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# Congressional Record.

## PROCEEDINGS AND DEBATES OF THE SIXTY-SEVENTH CONGRESS SECOND SESSION.

## SENATE.

FRIDAY, *June 30, 1922.*

*(Legislative day of Thursday, April 20, 1922.)*

The Senate met at 11 o'clock a. m., on the expiration of the recess.

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

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

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

| | | | |
|---|---|---|---|
| Ashurst | Glass | McCumber | Smoot |
| Ball | Hale | McLean | Spencer |
| Borah | Harreld | McNary | Stanley |
| Brandegee | Harris | Nelson | Sterling |
| Bursum | Harrison | New | Sutherland |
| Calder | Heflin | Newberry | Trammell |
| Cameron | Johnson | Norbeck | Underwood |
| Capper | Jones, N. Mex. | Norris | Walsh, Mass. |
| Colt | Jones, Wash. | Overman | Warren |
| Culberson | Kellogg | Pepper | Watson, Ga. |
| Cummins | Kendrick | Poindexter | Watson, Ind. |
| Curtis | Keyes | Rawson | Willis |
| Ernst | King | Sheppard | |
| France | La Follette | Shortridge | |
| Frelinghuysen | Lodge | Simmons | |

Mr. CURTIS. I wish to announce that the junior Senator from Illinois [Mr. McKINLEY] and the junior Senator from North Dakota [Mr. LADD] are engaged in a hearing before the Committee on Agriculture and Forestry.

The PRESIDING OFFICER (Mr. JONES of Washington in the chair). Fifty-seven Senators having answered to their names, a quorum is present.

### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the House had passed the bill (S. 848) to amend section 22 of the act entitled "An act to regulate commerce," approved February 4, 1887, as amended, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the bill (S. 3425) to continue certain land offices, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had passed a bill (H. R. 11212) to amend an act entitled "An act for the retirement of employees in the classified civil service, and for other purposes," approved May 22, 1920, in which it requested the concurrence of the Senate.

### ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (S. 3458) to authorize the Niagara River Bridge Co. to reconstruct its present bridge across the Niagara River between the State of New York and the Dominion of Canada, or to remove its present bridge and construct, maintain, and operate a new bridge across the said river, and it was thereupon signed by the President pro tempore.

### REPORTS OF COMMITTEES.

Mr. CAPPER, from the Committee on Claims, to which was referred the bill (S. 2854) for the relief of Oakley Randall, reported it without amendment and submitted a report (No. 798) thereon.

Mr. HARRELD, from the Committee on Indian Affairs, to which was referred the bill (H. R. 11054) to validate certain deeds executed by members of the Five Civilized Tribes, and for other purposes, reported it without amendment.

Mr. KENDRICK, from the Committee on Public Lands and Surveys, to which was referred the bill (H. R. 9257) to permit adjustment of conflicting claims to certain lands in Mohave County, Ariz., reported it without amendment and submitted a report (No. 801) thereon.

Mr. SPENCER, from the Committee on Indian Affairs, to which was referred the bill (H. R. 9814) amending the proviso of the act approved August 24, 1912, with reference to educational leave to employees of the Indian Service, reported it without amendment and submitted a report (No. 802) thereon.

### COMPENSATION FOR NIGHT WORK BY POSTAL EMPLOYEES.

Mr. TOWNSEND, from the Committee on Post Offices and Post Roads, acting under authorization of Senate Resolution 259, agreed to March 28, 1922, submitted a report (No. 799) relative to compensation for night work by postal employees, and so forth, which was ordered to lie on the table and to be printed.

### WHITE RIVER BRIDGE, ARK.

Mr. CARAWAY. From the Committee on Commerce I report back favorably House bill 11244, authorizing the construction of a bridge across White River in the State of Arkansas, and ask unanimous consent for its immediate consideration.

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

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

*Be it enacted, etc.,* That the county of Independence, State of Arkansas, is hereby authorized to construct, maintain, and operate a bridge and approaches thereto across White River at a point suitable to the interests of navigation, at or in the immediate vicinity of Batesville, Ark., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

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

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

### ENROLLED BILL PRESENTED.

Mr. SUTHERLAND, from the Committee on Enrolled Bills, reported that on June 30, 1922, they presented to the President of the United States the bill (S. 3458) to authorize the Niagara River Bridge Co. to reconstruct its present bridge across the Niagara River between the State of New York and the Dominion of Canada, or to remove its present bridge and construct, maintain, and operate a new bridge across the said river.

### BILLS AND JOINT RESOLUTION INTRODUCED.

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

By Mr. SHIELDS:

A bill (S. 3772) to authorize the Court of Claims to hear and determine the claim of W. B. Davis & Son (Inc.) against the United States and render judgment therein; to the Committee on the Judiciary.

By Mr. TOWNSEND:

A bill (S. 3773) to reduce night work in the Postal Service; to the Committee on Post Offices and Post Roads.

By Mr. KELLOGG:

A bill (S. 3774) granting a pension to James T. Moran; to the Committee on Pensions.

By Mr. HARRIS:

A bill (S. 3775) making an appropriation to pay an award in favor of the Silver Lake Park Co.; to the Committee on Appropriations.

By Mr. POINDEXTER:

A bill (S. 3776) for the restoration of old Fort Vancouver stockade; to the Committee on Appropriations.

By Mr. JONES of New Mexico:

A bill (S. 3777) for the payment of interest on certain claims heretofore paid to Albert H. Raynolds; to the Committee on Claims.

By Mr. FERNALD:

A joint resolution (S. J. Res. 218) to create a commission to consider the proposal of a central building for art and industry in the District of Columbia; to the Committee on Public Buildings and Grounds.



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HOUSE BILL REFERRED.

The bill (H. R. 11212) to amend an act entitled "An act for the retirement of employees in the classified civil service, and for other purposes," approved May 22, 1920, was read twice by its title and referred to the Committee on Civil Service.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the House disagreed to the amendments of the Senate to the bill (H. R. 12090) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1922, and prior fiscal years, supplemental appropriations for the fiscal year ending June 30, 1923, and for other purposes; agreed to the conference requested by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MADDEN, Mr. ANTHONY, and Mr. BYRNS of Tennessee were appointed managers on the part of House at the conference.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and they were thereupon signed by the Vice President;

H. R. 9527. An act to amend section 5136, Revised Statutes of the United States, relating to corporate powers of associations, so as to provide succession thereof for a period of 99 years or until dissolved, and to apply said section as so amended to all national banking associations; and

H. R. 11228. An act making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1923, and for other purposes.

AMENDMENT OF FEDERAL RESERVE ACT—CONFERENCE REPORT.

Mr. McLEAN. I present the conference report on Senate bill 831 and ask unanimous consent for its present consideration.

The PRESIDING OFFICER. The report will be read.

The Assistant Secretary read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 831) to amend the proviso in paragraph 10 of section 9 of the Federal reserve act, amended by the act of June 21, 1917, amending the Federal reserve act, 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 amendment numbered 4.

That the Senate recede from its disagreement to the amendments of the House numbered 1, 2, and 3, and agree to the same.

GEORGE P. McLEAN,
CARTER GLASS,
*Managers on the part of the Senate.*
LOUIS T. McFADDEN,
PORTER H. DALE,
*Managers on the part of the House.*

The PRESIDING OFFICER. The Senator from Connecticut asks unanimous consent for the present consideration of the report. Is there objection? The Chair hears none. The question is on agreeing to the report.

The report was agreed to.

THE TARIFF.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 7456) to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, and for other purposes.

Mr. NORRIS. Mr. President, sometime ago the chairman of the Committee on Finance delivered an address in the Senate in the course of which he used a large number of exhibits. I do not know how that address impressed other Senators, but it had a great impression on me. It seems that later on other exhibits were made. I have in my possession now in my office exhibits similar to several of those which the Senator from North Dakota used. The articles that I have, and others, are claimed to have been made in America and sold by the manufacturers at prices which were indeed comparable to the prices at which it was shown by the chairman of the committee the imported articles were sold.

It would seem to me that the consumers were being profiteered upon by the importers, and exhorbitant prices asked and received. If the American manufacturers are manufacturing similar articles for about the same cost and selling them at retail for the prices which have been shown here, it would seem that there is a serious condition confronting us. The exhibits would seem to demonstrate that the manufacturers are selling articles to the consumers of America at a profit above their manufactured cost of several hundred and often more than a thousand or two thousand per cent. It struck me at the time that there ought to be some way in behalf of the people of the country to enable them to buy at retail these various articles, whether they are manufactured here or whether they are manufactured abroad, at a price that at least could not be put in a class properly designated as profiteering. It seemed to me then that it would be possible for us to levy a tax which would first allow the importer a reasonable profit and then tax the balance to such an extent as to make it possible for the consumer to get some benefit out of it. In other words, if we could levy on the knife which was exhibited here a tax of 99 per cent of the excess profit above the reasonable profit, they would be compelled to sell those knives in the market at a reasonable profit and the manufacturers of similar articles in America would be compelled to forego their profiteering prices and sell in competition at a fair price. It appeared to me whether the articles were manufactured here or abroad, that there was in reality no competition.

I have prepared an amendment to the bill which, to my mind, meets the situation, and which I am going to offer when it is in order to do so, after the committee amendments shall have been disposed of. If in the amendment which I intend to offer the profit which it is proposed to allow the tradesmen to make is not sufficient, it ought to be increased. If it is too much, it ought to be decreased. I submit the amendment in good faith; I am going to ask that it may be referred to the Committee on Finance, and I hope the committee will give it consideration.

Certainly, we are presented with a condition of affairs which demands a remedy. When, for instance, a knife which is imported into this country by the importer at a price of 10 or 15 cents is sold here for $1.50 or $2, it presents a condition which ought to be remedied. I am offering the amendment in the belief that, if it be agreed to, it will remedy the situation. I now send the amendment to the desk and ask that it may be read by the Secretary.

The PRESIDING OFFICER. Without objection, the Secretary will read as requested.

The ASSISTANT SECRETARY. On page 207, after line 12, it is proposed to insert the following as a new paragraph:

PAR. 1460. In addition to the tax specified in this section, there shall be levied, collected and paid, an additional tax upon all articles mentioned in this section imported into the United States of 99 per cent of the amount by which the retail price of any such article is in excess of the imported price, plus the duty paid thereon, plus 25 per cent.

It shall be the duty of every person importing into the United States any of the articles mentioned in this section and selling the same to any other person, firm, or corporation (other than sales at retail) to furnish to the purchaser at any such sale a true statement of the imported price of such article or articles and the duty paid thereon, and any such purchaser making a subsequent sale of any such article (except sales at retail) shall likewise give to the purchaser the imported price of such article and the amount of duty paid thereon. The Secretary of the Treasury shall make such rules and regulations as he may deem advisable for the purpose of collecting the duty provided for under this section and all persons selling any such articles at retail shall keep an accurate account of the amount of duty, if any, that is due to the United States by virtue of any such retail sale, and pay the same to the United States under such rules and regulations and at such times as the Secretary of the Treasury may by general rule and regulation provide.

Any person who violates any of the provisions of this paragraph, or any importer or subsequent owner of such property imported into the United States, who shall fail or neglect to furnish the information to purchasers of such imported articles provided for in this paragraph, or any person selling any of such articles at retail who fails to keep an accurate account of the amount of money, if any, due on account of such sales to the United States, or any of said persons who in any other way violates any of the provisions of this paragraph shall be deemed guilty of a misdemeanor, and for each offense shall be punished by a fine of not less than $500 nor more than $5,000 or by imprisonment of not less than three months and not more than two years, or by both such fine and imprisonment.

Mr. NORRIS. Mr. President, it will be observed that if the amendment which has just been read should be enacted into law, upon any imported article which may be sold at a profit over the imported price plus the tariff of not to exceed 25 per cent there would be no tax collected, but if sold at a profit of more than 25 per cent, then a tax which would amount to 99 per cent of such excess sale price would be imposed. I ask that the amendment may be printed in the usual form and referred to the Committee on Finance.

The PRESIDING OFFICER. In the absence of objection, the amendment will be ordered to be printed and referred to the Committee on Finance.

Mr. SIMMONS. Mr. President, before the Senator takes his seat, I should like to ask him a question.

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from North Carolina?

Mr. NORRIS. I yield to the Senator from North Carolina.

Mr. SIMMONS. Mr. President, does the Senator from Nebraska propose to apply his amendment as a remedy to prevent profiteering in foreign goods without making any provision whatever for correcting profiteering in the sale of domestic products?

Mr. NORRIS. Mr. President, the Senator from North Carolina has asked me a very proper question. Of course, I doubt whether in this bill we could prevent any manufacturer or any salesman, either, from asking any price he saw fit. We could not limit the price; they might ask any price they chose. I do not attempt in the amendment to limit the importers' price, for importers may ask any price they please, but the amendment would apply to all of the articles mentioned in section 1 of the bill, which is the section in which duties are levied. That section includes everything which is imported into this country upon which tariff duties are proposed to be levied.

My theory is, I will say to the Senator from North Carolina, that if persons importing articles were limited to a profit of 25 per cent in the sale of the article to the retailer, and they were compelled, as I think this amendment would compel them, to sell at a profit not exceeding 25 per cent, that of itself would of course compel the American manufacturer of similar articles to put his price down in order to compete, so that he might make sales. I do not believe we could put into this tariff bill or, indeed, in any other bill, a provision that if I, for instance, had a knife which I had bought for 10 cents I should be prohibited from selling it for $1; but as to the importer, for instance, with whom we are dealing in this bill, if we tax him so that he can not afford to make a sale of a knife which he imports for more than a profit of 25 per cent, the American manufacturer of a similar article would be compelled to come down practically to the same level in his sales price.

Mr. SIMMONS. Mr. President, I do not think the proposed amendment would operate in that way. We have not found that the placing of a high rate of taxation upon profits has resulted in lessening profits, but it has resulted in increasing profits.

Mr. NORRIS. That depends on what the rate of taxation is.

Mr. SIMMONS. I think we must recognize the fact that the importers are only enabled to get high prices——

Mr. CUMMINS rose.

Mr. SIMMONS. If the Senator from Iowa will pardon me, I wish to make a few observations, and then I will yield to the Senator. Does the Senator desire me to yield to him now?

Mr. CUMMINS. I desire to present a conference report which will only take a moment.

Mr. SIMMONS. I myself only propose to occupy a few moments.

Mr. CUMMINS. The Senator knows that the House is about to adjourn.

Mr. SIMMONS. Very well, I yield to the Senator, for the purpose of presenting the conference report.

### ADDITIONAL DISTRICT JUDGES.

Mr. CUMMINS. I ask unanimous consent that the tariff bill may be temporarily laid aside and that the Senate shall proceed to the consideration of the conference report on the bill (H. R. 9103) for the appointment of additional district judges for certain courts of the United States, to provide for annual conferences of certain judges of United States courts, to authorize the designation, assignment, and appointment of judges outside of their districts, and for other purposes.

The PRESIDING OFFICER. The Senator from Iowa asks unanimous consent that the tariff bill may be temporarily laid aside and that the Senate proceed to the consideration of the conference report on the judges' bill, so called. Is there objection?

Mr. KING. Reserving the right to object, may I inquire of the Senator what is the haste for the adoption or rejection of the conference report?

Mr. CUMMINS. The necessity for haste, I think, is obvious. The condition of the work of the Federal courts of the United States is shocking. I presume that no country in the world has ever presented such a spectacle as we are now presenting in our failure to try the cases of a criminal character which have been brought against the great number of persons and concerns. I think there is nothing more important than to make such additions to our judiciary as will enable the work of the Federal courts to be done with reasonable promptness.

Mr. KING. The Senator knows that Congress will be in session here for some time. The vacation period is coming on. Let the judges who are so far behind do a little more work. Many of them are not doing as much as they ought to do.

Mr. CUMMINS. That may be so, but, on the other hand, many of them are doing a great deal more than they ought to do. The House is about to adjourn for a period. If this bill is passed, it will require all the time between now and the fall term of the various courts to select the additional judges, which is not an easy task. I hope very much the Senator from Utah will not interpose an objection.

Mr. KING. I object, Mr. President, to the consideration of the conference report.

The PRESIDING OFFICER. Objection is made.

Mr. CUMMINS. I move that the Senate proceed to the consideration of the conference report on House bill 9103.

The PRESIDING OFFICER. The question is on the motion of the Senator from Iowa that the Senate proceed to the consideration of the conference report.

Mr. SHIELDS obtained the floor.

Mr. KING. That motion is subject to debate, Mr. President.

The PRESIDING OFFICER. The Senator from Tennessee has been recognized.

Mr. SHIELDS. Mr. President, I have not interposed any objection to the consideration of the conference report, but having discussed the bill at some length when it was before the Senate, as I view the record I can not allow one statement made by the distinguished Senator from Iowa to go unchallenged, namely, that there is a pressing necessity on account of pending business for the immediate appointment of 24 additional judges. According to my view of the evidence before us as to the work they have got to do, at least 20 of the proposed new judges are not required, are not necessary, and will constitute merely a surplus. This measure seems to be designed for the purpose of furnishing places for deserving Republicans. When the facts as shown by the Attorney General's report are considered there is really no congestion demanding the appointment of exceeding a half dozen additional district judges in the United States if the present district judges do their duty with reasonable diligence.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Idaho?

Mr. SHIELDS. I yield.

Mr. BORAH. I rise to a point of order.

The PRESIDING OFFICER. The Senator will state his point of order.

Mr. BORAH. I wish to submit some remarks myself upon the merits of this proposition. As I understand, the pending question is a motion to take up the report and is not debatable?

The PRESIDING OFFICER. The motion is debatable, because the Senate is in recess and the morning hour has expired. The motion is debatable.

Mr. BORAH. Then we may now debate the measure upon its merits?

The PRESIDING OFFICER. That is the opinion of the Chair.

Mr. BORAH. Very well.

The PRESIDING OFFICER. The question is on the motion of the Senator from Iowa that the Senate proceed to the consideration of the conference report.

Mr. CUMMINS. Mr. President, I desire to say a single word with regard to the matter.

This bill was passed by a very large majority in the Senate. It has not been essentially changed, save in two respects. The House bill provided for an additional judge for the middle district of Tennessee and an additional judge for the eastern district of Illinois. In the Senate bill the appointment of these judges was not authorized. In the Senate bill an additional judge was authorized for the district of New Jersey, an additional judge for Georgia, and an additional judge for New Mexico. The conference committee receded from the position of the Senate with regard to the middle district of Tennessee and the eastern district of Illinois and the House committee receded from its position with regard to the district of New Jersey and the district of New Mexico. These are the only essential changes made in the bill as it passed the Senate.

Mr. JONES of New Mexico. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from New Mexico?

Mr. CUMMINS. I yield to the Senator from New Mexico.

Mr. JONES of New Mexico. I have a recollection that in the conference report there is a special proviso regarding the judge from New Mexico. I have been trying to put my hand upon it in the CONGRESSIONAL RECORD, but have not been able to do so. I believe it was when the conference report was introduced in the House that it was printed in the RECORD; and according to that report there is a proviso attached to the judgeship in New Mexico which is different from that in any other district in the United States. If my recollection is cor-

rect, it is provided there that whenever there is a vacancy in the judgeship in New Mexico it shall not be filled except by additional authorization from the Congress. That is a proviso which does not attach to any other judgeship, and I should like to inquire of the Senator from Iowa what was the reason for putting in that special proviso regarding the judgeship in New Mexico?

Mr. CUMMINS. The reason was to secure the assent of the House to any additional judge in the district of New Mexico. If the Senate had not yielded to that extent, one of two things would have happened, either we would have had to yield the district of New Mexico entirely or there would have been no bill agreed upon.

Mr. JONES of New Mexico. Why was New Mexico singled out by the conferees on the part of the House for such a special provision?

Mr. CUMMINS. Simply because—I do not know whether or not I am at liberty to state the argument made in the conference committee, but I will take the chances upon that—the House members of the conference committee were very firm in their opinion that New Mexico did not need an additional judge, and we were informed very soon after we came together that under no circumstances would the House members consent to an additional judge in the district of New Mexico. We stood for two months laboring for that judge, in order to carry out the view which the Senate had taken upon the passage of the bill, and we finally conceded this provision, which applies to New Mexico and to no other district, simply to get a judge for New Mexico.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Idaho?

Mr. CUMMINS. I do.

Mr. BORAH. I think the conferees on the part of the Senate did very splendidly by New Mexico, because the proviso will amount to nothing. There will be no trouble whatever about passing a bill through here at any time to create an additional judgeship anywhere, upon any occasion; so I think the conferees upon the part of the Senate outgeneraled the conferees on the part of the House very much.

Mr. CUMMINS. I am very glad to receive and recognize and appreciate the compliment of the Senator from Idaho. We did the best we could.

Mr. JONES of New Mexico. Regardless of the merits of the situation, it seemed to me to be a very peculiar piece of legislation. New Mexico has one Federal judge now. He is a man of middle age. In fact, I think he is a little under middle age. At any rate, his life tenure presumably will be something like 25 or 30 years. I do not know of any decrepit person who is a candidate for the new judgeship. In all probability some one will be appointed who will live out at least 25 or 30 years, and why the Congress of the United States in this bill should be anticipating what the situation regarding the public business in New Mexico may be 20 or 30 years from now is a little beyond my conception. I could not understand why anyone in the House should insist on such a provision as that. I can not see now why that should have been any inducement for the appointment of an additional judge for New Mexico; and if the Senator from Iowa was able to convince the conferees on the part of the House that that was important legislation, that that was a very substantial inducement to warrant the creation of a new judgeship in New Mexico now, I want to compliment him upon his ability and finesse in working some spell over the conferees on the part of the House, because I can not see from any logic in the situation why such a provision should have been an inducement for anybody in this generation to try to put in a special proviso regarding something which may occur 20 or 30 years from now, when everybody knows that if there is any demand for an additional judge now there certainly will be a greater demand 20 or 30 years from now.

Mr. CUMMINS. I do not know whether the Senator from New Mexico intends to impeach my good faith or not.

Mr. JONES of New Mexico. I certainly do not. I am complimenting the Senator on being able to offer some reason here to induce the conferees of the House to agree to this new judge from New Mexico in a way that never would have occurred to me, at least.

Mr. STERLING. Mr. President——

Mr. CUMMINS. I yield.

Mr. STERLING. I simply want to say to the Senator from New Mexico that I was one of the conferees on this bill and I corroborate every word that has been said by the Senator from Iowa in regard to the difficulties, and that much of a concession, if it can be called a concession, had to be made in order that we might have an additional judge for New Mexico.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Idaho?

Mr. CUMMINS. I yield.

Mr. BORAH. I want to say to the Senator from New Mexico that he is exceedingly fortunate in having this judge in this bill at all, in my judgment, upon the showing which was made with reference to New Mexico. New Mexico, in my judgment, is one of the States where the business did not require an additional judge.

Mr. JONES of New Mexico. Mr. President, I simply wanted some explanation as to why New Mexico was singled out of all these districts. There are 24 new judgeships created by this bill, and why this special provision should have been made regarding New Mexico was something beyond me, and I wanted some explanation for it; that is all.

I must say that I still do not see why this proviso should have been necessary. The Senators assure me, and I know in good faith, that it was necessary, and, of course, we would rather have the bill as it is with the proviso than not have it at all, but I could not help expressing my surprise that anybody on the House conference committee could have been induced to agree to the present appointment by reason of such a proviso.

Mr. SHIELDS. Mr. President——

Mr. CUMMINS. I yield.

Mr. SHIELDS. I wish to ask the Senator from New Mexico a question. I have not been able to read this conference report. I returned only yesterday after an absence, and the conference report has not been printed except in the RECORD, and I was not able to find it. Do I understand that all of these additional judges are permanent judges, successors to whom are to be appointed, except the one provided for the district of New Mexico?

Mr. JONES of New Mexico. There is this provision, if I remember the report correctly, and the chairman of the committee will correct me if I am in error: As to New Mexico, we have one judge now. This bill gives us another judge, and then the conference report provides that if hereafter there shall be a vacancy in either one of these positions it shall not be filled without further authorization from the Congress.

Mr. SHIELDS. Does the Senator mean either one, or both?

Mr. JONES of New Mexico. It says that when any one of them——

Mr. SHIELDS. The first one, then?

Mr. JONES of New Mexico. The first one who happens to die or resign.

Mr. SHIELDS. Is that applicable in this conference report to the district of New Mexico alone?

Mr. JONES of New Mexico. It is applicable only to New Mexico.

Mr. SHIELDS. My recollection is that in the Senate bill, as well as in the House bill, it was provided that it should be applied to these new judges. Am I correct about that?

Mr. JONES of New Mexico. No, Mr. President——

Mr. CUMMINS. Allow me to answer that. The judges appointed under this act will have no successors unless otherwise directed by Congress. So far as New Mexico is concerned, if there is any vacancy either in the office of the newly appointed judge, or in the office of the existing judge, there will be no appointment, the idea being that if either of these two judges dies or resigns, then New Mexico will have but one judge until Congress otherwise orders.

Mr. BORAH. Mr. President, may I make a suggestion to the Senator from Iowa. Would he have any objection to considering the report as withdrawn and having it printed and put over until to-morrow morning?

Mr. CUMMINS. The report was printed in the RECORD several days ago.

Mr. BORAH. But I have not seen it.

Mr. CUMMINS. The reason why I did not call the report up sooner was on account of the absence of the Senator from Tennessee [Mr. SHIELDS]. It was understood that I would not bring it forward until the Senator from Tennessee requested it, and I bring it up three or four days after it was presented, at this time, because I want, if possible, to secure the adoption of the report by the House.

Mr. BORAH. I will not interfere with it.

The PRESIDING OFFICER. The Chair will state that the conference report was also printed as a Senate document.

Mr. SHIELDS. I did not know of that. I wish to ask the Senator from Iowa about the question raised by the Senator from New Mexico. My recollection of both the House bill and the Senate bill is that there is a provision that if any of these new judges die no successors are to be appointed; in other

words, that the bill was passed upon the theory that there was an emergency, and that they were emergency judges, on account of the immediate and present congestion in the Federal district courts, growing out of the prohibition and other laws conferring new jurisdiction upon those courts, which the Attorney General, judges, and others had investigated and had said would be over in a year or two. When these judges are appointed, on account of the existing emergency of two years, they will remain in for life. But I am going aside from the subject. The provision that no successor to these judges should be appointed applied to them all. Am I correct about that?

Mr. CUMMINS. The Senator is correct, with qualifications.

Mr. SHIELDS. I am in sympathy with the Senator from New Mexico, because if there is to be a provision that there is to be no successor of the permanent judge in case he dies there is a discrimination against the district of New Mexico not based on any facts, because there are a dozen other cases in which there is no more excuse for the creation of additional judgeships than there is in the case of New Mexico; and there is absolutely none in the case of New Mexico. They do not need any additional judge there, and they do not need any in a dozen other districts. I see the Senator from Arizona [Mr. ASHURST] taking an interest in this matter, and my statement applies to his State. I believe I said, when we were discussing the bill, in answer to his speech, that I presumed he had spoken, because he realized his case was the least meritorious of them all.

The point I want to make is that if this legislation is included in this bill, as it was not in the House bill, and was not in the Senate bill, it is subject to a point of order, and I make the point of order. It is entirely new legislation.

Mr. CUMMINS. Mr. President, the Senator from Tennessee is in error with regard to that. In the bill as it passed the Senate there was a provision that no successor should be appointed to the judges appointed under this act. The bill as it passed the House had no such provision in it. The House agreed to the Senate provision with a modification, and that modification is as follows:

A vacancy occurring, more than two years after the passage of this act, in the office of any district judge appointed pursuant to this act, except for the middle district of Tennessee, shall not be filled unless Congress shall so provide, and if an appointment is made to fill such a vacancy occurring within two years a vacancy thereafter occurring in said office shall not be filled unless Congress shall so provide: *Provided, however,* That in case a vacancy occurs in the district of New Mexico at any time after the passage of this act, there shall thereafter be but one judge for said district until otherwise provided by law.

Mr. SHIELDS. I wish to ask the Senator from Iowa if that is not new legislation in a conference report?

Mr. CUMMINS. It is not. It is a plain, clear, germane amendment to the Senate provision.

Mr. SHIELDS. Can a conference report amend a bill in a matter that was not considered either by the House or by the Senate? I submit that question to the Senator from Iowa.

Mr. CUMMINS. I answer unhesitatingly that we have jurisdiction to do what we have done here. It is to me so plain that it is hardly arguable.

Mr. SHIELDS. The motion now is to take up the conference report?

Mr. CUMMINS. That is the motion I made.

Mr. SHIELDS. My point is not in order at this time, but I shall make it when we take it up. It is new legislation.

Mr. CUMMINS. I will say to the Senator from New Mexico, in passing, that the Senate conferees had two alternatives finally, to accept this provision as it now appears in the conference report or yield the district of New Mexico entirely, and the Senator from New Mexico might make his choice.

Mr. McCUMBER. Mr. President, I hope it will not be offensive for me to suggest to the Senator that apparently, if we get into a discussion of this matter, we will have an all-day job on our hands, and it is not a bill which must be passed by the 1st day of July. I hoped that the Senator could get unanimous consent to dispose of it, and to dispose of it in a very short time, but I want to call the Senator's attention to the fact—and I think he will realize the situation—that this is the 30th day of June. There are a number of bills outside of the bill of which I have charge which ought to be passed to-day in order that they may be disposed of before the 1st day of July, and of course I would gladly yield the consideration of the tariff bill for the consideration of such measures that must necessarily come up in order to be disposed of before to-morrow.

I ask the Senator if he does not think it would be better to withdraw the motion at this time and let the Senate dispose of those small matters which ought to be gotten rid of, and then go on with the tariff bill during the day, and possibly some Senators who desire to discuss the judges' bill may obtain some additional information in regard to matters which they have not yet read over carefully which may shorten the discussion when I would be called upon to temporarily lay the tariff bill aside to consider the conference report on the judges' bill.

Mr. CUMMINS. Mr. President, if the Senator from North Dakota asks the Senate to vote against my motion, in all probability the motion will be defeated. I am very much in earnest about the matter. I think it is the duty of the Senate to dispose of this conference report, and once it is before the Senate it does not seem to me possible that it will take very much time to dispose of it, although I know there are some who are opposed to the whole legislation.

I want to say, however, before I do anything in regard to it, that I was told two or three days ago by the Assistant Attorney General, who has charge of all criminal prosecutions throughout the United States, that if all these judges were appointed immediately and entered upon the execution of their duties immediately, if it could so happen, it would require all of them for two years just to try the cases which are already ready for trial on indictments which have been presented on account of fraudulent use of the mails, cases of the very highest importance. In our hearts we are thinking that the criminal laws of the United States are not being enforced as they ought to be, and yet, not talking about prohibition or any other subject than the one I have mentioned, there are cases enough now ready for trial—which can not be tried on account of the impossibility of securing judges—to consume two years of time of 24 additional district judges. We might as well surrender any claim of administering justice in the United States if we can not punish people who are daily violating the law. The cases to which I refer are not trifling, unimportant cases; they are all cases of great magnitude, involving the exploitation of the people of the United States in all kinds of wicked and baseless schemes. If the Senator from North Dakota is not willing to ask that my motion prevail, I intend to withdraw it.

