;

H. R. 11572. An act for the relief of the John E. Moore Co.;

H. R. 12634. An act for the relief of Wilhelm Alexanderson;

H. R. 13225. An act providing for the allotment of lands within the Fort Belknap Indian Reservation, Mont., and for other purposes;

H. R. 13944. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 14063. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors; and

H. R. 15662. An act to extend temporarily the time for filing applications for letters patent, for taking actions in the United States Patent Office with respect thereto, for the reviving and reinstatement of applications for letters patent, and for other purposes.

SHIPMENT OF EXPLOSIVES.

The SPEAKER. The Chair lays before the House a House bill with Senate amendments, which the Clerk will report.

The Clerk read the title of the bill, as follows:

A bill (H. R. 12161) to amend an act entitled "An act to codify, revise, and amend the penal laws of the United States," approved March 4, 1909 (35 Stat. L., p. 1134).

The SPEAKER. The Clerk will report the Senate amendments.

The Senate amendments were read.

Mr. MERRITT. Mr. Speaker, I move to concur in the Senate amendments.

The SPEAKER. The gentleman from Connecticut moves to concur in the Senate amendments.

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

Mr. MERRITT. I yield to the gentleman from Massachusetts.

Mr. WALSH. It seems to me we ought to have an explanation of what this change does.

Mr. MERRITT. The bill which was passed by the House January 17, 1921, has to do with the transportation of explosives. It is a bill recommended by the Interstate Commerce Commission, and it passed the House without opposition. The amendment of the Senate simply has to do with the penalty, and that is also concurred in by the Interstate Commerce Commission and by the Committee on Interstate and Foreign Commerce of the House.

Mr. KNUTSON. Does it provide for any specific way of packing explosives?

Mr. MERRITT. They are to be packed under regulations prescribed by the Interstate Commerce Commission.

Mr. KNUTSON. That is satisfactory.

Mr. CHINDBLOM. Is a violation created by noncompliance with the rules of the Interstate Commerce Commission?

Mr. MERRITT. Yes.

Mr. CHINDBLOM. And is there a penalty provided for a violation of the rules of the Interstate Commerce Commission?

Mr. MERRITT. Yes.

Mr. HICKS. Will the gentleman yield?

Mr. MERRITT. Yes.

Mr. HICKS. I understand this is an amendment to a bill that was passed here only a few weeks ago.

Mr. MERRITT. Yes.

Mr. HICKS. Why did we discover the need for it just now? Why was it not discovered three or four weeks ago?

Mr. MERRITT. The Senate discovered it. We did not discover it.

Mr. GARRETT. Mr. Speaker, as I understand, there is no objection to this bill. I understand further that we are waiting for the sundry civil bill to come back from the Senate. Now, there is no objection to taking a recess for 5 minutes or 10 minutes after this Senate amendment is disposed of. I hope gentlemen will not call up other bills to-night. We are perfectly willing to stand in recess for whatever time the gentleman from Wyoming may suggest and wait for the sundry civil bill so that it can be properly signed, but it is rather embarrassing to have to call up these little matters and kill time with them while we are waiting for the sundry civil bill.

Mr. MONDELL. Is there any objection to the matter which is pending?

Mr. GARRETT. No objection whatever.

Mr. MONDELL. After this matter is disposed of I intend to ask that the House stand in recess.

Mr. WINGO. I want to get some information about this proposition. Will the gentleman from Connecticut yield?

Mr. MERRITT. Yes; I yield.

Mr. WINGO. I was at the Clerk's desk and read the section that seems to be in dispute. As I understand, the Senate has amended section 5 of the bill. That is the section which under the Senate amendment makes death by unlawful act, provided it is by an explosive, punishable by 10 years in the penitentiary. In other words, if a man unlawfully produces death in violation of this explosive act he gets sentenced to the penitentiary for 10 years. Is that the idea?

Mr. MERRITT. The penalty is not more than $10,000 fine or imprisonment for not more than 10 years.

Mr. WINGO. Under that amendment a man could commit murder and be punished by $1 fine or one day in jail. What is the idea?

Mr. MERRITT. The court would have discretion about that.

Mr. WINGO. That is true; but why give the court discretion and let a man off with light imprisonment for unlawfully and knowingly destroying the life of a fellow man?

Mr. MERRITT. You can not tell what the real negligence might be; it certainly would not be punished by death.

Mr. WINGO. The trouble with the present law is that it is not stringent enough.

Mr. MERRITT. I do not think the difficulty was with the penalty, but with the provision for the carriage and packing.

Mr. WINGO. I remember that when we passed the explosive act the objection was that the act was not more stringent. Now, you undertake to amend the present law, but I notice that you do not put a more stringent penalty in the act where death results. Why do you not make the penalty more stringent?

Mr. MERRITT. Because this is a pretty stringent penalty now.

Mr. WINGO. To send a man to jail for one day or fine him $1?

Mr. MERRITT. I do not think that would happen.

Mr. WINGO. But you make it possible.

Mr. BEE. Will the gentleman yield?

Mr. MERRITT. Yes.

Mr. BEE. This is a case of negligence, but not malicious?

Mr. MERRITT. Yes.

Mr. BEE. Is it not parallel to the law in the gentleman's own State, where it is in the first or second degree, and where there is no malice?

Mr. WINGO. The gentleman from Texas is not familiar with the explosive laws of my State. He is talking about involuntary manslaughter.

Mr. BEE. I can understand the difference between negligence and homicide in the second degree, where it is not malicious.

Mr. MERRITT. Mr. Speaker, I move the previous question on agreeing to the Senate amendment.

The previous question was ordered.

The SPEAKER. The question now is on agreeing to the Senate amendment.

The Senate amendment was agreed to.

Mr. MONDELL. Mr. Speaker, the Senate is discussing the sundry civil bill. It is likely to be over here almost any hour. It is important that the House receive it when it is messaged over from the Senate. I therefore ask unanimous consent that the House stand in recess until 2 o'clock a. m.

The SPEAKER. The gentleman from Wyoming asks unanimous consent that the House stand in recess until 2 o'clock a. m.

Mr. FOCHT. I object; and I ask for recognition.

The SPEAKER. The Chair declines to recognize the gentleman.

Mr. FOCHT. Then I object, Mr. Speaker. Let us do business.

Mr. MONDELL. Mr. Speaker, I move that the House stand in recess until 2 o'clock a. m.

Mr. FOCHT. I make the point of no quorum.

Mr. MANN of Illinois. I hope that the gentleman will not make the point of no quorum.

Mr. FOCHT. I think we should remain here and do business. There are important bills ready for passage, that the House is for, which I have been attempting to bring up from the committee of which I am chairman. I am simply trying to do my duty.

Mr. WINGO. Is the gentleman trying to pass the packers' bill? [Laughter.]

The SPEAKER. The gentleman from Pennsylvania makes the point of no quorum. The Chair will count. [After counting.] A quorum is present; and the question is on the motion of the gentleman from Wyoming.

Mr. BARKLEY. Mr. Speaker, I move to amend that motion—that the House stand in recess until 10 o'clock a. m.

The SPEAKER. The question is on the amendment of the gentleman from Kentucky.

The amendment was rejected.

The SPEAKER. The question now is on the motion of the gentleman from Wyoming.

The question was taken, and the Chair announced that the ayes seemed to have it.

Mr. FOCHT. Mr. Speaker, I make the point of order that there is no quorum present. I demand the yeas and nays.

The SPEAKER. The gentleman from Pennsylvania demands the yeas and nays. As many as are in favor of ordering the yeas and nays will rise and stand until counted. [After counting.] Nine Members, not a sufficient number, and the yeas and nays are refused.

So the motion was agreed to.

Accordingly (at 12 o'clock and 35 minutes a. m.) the House stood in recess until 2 o'clock a. m.

AFTER THE RECESS.

At 2 o'clock a. m., the recess having expired, the House was called to order by the Speaker.

ENROLLED BILL SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 16076. An act authorizing bestowal upon the unknown, unidentified British soldier buried in Westminster Abbey and the unknown, unidentified French soldier buried in the Arc de Triomphe of the congressional medal of honor.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Richmond, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15422) making appropriations for the sundry civil expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes, and that the Senate had receded from its amendment No. 60.

RECESS.

Mr. MONDELL. Mr. Speaker, I move that the House stand in recess until 9.30 o'clock a. m.