Mr. McCUMBER. That is what I was in hopes the Senator would do, for the reasons I mentioned, and then later in the day, or at a very early day, he can call it up again. I was moved to make the suggestion rather because of my desire to help out those who have bills which should be passed and disposed of to-day.

Mr. CUMMINS. I can only say that, so far as I am personally concerned, I will not be here for a week or more, and if the conference report goes over to-day, it will probably have to go over for some time.

Mr. CALDER. Mr. President, I do hope the Senator from North Dakota will permit this conference report to be considered now. I know that in New York City we have court calendars which will take us two years to dispose of. There is a crying need for additional judges in the southern district of New York to take care of the legal business of the Nation, and I know of no matter more important pending before the Congress than the termination of this subject. I do hope that we may consider the report and dispose of it now.

Mr. CUMMINS. I do not intend to press the motion against the objection of the Senator from North Dakota. I understood he was willing that I should make this motion. I find now that he is not, and therefore I withdraw the motion.

The PRESIDING OFFICER (Mr. JONES of Washington in the chair). The Chair desires to make a statement in reference to the ruling he made a moment ago. When the motion was made to proceed to the consideration of the conference report, the Chair ruled that the motion was debatable. That was based upon the rule of the Senate in reference to the consideration of bills. The Assistant Secretary has called the Chair's attention to clause 1 of Rule XXVII, which the Chair desires to read and to call to the attention of the Senate. It reads:

1. The presentation of reports of committees of conference shall always be in order, except when the Journal is being read or a question of order or a motion to adjourn is pending, or while the Senate is dividing; and when received the question of proceeding to the consideration of the report, if raised, shall be immediately put, and shall be determined without debate.

The Chair is of the impression that the latter part of that clause of the rule refers to the question of consideration at the time the conference report is received. This conference report was received several days ago, and the question of consideration was not called up at that time. The Chair is still of the impression that a motion to proceed to its consideration would be debatable, but the Chair has not a fixed opinion upon it. He is informed by the Assistant Secretary that rulings upon both sides of the question have been made. The Chair simply desires to call it to the attention of the Senate, so that if it comes up hereafter it may be properly considered. However, the motion to proceed to the consideration of the conference report at this time is withdrawn.

DISTRIBUTION OF SPEECHES BY FEDERAL RESERVE BANKS.

Mr. HEFLIN. Mr. President, on yesterday I called up Senate Resolution 308, and the Senator from Connecticut [Mr. McLEAN] asked that it go over until this morning. I ask for the immediate consideration of the resolution at this time.

The PRESIDENT pro tempore. The Secretary will read for the information of the Senate the resolution referred to by the Senator from Alabama.

The ASSISTANT SECRETARY. As modified the resolution reads as follows:

Whereas it has been charged upon the floor of the Senate that each and every one of the regional Federal reserve banks of the United States has had printed and distributed at its own expense a speech delivered in the Senate by Senator GLASS, of Virginia, in which the position of Senator HEFLIN on the deflation policy of the Federal Reserve Board was assailed and criticized: Therefore be it

*Resolved*, That the Federal Reserve Board is hereby requested to call on all of said Federal reserve banks, except the Federal Reserve Bank of Atlanta, which has already reported to the Senate, to furnish to the Senate in writing all information in their possession, respectively, called for in the following questions:

(1) At whose instance was the speech in question of Senator GLASS sent out? (2) At whose expense was said speech printed and distributed? (3) How was the fund provided, and how many copies of said speech were sent out, and how much money was expended in printing and distributing said speech? (4) Did any member of the Federal Reserve Board suggest the printing or distribution of the said speech? (5) Was any letter sent out with said speech? If so, attach a copy to your report.

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

Mr. McLEAN. I object.

Mr. HEFLIN. Very well. I shall discuss the question a little later on.

The PRESIDENT pro tempore. Objection is made and the resolution goes over.

THE TARIFF.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 7456) to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, and for other purposes.

The PRESIDENT pro tempore. The Secretary will report the next amendment.

The ASSISTANT SECRETARY. Paragraph 718, page 102, fish.

Mr. JONES of Washington. Mr. President, I asked the chairman of the committee yesterday to allow that and the following paragraphs to go over. I have been so engaged that I have not yet had an opportunity to get my data together. I believe that I can save time for the Senate by getting my data in better shape, if the Senator from North Dakota will allow the paragraph to be passed over to-day.

Mr. McCUMBER. Very well, Mr. President. I hope we shall be able to take it up surely to-morrow.

Mr. JONES of Washington. I promise the Senator that I shall not ask that it may go over after to-day.

Mr. McCUMBER. Very well.

The PRESIDENT pro tempore. To just which paragraphs does the request of the Senator from Washington apply?

Mr. JONES of Washington. Paragraphs 718, 719, and 720, relating to fish.

The PRESIDENT pro tempore. Those paragraphs will be passed over until to-morrow. The Secretary will state the next amendment.

The ASSISTANT SECRETARY. Paragraph 721, page 103, fish (except shellfish). In line 14 the committee proposes to strike out "26" and insert "30," so as to read:

Fish (except shellfish), by whatever name known, packed in oil or in oil and other substances, 30 per cent ad valorem.

Mr. FRELINGHUYSEN. Mr. President, I send to the desk a resolution passed by the American Farm Bureau Federation and ask that the resolution may be read for the information of the Senate.

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

The Assistant Secretary read as follows:

*Resolved*, That the American Farm Bureau Federation, through its executive committee, favors a scientific tariff based on production and conversion costs, to be determined by a nonpartisan commission, and to be effective when announced by the President of the United States, together with a statement of the commission's estimate of revenues to be derived and the probable effect on trade prices, and to this end indorses the principle of the amendment to the pending tariff bill offered by Senator FRELINGHUYSEN, of New Jersey, on June 21, 1922.

Mr. UNDERWOOD. Mr. President, would the Senator from New Jersey object to having the resolution referred to the Committee on the Judiciary to ascertain their opinion as to whether under the Constitution of the United States such an organization can be made to write tariff bills? If there is no objection, I ask unanimous consent that the resolution be referred to the Committee on the Judiciary for that purpose.

Mr. McCUMBER. I would like to hear the resolution read again and the reasons given why it should go to the Committee on the Judiciary instead of the Committee on Finance.

Mr. UNDERWOOD. It is a law question, a question that constantly comes up here, to create a tariff commission with power to enact tariff bills. I am not going into it on the merits as to whether that is a fair or unfair way to write tariff bills, but we still have the Constitution of the United States, which provides that revenue bills shall originate in the House of Representatives. In order that we may have some ascertainment of the question, I suggested that the resolution be referred to the Committee on the Judiciary for an opinion as to whether or not the matter was within the terms of the Constitution of the United States.

Mr. McCUMBER. I desire to say that I have no objection to having the superior legal knowledge of the Judiciary Committee first expressed upon the matter before it goes to the Finance Committee, if it is the desire of the Senator from New Jersey that it should go there. I would be very glad to have the matter discussed by that committee.

Mr. UNDERWOOD. This is not a legislative proposal on the part of the Senator from New Jersey; it is a resolution passed by the American Farm Bureau Federation expressing an opinion. It has no legislative weight, of course, because it was only presented by the Senator from New Jersey to call to the attention of the Congress the position of this organization of men. But as questions continually arise as to how far we can go in taking away from the Congress of the United States the power to levy taxes, I thought we might have an opinion by those who are constituted to speak in a legal way on the subject. Of course, if the Senator from New Jersey does not desire a legal opinion on the question, I have no desire to press my request.

Mr. FRELINGHUYSEN. The resolution passed by the American Farm Bureau Federation was simply sent to the desk to be read for the information of the Senate. It is not legislation. It has nothing whatever to do with any legislation, except that it expresses the opinion of the Farm Bureau Federation in regard to an amendment to the pending tariff bill which I have introduced. I am perfectly willing to submit to the Judiciary Committee the question of the constitutionality of the amendment, but I am not willing to withdraw it from the Finance Committee nor from the right that I have to offer it to the pending tariff bill.

It is an amendment to the pending tariff bill. It deprives the Congress of no powers whatsoever. It simply clothes the Tariff Commission with certain authority to present facts to the Congress of the United States and goes no further. I do not intend to debate it now, but I intend to offer it in the committee, and if the committee reports it I shall then debate it, or I shall offer it on the floor and then debate it. We might just as well take every paragraph in the bill and every bit of legislation and refer to the Judiciary Committee the question as to whether it is constitutional or not.

Mr. UNDERWOOD. If the Senator will permit me, the Senator's statement about his own amendment is correct. This resolution passed by the American Farm Bureau Federation in reference to the Senator's amendment was evidently passed under a misapprehension of the facts, because the resolution clearly indicates that it is the desire of the bureau to give the power of fixing tariff rates, which is the same thing as fixing taxation, to the Tariff Commission.

I am not familiar with the Senator's amendment, and therefore I am not able to say what the effect of it might be; but the Senator says it does not authorize any commission to fix rates, and therefore, of course, it can not fix taxes. The resolution would not apply to the amendment because the resolution presented, from a reading of it, clearly discloses that the gentlemen evidently interpreted the Senator's amendment as giving power to the commission to fix rates.

Mr. FRELINGHUYSEN. They are undoubtedly in favor of that plan, but I want to say to the Senator from Alabama that if Congress had the power to delegate the authority to a governmental agency to fix rates after proper study and could constitutionally do it, I would vote for such a provision.

Mr. UNDERWOOD. Probably the Senator would, but of course that is only an academic question. The Senator recognizes the fact that the Congress has not that power, of course.

Mr. FRELINGHUYSEN. I do; and it is due to the framework of our Government, although pretty nearly every other country that fixes tariff rates or tariff duties delegates that authority to a governmental agency, and it is a very efficient system.

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

CONTINUATION OF CERTAIN LAND OFFICES.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 3425) to continue certain land offices, and for other purposes, which was to strike out all after the enacting clause and insert:

That the land offices now located, respectively, at Bellefourche in the State of South Dakota, Waterville in the State of Washington, Dickinson in the State of North Dakota, Del Norte and Sterling in the State of Colorado, Clayton and Fort Sumner in the State of New Mexico, Harrison and Camden in the State of Arkansas, and Alliance in the State of Nebraska, are hereby continued for and during the fiscal year commencing July 1, 1922, and thereafter, in the discretion of the President, as long as the business at such offices shall warrant: *Provided, however,* That the President may consolidate the offices of register and receiver in any of said offices whenever he may deem it in the public interest.

SEC. 2. That such appropriations as are sufficient to maintain said offices are hereby authorized to be made from time to time as conditions may require.

Mr. SMOOT. I move that the Senate concur in the amendment of the House.

Mr. HARRIS. Mr. President, the junior Senator from Arkansas [Mr. CARAWAY] wanted to have this matter to go over until he can be present.

Mr. SMOOT. I will briefly state to my colleague the changes which have been made by the House of Representatives in the bill as it passed the Senate. The House has stricken out certain land offices which were provided for in the Senate bill 3425, and which were included in the bill by a vote of the Senate. Those offices are as follows: The office at Timber Lake and Lemmon, in the State of South Dakota; Williston and Minot, in the State of North Dakota; Broken Bow, in the State of Nebraska; and Springfield, in the State of Missouri. Those are the land offices, Mr. President, for which the House of Representatives refused to provide. The other land offices which are provided for in the bill are the ones which were abolished under an act of Congress which was passed in the early spring.

Mr. NORRIS. Mr. President, will the senior Senator from Utah yield to me?

Mr. SMOOT. Yes; I yield to the Senator.

Mr. NORRIS. Did not the House provide for one land office which was not included in the bill as it passed the Senate? On yesterday I compared the bill as it passed the House of Representatives with the bill as it originally passed the Senate, but I do not now have a copy of the bill before me. As I remember, however, the House of Representatives struck out a number of offices which the Senate had put in, but they included in the bill a new land office.

Mr. SMOOT. They provided for a land office at Sterling, in the State of Colorado.

Mr. NORRIS. What was the reason for that action?

Mr. SMOOT. I have not read the RECORD of the House proceedings, I will say to the Senator from Nebraska, but I doubt very much whether there was anything stated upon the floor of the House in relation to the matter. Evidently, however, the committee decided that it was absolutely necessary to provide for the additional office.

Mr. NORRIS. Neither have I read the RECORD, but I have had a conversation with some one who has done so, and, as I remember the situation as it was stated to me, the amendment to which I refer was offered on the floor of the House; it was not a committee amendment. I was wondering what reason had been given for including Sterling, in the State of Colorado.

Mr. STERLING. If the Senator from Utah [Mr. SMOOT] will yield to me, I desire to say that I have just been informed by Representative WILLIAMSON, of the House, that the amendment was put in by the committee of the House, and that one reason urged for the retention of that office was that over and above the disbursements of that office there has been a net gain to the Government of $2,225. That statement was urged in favor of the amendment as showing the need of the office.

Mr. NORRIS. I am not familiar with the conditions and I am not prepared, of course, to object to the House amendment, but what I really wanted to ask the Senator from Utah [Mr. SMOOT] before he made his motion was whether or not he had consulted the junior Senator from North Dakota [Mr. LADD] in reference to the matter?

Mr. SMOOT. I will say that I have.

Mr. NORRIS. Is it agreeable to that Senator for the Senator from Utah to make the motion which he has?

Mr. SMOOT. The Senator from North Dakota told me not five minutes ago to proceed and make the motion.

Mr. NORRIS. I have no objection to the Senator doing so, except that I inferred from my conversation with the Senator from North Dakota that he was opposed to the motion. If it is satisfactory to him, I have no objection.

Mr. SMOOT. It is perfectly satisfactory to the Senator from North Dakota.

Mr. President, I desire to say to the Senator from Nebraska, so that there may be no misunderstanding about the matter, that it is satisfactory to the Senator from North Dakota for me to make the motion which I have made to concur in the amendment of the House.

Mr. NORRIS. I should not have interrupted the Senator at all had it not been that on yesterday I had a conversation with the Senator from North Dakota, and I thought from what he stated that he was going to oppose the motion. As the Senator from North Dakota is not present in the Chamber, I thought I would make the inquiry of the Senator from Utah which I have. I have no further objection to the Senator's motion.

The PRESIDING OFFICER. The question is on concurring in the House amendment.

Mr. UNDERWOOD. I suggest the absence of a quorum before the pending matter shall be disposed of.

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

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

| | | | |
|---|---|---|---|
| Ashurst | Glass | McLean | Simmons |
| Ball | Gooding | McNary | Smoot |
| Broussard | Hale | Nelson | Spencer |
| Bursum | Harris | New | Sterling |
| Cameron | Heflin | Newberry | Sutherland |
| Capper | Jones, N. Mex. | Nicholson | Townsend |
| Caraway | Jones, Wash. | Norbeck | Trammell |
| Colt | Kellogg | Norris | Underwood |
| Culberson | Kendrick | Overman | Walsh, Mass. |
| Cummins | Keyes | Pepper | Warren |
| Curtis | King | Phipps | Watson, Ga. |
| Dillingham | La Follette | Poindexter | Watson, Ind. |
| du Pont | Lenroot | Pomerene | Willis |
| Ernst | Lodge | Rawson | |
| Frelinghuysen | McCumber | Sheppard | |

Mr. CURTIS. I wish to announce that the junior Senator from North Dakota [Mr. LADD] and the junior Senator from Illinois [Mr. MCKINLEY] are detained in attendance upon the Committee on Agriculture.

I also wish to announce that the Senator from Nevada [Mr. ODDIE] is necessarily absent.

The VICE PRESIDENT. Fifty-eight Senators have answered to their names. A quorum of the Senate is present.

Mr. KING. I regret that my colleague has made the motion to concur in the amendment of the House. Of course it was his duty to have the amendment of the House laid before the Senate, and therefore I make no criticism of his proceeding.

Some time ago, Mr. President, it became apparent that there were entirely too many land offices in the public-land States. Everybody familiar with the situation knows that some of them have been kept open under Republican administrations and Democratic administrations because of the importunities of politicians. The Government is made the scapegoat and offices are maintained in order to give the positions to Republicans or Democrats in the public-land States. I think that the Government in the past has been most generous in affording opportunity for those who desire to enter public land to do so. It has established, in my opinion, too many land offices in the public-land States. It has been out of a desire to accommodate the people and to take the land offices to the people instead of having the people go to the offices.

Some time ago it became so apparent that an injustice was being done to the Government in maintaining all these unnecessary land offices that, in a spasm of virtue, Congress passed a law abolishing land offices in the following places: Camden and Harrison, in the State of Arkansas; Del Norte, Hugo, and Sterling, in the State of Colorado; Alliance and Broken Bow, in the State of Nebraska; Clayton, Fort Sumner, and Tucumcari, in New Mexico; Dickinson, Minot, and Williston, in the State of North Dakota; Bellefourche, Gregory, Lemmon, and Timber Lake, in the State of South Dakota; Waterville, in the State of Washington; and Springfield, in the State of Missouri. With the abolition of those, as I believe, unnecessary offices—and evidently the Public Lands Committees of the House and of the Senate believed they were unnecessary because, as I am advised, they reported the bill and it passed both the House and the Senate—they left in those States the following number: In Arkansas there was still one public land office left at Little Rock; 7 were still left in Colorado; 1 in Nebraska; 3 in New Mexico; 1 in North Dakota——

Mr. BURSUM. Mr. President——

Mr. KING. I yield.

Mr. BURSUM. Does the Senator say three in New Mexico? He should have said two. There were three. We left out one.

Mr. KING. The number left in that State when the bill passed, as I recall, was three.

Mr. BURSUM. Oh, the total number?

Mr. KING. Yes; and that is the report which I have before me, which I think was prepared by some officials of the Land Office. I will ask the Senator now if it is not a fact that three are still left in the State of New Mexico?

Mr. BURSUM. Yes; but I understood the Senator to say that we have three in this bill.

Mr. KING. Oh, no.

Mr. BURSUM. The appropriation bill affected three, but in the new bill we left out one.

Mr. KING. You left out Tucumcari?

Mr. BURSUM. Yes; we left out Tucumcari; and I will say to the Senator that one of the offices which is reinstated has 550,000 acres of land in the district, and the revenues are close to $30,000—$28,000. The other district has 130,000 acres of land, and the revenues will also be close to $30,000. Only the Tucumcari office was closed and left out.

Mr. KING. There are still five left in Washington, and, of course, there are other States that are not affected by the bill. The report to which I have referred shows that in Springfield, Mo.—and I think that is preserved——

Mr. SMOOT. No; that is stricken out.

Mr. STERLING. That is stricken out.

Mr. KING. I am glad the Senate saw fit to do that. We have been keeping there for a long time a public land office with 48 acres of public land, with an expense, of course, for the necessary official. In Camden, Ark., there are 31,919 acres.

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

Mr. KING. I yield.

Mr. CARAWAY. At Camden, Ark., while there is not a great acreage, recently one of the most productive oil fields in America has come in, and that has been a busy office. There is but one man there. The register and receiver are one and the same; but there is something less than $3,000 expense and quite a good, big revenue. I might say, incidentally, that the Secretary of the Interior did not want either of the offices abolished, and nobody knew, seemingly, that they were abolished. It was one of those unfortunate riders that are put on appropriation bills, and nobody knew its effect. I never heard of it.

May I continue the interruption for just a moment while I am on my feet?

Mr. KING. Yes.

Mr. CARAWAY. In the case of the other office, Harrison, I do not remember the number of acres of public land.

Mr. KING. One hundred and one thousand.

Mr. CARAWAY. But adjacent to it there are more than 500,000 acres of national forest lands. Thousands of acres are being released from it every year. It takes two days to go from that territory to Little Rock and two days to return. There is only one man there, and why anyone could seriously say that one having to do with the Government should be compelled to incur a loss of time of pretty nearly a week and great expense in order to abolish one man's job, when the office pays very much more in fees than the expense of maintaining it, I do not see. I dare say that the additional clerk hire resulting from the consolidation of the three offices in Little Rock will be as great as the expense of maintaining the two land offices. The Government has the buildings; it has the equipment; it has everything. The people are familiar with the offices. They are accustomed to go there. It will not save a penny, but it will make every man who has anything to do with the Government incur a loss of time and a heavy expense.

Mr. KING. Mr. President, we hear a great deal about economies, and those who have been advising the present administration I think have recommended, and I believe properly, consolidations wherever it was possible in the interest of economy.

Mr. CARAWAY. Mr. President, if I may interrupt the Senator, the Secretary of the Interior did not advise this, and did not want it.

Mr. KING. I understood the Senator. I think that many of these departments do not want to abolish needless offices. I think experience has demonstrated that in most of the executive departments of the Government, instead of there having been exhibited a desire for economy and for an elimination of useless offices, quite the contrary has appeared, and as a result we find constantly a multiplication of offices and an increase in the number of officeholders in the various executive departments of the Government. Even since the war was over—and we are removed from it now practically four years—there has not been that reduction in the war forces that was promised by our Republican friends and promised by Democrats, and the result is that in many of the executive agencies of the Government there are hundreds and thousands of needless employees.

Mr. CARAWAY. Mr. President, may I interrupt the Senator again?

Mr. KING. I yield.

Mr. CARAWAY. The thing that I complain about is this: Whenever economies are spoken of there is always an attempt to economize by depriving people who are not situated at the seat of government of the ordinary, necessary facilities of transacting business. Expenses may run riot in the District of Columbia, and everybody may have a job doing nothing with three helpers, and there is not any very great outcry against that; but if there is some little convenience down in a State where people are accustomed to go and deal with the Government, then it is a needless expense. There are post offices conducted in buildings that are so ill suited to the purpose that they are a disgrace to the Government, and you could not get a dollar for that purpose, but you can get millions if you will pour them out in the District of Columbia.

The Senator from Utah, who heretofore has impressed me ordinarily as being right, has now joined the hue and cry to cut off every possible facility for people who do not happen to live within the District of Columbia, to centralize the Government, to take away every agency that it has to popularize it and to meet the demands of the people, and concentrate it every bit, and call it economy, when the additional clerks necessary will cost as much as the maintaining of the office.

Mr. KING. The Senator is entitled to his opinion, and may animadvert as much as he pleases upon my attitude concerning these items, but it will not deter me from expressing the opinion which I entertain. I agree in the main with what my friend has said. We are perfectly willing to make enormous appropriations for centralized activities of the Government. Millions and tens of millions, I have insisted since I have been here, have been extravagantly used—have been wastefully employed—in many of these concentrated agencies of the Government. I sympathize entirely with the view which my able friend has taken. I am in favor of ceding these public lands to the States. I think it is absurd for the Federal Government to deal with this limited acreage. These public lands ought to be ceded to the States. The thirteen original Colonies had the lands within their borders. Texas, when she came into the Union, had all of the land within her borders.

Mr. CARAWAY. But nobody wanted that land in Texas.

Mr. KING. It is valuable land, and out upon that land there are found to-day millions of happy and prosperous and patriotic American citizens.

Mr. CARAWAY. But what I wanted to say to the Senator, if I may, is that if he will let us have these land offices until he gets his bill through to cede the land to the States, then I will agree with him that the land offices may be abolished.

Mr. KING. I wish the Senator would join now in a movement to cede the public lands to the States.

Mr. CARAWAY. I will. I will vote with the Senator whenever he introduces it.

Mr. KING. I have had a bill for that purpose pending here for five years.

Mr. CARAWAY. I know, but the Senator can not get it reported from his own committee.

Mr. KING. I am not on the committee, let me say to the Senator.

Mr. CARAWAY. Was not the Senator on it when the bill was introduced?

Mr. KING. No; I was not. I never have been.

Mr. CARAWAY. I will move to put the Senator on it when the Senate is reorganized and made Democratic, as it will be in the next Congress.

Mr. KING. The Senator is an admirable prophet, and I hope his prophecies will be realized with respect to the next Senate being Democratic.

Mr. President, if I felt that there was any necessity for some of these offices I should be the last one to oppose the measure which reestablishes these offices. Looking at this list I am of the opinion that perhaps in two districts the offices should be maintained—one at Fort Sumner, N. Mex., where it is claimed that there are 655,000 acres of public land; the other at Waterville, Wash., where there are 330,000 acres; and yet, Mr. President, in view of the fact that there are five remaining offices in the State of Washington, it does not seem to me that there is any necessity for continuing another one.

Mr. PHIPPS. Mr. President——

Mr. KING. I yield to the Senator.

Mr. PHIPPS. For the Senator's information, I should like to say that in the case of Del Norte, Colo., which is typical, the land office is situated about 150 miles from the nearest other land office. The area of land remaining to be disposed of exceeds 475,000 acres.

Mr. KING. Four hundred and ninety-two thousand.

Mr. PHIPPS. I deal in round figures as a rule. I am not quite as exact, perhaps, as the Senator from Utah. However, in this particular case it should have been put in the bill to retain the office with the positions of register and receiver consolidated. That would be the purpose of the present bill under the conference report and as it now stands. In some other States the offices will be consolidated so that one official will operate instead of two; and I believe that in all of these offices the Interior Department has kept in mind strongly the intention and the purpose of reducing the number of minor employees.

The subordinate positions can be carried on with a smaller number of clerks, and economy will be obtained in that way. I doubt very much, however, if it would be an economical measure for the Government to abolish these offices, because it would mean about the same expense to the Federal Government, and certainly a very great expense on the people who have taken up these public lands and who have not yet completed their payments and received their patents.

Mr. KING. Mr. President, in view of the fact that the area of public lands available for occupation which are being located upon by the people is being reduced to a minimum, I think I can state accurately that there will be fewer entries in the future than in the past; that there will be a constant diminution of entries, especially homestead entries, with the constantly diminishing area which is susceptible of irrigation.

Mr. WARREN. Mr. President——

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

Mr. KING. I yield.

Mr. WARREN. There is another part of that which is important. In some offices hundreds of thousands of acres have been entered, but have not proceeded far toward the final proof, and it takes some time to finish it. As the Senator from Colorado has said, it is important to fix the matter so that those settlers shall not have to travel exceedingly long distances to make their proofs.

As the Senator knows, we have a general statute which permits the Secretary of the Interior to close any office which is considered no longer necessary, and also to combine the offices of register and receiver into one; and there are some cases where oil or minerals have been discovered, which affect the matter. So while the Senator is quoting the correct figures about the unentered lands, there is some difference as to the value of those lands which are subject to entry. Then there is the matter of unfinished proof, as well as the mineral proposition.

Mr. KING. Mr. President, what I stated I think will not be controverted, that the public area which is desirable to acquire is rapidly diminishing. Most of the land in the State of the Senator from Wyoming, as he knows, and millions of acres of land in the State of Arizona, and millions of acres of land in the State of Nevada and of Utah and other Western States, never can be irrigated. Much of it, indeed, is not even fit for grazing. It consists of rugged peaks, which lift their heads into the sky, and upon their backs bear no vegetation or verdure or timber. There are millions of acres of land which are alkali and valueless; so that there will be a reduced number of entries yearly.

To show that the Secretary of the Interior, if he has that authority—and the Senator quotes the statute accurately—has failed to consolidate or to abolish unnecessary land offices, I want to call attention to some of the offices which are found in this bill. There is Hugo, in Colorado, which has 1,805 acres of public land within the district.

Mr. PHIPPS. There is no attempt made to maintain that office.

Mr. KING. I understand.

Mr. PHIPPS. There are cases, like Durango, Colo., where there is large acreage not taken up, much of which is susceptible of cultivation under dry farming. Montrose, Colo., has an acreage of about 2,370,000, and, of course, the office is maintained. The two positions, however, have been consolidated. It was thought that there was sufficient work there for both officials, the register and receiver, but, as a matter of fact, if those two offices have been credited with the amount of money received from the sales of Indian lands, about $11,000 per year in each office, they would have been within the requirements, and their expenditures would have been less than 33⅓ per cent of their receipts; but they were not given credit for the Indian money, and they fall under the category of those offices where the two positions are to be consolidated.

The House takes that attitude, and we will have to submit. I think perhaps it can be worked along so that those offices can function under one official without great disadvantage, but, strictly speaking, they should not have fallen under the category of offices where the expenditures were more than 33⅓ per cent of the receipts.

Mr. HITCHCOCK. Mr. President, if the Senator from Utah will yield to me for a moment, I would like to draw his attention to what I think is an important distinction between the policy of maintaining these offices and the policy which he attacks, and justly attacks, of maintaining unnecessary public officials.

In the case of unnecessary public officials, here in Washington and elsewhere, the offices have been maintained for the benefit of the officials, and it amounts to a sort of an official graft; but, as he very well knows as a western Senator, these western offices have been maintained, where they have been maintained after the sales have subsided, for the convenience of the homesteaders themselves. I think the Government owes a duty to these thousands of people out there who have entered homesteads and taken up the battle of western civilization.

I believe the Government owes to them something more than the ordinary obligation of maintaining an office when the entries are being made. Those people are principally poor, and to close the office immediately, when the time arrives that the public lands have been largely entered, and compel those people to deal with an office hundreds of miles away would be putting an unfair hardship upon them.

The only objection I have to the amendment of the House is that it goes too far. In my State, for instance, the office at Broken Bow is closed, and the people who have entered lands at Broken Bow will be compelled to go probably 200 miles to the nearest office. I am glad to say that the office at Alliance has been retained. But I think the Senator from Utah should bear in mind that the offices in those regions are maintained not in order to keep some individual in office but in order to afford convenience to the homesteaders, who are having a hard time at best, and who should not be compelled to go or send a hundred miles to perfect their titles and get their patents ultimately.

Mr. PHIPPS. Mr. President, I merely want to mention, in this connection, the office at Sterling, Colo., which is typical of the very point the Senator raises, where the land has all been entered practically, and only some 6,000 acres remain. The closing of the transactions entered into by those homesteaders will continue over a period of three or four years, and during the coming fiscal year the receipts of that office, fairly estimated, will be amply large enough to justify the retention of one official in charge, rather than to put those homesteaders to the necessity of traveling a distance of 175 miles, on the average, to the next nearest land office, which is Denver, Colo.

Mr. HITCHCOCK. It should be borne in mind that these offices, particularly the two offices in Nebraska I have in mind, Alliance and Broken Bow, have for a large number of years been highly profitable to the Government, and I presume that is true of offices in other States. I question the public policy of closing those offices the moment their receipts fail to exceed their expenditures. I think the Government owes an obligation to the people who came there and have taken up homesteads, and that the Government is not justified, in order to save a few thousand dollars, in putting those people to an expense of many thousand dollars in perfecting their titles and getting their patents.

Mr. KING. Mr. President, I agree with all the Senator from Nebraska has stated. The only difficulty with his argument is that many of these offices do not come within the class to which he refers. Wherever there is any considerable quantity of land being entered, then I am in favor of the maintenance of an office, unless there is one very close at hand.

Mr. HITCHCOCK. The Senator misunderstood me. I am talking about land which was entered several years ago, and to which patents have not yet been received; that is, lands occupied in many cases by actually poor homesteaders, who are anxious to get their patents.

Mr. KING. Mr. President, most of the cases to which I am referring are cases, I understand, where there have been comparatively few entries within recent years. The land was taken up years ago. Take, for instance, Springfield, Mo., with 48 acres. My information is that it has been a number of years since any entries were made there. I will call attention to several others. I mentioned Hugo, with 1,805 acres. The receipts were $1,770 last year and the expenditures were $4,960. I can not conceive of a situation such as there presented warranting the continuance of an office at that point. It ought to have been abolished prior to this time.

Mr. STERLING. The Senator will have noted that Springfield, Mo., was not included in the bill as it passed the House.

Mr. KING. I understand that; but I started to answer a statement which has been made twice. The Secretary of the Interior has authority to close these offices, and I was stating that if he had authority he has not exercised it. I mentioned Springfield and Hugo as illustrations of that fact, as showing the necessity of Congress acting, or else you would continue these men in office with nothing to do. Sterling has been mentioned. Under that office there are 6,191 acres, and the expenditures are $10,802. Alliance has been mentioned. There are 14,950 acres only, with receipts of $9,413 and expenditures for the year of $6 363.

Mr. PHIPPS. Mr. President, I want to call attention to the fact that in those figures the Senator did not read the amount of the receipts of the Sterling office, which exceeded the expenditures by about $3,000. That the expenditures there were unjustifiable, I agree with the Senator.

Mr. KING. The Senator from Nebraska has mentioned Alliance, with 11,592 acres, with receipts of $6,900 and expenditures of $3,736.

Mr. HITCHCOCK. Mr. President, I have the official figures here on the Alliance office, and I think the Senator is mistaken. The area of the public lands on July 1, 1921, was 14,950 acres. The revenues for the fiscal year ending June 30, 1921, were $9,413 and the expenses were only $6,363.

Mr. KING. That is exactly what I stated.

Mr. HITCHCOCK. I misunderstood the figures, then. But I am not concerned with what the immediate receipts are, providing these offices have in their operation been the places where a great area of land has been entered and the patents not yet issued.

It seems to me those customers of the Government should be permitted to close their deals in the same offices where they began them, and that the offices should not be removed several hundred miles away and the homesteaders put to thousands of dollars of expense in order that the Government might save a little money. They have been profitable offices for the Government in their day. They have resulted in the settlement of a large area of territory, and on behalf of those homesteaders who are on the ground now, who have not yet received their title, I urge that a more liberal policy be continued.

Mr. McCUMBER. Mr. President, will the Senator allow me to make just one suggestion, which I do not think he has yet taken into consideration in the discussion, and which I think is important? If the Senator would take a State like any of our big prairie States, such as North Dakota or Montana, he would find that our four or five great transcontinental lines all run east and west. North Dakota is a State running 400 miles in one direction. There are very few opportunities to connect and to go from north to south, but it is very easy to get from east to west, and travel in that direction.

Knowing that there were some offices in my State in the very northwestern part, and that there were some others in the very southwestern part, 300 or 400 miles away, or nearly 800 miles if they had to go around by rail to reach them, I drew and had enacted into law a provision authorizing the Secretary of the Interior to hold the principal offices open, but to consolidate the offices of register and receiver in one individual, and allow the office to be held open as long as it paid a sufficient amount to take care of the expenses of the office and that one individual, so that those having contests, or having proofs to be made, could go to the nearest land office and have their business attended to, without the enormous expense of bringing their witnesses such long distances.

That was satisfactory to the Interior Department and we had decided on what land offices ought to be closed and what ones should be reduced or consolidated into a single office. Then without any knowledge on my part or that of my colleague, and, so far as I know, without any knowledge on the part of any of the members of our delegation in the House, there was put into a bill, I think an appropriation bill, and passed both Houses without attention being called to it a provision abolishing practically all those offices with the exception, I think, of one. It should not have been done. We should have allowed those consolidations in accordance with the old law.

This measure would give us a little remedial legislation and would give us an opportunity at least to hold open one or two of those offices. When they get down low in the matter of business, then we should reenact our law to allow the offices of register and receiver to be consolidated and not to dispense with the clerk, if his services are necessary, until the land in that vicinity has practically been taken care of.

Mr. KING. I agree with the Senator and sympathize entirely with the difficulties that have been encountered by the agriculturists of his State. I would have concluded what I had intended to say if I had not been interrupted so many times.

I desire briefly to refer to a number of other offices to show the situation.

Mr. SMOOT. Mr. President, I do not know whether my colleague has noticed that these places are continued for the fiscal year commencing July 1, 1922, and thereafter in the discretion of the President.

Mr. KING. I wanted to ask the Senator whether it was intended that at the end of the fiscal year all of the offices shall be abolished unless the President acts. Must he act affirmatively?

Mr. SMOOT. He must act affirmatively; but as long as the public business of such offices shall warrant, they may be kept open. Of course, if at any time the business does not warrant retaining them, the President will abolish them.

Mr. KING. Of course, the President will act upon the recommendation of the Secretary of the Interior; at least, I assume that he will.

I notice another office where the land within the district comprises 11,592 acres and the expense is $3,736. There is another district in New Mexico containing 58,000 acres, where the expenditures are $11,598 and the receipts only $10,000.

Mr. STERLING. Mr. President, is the one last mentioned in New Mexico included in the bill as reported from the House?

Mr. KING. I am not sure that it is in the bill reported by the House, but my recollection is that by the conference committee it was eliminated.

Mr. SMOOT. No; I will say to the Senator that it is still in the bill.

Mr. KING. It is still in the bill. I call attention to an office in North Dakota comprising only 6,000 acres, where the expenses were $3,881 and the receipts only $3,283. There is another one in North Dakota of 20,000 acres where the expenses are $4,309 and the receipts only $2,000. Gregory, S. Dak., 4,061 acres, receipts $2,614 and expenses $5,324.

Mr. STERLING. Mr. President, what is the use of taking the time of the Senate to discuss a proposition like that? The office at Gregory was discontinued some time ago. It has been discontinued.

Mr. KING. Does the Senator say it was not restored by the House?

Mr. STERLING. It was not restored by the House in the Senate bill. It was not in the bill which I introduced in the Senate. The bill passed the Senate with amendments, but Gregory was not included in the original Senate bill nor in the Senate amendments.

Mr. KING. Let me say to the Senator that the report which I have before me is of 1921 as to acreage. When was the office abolished, if it has been abolished?

Mr. STERLING. It was abolished several months ago. I do not recall exactly how long ago.

Mr. SMOOT. The report from which the Senator is reading is with reference to the offices abolished originally, but all of those offices have not been reinstated by the Senate bill.

Mr. KING. I mentioned Hugo, for instance, which was not included in the Senate bill, but I mentioned Hugo and Springfield, although Springfield was in the original bill, as evidence of the fact that notwithstanding there were only 48 acres it did not move the executive department of the Government to abolish the office. There we had an actual expenditure of $1,365 with an area of 48 acres in the district.

Mr. SMOOT. I will say to my colleague that all those offices were abolished.

Mr. KING. By law?

Mr. SMOOT. Yes; by not appropriating for them, and the pending measure is now restoring them.

Mr. KING. Exactly. We did, as I said, in a spasm of virtue abolish these offices, and now we are asked to undo what we have done. I am calling attention to what we have done and then showing that we are now undoing what we have heretofore done.

I call attention to the Timber Lake office in the State of the Senator from South Dakota.

Mr. SMOOT. That has been abolished.

Mr. KING. I understand that has been cut out, but it was not abolished by the Interior Department; it was abolished by failing to appropriate. There are only 4,718 acres there.

Mr. STERLING. Mr. President, I shall support the motion of the senior Senator from Utah [Mr. SMOOT] to concur in the House amendment to the bill. I do it reluctantly because of the elimination of the two offices—Lemmon and Timber Lake—in South Dakota. But this is June 30, and because of

want of time I have no other alternative. I can give the junior Senator from Utah a statement in regard to the business transacted at those offices and to be transacted.

In the Timber Lake district, while there are only 4,718 acres of land unentered, there are 171,600 acres of unperfected homestead entries. There are in the same district 408,300 acres proved up, but not patented——

Mr. KING. I hope the Senator will make his speech in his own time.

Mr. STERLING. So there is business for the land office at Timber Lake. The business of the land office at Timber Lake will continue for years if that office is kept open.

Mr. KING. I have called attention to a number of offices and districts where the areas are insignificant—from 48 up to 4,000 or 5,000 acres—and where we are keeping officials in positions and maintaining offices under circumstances such as I have detailed. Of course, I know the bill will pass. Any effort to secure the abolishment of any of these districts, or any other districts for that matter, would meet with failure.

I want to emphasize just in a sentence the unwisdom and impolicy of the Government dealing with these public lands. It ought to cede them to the States. The Legislature of New Mexico can deal with these lands far better than the Congress can deal with them and the officials in the Interior Department can deal with them. Every western Senator knows the annoyance, the irritation, the oppression of the bureaucratic despotism that exists with respect to public lands. We ought to cede them to the States and permit them, under such reservations as Congress may deem proper, to deal with those lands.

I regard this as a most impolitic procedure, costing the Government of the United States not millions but tens of millions of dollars annually in handling the public domain. Why not deed it to the States and let them dispose of the lands as they see fit? Other States have done it, and I am sure the disposition made by States of public lands has been more creditable to the States than has been the disposition made by the Federal Government. The States have handled the public lands committed to their charge with less scandal, with greater economy, in the interest of the people, than the lands have been handled by the Federal Government.

I sincerely hope that the committee before whom the bill is pending to cede to the States the public lands within the States will act favorably on the bill. The governors of the Western States have repeatedly convened and have resolved in favor of a cession of the public lands. Senators upon both sides of the Chamber have repeatedly declared for 25 years that the public lands ought to be ceded to the States. I can not understand why there should be any further obstacle or what reason there is for opposition to this measure.

Mr. HEFLIN. Mr. President——

The PRESIDING OFFICER (Mr. BURSUM in the chair). The Senator from Alabama.

Mr. HEFLIN. I am willing to have the Senate vote upon the question before I proceed, so long as I am recognized.

The PRESIDING OFFICER. The question is upon concurring in the House amendment.

The amendment was concurred in.

Mr. POINDEXTER. Mr. President, I ask unanimous consent to temporarily lay aside——

Mr. HEFLIN. Mr. President, I thought I had the floor. I addressed the Chair and stated to the Chair that I was willing to have the Senate vote upon the question then pending before I addressed the Senate, and the vote was had. The Senator from Washington then rose and addressed the Chair, but I had been standing here, having confidence that the Chair would recognize my right to the floor.

The PRESIDING OFFICER. The Senator from Washington is asking unanimous consent. If the Senator from Alabama objects, that is for the Senator from Alabama to determine.

Mr. HEFLIN. I am not asking unanimous consent for anything. I am going to address the Senate.

The PRESIDING OFFICER. The Senator from Washington desires to present a unanimous-consent request.

Mr. POINDEXTER. I should like to explain to the Senator from Alabama the purpose of my request. I am going to ask to take up the so-called scrapping bill. I apprehend there will be no debate on the bill. It comes over from the House, and the Senate committee will have certain amendments to present. If it is to pass at all before the House adjourns, it will be necessary for the Senate to take immediate action on it.

Mr. HEFLIN. I promised to yield to the junior Senator from Pennsylvania [Mr. PEPPER] first, who has a matter which he assures me will not lead to debate. If the Senator from Washington is willing for the Senator from Pennsylvania to dispose of that question first, I shall then be glad to yield to the Senator from Washington.

Mr. POINDEXTER. I have no objection to that.

Mr. HEFLIN. I now yield to the Senator from Pennsylvania.

AMENDMENT OF FEDERAL RESERVE ACT.

Mr. PEPPER. From the Committee on Banking and Currency I report back favorably with an amendment in the nature of a substitute the bill (S. 3531) to amend section 9 of the Federal reserve act, and I ask unanimous consent for its present consideration. I think it will lead to no deabte.

The PRESIDING OFFICER. The Senator from Pennsylvania asks unanimous consent for the present consideration of Senate bill 3531. Is there objection?

Mr. POMERENE. Before consent is given I desire to say that I am not advised as to what the bill provides.

The PRESIDING OFFICER. The Secretary will read the bill for the information of the Senate.

Mr. PEPPER. Mr. President, with permission of the Chair, I think I can make in just a sentence a statement which will enlighten the Senator from Ohio. Under the Federal reserve act at present a certain minimum capital is required for member banks before they can become eligible to membership in the Federal reserve system. That minimum capital is $25,000. This measure proposes to make State banking institutions eligible for membership if their capital is 60 per cent of that minimum and if, under regulations to be prescribed by the Federal Reserve Board, a certain percentage of their net earnings is set aside each year until the difference between the 60 per cent and the 100 per cent is made good.

This is a unanimous report from the Committee on Banking and Currency and has the assent of so many Members of the Senate that I venture to believe that, possibly, it may be disposed of in this way.

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

Mr. KING. Mr. President, I should like to inquire of the Senator from Pennsylvania if the effect of the bill would not be to drive—and if that is not the purpose of it—State banks into the Federal reserve system?

Mr. PEPPER. Mr. President, I will answer the Senator from Utah by saying that it could not possibly have the effect of driving any institution into the Federal reserve system. The large number of institutions which are not now in this system, whose capital is above the minimum requirement, for reasons satisfactory to them, have not entered the system. This proposed act merely would extend to an additional number of banks the privilege of applying for membership if they desire to avail themselves of it. It is in the interest of giving an opportunity to the smaller banks to take advantage of membership in the system under the conditions and regulations which the measure prescribes.

Mr. KING. Mr. President, I do not like to object, but I think the Senator from Pennsylvania ought to give to those of us who are not on the Committee on Banking and Currency a little opportunity to examine the bill. I regard it as very important.

Mr. PEPPER. Mr. President——

Mr. KING. If the Senator will pardon me, I know that there has been a persistent effort by certain agencies of the Government either to drive the State banks out of existence or to make them national banks and to bring them into the Federal reserve system. That may be a wise policy; I express no opinion at this time in regard to that; but I do know there is a feeling on the part of many people that some persons who are engaged in banking under State laws have been discriminated against; that there has been a propaganda in favor of the extinguishment of the State banks and the consolidation of all fiscal agencies under the Federal Government.

Mr. SMOOT. This is merely another invitation for all of the banks to get in, no matter whether they have only $15,000 capital stock or not.

Mr. PEPPER. I am quite sure that the Senator from Georgia [Mr. HARRIS], when he introduced the bill, had no thought and that the Committee on Banking and Currency when it unanimously recommended the passage of the bill had no thought of driving or coercing State institutions to take any action whatsoever. The bill was introduced in response to a demand for the privilege of admission from a number of the smaller banking institutions of the country, which at present, by a kind of aristocratic limitation of capitalization, are not in a position to make application. This bill proposes to let down the bars to the extent of enabling them to apply, if they have 60 per cent of the existing requirements of the minimum capital,

under the safeguard of making up the difference between the 60 per cent and the 100 per cent out of a fund to be set aside annually out of net earnings, under regulations to be prescribed by the Federal Reserve Board.

Mr. POMERENE. If I understand the Senator from Pennsylvania correctly—and I think I do—the bill simply proposes to give to the smaller banks the privilege of the Federal reserve bank service, just that and nothing more? The outside banks are not to be forced into the system at all?

Mr. PEPPER. The Senator from Ohio understands me correctly, that this measure proposes to force no one; it places no compulsion upon any institution and is merely permissive under the circumstances mentioned.

Mr. KING. The Senator knows something of moral pressure. I do not say there is compulsion; of course not; the Government could not drive them except by some system of taxation or otherwise; but there is more than one method of compulsion. I ask the Senator from Pennsylvania to let the bill go over until to-morrow and give us a chance to examine it. It may be all right, but I am for the States and for the rights of the States and for State institutions, and against the centralizing tendency that builds up and centralizes everything in Washington.

Mr. PEPPER. I am very happy to comply with the request of the Senator.

Mr. HARRIS. Mr. President, I desire to make a statement to the junior Senator from Utah.

The PRESIDING OFFICER. Objection has been made to the consideration of the bill and it is not now before the Senate.

Mr. HARRIS. Mr. President, this bill was originally introduced at the request of bankers and business men in Georgia. Among others, the president of one of the banks located at Elberton, one of the best banks in my State, with a capital of $75,000, wrote me in favor of the measure. Under the law, that bank is not entitled to come into the Federal reserve system. A city having the population of Elberton must have a capital of $100,000. The requirement as to capital under the law ranges from $25,000 up to $100,000 and above, depending upon the population of the city in which it is located. Instead of the bill reported by the Senator from Pennsylvania, which I introduced, being an effort to drive the State banks into the Federal reserve system, it is an effort to help the State banks and gives them an advantage over the national banks. That is the intention of the bill. It gives them the benefits of the Federal reserve system when their capital is only 60 per cent of the capital now required to become a member of the Federal reserve system, and under the amendment added by the Committee on Banking and Currency 20 per cent of the annual net earnings must be placed to capital account until it meets the present law as to capital.

Mr. SMOOT. Does the Senator really believe that the wording of the bill applies to such a case as he has cited?

Mr. HARRIS. I believe so.

Mr. SMOOT. I have not studied it closely, but merely from reading it for the first time, it seems to me that it applies to banks whose capital stock is less than $25,000. I do not see how it applies to any other banks.

Mr. HARRIS. Mr. President, the requirements as to banks coming into the Federal reserve system are determined by the provisions of the law regarding the capitalization of national banks.

Mr. SMOOT. And one requirement is a capitalization of $25,000.

Mr. HARRIS. I understand that, but in towns of certain size national banks have to have $100,000 capital and above, depending upon the population of the place. In the town which I mentioned, Elberton, Ga., the bank I referred to with a capital of $75,000, can not come into the Federal reserve system because, under the national bank act, they are required to have $100,000 capital. All they wish is time to increase their capital, and the amendment to the bill requires that a bank desiring to avail itself of the provisions of the act shall increase its capital by the addition of 20 per cent of their net earnings every year until the bank has the capital now required under the law to become a member of the Federal reserve system.

Mr. SMOOT. I will say to the Senator from Georgia that that is one of the reasons why I think perhaps this bill is inadvisable. It is tantamount to saying to the stockholders of various banks, "If you come into the Federal reserve system and your capital stock is $75,000, you must, until your capital stock reaches $100,000, allow 5 per cent of all of your earnings to be set aside to increase your capital."

Mr. HARRIS. They are required to set aside 20 per cent of their net earnings until the capital comes up to the requirement.

Mr. SMOOT. I did not mean 5 per cent, but one-fifth of their earnings, to be taken out of the profits of the bank and added to the capital stock of the bank.

Mr. HARRIS. It is proposed by this bill to give them a preference by allowing them to come into this system without complying with the present law as to capital requirement. It will have a tendency to strengthen the small banks by increasing their capital stock; it will help the Federal reserve system; it will help the banks; and it will greatly help the farmers and business men in the small towns in the agricultural sections of the country, who are dependent upon the small banks to finance them.

This bill was referred to the Federal Reserve Board by the chairman of the Committee on Banking and Currency at the time there was a meeting of governors here of all the regional banks, and both bodies approved this measure.

Mr. President, I requested the Federal Reserve Board to furnish me data regarding nonmember banks in each State, and I ask that their reply and data be printed in the RECORD.

The PRESIDING OFFICER. Without objection, the matter referred to will be printed in the RECORD.

The matter referred to is as follows:

FEDERAL RESERVE BOARD,
*Washington, June 17, 1922.*

Hon. WILLIAM J. HARRIS,
*United States Senate, Washington, D. C.*

MY DEAR SENATOR: With further reference to the request contained in your letter of June 6, I beg to say that we have obtained the data regarding nonmember banks in each State which, on the basis of capital requirements, will become eligible for membership in the Federal reserve system should Senate bill 3135 become a law, and a statement giving this information is inclosed herewith.

It will be noted that the table shows the number of such nonmember banks classified according to cities of population of over 50,000, of 6,001 to 50,000, of 3,001 to 6,000, and 3,000 and less. This grouping corresponds to the present provisions of the national bank act. In addition, figures are shown representing the number of national banks, the number of State bank and trust company members, the number of nonmember State banks and trust companies which are eligible on the basis of present capital requirements, the number of nonmember banks which are not eligible under present capital requirements and which will not become eligible if Senate bill 3135 is enacted, and the total number of all banks (exclusive of mutual savings banks, which have no capital stock, and of private banks, neither of which are eligible for membership in the Federal reserve system) in each State.

Very truly yours,

WM. W. HOXTON, *Secretary.*

*Number of member banks, also of nonmember State banks, loan and trust companies, and stock savings banks in each State.*

| State. | Total number of banks in State.[1] | National banks. | State bank and trust company members. | Nonmember banks eligible for membership on basis of present capital riquirements. | Nonmember banks not eligible for membership under present capital requirements and which will not become eligible if S. 3531 is enacted. | Nonmember banks which, on the basis of capital requirements, will become eligible for membership if S. 3531 is enacted. | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | Total. | In cities of population of— | | | |
| | | | | | | | Over 50,000. | 6,001 to 50,000. | 3,001 to 6,000. | 3,000 or less. |
| Maine | 116 | 61 | 3 | 42 | 7 | 3 | 1 | 2 | ..... | ..... |
| New Hampshire | 81 | 56 | ..... | 8 | 17 | ..... | ..... | ..... | ..... | ..... |
| Vermont | 88 | 49 | ..... | 26 | 11 | 2 | ..... | 1 | 1 | ..... |
| Massachusetts | 273 | 162 | 31 | 61 | 18 | 1 | 1 | ..... | ..... | ..... |
| Rhode Island | 33 | 17 | 3 | 7 | 4 | 2 | 2 | ..... | ..... | ..... |
| Connecticut | 136 | 64 | 5 | 37 | 25 | 5 | 4 | 1 | ..... | ..... |
| New York | 839 | 505 | 96 | 207 | 24 | 7 | 5 | 1 | 1 | ..... |
| New Jersey | 376 | 220 | 45 | 80 | 29 | 2 | 2 | ..... | ..... | ..... |
| Pennsylvania | 1,476 | 861 | 56 | 419 | 66 | 74 | 64 | 3 | 2 | 5 |
| Delaware | 53 | 18 | 4 | 15 | 14 | 2 | ..... | ..... | ..... | 2 |

[1] Exclusive of mutual savings and private banks.

*Number of member banks, also of nonmember State banks, loan and trust companies, and stock savings banks in each State*—Continued.

| State | Total number of banks in State. | National banks. | State bank and trust company members. | Nonmember banks eligible for membership on basis of present capital requirements. | Nonmember banks not eligible for membership under present capital requirements and which will not become eligible if S. 3531 is enacted. | Nonmember banks which, on the basis of capital requirements, will become eligible for membership if S. 3531 is enacted. | | | |
|---|---|---|---|---|---|---|---|---|---|
| | | | | | | Total. | In cities of population of— | | |
| | | | | | | | Over 50,000. | 6,001 to 50,000 | 3,001 to 6,000. | 3,000 or less. |
| Maryland | 268 | 90 | 6 | 75 | 76 | 21 | 2 | ..... | ..... | 19 |
| Washington, D. C. | 47 | 15 | 1 | 10 | 18 | 3 | 3 | ..... | ..... | ..... |
| Virginia | 511 | 174 | 16 | 136 | 99 | 86 | 4 | 4 | 2 | 76 |
| West Virginia | 349 | 123 | 9 | 191 | 19 | 7 | 3 | 3 | 1 | ..... |
| North Carolina | 641 | 87 | 15 | 191 | 265 | 83 | ..... | 4 | 3 | 76 |
| South Carolina | 460 | 81 | 18 | 213 | 82 | 66 | ..... | 2 | 1 | 63 |
| Georgia | 723 | 95 | 70 | 293 | 77 | 188 | 2 | 4 | 3 | 179 |
| Florida | 272 | 56 | 12 | 97 | 28 | 79 | ..... | 1 | 2 | 76 |
| Alabama | 358 | 107 | 18 | 136 | 45 | 52 | ..... | 1 | 1 | 50 |
| Mississippi | 355 | 31 | 3 | 154 | 109 | 58 | ..... | 5 | 1 | 52 |
| Louisiana | 269 | 36 | 14 | 130 | 38 | 51 | ..... | 1 | 3 | 47 |
| Texas | 1,582 | 557 | 192 | 434 | 182 | 217 | 3 | 5 | 3 | 206 |
| Arkansas | 488 | 83 | 35 | 163 | 132 | 75 | ..... | 3 | 4 | 68 |
| Kentucky | 602 | 134 | 11 | 192 | 38 | 227 | ..... | 5 | 3 | 219 |
| Tennessee | 570 | 98 | 15 | 174 | 191 | 92 | 2 | 2 | 3 | 85 |
| Ohio | 1,008 | 375 | 84 | 406 | 101 | 42 | 10 | 6 | 5 | 21 |
| Indiana | 911 | 252 | 22 | 518 | 89 | 30 | 2 | 13 | 8 | 7 |
| Illinois | 1,893 | 494 | 80 | 1,036 | 168 | 115 | 2 | 2 | 3 | 108 |
| Michigan | 683 | 117 | 159 | 209 | 26 | 172 | ..... | 4 | 6 | 162 |
| Wisconsin | 991 | 153 | 36 | 361 | 271 | 170 | 1 | 5 | 6 | 158 |
| Minnesota | 1,527 | 341 | 30 | 338 | 567 | 251 | ..... | 2 | ..... | 249 |
| Iowa | 1,703 | 354 | 704 | 721 | 280 | 244 | 2 | 6 | 10 | 226 |
| Missouri | 1,689 | 131 | 38 | 427 | 751 | 322 | ..... | 7 | 10 | 305 |
| North Dakota | 854 | 180 | 5 | 123 | 329 | 217 | ..... | ..... | 2 | 215 |
| South Dakota | 700 | 134 | 18 | 194 | 182 | 172 | ..... | ..... | ..... | 172 |
| Nebraska | 1,184 | 186 | 21 | 414 | 235 | 328 | ..... | 3 | 8 | 317 |
| Kansas | 1,379 | 257 | 8 | 309 | 527 | 268 | 3 | 7 | 14 | 244 |
| Montana | 413 | 143 | 59 | 109 | 5 | 97 | ..... | 1 | ..... | 96 |
| Wyoming | 154 | 47 | 4 | 44 | 44 | 15 | ..... | 1 | ..... | 14 |
| Colorado | 396 | 143 | 3 | 86 | 141 | 53 | 1 | 1 | 2 | 49 |
| New Mexico | 125 | 50 | 7 | 51 | 16 | 2 | ..... | ..... | 2 | ..... |
| Oklahoma | 981 | 359 | 20 | 156 | 309 | 137 | ..... | 1 | 5 | 131 |
| Washington | 400 | 96 | 54 | 104 | 92 | 54 | ..... | 1 | ..... | 53 |
| Oregon | 285 | 96 | 33 | 69 | 41 | 46 | ..... | ..... | 1 | 45 |
| California | 731 | 309 | 46 | 315 | 41 | 20 | 4 | 10 | 6 | ..... |
| Idaho | 216 | 83 | 46 | 42 | 21 | 24 | ..... | ..... | 3 | 21 |
| Utah | 129 | 28 | 36 | 50 | 3 | 12 | ..... | ..... | 4 | 8 |
| Nevada | 35 | 11 | ..... | 23 | ..... | 1 | ..... | ..... | ..... | 1 |
| Arizona | 83 | 21 | 4 | 44 | 6 | 8 | ..... | 1 | 2 | 5 |
| Total | 29,417 | 8,150 | 1,595 | 9,640 | 5,829 | 4,208 | 123 | 119 | 131 | 3,830 |

NOTE.—Figures of member banks and of nonmember banks eligible for membership on the basis of capital requirements are as of June 30, 1921, while those for other banks are as of the latest date for which figures are available.

Mr. SMOOT. It is only giving another power here to say that one-fifth of the earnings of a bank shall go into the capital stock of the institution if it desires to come into the Federal reserve system, whether it wants to or whether it does not want to. However, my colleague has objected to the bill, and it goes over, and I will not occupy further the time of the Senate.

SCRAPPING OF NAVAL VESSELS.

Mr. POINDEXTER. Mr. President——

Mr. HEFLIN. I yield to the Senator from Washington.

Mr. POINDEXTER. With the permission of the Senator from Alabama, I ask unanimous consent temporarily to lay aside the tariff bill in order that the Senate may proceed to the consideration of House bill 11214.

Mr. KING. Mr. President, I wish the Senator would defer that request for a moment. There are a number of Senators who desire to be here when the bill to which the Senator has referred is considered, and if he will permit the Senator from Alabama to continue, in the meantime I will send for those Senators.

Mr. POINDEXTER. I should like to make a brief explanation concerning the measure. I think the whole matter may be explained in a few words. If action is not taken very promptly there will be no use to take it at all, because the House is about to adjourn. If the Senate chooses to act upon it, it should act promptly. I have consulted with Members of the House, and they inform me that if it shall be passed by the Senate it can go through the necessary procedure in the House.

The purpose and effect of the bill is to authorize the President, so far as the Navy is concerned, to scrap a portion of the Navy in order to carry out the terms of the disarmament treaty. It is very general and simple in its provisions. Among other things, it is necessary to enact legislation giving authority to convert two of the battle cruisers which were under construction into airplane carriers. As I have said, the House is going to adjourn until some time in August, and there will be a great deal of confusion and delay in the work and, consequently, unnecessary expense unless this action is taken promptly.

SANATORIUM FACILITIES FOR SICK AND DISABLED SOLDIERS.

Mr. STANLEY. Mr. President, if the Senator from Alabama and the Senator from Washington will yield to me, if the bill referred to by the Senator from Washington will require a quorum for any considerable discussion, I should like to secure unanimous consent for the consideration of a bill which will require no discussion whatever. It is purely a local matter. In the neighborhood of the Dawsonsprings Sanatorium, citizens in Hopkins County and the adjoining county gave to the Government several thousand acres of land. Within this land there are two or three small holdings which were not turned over because the owners, as is always the case, held out for extortionate amounts. The bill simply authorizes the Government to institute condemnation proceedings to acquire these little tracts of land which are necessary to the proper operation of the sanatorium.

Mr. POINDEXTER. Mr. President, the question is with the Senator from Alabama as to yielding for that purpose. If the bill will take no time, so far as I am concerned, I am perfectly willing that it shall be considered.

Mr. HEFLIN. I have no objection to the bill being acted upon.

Mr. STANLEY. I ask unanimous consent for the present consideration of the bill (H. R. 11588) to amend an act entitled "An act to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers, sailors, and marines."

The PRESIDING OFFICER. Does the Senator from Washington withdraw his request?

Mr. POINDEXTER. I withdraw my request temporarily.