The motion was agreed to; accordingly (at 2 o'clock and 1 minute a. m.) the House stood in recess until 9.30 o' clock a. m.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. HUDSPETH, from the Committee on Irrigation of Arid Lands, to which was referred the bill (H. R. 15990) to provide for the disposal of certain waste and drainage water from the Rio Grande project, New Mexico-Texas, reported the same without amendment, accompanied by a report (No. 1411), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. LITTLE, from the Committee on Claims, to which was referred the bill (H. R. 12927) for the relief of J. W. Glidden and E. F. Hobbs, reported the same with an amendment, accompanied by a report (No. 1417), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

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

By Mr. FRENCH: Memorial from the Legislature of the State of Idaho concerning the Federal farm loan act; to the Committee on Banking and Currency.

By Mr. SINCLAIR: Memorial of the Legislature of the State of North Dakota, urging Congress to amend the interstate commerce act, limiting the authority of the Interstate Commerce Commission so that it can not authorize blanket increases in intrastate rates; to the Committee on Interstate and Foreign Commerce.

By Mr. YOUNG of North Dakota: Memorial from the Legislature of the State of North Dakota, urging the United States Congress to amend the interstate commerce act, section 13, paragraph 4, to limit the Interstate Commerce Commission so that it can not blanket increases in intrastate rates; to the Committee on Interstate and Foreign Commerce.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 13966) granting a pension to Minnie Baker, and the same was referred to the Committee on Invalid Pensions.

PETITIONS, ETC.

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

6239. By Mr. BENHAM: Petition of Rev. J. Barthelmas and sundry citizens of Batesville, Ind., concerning the French army of occupation in Germany; to the Committee on Foreign Affairs.

6240. By Mr. CAMPBELL of Pennsylvania: Petition of certain residents of Pittsburgh, Pa., urging modification of Volstead Act, to permit use and sale of light wines and beer; to the Committee on the Judiciary.

6241. By Mr. CULLEN: Petition of the American Association for the Recognition of the Irish Republic, of New Jersey, concerning Lord Mayor O'Callaghan; to the Committee on Immigration and Naturalization.

6242. By Mr. FULLER: Petition of the Chicago Clearing House Association, of Chicago, Ill., opposing the coinage of a

2-cent piece; to the Committee on Coinage, Weights, and Measures.

6243. Also, petition of the Holy Name Society of St. Patrick's Church, Rockford, Ill., and sundry citizens of Rockford, Ill., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6244. Also, petition of the Merchants' Association of Joliet, Ill., favoring 1-cent drop-letter postage rate; to the Committee on the Post Office and Post Roads.

6245. By Mr. GALLIVAN: Petition of the American Association for the Recognition of the Irish Republic of the State of New Jersey, urging the State Department to reverse its attitude in the case of Hon. Donal O'Callaghan, lord mayor of Cork, Ireland, and that Congress invite him to address that body; to the Committee on Immigration and Naturalization.

6246. Also, petition of Victory Lodge, No. 1103, International Association of Machinists, urging resumption of trade between the United States and the Republic of Russia; to the Committee on Foreign Affairs.

6247. Also, petition of the Thomas McDonagh Council, American Association for the Recognition of the Irish Republic, urging immediate recognition of the republic of Ireland by the United States; to the Committee on Foreign Affairs.

6248. Also, petition of the Dorchester Lower Mills Council, Knights of Columbus, and the Nativity Court, Daughters of Isabella, Dorchester, Mass., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6249. By Mr. HUDSPETH: Petition of the City Council of El Paso, Tex., urging an appropriation for the control of venereal disease; to the Committee on Appropriations.

6250. By Mr. MAGEE: Resolution of the general board of L'Union St. Jean Baptiste d'Amerique, protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6251. By Mr. McGLENNON: Petition of the American Association for the Recognition of the Irish Republic of New Jersey concerning Lord Mayor O'Callaghan; to the Committee on Immigration and Naturalization.

6252. Also, 4,500 letters of protests from citizens of the eighth congressional district of New Jersey, against the passage of the Smith-Towner bill; to the Committee on Education.

6253. By Mr. NEWTON of Missouri: Petition of certain citizens of St. Louis, Mo., favoring the passage of the Smith-Towner bill; to the Committee on Education.

6254. Also, petition of certain citizens of St. Louis, Mo., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6255. By Mr. O'CONNELL: Petition of the New York Committee Against the Horror on the Rhine, concerning the French Army of occupation in Germany; to the Committee on Foreign Affairs.

6256. By Mr. O'CONNOR: Petition of certain citizens of New Orleans, La., concerning the Irish republic; to the Committee on Foreign Affairs.