Mr. STANLEY. I ask for the consideration of the bill only on the ground that there shall be no discussion. If it shall lead to debate I will withdraw the request.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill named by the Senator from Kentucky?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

*Be it enacted, etc.*, That subsection C of section 7 of the act entitled "An act to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers, sailors, and marines," approved March 3, 1919, be amended by adding at the end thereof a new sentence to read as follows: "*Provided*, That whenever any person, company, or corporation, municipal or private, shall undertake or shall have undertaken to secure any land or easement therein, which in the opinion of the Secretary of the Treasury is needed for the site of or in connection with the proper and convenient construction, maintenance, and operation of such sanatorium for the purpose of conveying the same to the United States free of cost and shall be unable for any reason to obtain the same by purchase and acquire a valid title thereto, the Secretary of the Treasury may, in his discretion, cause proceedings to be instituted to acquire such land or easement for the United States by condemnation of said land or easement, and it shall be the duty of the Attorney General of the United States to institute and conduct such proceedings upon the request of the Secretary of the Treasury: *Provided further*, That all expenses of said proceedings and any award that may be made thereunder shall be paid by the said person, company, or corporation, to secure which payment the Secretary of the Treasury may require the said person, company, or corporation to execute a proper bond in such amount as he may deem necessary before said proceedings are commenced."

Mr. SMOOT. From what committee has the bill been reported?

Mr. STANLEY. The bill has been unanimously reported by the Committee on Public Buildings and Grounds.

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

SCRAPPING OF NAVAL VESSELS.

Mr. POINDEXTER. Mr. President, I renew my request as to H. R. 11214, authorizing the President to scrap certain vessels in conformity with the provisions of the treaty to limit naval armaments, and for other purposes. I report the bill favorably from the Committee on Naval Affairs, and I submit a report (No. 802) thereon. I ask unanimous consent for the present consideration of the bill.

Mr. KING. Mr. President, this bill is so important that I feel constrained to ask for a quorum.

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

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

| | | | |
|---|---|---|---|
| Ball | Harreld | McLean | Smoot |
| Borah | Harris | McNary | Spencer |
| Brandegee | Heflin | Nelson | Stanley |
| Broussard | Johnson | New | Sterling |
| Bursum | Jones, N. Mex. | Norbeck | Sutherland |
| Calder | Jones, Wash. | Norris | Townsend |
| Cameron | Kellogg | Overman | Trammell |
| Capper | Kendrick | Pepper | Wadsworth |
| Culberson | Keyes | Phipps | Walsh, Mass. |
| Curtis | King | Pittman | Warren |
| Dillingham | La Follette | Poindexter | Watson, Ind. |
| Ernst | Lenroot | Pomerene | Willis |
| Fernald | Lodge | Rawson | |
| France | McCumber | Sheppard | |
| Hale | McKinley | Shortridge | |

The PRESIDING OFFICER. Fifty-seven Senators have responded to their names. A quorum is present.

Mr. POINDEXTER. I renew my request.

The PRESIDING OFFICER. The Senator from Washington asks unanimous consent that the Senate proceed to the consideration of H. R. 11214. Is there objection?

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

Mr. OVERMAN. Mr. President, can the Senator from Washington tell us whether or not the four-power pact has been ratified by the other nations?

Mr. POINDEXTER. I understand that favorable action has been taken by Japan and Great Britain. France and Italy have not taken any action, and I do not think the formal ratification has been thoroughly completed yet in either Great Britain or Japan; but steps are in progress toward that end. The important feature of this matter, I will say, is rather the authorizing of the President to convert these two battle cruisers into airplane carriers, which, it is considered, ought to be done regardless of action on the treaty, although there is no doubt that the United States and the principal naval powers concerned in the treaty will go through with the terms of the treaty. This bill simply authorizes the President to take this action. It does not direct him to take any action, and, of course, he will not take action until the final steps have been taken at least by Japan and by Great Britain.

Mr. OVERMAN. I just wanted some assurance of that kind. We appropriated this morning, in the deficiency bill, $5,000,000 for the purpose of carrying out the provisions of the scrapping bill.

Mr. POINDEXTER. That was to get us out of the contracts we had on those ships that are to be scrapped.

Mr. KING. Mr. President, I should like to ask the Senator a few questions before the bill is passed, as I presume it will pass, and before doing so I want to call the attention of the Senate to an article which appeared in the New York Times of Wednesday, June 28. It states:

The very latest naval intelligence survey of the programs of the five powers signatory to the naval limitation treaty signed at the Washington conference shows that Japan has building and projected more ships than any other power in those particular types upon which no restrictions were imposed by the conference.

These types are light cruisers, destroyer leaders, destroyers, submarines, and fleet submarines. Japan has building and projected 140 units with an aggregate tonnage of more than 160,794 among such types, as against 8 units of 11,275 tons being built by Great Britain, 52 units of 116,581 tons being built by the United States, 33 units of 68,400 tons by France, and 24 units of 42,550 tons by Italy.

Japan is building 52 submarines whose exact tonnage is unknown. Their aggregate tonnage will be around 50,000, so that Japan's present building program of light cruisers, destroyers, and submarines is nearer 210,000 tons than 164,796.

American naval officers feel that the failure of the arms conference to limit the construction of light cruisers, destroyers, and submarines is developing a situation that may some day return to plague the United States.

A ratio of 5–5–3–1.75–1.75 was fixed for capital ships of the five principal naval powers. This ratio was based on the existing strength in capital ships of England, the United States, Japan, France, and Italy at the time the agreement was reached. If the United States had been able to have its own way in the matter, this 5–5–3 ratio would have been applied also to submarines and auxiliaries, but France objected and prevented a conference agreement.

American naval officers feel that Japan will profit by the failure to adopt a submarine and destroyer ratio unless the United States Government shall exercise care and maintain its submarine and destroyer as well as light cruiser strength in the proportion of 5–3 as between this country and Japan.

Mr. President, the article contains very interesting statements relative to submarines and the general results of the naval treaty. Without taking the time to read it all, I ask that it may be inserted in the RECORD.

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

The matter referred to is as follows:

The United States is well off at present in the matter of destroyers on account of the large number built during the war, but the Japanese building program respecting light cruisers and submarines in a few years will place the Japanese Navy in a better relative position.

UNRESTRICTED SHIPS NOW BUILDING.

Official naval intelligence data covering the whole naval situation up to June 26, 1922, show that in ships building and projected among types on which no restrictions were placed by the naval treaty the position of the powers is as follows:

GREAT BRITAIN.

First-line cruisers, none.
Destroyer leaders, 1 of 1,750 tons.
First-line destroyers, 3 of 3,725 tons.
First-line submarines, 4 of 5,800 tons.
Fleet submarines, none.

UNITED STATES.

First-line light cruisers, 10 of 75,000 tons.
Destroyer leaders, none.
First-line destroyers, 3 of 3,645 tons.
First-line submarines, 36 of 31,561 tons.
Fleet submarines, 3 of 6,375 tons.

JAPAN.

First-line light cruisers, 15 of 81,900 tons.
Destroyer leaders, none.
First-line destroyers, 50 of 58,500 tons.
First-line submarines, 23 of 30,394 tons and 52 of tonnage unknown to American Naval Intelligence officers.
Fleet submarines none.

FRANCE.

First-line light cruisers, 3 of 24,000 tons.
Destroyer leaders, 6 of 14,400 tons.
First-line destroyers, 12 of 16,800 tons.
First-line submarines, 12 of 13,200 tons.
Fleet submarines, none.

ITALY.

First-line light cruisers, 2 of 16,000 tons.
Destroyer leaders, 6 of 12,270 tons.
First-line destroyers, 12 of 11,680 tons.
First-line submarines, 4 of 2,600 tons.
Fleet submarines, none.

Study of these figures in comparison with other figures showing the ships retained on June 1, 1922, by each of the five powers, and excluding those to be scrapped under the naval treaty, has convinced naval officers studying the matter that Japan is gaining an advantage over the United States with respect to light cruisers and submarines.

The United States is building 10 light cruisers and on June 12 was retaining 12 light cruisers which are not to be scrapped. Japan is building 15 light cruisers in addition to the 18 which she is retaining as of June 1. On this showing Japan will have 33, to 22 for the United States, a ratio of 3 to 2 in favor of Japan. If light cruisers were built on the basis of the 5–3 ratio, the United States would be entitled to 55 light cruisers for the 33 which Japan will have when her building and projected light cruisers are commissioned.

OUTLOOK FOR SUBMARINE STRENGTH.

Japan has building and projected for immediate laying down a total of 75 submarines, as against 36 building and about to be laid down for the United States. In commission and built, Japan already has 23 first-line and 10 second-line submarines, which will give Japan a total of 108 submarines. The United States, on the other hand, on June 1 possessed 57 first-line and 28 second-line submarines and 3 fleet submarines. When the 36 classified as building are completed

and added to the present strength of 88, the American submarine strength will be 124 submarines. On the basis of a 5–3 ratio, the United States would be entitled to 180 submarines when Japan has her 108 in commission.

On the basis of present submarine strength of the American and Japanese Navies, the United States will have to build a great many more submarines than it has so far proposed. The existing strength ratio is 8 to 3, and on that basis the United States would be entitled to 288 submarines, when the best the American Navy can now see is 124. In other words, the United States would have to build 164 additional submarines in order to maintain the "existing" ratio of 8 to 3, or, if the battleship ratio of 5 to 3 were applied as the determining factor for submarine strength, the United States would need to build 56 submarines in addition to the 88 built and 36 building.

If there is to be any limitation on light cruiser, destroyer, and submarine tonnage, it must come up at the next naval limitation conference. It was the expectation of leaders in the Washington conference that such a conference would be held in about eight years, or approximately 1929. The United States having established the precedent in the Washington conference of making "existing" battleship strength serve as the basis for limitation of capital ship tonnage, it is feared by some naval officers that in the next naval limitation conference any attempt to impose a limitation upon light cruisers and destroyers will be met with the argument that such limitation should be based on the then existing relative strength instead of on the 5–5–3 battleship ratio.

It is similarly contended by a number of American naval officers that the United States, in order to be at no disadvantage with respect to "existing" strength in 1929, should see that the battleship ratio of 5–3 is also maintained with respect to submarines, destroyers, and light cruisers.

Mr. KING. I inquire of the Senator whether he thinks it is wise for the United States to execute, to the extent contemplated by this bill, the terms of the treaty for the reduction of naval armament until France and Italy have ratified, until the dominions of Great Britain have signified their approval, and until we have full assurance or satisfactory evidence of the ratification of it by Japan and Great Britain?

Mr. POINDEXTER. No, I do not; and this bill does not require that we should do that. I will say, however, that I would not regard the failure of the dominions of Great Britain or the failure of France or of Italy to ratify the treaty as of paramount importance. That, however, is only my own individual opinion. I think the essential question is as to the action of the United States, Great Britain, and Japan as the great naval powers of the world. That is particularly true in view of the actions which have somewhat vexed international relations, particularly in the Pacific, in which Great Britain, Japan, and the United States together are in absolute control.

I think the Senator will agree with many other lawyers that perhaps an act of Congress to authorize the President to execute the terms of a treaty is unnecessary; it is not a conclusive proposition that it is necessary, and it is at least open to argument. My own opinion is—and that, also, is just an individual opinion—that a treaty properly approved by the Senate being, along with the Constitution and the acts of Congress, the supreme law of the land, can be and must be executed by the President without any further authority, and the enactment of that part of this bill which expressly authorizes the President to carry out the terms of this treaty as to the scrapping of certain ships is rather in deference to the opinion, which might be called the minority opinion, that Congress should be consulted and should give its express authority before those steps are taken.

But the important part of this bill is important regardless of the treaty. It is true that the treaty does allow the conversion of two of the battle cruisers into airplane carriers. Work has been suspended upon those cruisers, and in the interest of economy, as well as of accomplishing the object in hand, we should go ahead with that work at once, if we are going ahead with it at all, and in order to change a ship from the type authorized by Congress it is necessary to have another act of Congress. That is the important part of this bill.

Mr. KING. Mr. President, I agree with the Senator that the construction of two airplane carriers is important, and, as the Senator knows, the Committee on Naval Affairs, of which he and I are members, have been practically a unit in favor of the conversion of at least two incomplete battleships into airplane carriers. I have been one of the Senators who believed that the supremacy or paramountcy accorded the battleship—the superdreadnought—if not at an end was materially weakened by reason of the development of submarines and airplanes and other methods of naval warfare.

Of course, this bill illustrates what was stated by the opponents of the Washington conference treaties, that Japan and other nations, while limiting the building of capital ships, will actively engage in the construction of cruisers, submarines, aircraft carriers, and other naval craft, which will give them an advantage over the United States unless it directs attention to these branches of naval construction. The Washington treaties do not touch any form of naval craft except capital ships, and all nations signing the treaties are at liberty to spend millions in naval craft—perhaps more powerful, or at least more effective, in naval warfare than battleships. The Senator knows that some of the ablest naval officers in the United States and Great Britain, including Sir Percy Scott, have declared that the day of primacy of the battleship was over; that is was no longer supreme at sea. Yet the Washington conference left Japan and France and Great Britain, and the United States for that matter, full and unrestricted liberty to construct as many submarines as they may desire, and as many airplanes as they may wish.

I regarded the four-power treaty and this naval limitation treaty then, and I regard them now, as but of little value. They will prove futile in preventing war, and the pæans of praise which have been sung by our Republican friends, and some Democrats, over the promulgation by the conference will return some day in loud reverberation but discordant and condemnatory.

I rose more particularly to ask the Senator the cost that will result from this bill. It is not stated here. Will it be $60,000 or $70,000 or $100,000,000 that we will be compelled to pay under its provisions?

Mr. POINDEXTER. We would not be compelled to pay anything under this bill.

Mr. KING. We will incur obligations which must be paid.

Mr. POINDEXTER. No; we would not incur any obligations under the bill or under the treaty, for that matter. The obligations have already been incurred. This bill carries no appropriation at all, and in so far as the conversion of these cruisers into airplane carriers is concerned, it is expressly provided that it shall be done within the original limit of cost.

But, to answer the Senator's question fully, I may say that while it is not affected by this bill in any way whatever, the obligation which the Government is under, which it would be compelled to assume on account of this building program, authorized and laid down in 1916, and which was well on its way when this international arms limitation conference met, will cost something like $70,000,000.

Mr. KING. That is to say, we have contracts outstanding the cancellation of which will entail upon the Government of the United States an expenditure of at least $70,000,000.

Mr. POINDEXTER. That is the estimate which is made of the settlement of all the Government's obligations under this program which is interrupted by the treaty.

Mr. KING. It will be twice $70,000,000. But may I inquire of the Senator what board is provided for to pass upon these claims? What methods are to be employed to liquidate these seventy or more millions? I venture the assertion now that demands will be made upon the Government not for seventy millions but for one hundred and seventy millions or two hundred millions.

Mr. POINDEXTER. In that respect this bill limits the obligations of the Government by laying down a more limited measure of compensation. Of course, the legal and constitutional effect of that may possibly have to be determined by the courts, but the bill provides that there shall be just compensation, and the purpose is to restrict the obligations of the Government rather than to enlarge them.

As to the board or the agency by which the Government's obligations will be settled, I am informed that a board has been established in the Navy Department, composed of high officers, who are devoting their entire time to the consideration and adjustment of these more or less complicated questions arising out of the contracts. Of course, in the final analysis, it is subject to the control of the President of the United States.

Mr. KING. Mr. President, I believe this is unwise legislation. It is loose legislation. We have contracts amounting to tens of millions of dollars. We now propose to cancel them. We give to the President unlimited authority to cancel and to settle claims. Of course that means officials or persons to be named by the President or some official of the Government. We do not say how he shall determine the damages which the United States shall pay, or the methods which shall be employed. We do not fix any tribunal. We do not provide that the controversy shall go to the Court of Claims. We merely say to the Executive, "Cancel all these contracts as you please, and settle in any way you please, the only limitation being that just compensation shall be paid."

Of course, under the Constitution, and under the decisions of the courts, the words "just compensation" have a legal significance. But we make no provision here for a legal arbitrament or determination of any controversy which may arise affecting any demand for damages upon the part of those who have contractual relations with the Government.

Mr. POINDEXTER. It provides that they shall have just compensation. I may say that the contractors object to that.

Mr. KING. They want unjust compensation.

Mr. POINDEXTER. They want to have inserted the words "full compensation in accordance with existing law." That is the language they want. The Senator, as a lawyer, knows that that perhaps would give them the right to recover a vast amount of unearned profits, profits which they would have earned if they had been able to go on and carry out the contracts. The intention of the committee is to limit the compensation to a fair and just settlement for work which has already been done.

Mr. KING. Mr. President, the words "just compensation," as I indicated a moment ago, would seem to have a well-defined meaning among lawyers and with courts.

Mr. POINDEXTER. I will say to the Senator from Utah what I think I called attention to once before, that in a case arising under this very language, in the Court of Claims, the phrase "just compensation" was defined and limited, and it was largely in view of that that it was used in the bill.

Mr. KING. In view of the statement made by the Senator, will he consent to an amendment to the bill to insert the proviso:

*Provided*, That in determining what is just compensation anticipated profits shall not be considered.

Mr. POINDEXTER. I think that amendment is not necessary. If it were put in the bill, it would probably defeat the passage of it at this time. We struck out the words "under existing law" so as not to authorize anticipated profits. Anticipated profits have been positively excluded by the construction of the courts already given to this language.

Mr. KING. I can only repeat that I regard this legislation as exceedingly loose and very dangerous. It is foolish to make predictions—very few will believe your predictions—you will be regarded as Cassandra of old; but I venture the prediction now that Senators will live to see the time when instead of $70,000,000 the United States will pay $150,000,000 under the authority of this measure.

Instead of just compensation being limited, as indicated by my learned and distinguished friend, demands will be made for anticipated profits, going into the millions and millions of dollars, and they will be potent arguments enforcing settlements which will result in the Government of the United States being compelled to pay millions of dollars more than that which would be just and fair.

When these men and corporations made contracts with the Government for building battleships—and let me say that many of those contracts were cost plus—they knew that the Government might terminate, or would have a right, and that it reserved the right to terminate, those contracts at pleasure. Why there should be any compensation paid where it is a cost-plus contract other than the per cent agreed upon and then only for the work done is something I can not understand. Some of those contracts are cost plus, condemned in Mr. Wilson's administration, and justly condemned, and some of them perpetuated in Mr. Harding's administration.

Mr. NEWBERRY. Mr. President——

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

Mr. KING. I yield.

Mr. NEWBERRY. I would like to say, for the Senator's information, in regard to all these contracts, that if I am correctly informed they were made in 1916 at a fixed price. When the war came on the administration then in charge of the country's affairs canceled those contracts, and deliberately made cost-plus-10-per-cent contracts for these ships.

In 1920, after the war and before that administration was terminated, those contracts were again canceled by the Government, the second cancellation by the Government, and were then made at cost, plus a fixed fee.

In 1922, by the action of the treaty, those canceled contracts were again interfered with by the Government and work thereunder suspended. I think in every case the change was made at the instance and for the best interest of the Government. I have no criticism of what was done about the contracts, nor do I know any of the contractors, nor do I have the slightest interest in them, but I do think, in all fairness to them, they are hardly to be condemned for the action of the Government, due entirely to the war.

Mr. KING. The Senator refers to the contractors?

Mr. NEWBERRY. Yes.

Mr. KING. I have not intended in anything I have said to criticize the contractors. The contractors enter into contracts for the purpose of making money. It is their business to build ships and enter into contracts, and there is no criticism. I am only glad that we have business men in the United States who are competent, who have the mechanical equipment to build the necessary ships of the Government, but I do criticize some of the contracts which have been made and the loose methods which have been employed in the making of them. I criticize the enormous profits which have been made by some of the contractors, and the Senator knows that many of them have made enormous and, I believe, unjustifiable profits. It will be found that those contractors, whether cost-plus or readjusted contractors, will have demands before any tribunal that is established for tens of millions of dollars for anticipated profits.

I think, Mr. President, that the bill ought to be recommitted, that we ought to offer a measure that will create a tribunal having judicial powers, or refer it to some appropriate tribunal having judicial powers, with restrictions and limitations in the language as to the profits which shall be allowed. I think we ought to find the facts as to what has been expended by these men, and then allow a reasonable fee or profit for their time, for their services, and for whatever they have performed. They should be paid for all material which has been furnished, and then they should receive reasonable compensation for their services which they have put forth in behalf of the Government.

But in the pending measure there is no limitation. We send out into the air the bill without limitation, committed to agencies not defined, not prescribed, without limitations. The President may send the matter to a court. The President may detail some officer of the Navy. The President may employ any method that he sees fit in the determination of the questions of fact and the questions of law here involved. I regard the legislation as loose, impolitic, exceedingly dangerous, and I feel constrained to vote against the bill not only for that reason but because I think it is not wise to pass the bill just now. Let us wait a few days and see what Japan, Great Britain, France, and Italy will do. There is no such hurry as this. The House does not adjourn until to-morrow, and when it does adjourn it will come back again in August. We can wait for a few days, and time is often a very excellent physician and cures many ills, those afflicting the human frame as well as the political and industrial organism.

Mr. POINDEXTER. Mr. President, I wish to offer an amendment to the bill on behalf of the committee.

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. The Committee on Naval Affairs proposes to strike out all after the enacting clause and to insert:

That for the purpose of giving effect to the provisions in the treaty limiting naval armament, concluded February 6, 1922, between the United States of America, the British Empire, France, Italy, and Japan, the President of the United States be, and he is hereby, authorized to demolish or otherwise make such disposition in accordance therewith as in his judgment may be proper of the capital ships of the Navy built or building which are not to be retained by the terms of the said treaty.

SEC. 2. That the President of the United States is hereby authorized to discontinue the construction of and to cancel or modify any contract entered into for and on behalf of the United States for the construction of seven first-class battleships and six battle cruisers authorized in the act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1917, and for other purposes," approved August 29, 1916, and for the machinery, materials, equipment, armor, armament, and ordnance equipment therefor: *Provided*, That whenever any such contract is canceled or modified settlement of claims arising therefrom shall be made by the President upon a fair and equitable basis, as he may determine, out of any funds hereafter to be appropriated for that purpose: *Provided*, That if the terms of such settlement are unsatisfactory to any claimant such claimant shall be paid 75 per cent of the amount awarded by the President and shall be entitled to sue the United States to recover such further sums as added to the said 75 per cent shall make up such amount as will be just compensation for such claims, in the manner provided by section 24, paragraph 20, and section 145 of the Judicial Code.

SEC. 3. That of the battle cruisers authorized in the act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1917, and for other purposes," approved August 29, 1916, the President of the United States is hereby authorized to undertake the conversion of the *Lexington* and *Saratoga* into airplane carriers, within the limits of cost heretofore authorized for said battle cruisers.

SEC. 4. The limits of cost of the vessels heretofore authorized and hereinbelow enumerated are increased as follows: Battleships *West Virginia* and *Colorado*, from $15,000,000 to $17,000,000; scout cruisers *Nos. 4* to *10*, inclusive, from $7,500,000 to $8,250,000.

Mr. POMERENE. Mr. President, before the amendment is acted on I wish to ask the Senator from Washington a question. I understand there is pending an amendment, possibly to some other bill, which has for its purpose the reinstating of or the giving to two officers in the Navy a certain rank. The matter was called to my attention the other day, and it was stated that an effort might be made to incorporate it as an amendment to the pending bill. Has the Senator any such thought as that?

Mr. POINDEXTER. The matter was brought before the committee, and in view of the large number of similar applications for personal legislation the committee declined to attach any of them to this bill, with the view of considering all of

them very shortly in connection with the so-called omnibus legislative bill.

Mr. POMERENE. That suits my view exactly. I may say that I have asked the question not so much because I was specially interested in it, but the junior Senator from Montana [Mr. WALSH], who is away because of the sickness and death of his former law partner, was very anxious that the matter should not come up during his absence. As I understand from the acting chairman of the committee, it is not intended to incorporate that matter in the pending bill.

Mr. POINDEXTER. The Senator is correct.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Committee on Naval Affairs.

The amendment was agreed to.

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

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "A bill authorizing the President to scrap certain vessels in conformity with the provisions of the treaty limiting naval armaments, and for other purposes."

On request of Mr. POINDEXTER, and by unanimous consent, the report of the subcommittee of the Committee on Naval Affairs was ordered to be printed in the RECORD, as follows:

Report of subcommittee appointed to consider the bill (H. R. 11214) authorizing the President to scrap certain vessels in conformity with the provisions of the treaty to limit naval armaments and for other purposes.

The subcommittee recommends to strike out all after the enacting clause and substitute therefor the bill as they have written it.

Amend title as indicated.

We recommend adding a section to the bill to provide an increase in the limit of cost of the battleships and scout cruisers to be completed. This is rendered necessary by changes in construction, increase of armament in scout cruisers, improvements of machinery and appliances in all the ships, since limit of cost was last fixed by law.

Changes in the cost of labor and material during this interval have contributed to bring about this result.

The limit of cost either has been or will be reached during the coming fiscal year so that it is necessary, if work is not to be stopped, with consequent losses, to provide the necessary authorization at this time.

The PRESIDING OFFICER. The Senator from Alabama will proceed.

Mr. STANLEY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Kentucky?

Mr. HEFLIN. I yield to the Senator for a brief statement.

### OFFICE OF ATTORNEY GENERAL.

Mr. STANLEY. When I retire from this august body, as any of us are liable to do at any time, I cherish the hope that if people can not say anything else or more of me, they will at least admit that I was good hearted. As an evidence of my innate good heartedness I rise on this occasion to the defense of a much maligned, much misrepresented, and cruelly abused colleague upon the other side of the Chamber, the junior Senator from Missouri [Mr. SPENCER].

A man with much less discernment than the bright-eyed statesman from Missouri can tell a hook from a hand saw, knows that a drake seated on a fence is a very good sign of a duck's nest, and that this is not a good year for "doubting Thomases" to shy their castors into the Democratic ring, especially in the State of Missouri. I believe that many of the unkind things, such as the editorial in the St. Louis Post-Dispatch, which I shall ask to have incorporated in the RECORD, are entirely unwarranted. I do not concur with the St. Louis Post-Dispatch in impugning the motive or doubting the courage or the disinterestedness of the genial junior Senator from Missouri. I think—nay, I am quite sure—he feels exactly like Napoleon's army felt when it beheld the Old Guard reeling and bleeding from its awful baptism in the reeking pass at La Haye Sainte, and horse and rider all, "in one red burial blent," just as they cried when they saw the Old Guard retreat for the first time they cried "Save who will." Now, looking on another old guard routed not by bullets but by ballots, they turn from this sickening scene of political slaughter and intuitively they cry, "Save who will."

The junior Senator from Missouri joins in the cry and warns his dear friend in St. Louis [Mr. Barrett] to keep his little hat out of the ring, and he is villified and abused. Why, they say that he really did not want two Republican Senators from St. Louis. From the signs of the times, it seems just about as probable that we shall have two guardian angels from perdition or two vestal virgins from the red-light district as two Republican Senators from Missouri if JIM REED is nominated, and they seem very much to fear that very thing.

Mr. President, I am persuaded the junior Senator from Missouri was absolutely sincere; that he was indeed in a way patriotic; that in fact he performed a great public service when he advised his aspiring friend that there was a possibility of being made Attorney General of the United States, because the junior Senator from Missouri, with his wisdom and his wide observation, must know that in selecting a new Attorney General we might do better and we can not do worse no matter whom we select or where we go.

Why, Mr. President and my fellow Senators, when I think even of a misguided champion of protectionism going into the lists this fall to defend this "comedy of errors" against an even ordinary advocate of the truth, he elicits my genuine sympathy. When I think of the gentleman to whom the Senator referred or any other man of less than colossal caliber attempting to maintain himself and this medley of blunders and derelictions against that doughty champion of democracy who has so long adorned this Chamber, I do not blame the junior Senator from Missouri and I do not blame any other discerning Republican for inviting his friends by letter, over the long-distance telephone, or through confidential communications, "For God's sake, old boy, listen to me; I know what I am talking about. It looks like JIM REED is going on the warpath this fall, and this is not the time of the year or the phase of the moon to march through a slaughterhouse into an open grave."

Mr. President, I ask that the editorial from the St. Louis Post-Dispatch to which I have referred may be incorporated in the RECORD.

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

#### MR. SPENCER'S SAFETY FIRST.

The citizens of St. Louis, whether wet or dry, whether pro-Newberry or anti-Newberry, whether devoted to Goldstein or opposed to him—all our citizens, we insist, must acknowledge that Senator SPENCER did everything in his power to save St. Louis from the embarrassment of harboring two Republican Senators at one and the same time.

Indeed, that statement scarcely covers the case. It would be no exaggeration to say that Mr. SPENCER went even beyond his powers to avoid this contretemps. His letter to Mr. Barrett tendering a place in the Cabinet should the latter abandon his senatorial aspiration proves there was no peak Mr. SPENCER was unwilling to scale in his desire to rescue St. Louis from a possible senatorial congestion.

It appears that Mr. Barrett turned a deaf ear to the pipings of the sirenic SPENCER'S beguiling overture. It may even be inferred that Mr. Barrett read the flattering proposal with a cool, incredulous leer. One might not be far astray if he concluded that Mr. Barrett regarded Mr. SPENCER'S ambition to place him in the Cabinet as a safety-first maneuver. And the celebrated Missouri cynics who have to be shown before convinced may raucously doubt whether Mr. Harding has ever delegated to Mr. SPENCER the task of selecting an Attorney General in the remote event of Mr. Daugherty's resignation.

Nevertheless, the original postulate stands. Be it reiterated that in his efforts to prevent St. Louis from becoming the old home town of two Republican Senators, Mr. SPENCER out-Spencered himself. And Piety and Perdition, Hades and Elysium, Booze and Grape Juice can all join hands in acclaiming that feat. Can and ought to.

### DISTRIBUTION OF SPEECHES BY FEDERAL RESERVE BANKS.

Mr. HEFLIN. Mr. President, on yesterday I called up the resolution——

Mr. McLEAN. Mr. President, will the Senator yield to me to present a conference report?

Mr. HEFLIN. I have been yielding here for about an hour and I am anxious to say what I am going to say now.

Mr. McLEAN. I assure the Senator it will not occupy any time at all.

Mr. HEFLIN. I would rather the Senator would withhold his report, because I want him to hear what I have to say. I would rather the Senator would wait.

Mr. McLEAN. I hope the Senator will let me present the report.

Mr. HEFLIN. I would rather the Senator would wait.

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

Mr. HEFLIN. I fear that the report would lead to debate, and I do not yield at this time. The Senator from Connecticut has been so energetic and enthusiastic in objecting to my resolution I think it would be well to give him a little of his own medicine.

The PRESIDING OFFICER. The Senator from Alabama will proceed.

Mr. HEFLIN. Mr. President, on yesterday I called up my resolution requesting the Federal Reserve Board to give to the Senate certain information about the circulation of the speech of the junior Senator from Virginia [Mr. GLASS]. I then said:

Mr. HEFLIN. Mr. President, before the tariff bill is taken up I wish to say that I have modified my resolution as suggested by the Senator from Connecticut [Mr. MCLEAN].

* * * * * * * *

I ask unanimous consent for the present consideration of the resolution as it now reads.

The PRESIDENT pro tempore. Is there objection?

Mr. MCLEAN. I understand the Senator has stricken out the request for the mailing lists?

Mr. HEFLIN. Yes.

Mr. MCLEAN. And the resolution is now addressed to the Federal Reserve Board?

Mr. HEFLIN. To the Federal Reserve Board, asking it to call upon the other banks to answer who suggested that the speech be sent out, how many were sent out, and at what expense.

Mr. MCLEAN. Is the Senator willing that the resolution shall go over until to-morrow? I have not considered the numerous questions very carefully. My impression is there will be no further objection, but I would like to look at it further. I do not think that I shall renew my objection to the resolution as now framed.

Mr. HEFLIN. I will let it go over until to-morrow, then.

I struck out the provision of the resolution calling for a list of the voters to whom the Glass speech was sent. The Senator from Connecticut stated on the floor the other day that if I would strike that provision out he would have no objection to the passage of the resolution. I very much regretted to do that, but, seeing I was in the hands of the Senator, who could make his objection and prevent me from getting the resolution up and having it passed, I took the matter under consideration. The junior Senator from Ohio [Mr. WILLIS] came over and said to me that he hoped that I would strike out that provision; that with that provision stricken out he did not believe there would be any objection to the resolution; and that he would favor it. I told him that I would consider the matter. I talked to some other Senators about it, some of them on this side of the Chamber, and they said I was entitled to the information sought; but I followed the suggestion of my friend from Ohio and some other Senators and struck out the provision of the resolution calling for the list of voters to whom this speech attacking me and my position on deflation had been sent.

On yesterday I called up the resolution, but the statement which the Senator from Connecticut, the chairman of the Banking and Currency Committee, made at that time induced me to permit the resolution to go over until to-day.

Mr. MCLEAN. Mr. President——

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

Mr. MCLEAN. I do not think there is any misunderstanding between the Senator from Alabama and myself as to my position with regard to the resolution. I think I told the Senator on yesterday that I should like to consider the five questions which are embodied in his resolution. My recollection is—and I think it is correct—that I told him that if he would eliminate the fifth question, which reads, "Was any letter sent out with said speech? If so, attach a copy to your report," I would have no further objection to the resolution.

Mr. HEFLIN. With that stricken out?

Mr. MCLEAN. With that question stricken out.

Mr. HEFLIN. Mr. President, the Federal Reserve Bank of Atlanta has sent in its report and furnished a copy of the letter sent out with every copy of the speech which was mailed out by that bank. The Senate was entitled to that letter; I was entitled to it. I wanted to know what the contents of it were, and I obtained that information. Why does the Senator from Connecticut desire to prevent me from having the other 11 banks that mailed that speech also send a copy of the letter which they mailed out with it? The Federal Reserve Bank of Atlanta has done it; I have that information; and I want similar information from the other banks. These banking institutions are Government institutions; they have taken up a speech made by a Senator; they are printing it at their expense in part and in part at the Government's expense, and mailing it broadcast throughout the country, a speech in which the position of another Senator is assailed and attacked. I want to know, Mr. President, just what they wrote in the letter sent out with the speech. Is not the Senate entitled to that information? I suppose that letter discloses the fact that they have entered politics over their own signatures. The fact that they have mailed another Senator's speech shows that they have gone into politics. Why should I not have that letter?

Mr. WATSON of Georgia. Mr. President——

The PRESIDING OFFICER (Mr. SPENCER in the chair). Does the Senator from Alabama yield to the Senator from Georgia?

Mr. HEFLIN. I yield to my friend from Georgia.

Mr. WATSON of Georgia. In the autobiography of Martin Van Buren, which was published in 1920, and which, perhaps, every Senator has read, we are told how the first national bank, whose president was Nicholas Biddle, used the press, used their publicity agents, used their lobbyists, used every agency that money could hire, to defame public men who were against the bank. I think, Mr. President, it is of interest and importance to the whole Republic if the Federal reserve system is now using its money and its agencies to defame public men who are fighting the money power as now organized under W. P. G. Harding.

Mr. HEFLIN. Mr. President, I thank my friend from Georgia for his statement. The Federal Reserve Board is in politics and it is trying to force the Federal reserve banks into politics. We hear a great deal about getting the tariff out of politics. Here is the most dangerous situation that ever confronted any country—the entrance into politics of the greatest banking system ever organized. The Federal Reserve Board has its hired agents to send out reports from this Capitol misrepresenting my position. I have never criticized the Federal reserve system; I have always defended that system. It is the greatest banking system ever devised by the genius of man. I have said so frequently, and I say it again. Yet one of the yelpers of W. P. G. Harding sent out from this Capitol the other day something that read like this:

Senator HEFLIN is the arch enemy of the Federal reserve banking system.

There is not a word of truth in it.

The writer knew that his statement was false when he wrote it.

Mr. President, the Federal Reserve Board is in politics up to its eyes. It used its power for the Republican Party in the campaign of 1920; it destroyed property values by the billions. Since that time a speech has been made on the floor of the Senate defending its deflation policy. I have criticized that policy as severely as I know how, because I regard it as a criminal act against honest business and a crime against the whole people of the United States, and I have dared to say so in my place here as a Senator. The Federal Reserve Board advised the Federal Reserve Bank of Atlanta, according to that bank's own statement, that the speech to which I have referred, assailing my position and undertaking to answer my argument, was available. What was that but going into politics? Then that bank, taking some of the Government's money in addition to its own money, had that speech printed by the thousands and mailed in all directions. I secured the adoption of a resolution by the Senate calling on them to state who suggested that they send it out. They replied the Federal Reserve Board advised that the speech was available. The resolution also requested information as to who had it printed. The reply was, "We had it printed." "Who paid for it?" "The bank paid for it." "How many copies did you send out?" "Six thousand five hundred"—in that little circle down there. "At what cost?" "At a cost of $108," I believe. "Did you send a letter with it; if so, submit a copy?" They submitted a copy. What did it say? They wanted the recipient to read the speech of the Senator from Virginia, and they said, "Write us how you felt upon this subject before you read this speech and then write us how you felt after you read the speech, making any other comment that you see fit."

What is that but going into politics? A great banking system which broke the power of Wall Street and freed the instrumentalities of the Government under Woodrow Wilson has been betrayed and had its reputation greatly injured by the Federal Reserve Board governor's conduct. Wall Street pats him on the back, and the Senator from Connecticut, who opposed the enactment of the Federal reserve banking law, now stands the champion and the mouthpiece of the board that has gone so brazenly into politics.

Mr. MCLEAN. Mr. President——

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

Mr. HEFLIN. I yield to the Senator.

Mr. MCLEAN. The Senator has several times stated that I opposed the Federal reserve system.

Mr. HEFLIN. I read the Senator's remarks to him; I think he was present when I read a part of his speech opposing the Federal reserve act.

Mr. MCLEAN. That is a half truth, which is always very dangerous and very apt to misrepresent the person to whom it is attributed.

Mr. HEFLIN. Did not the Senator vote against the Federal reserve act?

Mr. MCLEAN. If the Senator will be patient a moment I will tell him what I did.

Mr. HEFLIN. I want to know if the Senator did not vote against it?

Mr. MCLEAN. I was strongly in favor of a Federal reserve system, but I voted against this system because I objected principally to the Secretary of the Treasury and the Comptroller of the Currency acting as ex-officio members of the Federal Reserve Board. I wanted to divorce the system absolutely from the influence of any political appointee. That was one of my

objections, and if I understand the Senator from Alabama correctly, he and I are in sympathy so far as that proposition goes.

Mr. HEFLIN. If I understand the Senator's position correctly, we are not at all in sympathy.

Mr. McLEAN. Another reason why I objected to this system was because I thought there were too many banks, and I believe experience has already demonstrated that the system would have been more effective and more satisfactory in every way if there had been fewer banks. Now, if the Senator will pardon me further, I will——

Mr. HEFLIN. I can not yield to the Senator to make a speech in my time, because I have been waiting here for some time, and the Senator has forced me to occupy time by his objection, after leading me to believe yesterday when I had the floor that he would not object.

Mr. McLEAN. I have no objection to the Senator occupying all the time he desires.

Mr. HEFLIN. But I have objection to standing here and giving the Senator my time when I want to present my own views upon this subject and let the country know the facts in the matter.

Mr. McLEAN. My interruption might lead to a solution of this controversy and make it unnecessary for the Senator to occupy any more time.

Mr. HEFLIN. I would rather the Senator would make his remarks in his own time.

Mr. McLEAN. Of course, if the Senator declines to yield, that is all right.

Mr. HEFLIN. I can not yield to the Senator to state why he was against the Federal reserve system. I have charged that he was against it, and he was, and he voted against it. The RECORD shows that he voted against it; and I am saying that when a Senator votes against a thing he most assuredly is against it, because the Bible tells us that "By their fruits ye shall know them."

Mr. HITCHCOCK. Mr. President——

Mr. HEFLIN. I yield to the Senator from Nebraska.

Mr. HITCHCOCK. I think the Senator from Connecticut should also admit that his whole party was against the Federal reserve act when it was passed, and that there was only one Republican United States Senator east of the Missouri River who voted for it, and that is a vast area of country.

Mr. McLEAN. That was because we hoped that by delaying action upon that particular system we would secure affirmative action on a better system. It does not argue at all that we were opposed to the Federal reserve system, because the whole idea of that system originated with Republicans, and the meritorious part of the Federal reserve system was taken bodily from a report that was framed by Republicans.

Mr. HEFLIN. I think that explains the Senator's position again. I thank the Senator from Nebraska for his suggestion. The whole Republican side, except one—just one, was it—voted against this great Federal reserve banking system?

Mr. HITCHCOCK. One east of the Missouri River. There were, I think, three or four western Republican Senators who supported it.

Mr. HEFLIN. Well, there were less than half a dozen, we will say, who voted for the system at all.

Mr. McLEAN. If we had been successful and had secured our idea of a Federal reserve system, very likely the objections which the Senator now has to this system never would have arisen.

Mr. HEFLIN. The Senator's party had no more to do with getting up the Federal reserve system than Pluto had to do with the Lord's Prayer—not a bit. [Laughter.]

Mr. President, this banking system did what a great many Republican leaders thought it would do. It killed the power of Wall Street in politics, and for the first time in years and years the country was free, and the people were again permitted to go to work. The hod carrier, the man beating at the forge, the mechanic at his bench, the farmer in his field, the merchant in his store, the little country banker, the doctor, the preacher, the teacher—everybody had something to do, and could get all the money he needed to carry on his business. That is what we needed to have done, and that is what the Federal reserve banking system did. That system worked admirably; it ran in clockwork fashion until May, 1920, when the Republican Senate passed a deflation resolution and started the thing going down and down and down until the South and West were prone upon their backs, and you are hearing from it in no uncertain terms every time the people in those sections get a chance to vote.

I cast no reflection upon the able and distinguished Senator from North Dakota [Mr. MCCUMBER]. I am fond of him personally. His defeat is more of a repudiation of this Republican administration than of him personally. The Federal Reserve Board's deflation policy, I understand, was a burning issue in the campaign, as it was in Iowa, and as it will be in every congressional district in the United States. We are not going to let you get away with it. You are not going to drag this system into politics and then stand here and shield and defend such a dangerous course and get away with it. The people must know the truth. Old Hickory Jackson drove the banks out of politics. We are going to drive the Federal reserve system out of politics.

You are putting them in and permitting them to take a speech made in this body defending their course and circulate it against me. I made a speech five and a half hours long criticizing and condemning their course, proving my contentions by their own figures and records, and I ask now that I may have the mailing list that a public institution used in circulating a speech against me and what I believe to be against the people's interest, and the Senator from Connecticut [Mr. MCLEAN], the chairman of the great Banking and Currency Committee in the Senate, demands that I strike it out and refrain from even calling upon these banks to furnish those names.

Why, Mr. President, there is not a country precinct in all the land where a jury would be assembled before a justice of the peace and a cause submitted for trial that the justice of the peace would not permit both sides to go to the jury, and let the jurors then pass upon the facts—the statement of the plaintiff and the statement of the defendant—and let the jury decide, after getting both sides of the case, what the truth was. The Senator from Connecticut puts himself in the attitude of wanting these banks—yes, of allowing these banks—to send out a speech, thousands of copies of it, when he knows that the correctness of many of the statements and figures contained in that speech are challenged by me, another Senator. Not only that, but he refuses to permit me to even know to whom the speech attacking me and assailing my position was sent. He will not permit me to present my side—the other side of the question—to the people who read the Glass speech. The Senator from Connecticut, chairman of the great Banking and Currency Committee of the Senate, has demanded in the open Senate that I be not allowed to have the list of names to whom the Glass speech was sent. I am entitled to it. My friend from Ohio [Mr. WILLIS] and some others suggested: "Oh, let that go out of this resolution; get the other information sought." I said, "All right," and I did it. Yesterday the Senator said: "If you will let it go over until to-morrow, I do not think I will object." Then he came over here to me and said to me: "I want you to strike out this part calling for the letter." I said: "I can not do it," and I would not agree to do it in a private conversation. The request that I am making is a fair and reasonable one; there is nothing unfair or unreasonable about it.

I want the people who read the Glass speech to read my speech, and I believe that most of them would like to have both sides of this great question. I want the facts of this thing to go to the country. Nearly 40,000 men and women read this RECORD daily, and I want them to know that while this great banking system is being perverted from the ends of its institutions and dragged in the mire of politics there are some of us fighting to keep it out and others fighting to hold it in.

Mr. WATSON of Georgia. Mr. President——

Mr. HEFLIN. I yield to my friend from Georgia.

Mr. WATSON of Georgia. I should like to ask the Senator from Connecticut what right has the Federal Reserve Board or any other bank to make war upon a Senator in this body? What right has any bank to make war upon a Senator in its State or in any other State?

Mr. HEFLIN. Mr. President, that is a question that a great many people are going to ask in this country. The American citizens are aroused as they have not been in many a day. They feel that although our boys won the World War and came back home victorious the profiteers who had tasted the blood of graft and pillage during the war want to continue it and act as though they have a license to do it, and the people are going to repudiate and smite your party, hip and thigh, and the Senator from Connecticut is aiding in the process every time he defends bad practice and wrongdoing as in the instance before us to-day.

Mr. McLEAN. Mr. President, I prefer that the Senator from Alabama let me answer the question of the Senator from Georgia.

Mr. HEFLIN. If the Senator can do it briefly, I will yield now for that purpose.

Mr. McLEAN. I think it will be somewhat different from the answer returned by the Senator from Alabama.

If the Senator was present the other day when this resolution was under discussion, he will remember that it was stated by myself and other members of the Banking and Currency Committee that these banks were private institutions; that their capital is furnished entirely by the member banks, State and National banks, which are private institutions; that the interest which the Government has is confined to the net profit, as the Senator probably knows. Any resolution inquiring as to the dissipation of those profits or the use of those profits or funds in any unwise or unwarranted manner would be legitimate; but it does not seem to me, and it has not seemed to the other members of the Banking and Currency Committee, that a private letter which a president of one of these banks might write when he forwarded the speech of the Senator from Virginia [Mr. GLASS] could be of any interest whatever to the Senate of the United States.

That is all that I ask to have eliminated from this resolution. Any inquiry that relates to the funds of the bank or the management of those funds is proper; but the Senator from Georgia can well understand that an official of one of these Federal reserve banks, in sending out the speech of the Senator from Virginia [Mr. GLASS], might have discussed a good many other things than the character or quality of the speech which was inclosed; and it did not seem to the Banking and Currency Committee that it was wise or proper or of any interest to the Senate of the United States to require that such letters should be made public.

Mr. WATSON of Georgia. Mr. President, will the Senator from Alabama permit a further interruption?

Mr. HEFLIN. I yield.

Mr. WATSON of Georgia. The Senator from Connecticut takes a very strange position. These Federal reserve banks are national institutions. They are part of the Government; and I want to know by what authority any one of these banks goes out on the warpath against a Senator and tries to take his scalp, by private correspondence or otherwise. How dare they do it? By what authority do they do it? They are subject to our will; they are in our power; and it is only a question of time when I intend to inaugurate a movement in this Chamber to revoke their charters, and give back to the Government the right to issue its own money and to prescribe the terms upon which that money shall circulate.

Mr. WILLIS. Mr. President——

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

Mr. WILLIS. May I ask the Senator whether the resolution which he now has introduced is identical with the resolution that was before the Senate the other day, except as to the provision requesting a list of names?

Mr. HEFLIN. I changed it also in the other particular suggested by the Senator from Connecticut:

> The Federal Reserve Board is hereby directed to call upon the Federal reserve banks—

And so forth. I made that change at the Senator's suggestion. I did not think it was necessary, but I made it hoping that the Senator would then permit my resolution to pass; but he found another objection to it, that it calls for the letter they wrote. I am entitled to that letter. I got the one from the Atlanta Bank, and I am entitled to know what these banks wrote when they sent out the speech in question.

Mr. WILLIS. Mr. President——

Mr. HEFLIN. I yield to the Senator.

Mr. WILLIS. I think, as a matter of fairness, since my name has been brought into this discussion, that I ought to say that what the Senator from Alabama has said about the matter is correct so far as I am concerned. I did go to him personally and say to him what I now say, that I thought he ought to eliminate from his resolution the request for a list of names. I am glad that he has eliminated that, and I told him that I understood from personal conversation with Members on this side that if that were eliminated there would not be objection. I may have misunderstood the Senator, but I thought that was the position taken. I do not accuse anybody of bad faith in that matter at all. That was my understanding—that if that were eliminated there would be no objection.

Mr. HEFLIN. The Senator is right. That was the understanding had on the floor with the Senator from Connecticut.

Mr. WILLIS. I may have misunderstood. I want to get this resolution through. I think the Senator is entitled to most of the information he is seeking. As I understand it, the only matter in controversy is the contents of a letter.

Mr. HEFLIN. That is the only thing in controversy now so far as this particular resolution is concerned.

Mr. WILLIS. Does the Senator think that is of vital importance? It seems to me the essential thing is to know how these speeches have been distributed and what funds have been expended in that distribution. I think the Senator and the Senate and the country are entitled to that information. But I think it is rather questionable, as the Senator from Connecticut says, whether we ought to go into a letter of that kind. There may have been other things discussed. It does not seem to me that it is essential, and I am asking the Senator if he will not eliminate that, so that we can get the resolution passed and get the essential information which the country ought to have?

Mr. HEFLIN. Suppose that letter disclosed the fact that the banks had criticized my position and commended the speech of Senator GLASS. That would show that they were going into politics. I take the position, as a Senator in this body, that the view presented by Senator GLASS is not the correct view, and I made a speech trying to show why it was not the correct view. I asked for the list of voters, so that I could get my speech to those who had read the speech of the Senator from Virginia. I struck that out at the suggestion of my friend from Ohio and others; and then I said that I felt that I should have the letter sent out with the speech. That may disclose that they have written something showing that they have taken sides. If that discloses that these banks have gone into politics, should not the Senate and the Congress take some steps to get them out?

Mr. WILLIS. I might be inclined to agree with my friend about some of his contentions in that regard, but it seems to me that the other facts which he seeks are the important things which the Senate and the country want to know about. There seems to be some controversy about that one thing, and it seems to me it would be very much better if the Senator would eliminate that portion of the resolution, and get the resolution adopted, and get the essential things which we ought to have.

Mr. WATSON of Georgia. Mr. President——

The PRESIDING OFFICER (Mr. JONES of Washington in the chair). Does the Senator from Alabama yield to the Senator from Georgia?

Mr. HEFLIN. I yield.

Mr. WATSON of Georgia. Will the Senator from Ohio tell us how we would know what the Atlanta Federal Reserve Bank said about the speech of the Senator from Virginia [Mr. GLASS] unless we had their letter? We have all read the RECORD. We know what the speech of the Senator from Virginia was. We know how fallacious it was. We know how sophistical it was. We know how easy any man on this side can tear it to shreds, which I intend to do some day in the near future. I will tear it apart and throw its remnants to the wind. I have not yet done so, but I am fully prepared to do that, and am going to. But in sending out that speech, if the Atlanta bank sent a letter with the speech, the letter is the main thing. We want to know what that bank said to the people of Georgia and Alabama against this brave Senator who represents the State of Alabama.

Mr. WILLIS. I am not objecting to that, but I am trying to reach some conclusion which will make possible the adoption of this resolution; and since the Senator asks that very proper question, my view is this, that the important thing is to find out what funds were expended, what number of speeches were sent out, and so forth, and if the situation shall develop as my friend from Alabama thinks it will, I have no doubt copies of that letter, whatever it may be, will be forthcoming; but it seems to me, since there is question about it, the thing to do now is to get these essential facts. I am not objecting; I am trying to make a suggestion which will lead to some progress.

Mr. McLEAN. Will my friend from Alabama yield to me to ask a question?

Mr. HEFLIN. I yield briefly to the distinguished Senator from Connecticut.

Mr. McLEAN. I want to ask the Senator from Ohio if he thinks a private letter, written by an official in a private institution, can be of interest to the Senate of the United States? The Secretary of the Treasury or the head of any one of the executive departments might send a speech written or delivered by the Senator from Ohio to a friend, and he might have said a good many things in that letter. Does he think it is anybody's business but his own?

Mr. WILLIS. If my friend from Alabama will further yield to me to make reply——

Mr. HEFLIN. I yield.

Mr. WILLIS. I should say I think that is an open question. Here are two distinguished and able Senators who take contrary views of that. The Senator from Connecticut thinks that that ought not to be made a matter of publicity. The Senator from Alabama thinks that it ought to be. Since it is a matter of controversy—and in my view is not essential—let us get it

out of this resolution and adopt the resolution and get the essential facts, which the country ought to have. That is my suggestion. I am not objecting to anything; I am trying to make some progress.

Mr. HEFLIN. Mr. President, the Senator from Connecticut, an able and distinguished Republican from the State of Connecticut, at the head of the Banking and Currency Committee of the Senate, takes the position that this is a private institution, when the Federal Reserve Board, provided for under law, is appointed by the President and confirmed by the Senate, and the governor of every one of these banks is appointed by the board and is a governing official, and the governing official has directed that these letters be written and the speech sent out; yet the Senator from Connecticut says it is a private institution.

Mr. McLEAN. The president of the bank is a private individual and he has some rights, I take it, one of which is to carry on correspondence. If he wants to send my speech or the Senator's speech to a friend, whatever may be contained in his speech or however iniquitous it may be, I do not think the accompanying letter is any of the Senator's business or any of my business.

Mr. HEFLIN. I am satisfied the Senator feels that way. When Paul was in darkness and persecuted Christ, before the scales fell from his eyes, he felt that he was doing right; but after the light came to him and the scales fell off he realized then that he was doing that which was a sin in the sight of the Creator of the world. When the Senator from Connecticut, in his environment, defends these institutions against such practices as I am condemning he believes in his heart that he is doing right. The scales are on his eyes and he can not see the right and the light as the great American public will see it when they read this record.

I suppose the king felt that he was doing right when he threw Daniel into the lion's den, and old Herod felt he was doing right when he had John the Baptist beheaded. But that did not keep the offenses from being crimes against good morals and crimes against religion and crimes against humanity. The fact that those fellows thought they were doing right did not in any way diminish the magnitude of their sin and crime. The Senator's defense of the political activity of the Federal reserve banks in no way lessens the wrong and the danger of such practice.

Mr. WILLIS. Mr. President, I want to convince my friend that his resolution is a very important resolution even with that language stricken out. The first request is:

1. At whose instance was the speech in question of Senator GLASS sent out?

That is of very great importance.

2. At whose expense was said speech printed and distributed?

That is important and proper.

3. How was the fund provided, and how many copies of said speech were sent out, and how much money was expended in printing and distributing said speech?

I think the Senate and the country are entitled to that information.

Mr. HEFLIN. Well, I will try to get the other information in another way a little later on in this body; but in order that I may get action now on the other provisions of my resolution, I accept the suggestion of the Senator from Ohio, and I ask unanimous consent for the present consideration of my resolution, modified by the suggestion of the Senator from Ohio.

Mr. WILLIS. With the language, "Was any letter sent out with said speech? If so, attach a copy to your report," stricken out.

Mr. HEFLIN. That will be stricken out.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution as modified? The Chair hears none, and it is before the Senate.

Mr. HEFLIN. I ask that the resolution be modified as suggested by the Senator from Ohio, eliminating question No. 5.

The PRESIDING OFFICER. The Chair hears no objection, and the Secretary will report the resolution as modified.

The resolution as modified was read and agreed to, as follows:

Whereas it has been charged upon the floor of the Senate that each and every one of the regional Federal reserve banks of the United States has had printed and distributed at its own expense a speech delivered in the Senate by Senator GLASS, of Virginia, in which the position of Senator HEFLIN on the deflation policy of the Federal Reserve Board was assailed and criticized: Therefore be it

*Resolved*, That the Federal Reserve Board is hereby requested to call on all of said Federal reserve banks, except the Federal Reserve Bank of Atlanta, which has already reported to the Senate, to furnish to the Senate in writing all information in their possession, respectively, called for in the following questions:

(1) At whose instance was the speech in question of Senator GLASS sent out? (2) At whose expense was said speech printed and distributed? (3) How was the fund provided, and how many copies of said speech were sent out, and how much money was expended in printing and distributing said speech? (4) Did any member of the Federal Reserve Board suggest the printing or distribution of the said speech?

## THE TARIFF.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 7456) to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, and for other purposes.

The next amendment of the committee was, on page 103, line 14, to strike out "26" and insert "30," so as to read:

Fish (except shell fish) by whatever name known, packed in oil, or in oil and other substances, 30 per cent ad valorem.

Mr. SIMMONS. Mr. President, I make the point of no quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

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

| | | | |
|---|---|---|---|
| Borah | Harris | McLean | Sutherland |
| Broussard | Harrison | McNary | Trammell |
| Bursum | Heflin | Myers | Wadsworth |
| Cameron | Johnson | Norris | Walsh, Mass. |
| Capper | Jones, Wash. | Pepper | Warren |
| Caraway | Keyes | Poindexter | Watson, Ga. |
| Curtis | Ladd | Pomerene | Watson, Ind. |
| France | La Follette | Rawson | Willis |
| Glass | Lenroot | Sheppard | |
| Gooding | Lodge | Simmons | |
| Hale | McCumber | Spencer | |

Mr. CURTIS. I desire to announce that the Senator from Nevada [Mr. ODDIE] and the Senator from Colorado [Mr. NICHOLSON] are necessarily absent. Also, that the Senator from Wyoming [Mr. KENDRICK], the Senator from Illinois [Mr. MCKINLEY], and the Senator from North Dakota [Mr. LADD], are detained in attendance on a meeting of the Committee on Agriculture and Forestry.

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

The reading clerk called the names of the absent Senators, and the following Senators answered to their names when called:

| | | | |
|---|---|---|---|
| Calder | Newberry | Phipps | Sterling |
| New | | | |

The following Senators entered the Chamber and answered to their names:

| | | | |
|---|---|---|---|
| Shields | Dillingham | Ernst | Culberson |
| Colt | Brandegee | | |

The PRESIDING OFFICER. Fifty-two Senators have answered to their names. A quorum is present. The question is on agreeing to the committee amendment.

Mr. WALSH of Massachusetts. May we have the amendment stated?

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. In paragraph 721, page 103, line 14, strike out "26" and insert "30."

Mr. McCUMBER. I ask that paragraph 721 be passed over until the other fish paragraphs are disposed of.

The PRESIDING OFFICER. The paragraph will be passed over.

Mr. McCUMBER. I ask that paragraph 722 may be taken up. In line 24, on page 103, after the word "meat," I move to insert "and lobster meat."

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. On page 103, line 24, after the words "crab meat," insert "and lobster meat," so as to read:

Crab meat and lobster meat, packed in ice or frozen, or prepared or preserved in any manner, etc.

Mr. WALSH of Massachusetts. Mr. President, the Senate committee amendment to paragraph 722 decreases the rate on crab meat from 26 per cent ad valorem based on the American valuation to 25 per cent ad valorem based upon the foreign valuation; increases the rate on fish paste and sauce from 28 per cent ad valorem based on the American valuation to 30 per cent ad valorem based on the foreign valuation; and increases the rate on caviar and other fish roe from 28 per cent to 30 per cent ad valorem.

Crab meat was free of duty under the Payne-Aldrich and Underwood-Simmons laws. Under the Underwood law fish paste and sauce was 25 per cent ad valorem. Under the Payne-Aldrich law fish paste was dutiable at 40 per cent ad valorem. The increase in the rate on fish paste over the House bill is relatively small, and it is somewhat of a decrease of the Payne-Aldrich rate.

All the imports of crab meat come from Japan. We import about 3,000,000 pounds, valued at about $1,200,000. The im-

ported crab meat sells for so much more than the domestic crab meat that it competes with the American product scarcely at all.

What I have to say about the items named in the paragraph—they are not altogether particularly important—is perhaps better said in the two letters which I send to the desk and ask to have read.

The PRESIDING OFFICER. Without objection, the letters will be read as requested.

The reading clerk read as follows:

BOSTON, *April 14, 1922.*

Hon. DAVID I. WALSH,
*Washington, D. C.*

DEAR SIR: It is reported in newspapers and elsewhere that in the tariff bill just reported by the Tariff Committee a duty of 25 per cent is contemplated on Japanese crab meat.

This is a matter of concern all over the United States, but particularly in New England, where it is a most popular item of canned sea food.

New England alone uses almost as much as the rest of the United States put together, and there is nothing available to take its place.

We, therefore, protest against such an arbitrary duty, as it will prohibit importations and not serve the purpose of a tariff; that is, to raise revenue.

It is a fact that is easily demonstrated that Japan crab is a shellfish entirely dissimilar to any crab caught in domestic or Alaskan waters, and it is a type and size found only in waters adjacent to Japan. It is more like lobster in size and flavor than American crab, and Japan crab is usually from 2 to 5 feet long. There is, therefore, no American or Alaskan industry that suffers from Japanese competition or that needs any protection against lower cost of labor or materials.

A duty of 25 per cent will advance price on this delicacy to a prohibitive cost to consumers, so that the demand will entirely disappear, at a serious loss to present distributors and importers who have built up an important trade on this excellent substitute for lobster, and it will defeat the very purpose of a tariff. Our consumers can not pay any more than they are now obliged to pay by reason of excessive transportation costs.

The Japanese have other markets, namely, England and France, to which their pack will naturally be diverted, as the American market will be unable to compete if penalized with such a duty, and our people deprived of an opportunity to secure at any fair price this most desirable queen of sea foods.

We maintain that Japanese crab meat, like Canadian lobster, should remain on the free list, as it interferes in no way with any similar food product packed from our own waters.

We are asking the Senators from the New England States, particularly Massachusetts, to use their influence to have this contemplated duty positively eliminated from the tariff bill for reasons as above, and would appreciate a reply from you as to your attitude or desire for further information, which we will be glad to furnish.

Perhaps I should state for your use and information that for several years the writer was director for Massachusetts of the National Food Brokers' Association, and am at present secretary of the Boston Merchandise Brokers' Association, and have been in the canned foods brokerage business in Boston for 20 years. Our firm has specialized on Japanese crab meat for 10 years, and we are therefore intimately acquainted with the subject of Japanese crab meat as well as packs of domestic crab meat, and know their distinct and absolute dissimilarity.

Appreciating whatever of your time (of which I know you have little to spare) and your efforts you can give to this matter, I beg to remain,

Most respectfully and cordially yours,

WILLIAM A. MANN.