6257. By Mr. RAKER: Petition of J. L. Rollins, M. D., of Colfax, Calif., urging the repeal of taxes on medicine; to the Committee on Ways and Means.

6258. Also, petition of the California Olive Association, Los Angeles, Calif., urging the acceptance of the Senate amendment on tariff on olives and olive oil; to the Committee on Ways and Means.

6259. By Mr. REBER: Petition of the Kiwanis Club, of Altoona, Pa., protesting against the passage of S. 4828, the Federal coal bill; to the Committee on Agriculture.

6260. By Mr. ROGERS: Petition of Laval Council No. 222, L'Union St. Jean Baptiste d'Amerique, Lowell, Mass., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6261. By Mr. SNELL: Petition of L'Union St. Jean Baptiste d'Amerique, Jeanne d'Arc Council, No. 322, Malone, N. Y., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6262. Also, petition of L'Union St. Jean Baptiste d'Amerique, Bourget Council, No. 71, of Redford, N. Y., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6263. Also, petition of L'Union St. Jean Baptiste d'Amerique, Ste. Anne Council, No. 303, St. Regis Falls, N. Y., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6264. By Mr. STINESS: Petition of over 2,000 members of the National Council of Catholic Men and other organizations of St. Patrick's Parish, Providence, R. I., protesting against the Smith-Towner bill; to the Committee on Education.

6265. By Mr. TINKHAM: Petition of Back Bay Council, No. 331, Knights of Columbus, of Boston, Mass., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

6266. By Mr. ZIHLMAN: Petition of the West End Citizens' Association, Washington, D. C., in favor of the Zihlman bill, to meter water to large Government institutions; to the Committee on the District of Columbia.

SENATE.

FRIDAY, *March 4, 1921.*

(Legislative day of Wednesday, March 2, 1921.)

The Senate met at 10 o'clock and 30 minutes a. m., on the expiration of the recess.

DISPOSITION OF USELESS PAPERS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of State, in relation to the disposition of certain useless papers filed in American consular offices in connection with the Trading With the Enemy Act, which was referred to the Committee on Foreign Relations.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had agreed to the amendment of the Senate to the bill (H. R. 12161) to amend an act entitled "An act to codify, revise, and amend the penal laws of the United States," approved March 4, 1909 (35 Stat. L., p. 1134).

ENROLLED BILLS AND JOINT RESOLUTION SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolution, and they were thereupon signed by the President pro tempore:

S. 4511. An act authorizing the Secretary of War to grant a right of way over certain Government lands to the State of Oregon for the Columbia River highway;

S. 4827. An act to authorize the Secretary of War to furnish to the National Museum certain articles of the arms, material, equipment, or clothing heretofore issued or produced for the United States Army, and to dispose of colors, standards, and guidons of demobilized organizations of the United States Army, and for other purposes;

H. R. 9036. An act to repeal and annul certain parts of the charter and lease granted and made to the Washington Market Co. by act of Congress entitled "An act to incorporate the Washington Market Co.," approved May 20, 1870;

H. R. 10104. An act to renew patent No. 25909;

H. R. 12161. An act to amend an act entitled "An act to codify, revise, and amend the penal laws of the United States," approved March 4, 1909 (35 Stat. L., p. 1134);

H. R. 15422. An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes;

H. R. 14490. An act to transfer the Panhandle and Plains section of Texas and Oklahoma to the United States standard central time zone; and

S. J. Res. 233. Joint resolution giving consent of the Congress of the United States to the States of North Dakota, South Dakota, Minnesota, Wisconsin, Iowa, and Nebraska, or any two or more of said States, to agree upon the jurisdiction to be exercised by said States over boundary waters between any two or more of said States.

ANNIE L. MARTIN.

Mr. CALDER. From the Committee to Audit and Control the Contingent Expenses of the Senate, I ask unanimous consent to report back favorably a resolution to pay to Annie L. Martin, widow of Charles H. Martin, late secretary to the junior Senator from North Carolina [Mr. OVERMAN], six months' salary. Mr. Martin died day before yesterday. I ask unanimous consent for the present consideration of the resolution.

The PRESIDENT pro tempore. The Senator from New York asks unanimous consent to present the report indicated by him. Is there objection? The Chair hears none. Is there objection to the present consideration of the resolution?

The resolution (S. Res. 473) was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Secretary of the Senate be, and he is hereby, authorized and directed to pay from the miscellaneous items of the contingent fund of the Senate to Annie L. Martin, widow of Charles