—

BOSTON, *April 5, 1922.*

Hon. DAVID I. WALSH,
*United States Senate, Washington, D. C.*

DEAR SIR: Relative to the proposed duty on Japanese crab meat as a means of protecting American packers of crab we wish to express our conviction that the proposed duty would in no sense help or protect the American industry, as the American product is not in the least competitive owing to the inferior quality of the American pack in color, size, and flavor. There is no more comparison in quality than between a cheap herring and a fancy bristling sardine, and we believe the Alaskan product will never replace the Japanese crab meat, even though the price had the widest range.

On the other hand, if the proposed duty goes into effect, it will result in stifling the rapidly growing trade in an article which has merit and is popular with the American trade, as the consumer would not pay the necessary increased price, and the resulting income to the Government would be negligible.

Trusting this matter may have your earnest consideration, we are,

Very truly yours,

PALMER, MCELWAIN & COLE (INC.),
W. N. PALMER, *Treasurer.*

Mr. WALSH of Massachusetts. Mr. President, the letters just read state the case very fully and very clearly. The claim is made, and made authentically, that the Japanese crab meat does not compete with the American product. The additional amendment to the paragraph as offered by the committee through its chairman, as I understand it, puts canned lobster upon the same basis as crab meat. I understood that lobster was put upon the free list to conserve the declining domestic lobster supply. May I ask what is the reason for the change? The imported crab meat competes more nearly with domestic and imported lobster. A reasonably low duty would serve the purpose of conserving the domestic lobster supply. This duty is altogether too high. I can not understand why the American people are to be taxed for a useful and delicious sea food like Japanese crab meat the large sum named in the amendment—25 per cent ad valorem. I think that it is an extremely high rate and is not justified in view of the fact that the competition with the American crab meat is very slight. I ask the Senator from North Dakota how he justifies this high rate of duty?

Mr. McCUMBER. Mr. President, the committee had not perfected the amendment as it desired when the Senator rose. The committee report an amendment, on line 25, striking out "25" and inserting in lieu thereof "15," so as to make the ad valorem rate 15 per cent.

Mr. WALSH of Massachusetts. Is that rate to apply also to lobster meat "packed in ice or frozen or prepared or preserved in any manner"?

Mr. McCUMBER. It applies to all kinds of crab meat and all kinds of lobster meat, no matter how preserved, whether canned or fresh or otherwise.

Mr. WALSH of Massachusetts. Why is lobster meat now taken from the free list?

Mr. McCUMBER. Mr. President, there is, of course, more or less competition between the American fishermen and the Canadian fishermen. Most of our lobster now, on account of the exhaustion of our product, comes from Canada, just as the greater portion of our crab meat now comes from Japan. To place one upon the free list and the other upon the dutiable list would disarrange the relation which ought to exist between the lobster meat and the crab meat, which may be used interchangeably. It was, therefore, felt not only that a degree of protection should be accorded but also, in addition to that, they being at least semiluxuries, that the two articles should bear practically the same rate of duty.

Mr. WALSH of Massachusetts. Mr. President, the modification of the committee amendment is certainly helpful, and is very much more satisfactory than the original amendment. However, I still think that the rate of 15 per cent ad valorem is too high; and from the information that comes to me I can not see how it can be justified, in view of the fact that crab meat was upon the free list even in the Payne-Aldrich law; but I have nothing more to say, and I am ready for a vote.

The PRESIDING OFFICER. The question is on the committee amendment.

Mr. McCUMBER. Before the vote is taken I desire first to put into the RECORD at this point, for the convenience and guidance of the conference committee on the pending bill, certain facts in relation to the crab-meat and lobster industry. Crab meat is imported in very large quantities from Japan, and to a considerable extent also from Norway. The production in 1908 in this country of canned crab meat was 789,000 pounds. The annual crab catch in the United States is about 6,000,000 pounds.

Now I desire to show the imports of crab meat. In 1913 they were 2,820,000 pounds, in 1918 they were 3,154,000 pounds, in 1919 they were 2,690,000 pounds, and in 1920 they were 4,079,000 pounds. Therefore it will be seen that the importations of crab meat are about 66⅔ per cent of the production, which, as I have stated, is about 6,000,000 pounds.

I desire to insert in the RECORD the table which I send to the desk, showing the imports of canned lobster.

The PRESIDING OFFICER. Without objection, the table will be inserted in the RECORD.

The table is as follows:

| Imports. | Canned lobster. | Average value. | All other lobster. | Average value. |
|---|---|---|---|---|
| 1908 | 4,310,000 | $0.235 | 3,921,000 | $0.09 |
| 1914 | 2,294,000 | .346 | 5,619,000 | .10 |
| 1918 | 2,448,000 | .379 | 4,704,000 | .173 |

Mr. SHORTRIDGE. Mr. President, I should like to ask the chairman of the Committee on Finance with regard to the tariff which is imposed on American crab meat and lobster meat by the Japanese Government. I have no information immediately at hand in reference to that matter, but my recollection is that Japan imposes a very high rate of duty upon imports of these articles into that country.

Mr. McCUMBER. I am not informed as to that, I will say to the Senator from California.

Mr. SHORTRIDGE. While we were not entirely satisfied, we were disposed to be content with the rate which was originally fixed by the committee on these articles, and I must therefore express regret that the committee has, perhaps, upon due information or argument, receded or departed from the position originally taken when the bill was reported.

My information is that Japan, which very properly looks after the industries of her own land, imposes a very high, an almost prohibitive tariff on imported crab meat and lobster meat. We on the Pacific coast are interested in this industry,

and, while I can not throw any great light upon the matter, the data not being before me at the moment, I reserve the right to renew the subject at a later time in the hope that I can convince even the Senator from Massachusetts [Mr. WALSH] that the rate as originally suggested by the Committee on Finance was not excessive. However, I wish to have appear in the RECORD in support of the statement which I have just made, a letter which was addressed to me by the Canners' League of California, which reads as follows:

SAN FRANCISCO, *June 6, 1922.*

Hon. SAMUEL M. SHORTRIDGE,
*United States Senator, Washington, D. C.*

DEAR SIR: We note that importers of Japanese canned crab meat, who are opposed to an increase in the duty thereon, are being quoted as having stated that the only competitor Japanese crab meat has is canned lobster.

Permit us to point out that Japanese crab meat comes in direct competition with Gulf canned shrimps, California canned tuna, salmon, and practically all other fish products commonly used in salads.

Japan is levying nearly double the rate of duty on this product when shipped to Japan that we levy on Japan when her product is shipped here. The same is true of her tariff on canned salmon, tuna, and similar products.

We are writing you this letter because, no doubt, this will come up for discussion, and it has occurred to us that you will desire to have the facts brought to your attention.

Yours very truly,

CANNERS' LEAGUE OF AMERICA,
PRESTON MCKINNEY, *Vice President.*

In other words, and in brief, we on the Pacific coast in the States of California, Oregon, and Washington, and our people operating along the Alaskan coast to a certain extent, engage in this industry and we come in direct competition with Japanese and possibly Chinese capitalists who finance some of those companies, wherefore we are directly interested, and I have thought that the rate originally fixed was certainly not excessive.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The PRESIDING OFFICER. The next amendment by the Committee on Finance will be stated.

The ASSISTANT SECRETARY. On page 103, line 25, the committee propose to modify the amendment after the word "manner" by striking out "26" and inserting "15."

The PRESIDING OFFICER. The question is on agreeing to the amendment as modified.

The amendment as modified was agreed to.

Mr. McCUMBER. I should like now to turn to page 101, paragraph 710, covering cheese.

Mr. WALSH of Massachusetts. Mr. President, may I respectfully request that we finish paragraph 722 so that the record may be consecutive? I have said all that I care to say as to paragraph 722, and I should like to have a vote taken and have that paragraph disposed of and then the Senator may return to any other paragraph he desires.

Mr. McCUMBER. Very well.

The PRESIDING OFFICER. The next amendment to paragraph 722 will be stated.

The next amendment was on page 104, line 1, before the words "per centum," to strike out "28" and to insert "30"; and in line 4, before the words "per centum," to strike out "28" and to insert "30"; so as to read:

Fish paste and fish sauce, 30 per centum ad valorem; caviar and other fish roe for food purposes, packed in ice or frozen, prepared or preserved, by the addition of salt in any amount, or by other means, 30 per centum ad valorem.

The amendment was agreed to.

Mr. McCUMBER. I ask now to recur to paragraph 710 on page 101. In that paragraph the committee proposes to strike out lines 18 to 21, inclusive, and insert in lieu thereof the following:

PAR. 710. Cheese and substitutes therefor, 5 cents per pound but not less than 25 per cent ad valorem.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from North Dakota on behalf of the committee.

Mr. WALSH of Massachusetts. Mr. President, am I correct in asserting that the amendment proposed by the committee increases the rate originally provided in paragraph 710 on cheese?

Mr. McCUMBER. The proposed change increases the rate of the House bill only in the case of cheese the import price of which is between 20 and 30 cents per pound. The rate of 5 cents per pound on the cheese valued at 29 cents per pound is equal to about 17 per cent ad valorem, while that rate on a cheese valued at 20 cents per pound is 25 per cent ad valorem. The only change, therefore, is on cheese the price of which is between 20 and 30 cents per pound.

Mr. WALSH of Massachusetts. What is the purpose of increasing the rate upon cheese valued at between 20 and 30 cents per pound?

Mr. McCUMBER. We have developed a very considerable industry here, since the war, in the manufacture of Swiss cheese. It was supposed when the bill was originally drawn in the House that 30 cents a pound would be the dividing line between the lower price cheese and the Swiss cheese, which costs considerably more, but of late the Swiss cheese is being offered for considerably less, and if the cost price is reduced even a half cent, so as to bring it down to 29½ cents, 2½ cents a pound are gained on the tariff. That is the reason for the modification, so as to include the importations of Swiss cheese in the higher bracket.

Mr. WALSH of Massachusetts. Mr. President, I do not care to discuss the rates on cheese in this paragraph at this stage of the proceedings.

Mr. McCUMBER. If the Senator will allow me, the Underwood rate, the present law, is 20 per cent, and this is 25 per cent—a difference of 5 per cent.

The PRESIDING OFFICER (Mr. JONES of Washington in the chair). The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

Mr. WALSH of Massachusetts. Mr. President, before the next amendment is stated, I send to the desk a statement appearing in the papers of to-day relative to the 11 months' export trade from July, 1921, to June, 1922, during the time of the operation of the emergency tariff law. This statement is to the effect that there has been a substantial reduction in the export trade of the country. I suppose if the statistics showed that there had been a substantial increase during these months, the majority party would claim that it was due to the emergency tariff law. The facts are that there has been a substantial decrease, as the article in question shows, and that this tariff law passed May 27, 1921, has in no way increased business. I ask to have the article published in the RECORD.

The PRESIDING OFFICER. Without objection, that order will be made.

The article referred to is as follows:

[From the New York American of June 30, 1922.]

ELEVEN MONTHS' EXPORT TRADE IS BELOW 1921 LEVEL—IMPORTS ALSO SHOW REDUCTION COMPARED WITH SAME PERIOD YEAR AGO.

WASHINGTON, JUNE 29.—Declining exports of raw materials, foodstuffs, and manufactures were revealed in foreign trade reports for May. For the 11 months ended with May, exports of raw materials aggregated $855,000,000 compared with $1,214,000,000 during the corresponding period a year ago, while imports totaled $818,000,000 against $983,000,000 during the same period in 1921.

Exports of foodstuffs for the eleven months amounted to $1,047,000,000 compared with $1,644,000,000 last year, while imports aggregated $571,000,000 against $1,254,000,000 during the 11 months ending May, 1921.

Exports of manufactures for the 11 months of this year aggregated $1,462,000,000 compared with $3,180,000,000 in 1921, while imports totaled $940,000,000 against $1,200,000,000 for the 11 months ended with May a year ago.

The PRESIDING OFFICER. What amendment does the Senator desire to have taken up next?

Mr. McCUMBER. I desire now to go to page 104, paragraph 723.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. On page 104, line 6, the committee proposes to strike out "15" and to insert in lieu thereof "20," so as to make the paragraph read:

PAR. 723. Barley, hulled or unhulled, 20 cents per bushel of 48 pounds; barley malt, 40 cents per 100 pounds; pearl barley and barley flour, 2 cents per pound.

Mr. WALSH of Massachusetts. Mr. President, we are approaching the discussion of the rates to be levied upon cereals. This amendment in paragraph 723 upon barley seeks to increase the rate from 15 cents per bushel, as fixed in the House bill, to 20 cents per bushel. This is practically the only change made in this paragraph by the Senate Finance Committee.

In the Underwood Act barley was dutiable at 15 cents per bushel. The amendment of the Senate committee proposes to increase the rate over the Underwood law 33⅓ per cent. It is only fair to state that the Senate committee amendment reduces the rate fixed in the Payne-Aldrich law.

INTERNAL REVENUE COLLECTION DISTRICTS.

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

Mr. WALSH of Massachusetts. I yield.

Mr. KING. I am compelled to leave the Chamber and leave the city this afternoon, to return in the morning.

Mr. WALSH of Massachusetts. I yield, with pleasure.

Mr. KING. Yesterday Senate bill 2051 was passed, creating another collection district in the State of New York. The bill

as originally offered called for 10 new collection districts. I objected to the bill, and it was modified so as to create only one additional collection district. With that modification, though I was opposed to the bill, I did not object to its consideration.

Mr. President, I am going now to enter a motion to reconsider the action of the Senate in passing the bill.

The PRESIDING OFFICER. The Senator from Utah moves to reconsider the votes by which the bill was passed, and asks that that motion be entered.

Mr. KING. Yes; and let me say just a word. One reason which induces me to do it—and I will take up the matter with the Senator from New York later—is this——

The PRESIDING OFFICER. Does the Senator couple with that a request that the bill be returned from the House of Representatives, to which it has gone?

Mr. KING. Yes.

In this morning's paper, if the Senator will still pardon me, I notice that Hon. CHARLES L. KNIGHT—

Member of the House from Ohio and a candidate for the Republican nomination for governor in that State, yesterday made public a letter to Secretary Mellon, charging that deputy internal revenue collectors in Ohio had received orders from "higher up" to work for the nomination of Carmi Thompson for the gubernatorial nomination.

Mr. KNIGHT in his letter to Mr. Mellon said he wished to submit "the following facts, which seriously concern your department of the Government."

Then he refers to a primary campaign and the action of the collector in calling his subordinates before him and telling them that they must work for the nomination of Mr. Carmi Thompson for governor. He protests against the debauching of the public service and the utilization of those positions for political purposes. Numerous criticisms have been made about the activity of some officials in the Internal Revenue Bureau for political purposes. I have a resolution, which has been offered and which I hope will be considered, calling for certain information relative to the work of the Internal Revenue Bureau. I shall not take the time to comment upon the matter now.

The PRESIDING OFFICER. The Chair desires to call the Senator's attention to Rule XIII, in view of the statement it contains that "any Senator voting with the prevailing side" may move a reconsideration.

Mr. KING. That rule applies only where there has been a record vote.

The PRESIDING OFFICER. The rule does not say that.

Mr. KING. I simply enter the motion.

The PRESIDING OFFICER. The Senator can enter the motion, and that question can be raised later on.

Mr. WADSWORTH. Mr. President, may I say that the motion of the Senator from Utah creates a rather serious situation. As he knows, the House of Representatives is to take a recess to-morrow for several weeks. This measure, which was passed at the request and suggestion of my colleague [Mr. CALDER] yesterday, is one of immense importance to the Treasury Department and the proper administration of the tax laws in the city of New York. It is merely for the purpose of permitting the creation of an additional taxing and collection district, and I hope the Senator will not press any such motion. The Senate upon yesterday, when it passed the bill, understood perfectly well what it was doing, and we had hoped that the House of Representatives this afternoon or to-morrow might take action upon it.

Mr. KING. I had hoped that the tax-collection branch of the Government would be free from partisanship and from politics, but I am afraid it is not, and I submit the motion. I shall be happy to see the two Senators to-morrow morning.

Mr. WADSWORTH. Mr. President, what is the parliamentary situation? Where is the bill?

The PRESIDING OFFICER. The bill has gone to the House of Representatives. The Senator coupled with his motion a request that it be returned from the House.

Mr. WADSWORTH. May I inquire of the Presiding Officer how much time will be expended in operating this machinery and actually getting the bill back here?

The PRESIDING OFFICER. The Chair can not tell.

Mr. WADSWORTH. I realize, of course, that ordinarily the Senate extends to any Senator as a matter of courtesy the right to make a motion to reconsider or recall from the other House a bill which has been passed, but in this case I fear that it means the death of the legislation, and as I am especially interested in it, and the administrative authorities are exceedingly interested in it, I doubt if it is my duty to permit this legislation to die on the request of one Senator.

The PRESIDING OFFICER. The Chair desires to suggest to the Senator that Rule XIII provides that—

When a bill, resolution, report, amendment, order, or message, upon which a vote has been taken, shall have gone out of the possession of the Senate and been communicated to the House of Representatives, the motion to reconsider shall be accompanied by a motion to request the House to return the same; which last motion shall be acted upon immediately, and without debate, and if determined in the negative shall be a final disposition of the motion to reconsider.

Mr. KING. Of course, if a motion to reconsider—which, under the rule, is permitted to be made without consent, and to have a certain length of time—could be defeated because the bill has been transmitted, then we might as well abolish the rule.

The PRESIDING OFFICE. The Chair desires to suggest that the Senator can make his motion to request the House to return the bill.

Mr. KING. I move that the House be requested to return the bill.

The PRESIDING OFFICER. The question is on the motion of the Senator from Utah to request the House of Representatives to return the bill to which he refers. [Putting the question.] In the opinion of the Chair the "noes" have it.

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

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

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

| | | | |
|---|---|---|---|
| Ashurst | Heflin | McNary | Shortridge |
| Broussard | Johnson | Myers | Simmons |
| Calder | Jones, N. Mex. | Nelson | Sterling |
| Capper | Jones, Wash. | New | Sutherland |
| Caraway | Kellogg | Newberry | Townsend |
| Colt | Keyes | Norris | Trammell |
| Cummins | King | Overman | Wadsworth |
| Curtis | La Follette | Pepper | Walsh, Mass. |
| Dillingham | Lenroot | Poindexter | Warren |
| Glass | Lodge | Pomerene | Watson, Ind. |
| Hale | McCumber | Rawson | Willis |
| Harris | McKinley | Sheppard | |
| Harrison | McLean | Shields | |

Mr. CURTIS. I desire to announce that the Senator from Illinois [Mr. MCKINLEY], the Senator from North Dakota [Mr. LADD], and the Senator from Wyoming [Mr. KENDRICK] are detained in a meeting of the Committee on Agriculture and Forestry.

The PRESIDING OFFICER. Fifty Senators having answered to their names, a quorum is present. The question is on the motion of the Senator from Utah [Mr. KING] to ask the House of Representatives to return Senate bill 2051 to the Senate.

Mr. WADSWORTH. I move to lay that motion on the table.

The motion was agreed to.

## THE TARIFF.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 7456) to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, and for other purposes, the pending amendment being in paragraph 723, page 104, line 6.

Mr. WALSH of Massachusetts. Mr. President, there is absolutely no tariff issue involved in this paragraph. There is no question of revenue, because there are no imports. There is no question of protection, because there is nothing to protect, there being no competition from foreign countries. The statistics show that in 1920 the United States produced 202,000,000 bushels of barley, valued at $132,931,000. We imported in 1920 348,000 bushels, valued at $530,000. In 1920 we exported 17,854,000 bushels, valued at $27,165,000.

I call the Senate's attention to those two items, that our imports were valued at a half a million dollars, and our exports at $27,000,000. Imports of barley are insignificant except when the domestic crop is short. The better grades are used mostly for malt, and prohibition has greatly reduced this market. At the present time barley is used largely as feed stuff and for export. I repeat, there is virtually no tariff problem here.

I send to the desk and ask the Secretary to read a letter which states the objections to the rate named in this paragraph upon barley and the other products named therein.

The PRESIDING OFFICER. Without objection, the Secretary will read.

The Assistant Secretary read the letter, as follows:

NEW YORK, *June 17, 1922.*

SENATE FINANCE COMMITTEE,
*Washington, D. C.*

GENTLEMEN: We are herewith strongly protesting against the proposed duty of 2 cents per pound on pearl barley and barley flour. This means an increase over the present rate of 100 per cent. Without any doubt, the duty on very few commodities has been raised to such an extent. We are of the opinion that a duty of 2 cents per pound on the above-mentioned products is absolutely unreasonable and excessive. We also wish to mention the fact that the duties on all other grains

and grain products have not been increased to such an extent, as the proposed rates on the following products will prove:

Wheat, 30 cents per 60 pounds.
Rye, 15 cents per 56 pounds.
Corn, 15 cents per 56 pounds.
Buckwheat, 10 cents per 100 pounds.
Wheat flour, etc., 78 cents per 100 pounds.
Rye flour, 45 cents per 100 pounds.
Corn flour, etc., 30 cents per 100 pounds.
Buckwheat flour, 50 cents per 100 pounds.

Considering the above rates, it is plainly seen that the duty on pearl barley and barley flour is entirely out of proportion in comparison with the duties on all other grain products. We are quite aware of the fact that we must have a protective tariff, but everything within reason. Surely, you will agree with us that wheat and the wheat flour industry is of much more importance than barley and barley products, and still the proposed duty on wheat flour is only 78 cents per 100 pounds, whereas the proposed duty on pearl barley and barley flour is $2 per 100 pounds, or almost three times as much. This we can not understand. Pearl barley can be bought at the moment from the domestic mills at from $2.75 to $5.50 per 100 pounds, according to quality, whereas fairly good European pearl barley can not be purchased to-day for less than $4.50 to $5.25 per 100 pounds f. o. b. European port, which means at from $5.80 to $6.55 per 100 pounds c. i. f. New York, duty paid, based on the present rate of 1 cent per pound. You can therefore see that a duty of 1 cent per pound is rather high already and 2 cents per pound is out of reason entirely. Records show that very little pearl barley and barley flour has been imported into this country, and a 2-cent duty will probably prohibit the importation of pearl barley entirely. This is not fair to the importer, who has the same right to ask for protection as anyone else. If the Senate passes the 2-cent duty it surely will be of no benefit to the farmer and the public and will be beneficial only to certain barley manufacturers. They will simply raise their prices and the public will have to pay. We therefore wish you would reconsider the 2-cent duty, and we are confident that you will leave it with the old rate of 1 cent per pound.

Thanking you in advance for taking the above statement into consideration, we remain, gentlemen,

Very truly yours,

HINRICHS-BRAMANN & Co. (INC.).

Mr. LODGE. Mr. President——

The PRESIDING OFFICER. Does the junior Senator from Massachusetts yield to his colleague?

Mr. WALSH of Massachusetts. I yield with pleasure.

Mr. LODGE. I merely wish to say that my attention has been called to one of the patent preparations for food for children made of barley, which, under the present wording, would fall in the clause covering barley which has not been prepared in any special way. I have sent to the Treasury to inquire in regard to it. An amendment would not be in order at this time, but I merely wish to give notice that after the committee amendments are disposed of I shall wish to call the attention of the committee and the Senate to that point.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The next amendment was, on page 104, line 10, before the word "cents," to strike out "30" and to insert "10," so as to make the paragraph read:

PAR. 724. Buckwheat, hulled or unhulled, 10 cents per 100 pounds; buckwheat flour and grits or groats, one-half of 1 cent per pound.

Mr. WALSH of Massachusetts. That amendment is a reduction from the provision of the House bill; but I have received from my own State a very large number of letters protesting against any duty at all upon buckwheat, and upon bran, one of the products named in paragraph 731. The farmers of New England must get those products from Canada. They are justified in making a vigorous protest, and I protest this burden that you are about to levy upon them. The high duties on cereals in this bill are a gross injustice to the northeastern section of the United States. This section is to be penalized while the farmers of the West will receive no benefit, for the comparatively small consumption in that section is not competitive with the production in the West. They can not afford to pay the price required by reason of heavy freight rates to transport them from the far West.

We have an unusual situation, a situation that has developed repeatedly during the discussion of this bill. Yesterday we were increasing the duties upon eggs, poultry, and other farm products. To-day the farmers of New England are protesting against the duties upon feedstuffs. It seems that buckwheat and bran are used in very large quantities in feeding poultry and cattle. I can not allow this paragraph to be passed without having printed in the RECORD some of the protests which have come to me against the duty and urging that the products be placed upon the free list. I ask that a few of the letters which I have may be printed in the RECORD without reading before the vote is taken upon the amendment. The duties on feedstuffs will certainly be reflected in increased prices to the farmers of New England, for they must get these products from Canada; therefore increased duties means increased prices to them.

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

BRIDGEWATER, MASS., *December 9, 1921.*

Hon. DAVID I. WALSH,
*United States Senator, Washington, D. C.*

DEAR SIR: We are very anxious indeed that the proposed tariff, H. R. 7456, be so modified as to allow buckwheat to come into the country free and that bran and other mill feeds be allowed to come in at a specific charge of not over 10 cents per hundred pounds. New England, on account of its distance from the West, where most of the bran and wheat feeds are manufactured, has got to depend more or less on Canadian feeds where they can be delivered into New England at a cheaper rate than western feeds.

The tariff as it now reads will place a high duty on buckwheat and bran, and will bring up the cost of feeding to the New England farmer.

Yours truly,

EASTERN GRAIN CO.,
Per E. F. MCHUGH.

—

65 CROSS STREET, MALDEN, MASS.,
*December 8, 1921.*

Hon. DAVID I. WALSH,
*Washington, D. C.*

DEAR SIR: I understand that new tariff, H. R. 7456, is now being worked on and that it is contemplated putting a duty of 15 per cent on bran, to be figured on ad valorem basis. I consider that it would be much better if considered on specific basis, and that it should not be over 10 cents per hundred; this is what I mean by specific basis.

I also understand that buckwheat is to have a duty of 30 cents per hundred. The placing of this duty on bran and buckwheat would certainly work a hardship on the farmer and small back-yard poultry raiser. The back-yard egg producer is helping to keep down the high cost of living and should be encouraged in this sort of business. Certainly I think this class of people should be considered.

I for one hope that you will see to it that these matters are satisfactorily adjusted as above suggested.

Yours very respectfully,

ROBERT A. HODGDON.

—

BOSTON, *December 10, 1921.*

Hon. DAVID I. WALSH,
*United States Senate, Washington, D. C.*

DEAR SIR: Referring to the proposed new tariff, known as H. R. 7456, we wish to go on record as protesting against this bill as now drafted, as it would be very detrimental to the interests of New England, as regards the farmers and poultry raisers.

The two items that we wish you would consider are that of bran; and, secondly, the proposed assessment of 30 cents per hundredweight on buckwheat. Probably the largest proportion of buckwheat used in New England comes from Canada, and it is important that this supply is not shut off. This grain ought to come in free, and we wish you would use your influence to have it placed on the free list, as well as make a specific duty on bran of 10 cents per hundredweight.

We feel that these changes are very vital to the interests of New England and ask that you exert your influence all possible.

Yours truly,

C. P. WASHBURN CO.

—

BOSTON, MASS., *December 12, 1921.*

Hon. D. I. WALSH,
*United States Senate, Washington, D. C.*

DEAR SIR: I understand a very material increase is proposed in the duty on Canadian grain products, such as buckwheat and wheat feeds, such as bran, middlings, and shorts.

There is only a small volume of these articles imported, to be sure, but there are times, like the present for instance, when flour mills in the American Northwest are not grinding wheat, on account of lack of flour business, when it is necessary in order to keep the New England farms producing, that we buy Canadian grains and feeds, and if what would be a prohibitive tariff is placed, it would be impossible to pay the price, and would work a hardship on New England.

A lot of buckwheat is used in poultry feeds, and with the flocks at a minimum, we do not want to do anything to further increase costs, and the same applies to cattle and horses where the bran and middlings are used, and I hope this proposed prohibitive duty will not go through.

Yours truly,

F. ELMER FENTON.

—

EAST MILTON, *December 10, 1921.*

Hon. DAVID I. WALSH,
*Washington, D. C.*

DEAR SIR: I have noticed in the papers that there is a proposed tax of 30 per cent to be put on buckwheat. To my way of thinking this would work a hardship on lots of people that keep a few hens, and I would ask that you do all you can to see that buckwheat remains on the free list.

Respectfully yours,

FRANK A. ERHARD,
*31 Washington Street.*

—

BOSTON, MASS., *December 10, 1921.*

Hon. Senator DAVID I. WALSH,
*Washington, D. C.*

HONORABLE DEAR SIR: It has come to our attention that a new tariff known as H. R. 7456, is now before the Senate Finance Committee and that this new tariff relates to duties on grain and its by-products, proposing an assessment of 30 cents per hundred pounds on buckwheat and 15 per cent "ad valorem" on bran.

For at least 20 years back, you will recall, there has been no duty on bran up to the emergency tariff act of last spring, at which time a rate of 10 cents per hundred pounds was established.

We feel that the value of this article is a great factor in the domestic life of New Englanders as it is fed entirely to hens, which means much to the thrifty common people.

May we respectfully request that buckwheat be allowed to continue to enter free, and if a duty must be placed it be 10 cents per hundred pounds, whereas I ask a price of 10 cents on bran based on a "specific" rate?

Respectfully yours,

KNIGHT-CHASE CO.

562 ADAMS STREET,
EAST MILTON, MASS., *December 10, 1921.*

DEAR SENATOR: I protest against bill H. R. 7456, page 24, placing a duty on buckwheat, as I have quite a number of hens trying to keep the high cost down. With the increase on this bill it would stop me raising poultry.

Yours respectfully,

C. VAN HAM.

—

22 ORCHARD PLACE,
QUINCY, MASS., *December 10, 1921.*

Hon. DAVID I. WALSH,
*United States Senate, Washington, D. C.*

DEAR SIR: I protest against the proposed new tariff act, known as House bill 7456, placing a duty on buckwheat, as this would prove a hardship for the consumer.

Respectfully,

E. C. MACDONALD.

—

QUINCY, MASS., *December 10, 1921.*

Hon. DAVID I. WALSH,
*United States Senator, Massachusetts.*

DEAR SENATOR: In connection with proposed new tariff act, known as House bill 7456, paragraph 724, duty on buckwheat, I wish to oppose its enactment.

As most of this article comes from Canada, I believe it would impose an unnecessary burden on the public.

Respectfully yours,

M. T. SULLIVAN.

—

QUINCY, *December 10, 1921.*

Hon. DAVID I. WALSH.

DEAR SIR: I hereby protest against bill H. R. 7456, paragraph 724, in regard to buckwheat.

JOHN CURTIS,
*265 Franklin Street.*

—

BOSTON, MASS., *December 10, 1921.*

Hon. Senator DAVID I. WALSH,
*Washington, D. C.*

HONORABLE DEAR SIR: It has come to my attention that a new tariff, known as H. R. 7456, is now before the Senate Finance Committee, and that this new tariff relates to duties on grain and its by-products, proposing an assessment of 30 cents per 100 pounds on buckwheat and 15 per cent "ad valorem" on bran.

I would call your attention to the fact that for at least 20 years back there has been no duty whatsoever imposed on buckwheat, and no duty on bran up to the emergency tariff act of last spring, at which time a rate of 10 cents per hundred pounds was established.

It is my contention that the value of this article is a great factor in the domestic life of New Englanders, as it is fed entirely to hens, whose number is legion, and means much to our thrifty common people.

May I ask that you use your influence to place no additional hardship on our farmers, and respectfully suggest that buckwheat be allowed to continue to enter free, or, if a duty must be placed, it be placed not to exceed 10 cents per hundred pounds, and also that bran be placed on the "specific" basis and at a rate not exceeding 10 cents per hundredweight.

The fact that our freight rates are so high tend to cause considerable difference in the value of these articles between the Middle West and our New England States.

Very respectfully yours,

WILLARD B. WILSON, *Manager.*

—

LYNN, MASS., *December 9, 1921.*

Hon. DAVID I. WALSH,
*United States Senate Chamber, Washington, D. C.*

SIR: May we call your attention to the tariff act of 1921, wherein it is proposed to place a tariff of 30 cents per hundredweight on buckwheat?

Most of the buckwheat used in poultry feeds throughout New England has been imported from Canada. As far as we know there never has been any duty previously on buckwheat.

We wish that you would exert your influence to reduce the rate. Inasmuch as this is a commodity which is raised in limited quantities in this country, we feel that it is in the interest of reducing the high cost of living to allow buckwheat to enter the United States free from duty.

It will be especially beneficial to New England poultry raisers, as it is one of the chief ingredients of poultry feed.

Will you kindly try and have buckwheat placed on the free list?

Respectfully,

BUTMAN GRAIN CO.
W. W. BUTMAN.

—

BOSTON, *January 4, 1922.*

Hon. DAVID I. WALSH,
*United States Senate, Washington, D. C.*

DEAR SIR: I wish to call your attention to the following items that have come to my notice and protest against the present proposed tariff on same:

Paragraph No. 724:

I am interested in New England, being a producer as well as a dealer in New England products myself, and have the interests of the producers at heart. New England does not produce buckwheat, wheat, or any of the grains mentioned in this tariff to any extent; on the other hand are large buyers for the maintenance of their cattle and poultry. Buckwheat is largely fed to poultry in New England and I think should come in free, as very little is produced in any of the New England States.

Paragraph No. 731:

This, relating to bran, etc., imposing an "ad valorem" duty.

In my judgment an "ad valorem" duty should not be imposed on any of these articles, as it is a hardship to New England and is based, as I understand it, on United States valuation. Our prices in the East are much higher on account of the added freight. In my estimation other grains and by-products are on a Pacific basis. Owing to the very high freight rates now prevailing, the price of bran in New England for the last few months has about doubled the value of the same products in the West.

As we can not raise the grains that we consume in New England we respectfully request the tariff should take into consideration the needs of the farmers of the East, who are the best customers of the West. We trust you will use your influence for the good of New England.

Yours truly,

A. H. WEEKS.

—

MEDFORD, MASS., *December 10, 1921.*

Hon. DAVID I. WALSH,
*Washington, D. C.*

DEAR SIR: The proposed increase of duty on bran and buckwheat under new tariff, H. R. 7456, is a hardship on the small poultry raiser, and I am strenuously opposed to an increase.

Respectfully yours,

RICHARD H. KIMBALL.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The PRESIDING OFFICER. The next amendment will be stated.

Mr. McCUMBER. Mr. President, I have an amendment which the committee directed me to present at this time, on page 104, line 13, to strike out "15" and insert "20."

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. In paragraph 725, page 104, line 13, strike out "15" and insert "20," so as to read:

Corn or maize, including cracked corn, 20 cents per bushel of 56 pounds.

Mr. WALSH of Massachusetts. Mr. President, may I ask the Senator in charge of the bill why he now seeks to increase the rate upon corn 33⅓ per cent over the House rate?

Mr. McCUMBER. I will say that I am doing so by the direction of the committee. Ordinarily I think that very little benefit is to be obtained from a duty upon corn. We are the greatest corn-raising country in the world, the greatest corn-exporting country in the world, but there have been years in which, when we were short of what might be regarded as the home demand, considerable corn came in from Argentina and other countries of the world and drove the price down. While under ordinary conditions I do not think it would affect prices in the slightest degree, there may be conditions arise, as they have arisen in the past, when we would have a short corn crop, and when we would get some benefit from the duty. It is when we have a short crop that we are more in need of anything that will assist us in getting a better price.

Mr. WALSH of Massachusetts. Mr. President, it is proposed to increase by 33⅓ per cent the duty upon corn over the duty fixed in the emergency tariff law. Under the Underwood law, which preceded the emergency tariff law, corn was on the free list. The proposed increase is preposterous. There is absolutely no justification whatever for increasing the rate of duty named by the House. Listen to the statistics:

The domestic production in the fiscal year 1920–21 was over 3,000,000,000 bushels. The domestic exports were 135,000,000 bushels and the imports only 91,000 bushels. There is no question of tariff here and there can be no question of revenue because there are no imports worthy of mention. There is no protection whatever, because there is nothing to affect or influence the domestic price in the way of importation from without the domestic market. This is nothing more nor less than a paper duty. It illustrates perfectly the attempts made in the bill to deceive and mislead the farmers of the West. We are asked to increase the duty upon corn and upon barley, both of them cereals which are produced in such abundance that we are sending them to other parts of the world in large amounts, and yet with the admission that the duty will not have any influence or effect.

I suppose it is of no use to continue to make protests, but it does seem to me we are establishing a very bad precedent. If there is one state of facts that should prevent the levying of a protective tariff duty it is a state of facts which shows that we are exporting from this country the product upon which a duty is proposed.

I had supposed that the committee would at least be satisfied with the excessive duty named in the House bill. Twenty cents per bushel upon corn, a product that comprises such an important part of agricultural industry of the country, is excessive. There is no excuse and no justification for it. It should be on the free list. I protest against the deceit, the fraud, the misrepresentation, and the camouflage which is evidenced by even the duties fixed in the House bill, to say nothing of increasing over the House rates the duties upon corn and other farm products which are produced and exported in great quantities, and in which the record shows there are practically no imports.

It is very easy for one to understand why it is done. It is simply done so that candidates for public office can tell the

farmers that they have been given increased protection, so as to divert their attention from the excessively high rates upon those products which the farmer has to buy. When the committee feels obliged at this late date to increase the duty upon corn, it is apparent that they are grasping for the last straw. Corn ought to be on the free list. We are establishing a precedent which will return some day to plague us. The policy of distributing protective tariff duties regardless of the necessity for protecting an industry, regardless of any state of facts which might under some circumstances show that the domestic price was being reduced by reason of importations, is wrong.

Mr. President, I shall take up no more time discussing this item, but I do most strenuously object to the raising of the rate, and I again ask the chairman of the committee in all candor why he thinks it necessary to ask for an increase over the high duties fixed in the House bill? At this late hour, after the committee had the bill under consideration for months, why does he think it necessary to move that the rate on corn be increased 33⅓ per cent, and that we be asked to vote for a tariff duty of 20 cents per bushel upon corn? What facts have been presented in the last few weeks to increase this duty? Is the corn industry threatened with foreign competition when there are no imports?

Mr. McCUMBER. Mr. President, I really think the Senator from Massachusetts ought to withdraw his statement that the duty is placed upon corn to deceive—that it is camouflage, and so forth. I do not believe the Senator from Massachusetts for a single moment believes that anyone in the committee is trying to deceive anybody or trying to make a camouflage of this matter.

The Senator from Massachusetts heard my statement in presenting the amendment, and if anybody, farmer or otherwise, thinks he will be deceived in the matter in any political discussion of the subject, let him read what I now state, namely, that I do not think under ordinary conditions this duty will help him one penny. Therefore, he must take that fact in connection with it. It will not help him, and it will not do any harm as long as we are raising such big crops as we are now raising.

In the fiscal year 1913-14 we had a very short crop of corn, and while it was large as compared with our importations, even the 12,000,000 bushels that came from Argentina, shipped in and going west as far as Indianapolis, and I think some of it as far west as Kansas City, when it came into New York did have a depressing effect upon prices, and that depressing effect on the New York prices reflected itself in Chicago and other great centers. With an immense domestic crop, I think that 12,000,000 bushels coming in, if it could come in at all, would not have any effect whatever, but with the rather short crop in 1913, if one will look over the daily reports of that year, he will find that it did to some extent depress the price. Unless we again have some such year and some such similar conditions, I look for no help and no benefit and no harm whatever to come from this duty of 20 cents.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER (Mr. WILLIS in the chair). Does the Senator from North Dakota yield to the Senator from Ohio?

Mr. McCUMBER. With pleasure, Mr. President.

Mr. POMERENE. That being so, let me ask of the Senator from North Dakota two questions in one, and the Senator may answer them at the same time. What is the reason for increasing this duty to 20 cents over the rate of 15 cents provided by the House bill; and, if there was any reason for the increase, why not make the rate 25 cents?

Mr. McCUMBER. The only reason on earth that I can give is that the majority of the committee voted to increase the rate from 15 cents to 20 cents. I think 15 cents would give us just as much benefit as would 20 cents.

Mr. POMERENE. Who requested the rate to be increased?

Mr. McCUMBER. I do not now recall, but that was the vote of the committee.

Mr. POMERENE. Did anybody appear from the outside and request it?

Mr. McCUMBER. I am not certain, but I think those Senators who constitute the "tariff bloc" or the "farm bloc" or something of that character took some hand in these questions and presented their desires. Very likely they influenced the majority of the committee in raising the duty from 15 cents to 20 cents.

Mr. POMERENE. That is a very frank statement and I thank the Senator from North Dakota for it.

Now, let me ask another question or two. The Senator has spoken of the year perhaps of 1914 or 1915, when some corn from Argentina went as far west as Indianapolis. Was that the year when there was a very early frost in the Corn Belt and when corn did not mature?

Mr. McCUMBER. I think so, for we had a short crop, of course.

Mr. POMERENE. It was not short in bushels but it was short in quality.

Mr. McCUMBER. It was short in bushels as well as in quality.

Mr. POMERENE. Possibly that was so. I remember that particularly during that year in Ohio it was necessary to import from other States a considerable quantity of corn for seed purposes, because the corn we had had not properly matured. I do not know the source from which that corn came, but I have rather a hazy recollection that some of it came from abroad. I am not sure about that. Has the Senator from North Dakota any information on that subject?

Mr. McCUMBER. We imported, I do not know whether for seed or not, during that year, about 12,000,000 bushels of corn. I think most of it, however, was for feed, because the price of corn was so high here that it permitted the Argentine corn to be shipped into the United States.

Mr. POMERENE. If that corn came in to be used as feed, of course, we had it in the form of pork and beef. I did have some special knowledge of it at the time; but possibly there came in several million bushels of corn of a very inferior grade which was used at the starch mills. That may account for a part of those importations, though I do not know.

Mr. McCUMBER. I think a greater portion of the imported corn was used for feed, but I am not certain.

Mr. POMERENE. If that corn was used for seed purposes, it is clear it would do the farmer more harm than good to have to pay a duty upon corn.

The PRESIDING OFFICER. The question is upon the amendment offered by the Senator from North Dakota.

The amendment was agreed to.

The next amendment of the Committee on Finance was, on page 104, paragraph 726, line 17, before the word "cents," to strike out the numerals "1½" and to insert the numeral "2," so as to read:

PAR. 726. Macaroni, vermicelli, noodles, and similar alimentary pastes, 2 cents per pound.

## INTERCHANGEABLE MILEAGE TICKETS.

Mr. POINDEXTER. Mr. President, I wish to call attention very briefly, especially of any members of the Senate Committee on Interstate Commerce who may be present, to the bill (S. 848) to amend section 22 of the act entitled "An act to regulate commerce," approved February 4, 1887, as amended, which was passed by the Senate, sent to the other House, considered in the House Committee on Interstate and Foreign Commerce, favorably reported to the House by that committee, and then passed by the House with certain amendments which are now, I believe, on the desk of the Presiding Officer, with a message from the House of Representatives.

I have had some conversation with members of the Senate Interstate Commerce Committee who particularly interested themselves in the bill. From that conversation I have gathered that practically there is on the part of any of the members of the committee, or of any other Senator with whose views I am acquainted, objection to only one of the amendments adopted by the House; that is to the amendment of the House striking out the word "interstate," on page 1, line 12. That paragraph of the bill as it passed the Senate read as follows:

(2) The commission is directed to require, after notice and hearing, each carrier by rail, subject to this act, to issue at such offices as may be prescribed by the commission joint interchangeable mileage tickets at a just and reasonable rate per mile good for interstate passenger carriage upon the passenger trains of any and all other carriers by rail subject to this act.

As I have stated, the House struck out the word "interstate," so that it would read:

Interchangeable mileage tickets—

Leaving out certain other amendments adopted by the House—

at a just and reasonable rate per mile, good for passenger carriage upon the passenger trains of any and all other carriers by rail subject to this act.

As I understand, the objection certain members of the Committee on Interstate Commerce of the Senate have is that striking out the word "interstate" before the words "passenger carriage," thereby, at least nominally, making the bill apply merely to State rates, or intrastate rates, as the technical term is, would make the act unconstitutional, for they claim that the jurisdiction of Congress only extends to interstate commerce, which, of course, is true. But, Mr. President, it seems to me that the apprehension of those Senators who fear

that this amendment will make the act unconstitutional are not well founded, if I may say so, for this reason, that when the act, if it shall become an act, provides that interchangeable mileage tickets shall be issued for passenger carriage upon passenger trains without specifying whether it is State or interstate commerce to which it is intended to apply by necessary implication it would apply only to such passenger transportation as to which Congress has jurisdiction to legislate. It can not apply to anything else.

Mr. TOWNSEND. Mr. President, I think the Senator is correct about that, if the elimination of the word does not practically prohibit that construction. I am not clear about that. I should like the Senator's idea. On what trains does the bill say the interchangeable mileage tickets shall be good?

Mr. POINDEXTER. As amended by the House, it would read:

Good for passenger carriage upon passenger trains of all carriers by rail subject to this act.

Mr. TOWNSEND. I think that the Senator is correct about that.

Mr. POINDEXTER. Of course, Mr. President, Congress has jurisdiction to legislate with regard to passenger service in interstate commerce, and interstate commerce undoubtedly is included in the language of the bill as it passed the House. So it seems to me that the utmost extent to which any judicial tribunal or any administrative tribunal, being in this case the Interstate Commerce Commission, could go would be to restrict the application and administration of the act to that branch of commerce over which Congress has jurisdiction. I fail to see how the act could be rendered unconstitutional merely because the language of the act, under a certain construction, might be made to apply to transportation within the State over which Congress did not have jurisdiction, while it likewise could be made to apply to commerce over which Congress does have jurisdiction.

Mr. POMERENE. Mr. President, when did the Senator change his view about this matter?

Mr. POINDEXTER. I am not aware that I have changed my view about it; I do not recall that I have.

Mr. POMERENE. Am I not rightly informed that the Senator said to the Interstate Committee of the House that the word to which he has referred was inserted in the bill because the committee itself had doubt as to whether it would be constitutional if that word were not in the law?

Mr. POINDEXTER. No; the Senator is not exactly correct about that. I think probably what the Senator is referring to may be the statement which I myself made to him. I will state exactly what occurred in the committee of the House of Representatives when I went before them to ask for the favorable consideration of the bill. On being questioned by a member of the committee as to the purpose of the Senate in putting this word into the bill at that place, my answer to the member of the committee was that I presumed it was put there to remove any question as to the constitutionality of the act, and I still assume that that was the purpose. But, Mr. President, I do not think that the distinguished Senator from Ohio can construe that remark as being equivalent to saying that it was my opinion, if the word was not there, that the act would be unconstitutional.

Mr. POMERENE. Well, Mr. President, of course I do not profess to say what the workings of the Senator's mind were then or are now, but that word was put in there, as I recall, because it was felt that Congress had no right to require railroads to receive mileage tickets in intrastate traffic. I know the pressure that is being brought to put this measure through right away. There are some gentlemen here now who are pressing for the immediate adoption of the House amendments.

Mr. POINDEXTER. Mr. President, I am going to conclude my remarks in a very short time. If the Senator's purpose is to make an extended statement I would prefer that he do so after I conclude.

Mr. POMERENE. Very well; I will conclude what I desire to say in my own time later on.

Mr. POINDEXTER. Mr. President, my purpose in referring to this measure is with the hope that there may be an agreement on the part of Members of the Senate to lay aside temporarily the consideration of the tariff bill, to take up Senate bill 848, and to concur in the amendments of the House of Representatives, so as to allow this measure to become a law. For a long time, ever since the railroads were turned back to their owners after the period of Government operation, there has been an effort to reestablish the former practice of issuing interchangeable mileage books. Of course, it is anticipated and hoped that when that practice is resumed the passenger rate for which these books will be sold, upon what is practically a wholesale plan of the sale of transportation, will be lower than the regular rate. The bill does not require that. The bill leaves the question as to the rate to be determined by the Interstate Commerce Commission.

Mr. President, the House is about to adjourn or take a recess until some time in August, and it was my hope that the objection based entirely upon the proposition which I have just stated—the fear that the striking out of this word may render this act unconstitutional—might be waived and that the Senate might concur in the amendments, which otherwise make no substantial change in the bill as it passed the Senate, and allow this bill to become a law before the recess of the House, which will otherwise delay the enactment of it for a period of some weeks, if not months, so that the country, and particularly those whose daily business requires them practically every day to travel from one point to another, may get the benefit of this convenience and of this advantage which they have been so long seeking.

It is only for that purpose that I present the matter to the Senate, particularly to the members of the Interstate Commerce Committee, and call attention to the fact that the House report is here, that it is lying upon the desk, and that the one objection to which I have referred is the only obstacle, so far as I know, to its becoming a law to-day, and to ask, if possible, that we may have consideration for it. If the objections which I refer to could be favorably disposed of or waived by the Senators who entertain them, I will seek an opportunity a little later to ask unanimous consent to take up this measure and act upon it.

Mr. POMERENE. Mr. President, this bill has been in the House for several months. It was passed on yesterday. A change has been made along the line indicated by the Senator from Washington [Mr. POINDEXTER]. The Senator from Washington came to me a little while ago, probably two hours ago, and there was a conference of three or four members of the Interstate Commerce Committee. Three of them were together, and, as I understood the chairman of the committee, he had serious doubts about its constitutionality. Another member of the committee said that he had doubts about it. I have doubts about it. The Senator from Washington asks me to waive my doubts. My doubts are based upon the constitutional objection.

I think I remember that I took an oath to support the Constitution of the United States. I do not know how I can waive that objection. I have asked that this matter might go over until I could have an opportunity to investigate it further. I have been reading the RECORD. Only one or two Members of the House discussed the constitutional question, and that is the question we have been considering. The Interstate Commerce Commission has jurisdiction over interstate commerce. The question before the Senate is this: Can the Congress of the United States and can the Interstate Commerce Commission require a railroad to accept one of these mileage tickets in purely intrastate business, let us say going from Columbus to Dayton, Ohio, or from Omaha to Lincoln, Nebr.?

Perhaps that is not of very much concern to some Senators. I think I ought to have a few hours to look into this question, in view of the fact that at least three Senators to my certain knowledge, members of this committee who have given a great deal of study to it, have serious doubts about it.

That is the question. It may be that later on I shall be content to have a vote upon it. As I feel now I shall vote against it because of its unconstitutional form. I fear the issuance of mileage books to the extent we have authority to do it. I understand that there is a certain convenience attached to these mileage books, and I shall be glad to have travelers get the benefit of mileage books to use where and when they can, but I can not brush aside my own views in the trivial way suggested under my conception of my duty here.

With equal vigor the insistence was made in the first place that all mileage tickets should be sold at the rate of 2½ cents a mile, regardless of whether the actual cost would be 3 cents or 4 cents or 5 cents per mile, and when I talked to some of the gentlemen who were here in the interest of the bill I found it had not even occurred to them that there was any doubt about the constitutionality of a law of that kind.

It seems to me that this matter can be delayed for a few hours longer until we can look into that question and determine what we want to do about it. That is what I am asking for, and that is all that I am asking for.

Mr. HARRISON. Mr. President, this is a very important matter. May I ask the Senator from Washington, who just preceded the Senator from Ohio, whether the House contemplates adjourning this afternoon?

Mr. POINDEXTER. I understand that the House will adjourn this afternoon or this evening.

Mr. HARRISON. It seems to me that in a matter of this importance the House could very well afford to stay over until to-morrow, so that if the Senate takes favorable action upon this bill it can then be signed by the Speaker and become a law before August 15, to which time, I believe, the House is to adjourn. I am very sorry to hear that the House is going to adjourn with important legislation like this pending, and other bills that are coming over.

Mr. POMERENE. Mr. President, just a sentence or two for the consideration of those who care to think over the matter.

Necessarily the Senate passed this bill providing that these mileage books should be used in interstate travel. Under the Constitution I do not know how we could have phrased it otherwise. Apparently the House did not want to limit it to interstate commerce, but they wanted to extend it to intrastate commerce. Therefore they struck out the word "interstate," making it apply to both interstate and intrastate commerce.

Mr. POINDEXTER. Mr. President, may I interrupt the Senator a moment?

Mr. POMERENE. Yes.

Mr. POINDEXTER. I infer from what I have read of the rather limited debate on the subject in the House that the intention of the Members who were responsible for that amendment of course was not to extend the act to any commerce of which Congress has not jurisdiction, but was, by striking out the word "interstate," to allow the act to apply to intrastate passenger traffic to whatever extent Congress has a right to make it apply. It has been held a number of times by the Supreme Court in passing upon acts of Congress that in certain cases and under certain conditions—as in the Shreveport case, for instance, as in the Wisconsin rate case—Congress may control merely intrastate or State rates when it becomes necessary to do so in the regulation or protection of interstate commerce. If the word "interstate" were put there, I think it is the idea of some Members of the House that it might exclude those cases of intrastate or merely State rates in which Congress might have a right to interpose its regulation so as to make it apply to all of those cases.

Mr. POMERENE. Mr. President, let me say just one word further, and then I will yield the floor.

Of course, the interpretation which the Senator places upon the conduct of the House may be correct. I can not look into the minds of the House Members to ascertain what they may be; but, under the phraseology of this bill as it now is before the Senate, it must follow that the holder of one of these tickets would feel that he had the right to tender it, if he were making a purely intrastate trip.

If we do not have power to make railroads accept these mileage tickets in intrastate travel, I do not want the passenger to be deceived into the belief that he has the right to use interstate transportation in intrastate travel.

The PRESIDING OFFICER. The Secretary desires to read a communication to the Senate.

The Secretary, Mr. George A. Sanderson, read as follows:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
*Washington, D. C., June 30, 1922.*

*To the Senate:*

Being temporarily absent from the Senate, I appoint Hon. WESLEY L. JONES, a Senator from the State of Washington, to perform the duties of the Chair this legislative day.

ALBERT B. CUMMINS,
*President pro tempore.*

MESSAGE FROM THE HOUSE.

A message from the House of Representatives by Mr. Overhue, its enrolling clerk, announced that the House had agreed to the amendments of the Senate to the bill (H. R. 11214) authorizing the President to scrap certain vessels in conformity with the provisions of the treaty to limit naval armament, and for other purposes.

The message also announced that the House had passed the bill (S. 3396) creating the positions of Second Assistant Secretary and private secretary in the Department of Labor.

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

H. R. 12092. An act granting the consent of Congress to the Louisiana Development Co. to construct a bridge across the Red River at or near Grand Ecore, La.;

H. R. 12120. An act granting the consent of Congress to the county court of Lafayette County, in the State of Missouri, to construct a bridge across the Missouri River; and

H. R. 12121. An act granting the consent of Congress to the county court of Saline County, in the State of Missouri, to construct a bridge across the Missouri River.

The message also announced that the House had agreed to the report of the committee on conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12090) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1922, and prior fiscal years, supplemental appropriations for the fiscal year ending June 30, 1923, and for other purposes; that the House had receded from its disagreement to the amendments of the Senate numbered 16 and 39 to the said bill; that the House had receded from its disagreement to the amendments of the Senate numbered 28 and 38 and concurred therein each with an amendment, in which it requested the concurrence of the Senate, and that the House insisted upon its disagreement to the amendments of the Senate numbered 31 and 42.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Presiding Officer (Mr. JONES of Washington) as Acting President pro tempore:

S. 1033. An act regulating the issuance of checks, drafts, and orders for the payment of money within the District of Columbia;

S. 3396. An act creating the positions of Second Assistant Secretary and private secretary in the Department of Labor;

S. 3425. An act to continue certain land offices, and for other purposes; and

H. R. 11244. An act authorizing the construction of a bridge across White River, in the State of Arkansas.

DEFICIENCY APPROPRIATIONS—CONFERENCE REPORT.

Mr. WARREN. Mr. President, I present the conference report upon the deficiency appropriation bill and ask for its adoption.

The PRESIDING OFFICER (Mr. WILLIS in the chair). The report will be read:

The report was read, 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. 12090) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1922, and prior fiscal years, supplemental appropriations for the fiscal year ending June 30, 1923, 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 13, 18, 32, 33, 37, 45, 46, and 48.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 17, 23, 24, 25, 26, 27, 29, 30, 34, 35, 36, 40, 41, 43, 44, 47, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, and 59, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: ": *Provided*, That the appropriation for the public printing and binding for the fiscal year 1922 is hereby made available during the fiscal year 1923 for payment of the cost of constructing necessary tunnels and conduits, laying pipes and cables, and for all other expenses, including labor and materials, necessary to connect the Capitol power plant with the Government Printing Office for the purposes herein provided."; and the Senate agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: In line 7 of the matter inserted by said amendment strike out "years 1922 and" and insert in lieu thereof the word "year"; and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment as follows: In line 8 of the matter inserted by said amendment strike out "$150,000" and insert in lieu thereof the following: "fiscal year 1923, $100,000"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment as follows: Strike out line 7 of the matter inserted by said amendment and insert in lieu thereof the following: "$30,000; in all, $75,850"; and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment as follows: In lieu

of the number proposed insert "seventeen"; and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: In lieu of the number proposed insert "eighty-two"; and the Senate agreed to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$212,596.67"; and the Senate agree to the same.

The committee of conference have not agreed on Senate amendments numbered 16, 28, 31, 38, 39, and 42.

F. E. WARREN,
CHARLES CURTIS,
LEE S. OVERMAN,
*Managers on the part of the Senate.*

MARTIN B. MADDEN,
D. R. ANTHONY, Jr.,
JOSEPH W. BYRNS,
*Managers on the part of the House.*

Mr. WARREN. I move the adoption of the report.

The PRESIDING OFFICER. The question is on agreeing to the report.

Mr. HARRISON. Mr. President, before that motion is put, may I ask how much is the total amount carried by this deficiency bill?

Mr. WARREN. Forty-two million two hundred and some thousand dollars.

Mr. HARRISON. This is the fourth or the third deficiency bill?

Mr. WARREN. It is the third, and in this bill nearly $30,000,000 is for the refund of internal-revenue taxes collected.

The PRESIDING OFFICER. The question is on agreeing to the report.

The report was agreed to.

The PRESIDING OFFICER laid before the Senate the action of the House on certain amendments, which was read, as follows:

IN THE HOUSE OF REPRESENTATIVES,
*June 30, 1922.*

*Resolved*, That the House recede from its disagreement to the amendments of the Senate numbered 16 and 39 to the bill (H. R. 12090) entitled "An act making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1922, and prior fiscal years, supplemental appropriations for the fiscal year ending June 30, 1923, and for other purposes," and concur therein.

That the House recede from its disagreement to the amendment of the Senate numbered 28 and concur therein with an amendment, as follows:

In lieu of the matter proposed by said amendment insert:

"NAVAL ESTABLISHMENT.

"Scrapping of naval vessels: For necessary expenses in connection with the care and preservation of ships whose construction has been suspended pending the taking effect of the treaty limiting naval armament, and for expenses of handling, preserving, and inventorying material on hand or in course of fabrication for said vessels, and toward payment of bills of subcontractors for material already completed for the vessels, fiscal year 1923, $5,000,000."

That the House recede from its disagreement to the amendment of the Senate numbered 38 and concur therein with an amendment, as follows:

Preceding the matter inserted by said amendment, insert the following center heading:

"PUBLIC HEALTH SERVICE."

That the House insist upon its disagreement to the amendments of the Senate numbered 31 and 42.

Mr. WARREN. There were six matters in disagreement in the report just made from the committee of conference, and it appears that the House insists on its disagreement to two amendments, one of them numbered 31, regarding the payment to the heir of the former minister to Bolivia. I move that the Senate recede from its amendment.

The motion was agreed to.

Mr. WARREN. The same applies to amendment numbered 42, the Boston, Mass., assistant treasury matter. I make the same motion in regard to that amendment.

The motion was agreed to.

Mr. WALSH of Massachusetts. Will the Senator please state whether that is the amendment offered by my colleague last night?

Mr. WARREN. It is. The conferees on the part of the House would not agree to it without taking it to the House. They took it to the House, and the House would not agree. I have consulted since with the Senator's colleague, and we have agreed that we shall have to reach it in another way.

Mr. WALSH of Massachusetts. I think it was very unfortunate that that amendment was not agreed to, because it was most meritorious and should have been approved, without any question.

Mr. WARREN. As to amendment numbered 16, relating to the Bureau of Foreign and Domestic Commerce, the House has receded. That is true also of amendment numbered 39, relating to the Federal Farm Loan Board. That takes care of four of the amendments. One of the remaining amendments, No. 28, related to the scrapping of naval vessels. The House conferees agreed to the amount, but have asked us to strike out certain words, to which the Senate conferees are willing to accede. Therefore I move that the amendment of the House to the amendment of the Senate be concurred in.

The motion was agreed to.

Mr. WARREN. I also move that the Senate concur in the amendment of the House to the amendment of the Senate No. 38.

The motion was agreed to.

Mr. WARREN. Mr. President, I think I ought to say in connection with the appropriation bills, the last of which for the present year we have just passed, that I congratulate the Senate and the House on the establishment of the Budget system, which has been of great use to the Appropriations Committees. I want also to congratulate both bodies on the fact that we have completed the business of the year before the end of the fiscal year for the first time in some years. I think we have reason to believe that we may proceed to improve even upon what we have accomplished this year along the lines of close observance of the Budget law, as we have understood it, with the modifications and amendments which the committees of the Senate and the House have seen fit to make as to reductions, and we have made many of them.

## MISSOURI RIVER AND RED RIVER BRIDGES.

The following bills from the House of Representatives were severally read twice by their titles and referred to the committee on commerce:

H. R. 12092. An act granting the consent of Congress to the Louisiana Development Co. to construct a bridge across the Red River at or near Grand Ecore, La.;

H. R. 12120. An act granting the consent of Congress to the county court of Lafayette County, in the State of Missouri, to construct a bridge across the Missouri River; and

H. R. 12121. An act granting the consent of Congress to the county court of Saline County, in the State of Missouri, to construct a bridge across the Missouri River.

Mr. CALDER. These bills are in the usual form. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 12092), granting the consent of Congress to the Louisiana Development Co. to construct a bridge across the Red River at or near Grand Ecore, La., and I ask unanimous consent for its present consideration.

There being no objection, the bill was considered as in Committee of the Whole, and it was read as follows:

*Be it enacted, etc.*, That the consent of Congress is hereby granted to the Louisiana Development Co. and its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across Red River at a point suitable to the interests of navigation at or near Grand Ecore, in the parish of Natchitoches, State of Louisiana, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

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

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

Mr. CALDER. From the Committee on Commerce, I report back favorably without amendment the bill (H. R. 12120) granting the consent of Congress to the county court of Lafayette County, in the State of Missouri, to construct a bridge across the Missouri River, and I ask unanimous consent for its present consideration.

There being no objection, the bill was considered as in Committee of the Whole, and it was read as follows:

*Be it enacted, etc.*, That the consent of Congress is hereby granted to the county court of Lafayette County, in the State of Missouri, to construct, maintain, and operate a bridge and approaches thereto across the Missouri River at a point suitable to the interests of navigation, at or near the town of Waverly, in the county of Lafayette and State of Missouri, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

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

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

Mr. CALDER. From the Committee on Commerce, I report back favorably without amendment the bill (H. R. 12121) granting the consent of Congress to the county court of Saline County, in the State of Missouri, to construct a bridge across

the Missouri River, and I ask unanimous consent for its present consideration.

There being no objection, the bill was considered as in Committee of the Whole, and it was read as follows:

*Be it enacted, etc.*, That the consent of Congress is hereby granted to the county court of Saline County, in the State of Missouri, to construct, maintain, and operate a bridge and approaches thereto across the Missouri River at a point suitable to the interests of navigation at or near the city of Miami, in the county of Saline and State of Missouri, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

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

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

PUBLIC BUILDING AT PARIS, TEX.

Mr. SHEPPARD. Mr. President, there is a bill on the calendar, House bill 11298, which I would like to have passed, so that it can go to the House before the House recesses. It is a bill amending existing law which authorizes the construction of a public building at Paris, Tex., so as to authorize and empower the Secretary of the Treasury to acquire a new site for same by exchanging therefor land and property now owned by the United States Government in said city, and to authorize the erection on said new site, when acquired, of a public building suitable for post-office purposes, and for other purposes. It provides merely for an exchange of building sites in Paris, Tex., and carries no appropriation. The Secretary of the Treasury has investigated the matter and finds that the exchange would be to the advantage of the Government. I ask for the immediate consideration of the bill.

Mr. McCUMBER. I yield to the Senator for that purpose.

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

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Public Buildings and Grounds with an amendment, on page 2, line 11, to strike out "Glick" and to insert in lieu thereof "Click," so as to make the bill read:

*Be it enacted, etc.*, That existing law authorizing the Secretary of the Treasury to expend $170,000 "for the purpose of supplying the necessary building for the Federal court, post office, and other Government offices at Paris, Tex.," be, and the same is hereby, amended so as to authorize and empower the Secretary of the Treasury, in his discretion, to exchange and convey to the city of Paris, Tex., by the usual quitclaim deed, the present Federal building and so much of the site thereof in the city of Paris, Tex., bounded as follows: Fronting 123.07 feet, more or less, on the east side of North Church Street, and extending eastwardly of that width along the south side of East Houston Street 107.04 feet, more or less, for the title in fee simple to the site known as the Young Men's Christian Association property, together with the adjoining site known as the Click lot, bounded as follows: Fronting 216 feet, more or less, on the west side of North Twenty-third Street and extending eastwardly between the south side of East Houston Street and the north side of Lamar Street 71 feet, more or less: *Provided*, That the United States shall have the right to occupy the present Federal building, free of cost, until the new Federal building is ready for occupancy. That upon said new site, when acquired as aforesaid, the Secretary of the Treasury be, and he is hereby, authorized and directed to cause to be erected a suitable and commodious building, including fireproof vaults, heating and ventilating apparatus, approaches, etc., complete, for the use and accommodation of the post office, at not to exceed the limit of cost above stated, and said building shall be so constructed that accommodations for the United States courts and other Government offices may be provided at a later date at an increase in the limit of cost to be hereafter fixed. The general annual appropriations for the repair, mechanical equipment, maintenance, and operation of public buildings under the control of the Treasury Department shall be available for the present Federal building in said city so long as said building shall be occupied by the Government.

The amendment was agreed to.

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

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

FRANK GRYGLA.

Mr. WATSON of Georgia. Mr. President, I ask unanimous consent for the immediate consideration of Senate bill 910, for the relief of Frank Grygla. This bill has been very carefully considered by the Committee on Claims, and, briefly stated, it provides for the payment to this former employee of the Government in the Alaskan service the amount which he would have earned had he not been suspended without cause. He was suspended under charges, and the fullest investigation developed the fact that he was not guilty. The report in his favor was unanimous, and the Committee on Claims recommends that this small amount, something like $600, be paid to his heirs at law.

The PRESIDING OFFICER. The Secretary will read the bill for the information of the Senate.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the heirs of Frank Grygla, deceased, out of any money in the Treasury not otherwise appropriated, the sum of $669.71 for salary as special agent of the General Land Office for the period October 15, 1901, to May 3, 1902, being at the rate of $1,200 per annum, such salary having been withheld on account of his suspension from duty by an order of the department to investigate charges against him which were not sustained and from which he was entirely exonerated.

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

Mr. WADSWORTH. I do not desire to object to the bill on its merits, but I ask the Senator from Georgia if he believes that the bill in the form in which it is reported is in line with the rule of the Senate. As I heard it read, it directs the Secretary of the Treasury to pay a certain sum of money to the heirs of this person. Is that an appropriation?

Mr. WATSON of Georgia. I am not familiar with the rules of the Senate, as the Senator from New York well knows, being a comparatively new Member of the body, but no suggestion was made in the Committee on Claims that the proceeding was irregular. It would seem to be altogether in conformity with the established practice.

The sum and substance of it is that this man Grygla was connected with the Government work in Alaska, and somebody preferred charges against him. He was suspended while those charges were being investigated, and the fullest investigation resulted in his complete exoneration. Therefore the committee thought that he ought to have the salary which would have been paid to him had he not been suspended under these false charges. The man having died in the meanwhile, the committee recommends the appropriation of this money to his family.

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

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

FIFTY-SIXTH ANNUAL ENCAMPMENT, GRAND ARMY OF THE REPUBLIC.

Mr. CAPPER. From the Committee on Printing I report back favorably House Concurrent Resolution 36 and ask unanimous consent for its immediate consideration.

The concurrent resolution was read and agreed to, as follows:

*Resolved by the House of Representatives (the Senate concurring)*, That there shall be printed as a House document 1,500 copies of the journal of the Fifty-sixth National Encampment of the Grand Army of the Republic for the year 1922, not to exceed $1,700 in cost, with illustrations, 1,000 copies of which shall be for the use of the House and 500 copies for the use of the Senate.

F. E. TAYLOR AND B. C. BROOM.

Mr. OVERMAN. Mr. President, while we are taking up bills from the calendar I do not believe I have asked unanimous consent for the passage of a bill on the calendar at this session, and I am going to ask it now. I ask unanimous consent for the immediate consideration of House bill 8767, for the relief of F. E. Taylor and B. C. Broom.

The PRESIDING OFFICER. Is there objection?

Mr. POINDEXTER. Let it be reported.

The PRESIDING OFFICER. The Secretary will read the bill.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to F. E. Taylor the sum of $565 as compensation for personal injuries and damages to horse and buggy sustained by being run into from the rear by a United States Army truck belonging to Company 47, then stationed at Camp Greene, Charlotte, N. C.; and to B. C. Broom the sum of $50 as compensation for personal injuries sustained in the same manner.

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

Mr. WADSWORTH. I make the same inquiry that I did with respect to the bill the passage of which was achieved at the request of the Senator from Georgia. If this is not an appropriation of money from the Treasury, I do not know what it is. The rules of the Senate provide that an appropriation bill shall be reported by the Committee on Appropriations alone.

Mr. OVERMAN. We have passed hundreds of bills like this, bills in the same language, which came from the Committee on Claims.

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

Mr. WADSWORTH. I would like to have the opinion of the Senator from Utah [Mr. SMOOT] on this matter, because we

must know what we are doing. I want to know whether the rule is to apply to claim bills. Is this an appropriation or not?

Mr. SMOOT. I will say that if the bill passes and becomes a law the amount will have to be paid out of the Treasury of the United States.

Mr. OVERMAN. The Senator from New York wants to know whether under the rules every claim bill of this kind has to go to the Committee on Appropriations.

Mr. SMOOT. Oh, no; that has not been the policy of Congress.

Mr. OVERMAN. Under our rule, I think not.

Mr. SMOOT. Claims bills go to the Claims Committee, and if they pass they become the law without any reference to the Committee on Appropriations whatever.

Mr. WADSWORTH. Under what provision of the rule is that done?

Mr. SMOOT. It is a claims bill and the Committee on Claims was organized to consider claims.

Mr. WADSWORTH. That is perfectly true. The Committee on Military Affairs was organized for the purpose of considering military legislation, but it and all the other standing committees of the Senate have given up the prerogative of reporting appropriation bills. Instead of reporting direct appropriations, they report bills framed in such a way as merely to authorize the appropriations. Then at a later time the Committee on Appropriations makes the actual appropriations if it deems it wise. These claims bills do more than merely authorize; they direct, and the Committee on Appropriations has no part in the procedure; and yet the rules of the Senate say that no appropriation shall be reported except from the Committee on Appropriations.

Mr. OVERMAN. I think that only refers to general appropriation bills.

Mr. WADSWORTH. It says any appropriation.

Mr. HARRISON. Our rule further says that the Committee on Appropriations can not report claims not authorized by law. These claims are not authorized by law.

The PRESIDING OFFICER. The Chair will read the provision of the rule that does govern such cases:

All general appropriation bills shall be referred to the Committee on Appropriations, and no amendments shall be received to any general appropriation bill the effect of which will be to increase an appropriation already contained in the bill, or to add a new item of appropriation, unless it be made to carry out the provisions of some existing law, or treaty stipulation, or act, or resolution previously passed by the Senate during that session; or unless the same be moved by direction of a standing or select committee of the Senate, or proposed in pursuance of an estimate submitted in accordance with law.

The language is "all general appropriations." Is there objection to the present consideration of the bill?

Mr. POINDEXTER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state the parliamentary inquiry.

Mr. POINDEXTER. Under the ruling of the Chair can the Committee on Irrigation and Reclamation report to the Senate a bill appropriating money out of the Treasury for the development of an irrigation project? Would that have to be in a general appropriation bill?

The PRESIDING OFFICER. If the present occupant of the chair should then be in the chair, he would rule upon that question when it was presented. That question is not now before the Senate.

Mr. POINDEXTER. The Chair then rules that the Committee on Claims can report appropriation bills which are not general appropriation bills?

The PRESIDING OFFICER. The point of order has not been raised, but the Chair is of the opinion that the bill under consideration does not come within the rule, it being not a general appropriation bill. Is there objection to the consideration of the bill?

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

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

## THE TARIFF.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 7456) to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, and for other purposes.

Mr. POINDEXTER. Mr. President, I send to the desk and ask to have read a letter from the Everett Pulp & Paper Co. relative to a duty on chemical pulp.

The PRESIDING OFFICER. The Senator from Washington asks unanimous consent for the reading of the letter. Without objection it will be read as requested.

The letter was read as follows:

EVERETT PULP & PAPER CO.,
*Everett, Wash., June 23, 1922.*

Hon. MILES POINDEXTER,
*United States Senate, Washington, D. C.*

DEAR SIR: We understand that the Senate Finance Committee now propose to put chemical pulp on free list.

As first agreed on, it was to have some slight protection by a duty of 5 per cent, but we judge the action of the committee in changing chemical pulp to the free list is due to pressure from the newspaper publishers who, in spite of the advocacy of protection for American industries by those who believe in Republican policies, are willing to sacrifice an important industry in this country for their own selfish, short-sighted interests, which will eventually place the production of chemical pulp in the hands of the Canadians, Scandinavians, and Germans.

The manufacture of chemical pulp at Oregon City, Salem, Oreg.; Port Angeles, Camas, Spokane, and Everett, Wash., is an important and growing industry on the Pacific coast, and is entitled at least to the small amount of protection asked for, viz, 5 per cent, and we trust the proposed action of the Senate committee will not be taken.

Yours very truly,

A. H. B. JORDAN, *Vice President.*

Mr. WALSH of Massachusetts. Mr. President, I want to have a letter read which I have received from a merchant at Habana, Cuba, and a letter of introduction from the ex-mayor of one of the cities of Massachusetts, who is engaged in the manufacture of paper. The letters illustrate how the export business in this country is going to be affected by the imposition of these high tariff duties. I ask that both letters may be read.

There being no objection, the letters referred to were read as follows:

WHITMORE MANUFACTURING CO.,
*Holyoke, Mass., April 15, 1922.*

Hon. DAVID I. WALSH,
*Senate Building, Washington, D. C.*

MY DEAR SENATOR: This will introduce to you Mr. Garrett H. Smith, the United States representative of the Compania Litografica de la Habana.

The said company have been one of our most valued customers, and our business with them has gone into many hundreds of thousands of dollars.

Mr. Smith desires to bring some matters to your attention, and I trust that you will find it convenient to grant him an interview of sufficient time that he may lay his case before you.

Thanking you for any courtesies extended to Mr. Smith, I am

Very truly yours,

JOHN J. WHITE.

[Compania Litografica de la Habana, Habana, Cuba.]

NEW YORK, *June 23, 1922.*

Hon. DAVID I. WALSH,
*Senate Building, Washington, D. C.*

DEAR SIR: As you will note, I am the United States and Canadian representative of the Compania Litografica de la Habana. We import into this country for the cigar manufacturers cigar labels and cigar bands, and the extent of our importation is about $100,000 a year. Our work is considered the most beautiful produced anywhere, and a great many of the cigar manufacturers like to dress their packages as handsomely as it is possible to do. In having handsome packages, they compete in appearance with the imported Habana cigar packages.

If the contemplated duty, according to the Ways and Means Committee of the House and the Finance Committee of the Senate, goes into effect it will close us out from doing business in the United States and cause a great deal of hardship to the cigar manufacturers, who will then either be compelled to buy German work or work made in the United States at the price charged them.

As you will note from the letter of introduction, we buy all of the raw materials in the United States, and we are, therefore, just as much an addition to keeping the laboring man in the United States employed as if we had our factories in this country, besides paying an import duty to the Federal Government.

Our purchases of raw materials from the different manufacturers in the States amounts to about half a million dollars a year, and we believe that we are entitled to attention and consideration and not be eliminated from this market. We never have competed, nor have we tried to compete, with the prices of the domestic manufacturers, and we are in an entirely different class from the German importers who import all prices of work and do compete with the domestic manufacturers.

The tariff schedules on lithographed labels and bands is not drawn up on the proper basis, which I have duly reported to the Hon. Senator CALDER, of New York, who very kindly referred me to the Tariff Commission, and we have made an entire explanation to them. Before any change of tariffs is made on cigar labels and cigar bands, thorough investigation of respective costs and selling prices should be made, and due allowance should be made so that the Cuban goods are not taxed beyond a certain limit. The tariff for Cuban goods should in no way be the same as on German goods because the German lithographers manufacture all their own raw materials, or rather purchase them in their own country, where we purchase them here in the United States, pay a duty on them going into Cuba, and pay a further duty on them coming back into the States.

To reiterate and bring this matter vividly to your attention, we import into this country only about $100,000 worth a year and we purchase about half a million dollars worth of raw materials a year to be shipped to Cuba. It would not be right to force the purchasing of these raw materials in other markets.

Upon thorough investigation you will find this of sufficient importance to warrant your personal action.

Very truly yours,

GARRETT H. SMITH.

Mr. WALSH of Massachusetts. I ask that the letters be referred to the Finance Committee.

The PRESIDING OFFICER. Without objection, it is so ordered. The next amendment of the Committee on Finance will be stated.

The ASSISTANT SECRETARY. On page 104, paragraph 726, on line 17, the committee proposes to strike out "1½" and insert "2," so as to read:

PAR. 726. Macaroni, vermicelli, noodles, and similar alimentary pastes, 2 cents per pound.

Mr. WALSH of Massachusetts. Mr. President, the Senate committee amendment increases the duty from 1½ cents, as named in the House bill, to 2 cents a pound. Under the Underwood law these products were dutiable at 1 cent per pound and under the Payne-Aldrich law at 1½ cents per pound. The present bill provides a further increase to 2 cents, an increase of 33⅓ per cent in the rate.

The production in the United States in 1920 was about 450,000,000 pounds, and we imported only 800,000 pounds, less than three-tenths of 1 per cent of the domestic production. The imports come mostly from France and Italy. During the war our production of these articles was increased, and virtually supplied the domestic market. The Italian product commands a small price premium. Italy, however, imports durum wheat from the United States, and the Italian product, therefore, pays freight from and to the United States. Here we have another situation restricting our export business to foreign countries. Macaroni is made from American wheat. The American wheat is purchased from the American farmer, carried across the ocean, made into macaroni, and shipped back here and sold to the Italian people of the United States.

If this duty results in shutting out, as is intended and contemplated, the little macaroni that comes here from Italy, it means that the American wheat, which is purchased by the manufacturers and makers of macaroni in Italy, will lose these customers in Italy. Surely this is another one of the many cases in this bill where there is no tariff question involved, where there is no revenue to speak of, and where there is no occasion for a protective duty. This increased duty can not be defended.

The PRESIDING OFFICER (Mr. JONES of Washington in the chair). The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

Mr. McCUMBER. Mr. President, I want to put in the RECORD at this point a few figures. In 1910 we imported 118,000,000 pounds of the products just under consideration. In 1914 we imported 129,876,000 pounds. The duty collected in 1910 was $1,782,000; in 1911, $1,720,000; in 1912, $1,625,000; and in 1913, $1,587,000. The imports increased up to 1914, when there were almost 130,000,000 pounds imported. So the imports had grown very rapidly, and there is a considerable revenue derived from the duty.

The PRESIDING OFFICER. The next amendment will be stated.

The ASSISTANT SECRETARY. On page 104, paragraph 727, in line 18, after the word "unhulled," the committee proposes to strike out "10" and insert "15," so as to read:

PAR. 727. Oats, hulled or unhulled, 15 cents per bushel of 32 pounds.

Mr. WALSH of Massachusetts. Mr. President, the Senate committee amendment proposes an increase in the duty on oats, hulled or unhulled, from 10 cents per bushel, as provided in the House bill, to 15 cents per bushel; on unhulled ground oats, from 32 cents per 100 pounds, as provided in the House bill, to 45 cents per 100 pounds; on oatmeal, rolled oats, oat grits, and similar oat products, an increase from 60 cents per 100 pounds, as provided in the House bill, to 90 cents per 100 pounds. It will be noted that these increases are very substantial.

Under the Underwood law oats, hulled or unhulled, were dutiable at 6 cents per bushel of 32 pounds. The pending bill therefore represents an increase of 50 per cent over the House bill and 250 per cent over the Underwood law. The Payne-Aldrich rate was 15 cents per bushel, the same as that recommended by the Committee on Finance.

The statistics of production and of imports and of exports do not justify this increased duty. The United States produced in 1920, 1,526,000,000 bushels of oats, valued at $719,000,000. We imported about 6,000,000 bushels and exported about 34,000,000 bushels. It will be noted that the exports were six times the amount of imports of oats. I think the facts show that the few oats that were imported came over the Canadian line, largely into the section of the country which I have the honor in part to represent—the New England section.

Our exports greatly exceeded, in fact, many times exceeded, our imports; and the imports are a very insignificant portion of our consumption.

Mr. President, neither is there a tariff issue involved here. This is a product which is on an export basis. There is no justification whatever for increasing the rate provided in the House bill. There is no revenue to be derived, because the imports are trivial. There is no protective tariff policy involved here, because there is nothing to protect. The situation is exactly the same as that which I have shown to exist in reference to the other cereals which we have discussed during the afternoon. I might add that under the Senate committee amendment the duty will amount to 35 per cent ad valorem.

Let me say in this connection that the only portion of the country that is likely to be affected by these duties upon cereals is the New England section, particularly as to some of the cereals named in paragraph 724 and paragraph 731. All these duties on cereals will be effective in increasing prices in New England. It is not fair to New England to compel us to pay these unusual duties on our Canadian imports. If effective at all, the duties will inure to the disadvantage of the small farmers of New England who depend upon getting feedstuffs for their poultry and cattle from Canada. This is a very serious matter with them, concerning which I shall have more to say when we begin to discuss paragraph 731.

Mr. McCUMBER. Mr. President, I think about the only effect of this tariff under ordinary conditions will be to stabilize the price of the product. In looking over the figures as to importations of products in the agricultural schedule it will be noted that in the fiscal year ending June 30, 1910, we imported 1,034,000 bushels of this cereal and exported 1,685,000 bushels. In 1912 we imported 2,622,000 bushels, in round numbers, and we exported 2,171,000 bushels.

Passing over two years to the fiscal year ending June 30, 1914, it will be found that the imports leaped from 2,622,000 bushels in 1912, or 723,000 bushels in 1913, to 22,073,624 bushels. Of course, that increase must have had a very serious effect upon the value of oats. It will be observed, however, that it was that fiscal year during which the corn crop was somewhat short and in which Argentina corn came into the United States. So the only real effect I think the duty will have will be to stabilize prices, taking one year with another, against any sudden, great inflation in the amount of imports. In other respects, the duty will probably have but little effect upon the price of oats.

Mr. WALSH of Massachusetts. I send to the desk three letters protesting against this proposed duty. I ask that the first letter, from Mr. Alexander S. MacDonald, may be read, as it indicates the effect of these proposed duties upon New England farmers.

The PRESIDING OFFICER. Without objection, the Secretary will read as requested:

The Assistant Secretary read as follows:

BOSTON, MASS., *December 10, 1921.*

Hon. DAVID I. WALSH,
*Washington, D. C.*

DEAR SIR: My attention has been called to tariff bill H. R. 7456, passed by the House July 21, 1921, and now under consideration by the proper committee of the Senate.

I wish to call your attention particularly to paragraph 727 of page 39, which contemplates a duty of 10 cents per bushel of 32 pounds on oats. As you may or may not know, our 1921 American crop is very light in test weight; a large percentage of the new crop is entirely unsatisfactory for the established Massachusetts trade. This State, and all New England as well, buys a heavy-test oat. To make up for this deficiency in heavy oats we have been bringing in a number of oats from Canada (which oats are exceedingly heavy in test). There is at present a duty of 6 cents per bushel on this importation, which is an exceedingly heavy duty, considering the fact that American oats are offered at prices ranging from 45 cents to 50 cents per bushel delivered New England points.

We and all the New England trade would seriously and earnestly oppose any such advance in the duty as is contemplated by the bill in question.

In addition to the above, paragraph No. 724, same page, contemplates placing duty on buckwheat of 30 cents per hundred, whereas entry from Canada to this country on buckwheat has previously been free. This represents a heavy and unwarranted tax.

Paragraph No. 731 places an ad valorem duty of 15 cents per bushel on bran, shorts, and other by-products of wheat. There is at present a duty of about 7½ per cent.

Of far greater importance in connection with this duty on feed is the fact that section 402 of the bill, page 97, rules that the value for purposes of taxation shall be the American market value, which, of course, includes all costs, freight, etc. In other words, if bran is worth $30 per ton delivered in Boston, the new tariff would impose a duty of $4.50 per ton, whereas present duty of approximately 7½ per cent on f. o. b. Canadian value would figure a materially lower amount.

The passage of such duties as mentioned above would work an undue and absolutely unnecessary hardship on the Massachusetts and New England people and would be earnestly and strenuously opposed by each and every one of them if they were acquainted with the facts.

We are confident that the increased duties contemplated would in no way assist the American farmer. To give you a concrete example of this: When the emergency tariff became effective, imposing, as it did, a duty of 35 cents per bushel on Canadian wheat, what was the result? American wheat values continued their downward course and Canadian values, on the other hand, advanced and continued at a tremendous premium over American wheat values until the movement of the Canadian crop became exceedingly heavy in volume.

It is impossible to legislate value into commodities, particularly grains, in which world conditions make the price. If we place a duty prohibiting the movement of Canadian grain to the United States, that grain moves abroad, displaces an equal amount of American grain which might have found an export outlet.

We and others like us, engaged in the strenuous effort of providing a living for ourselves in business to-day, do not have the time or opportunity to dig into the voluminous bills that might be contemplated by a Congress, and sometimes in such cases as these wake up to find harm is done and no change is possible.

I sincerely hope that you will be good enough to look into this situation and do your part to prevent changes being made.

Thanking you in advance for your consideration, I beg to remain,

Very truly yours,

ALEX. S. MACDONALD.

Mr. WALSH of Massachusetts. I ask unanimous consent that the two other letters relative to this matter, to which I have referred, may be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

BOSTON, MASS., *February 8, 1922.*

Hon. DAVID I. WALSH,
*Washington, D. C.*

MY DEAR SENATOR: We wrote you under date of December 10 last, protesting against the proposed increase in duty of oats (727, p. 39), of the new bill, etc.

We are indeed interested to hear from you what the situation is at the moment. The Boston Transcript of February 6 indicated that the sentiment of the Senate Finance Committee in framing tariff rates had approved recommendations of the Senate Republican agricultural bloc, etc. What are these recommendations?

Can you tell us whether our protest and the protest of other New England grain dealers has had any effect? We are also much interested to know when this much-discussed bill will become a law. We who have always handled large quantities of Canadian oats, bringing them into this country, are doing absolutely nothing at the moment, because we dare not. We must sell them "freight and duty paid"; in other words, "delivered Massachusetts and New England." The present duty is 6 cents; the new duty presumably 10 cents. If we had oats bought or in transit to this country when the duty was raised, we would be penalized 4 cents per bushel, which would involve serious loss if any quantities were handled.

You can see from the above that any information you may be in position to give us will be much appreciated.

Very truly yours,

A. S. MACDONALD COMMISSION CO.,
A. S. MACDONALD.

—

MALDEN, MASS., *December 17, 1921.*

Hon. DAVID I. WALSH,
*Washington, D. C.*

DEAR SIR: A few days ago I wrote you in regard to the proposed change in tariff H. R. 7456, and that I was opposed to the increases as they were being considered.

It has come to my attention that oats are also to be included in this increase and that it may be an increase of 4 cents a bushel on Canadian oats. These oats are much heavier than our oats and are used extensively in the poultry feeds. It seems to me that it would be much better if the tariff was removed on the Canadian oats or made much less, in order to encourage the back-yard poultry folks and thereby help reduce the cost of living.

Certainly hope you will consider this matter seriously before finally acting. Thanking you for past favors, I am,

Yours truly,

ROBERT A. HODGDON.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The next amendment of the Committee on Finance was, on page 104, in line 19, after the word "oats," to strike out "32" and to insert "45," and in line 21, before the word "cents," to strike out "60" and to insert "90," so as to make the paragraph read:

PAR. 727. Oats, hulled or unhulled, 15 cents per bushel of 32 pounds; unhulled ground oats, 45 cents per 100 pounds; oatmeal, rolled oats, oat grits, and similar oat products, 90 cents per 100 pounds.

Mr. WALSH of Massachusetts. I have nothing further to say on this paragraph.

The PRESIDING OFFICER. The question is on the committee amendment.

The amendment was agreed to.

The next amendment of the Committee on Finance was, on page 104, line 22, after the word "rice," to insert "three-eighths of," so as to read:

PAR. 728. Paddy or rough rice, three-eighths of 1 cent per pound.

Mr. BROUSSARD. Mr. President, I think it was on May 3 I addressed the Senate somewhat at length on the subject of the duty on rice, and for that reason I shall not impose upon the Senate any further discussion, unless it is desired to debate this paragraph. I do intend at the proper time, however, to ask the Senate to disagree to the amendment proposed by the Finance Committee. I shall not do so at this time, because my colleague [Mr. RANSDELL] happens to be absent and has requested that this paragraph go over until his return, which will be in the early part of next week. I trust that the chairman of the committee may be willing to grant the request of my colleague.

Mr. McCUMBER. Mr. President, I listened attentively to every word of the address of the Senator from Louisiana some time ago upon the subject of the growing of rice in the United States. I confess I was very much impressed with his presentation, and I believe, after more mature consideration, that the committee amendment is unjustified and that there should be a greater tariff duty upon the product than the committee has recommended. I shall be glad to grant the request made by the Senator and allow the paragraph to go over until his colleague has returned to the Senate.

Mr. BROUSSARD. I thank the Senator from North Dakota.

The PRESIDING OFFICER. Paragraph 728 will be passed over. The Secretary will state the next amendment.

The next amendment of the Committee on Finance was, on page 105, line 3, after the word "rye," to strike out "10" and to insert "15," so as to read:

PAR. 729. Rye, 15 cents per bushel of 56 pounds.

Mr. WALSH of Massachusetts. Mr. President, the same facts that have been presented with reference to the other cereals apply to rye. The Senate committee amendment increases the rate from 10 cents, as provided in the House bill, to 15 cents per bushel; and on rye flour increases the rate from 30 cents to 45 cents per hundred pounds. In the Underwood law rye and rye flour are on the free list. In the Payne-Aldrich law rye was dutiable at 10 cents per bushel and rye flour at one-half of 1 cent per pound, or 50 cents per hundred pounds. In the case of rye the pending bill provides an increase of 50 per cent over the rate of the Payne-Aldrich act. The production in the United States of rye increased from 32,000,000 bushels in 1914 to 89,000,000 in 1918. Our imports increased from 44 bushels in 1913 to 36,000 bushels in 1914 and reached 1,000,000 bushels in 1920. Our exports were 57,000,000 bushels in 1920. So we have a very large domestic production and an export trade 57 times greater than our import trade.

Here, again, there is no tariff question involved. We are on an export basis; and I can not understand any sound reason for the committee's action in increasing the rate named in the House bill from 10 to 15 cents per bushel.

The Senator from North Dakota has referred several times to the fact that the levying of tariff duties has a tendency to stabilize prices when there is a shortage in the production at home. The importation of cereals and like products tends to stabilize prices when there is a shortage at home and not the exclusion of them. The years when there have been importations of these cereals in any amount have been years when the production at home was not sufficient for our people; and how the Senator can argue that the exclusion of cereals at such a time stabilizes prices is beyond my understanding. I believe it is a positive benefit to our people to be able, with reasonable tariff duties, to get these cereals from foreign countries when our own supply is short. When our own supply is short and there are no imports available, it means that the price will rise and rise, and reach unjustifiable heights and limits.

I do not see how the Senator can defend these increases when these products in reality ought to be on the free list.

Mr. McCUMBER. Mr. President, the Senator is absolutely right in what he says. If the price is low, and there is a tendency for it to rise, importation into the country will stabilize it, but it will stabilize it at a lower rate. If the price is high, and there is a tendency to lower it, the keeping out of the product will stabilize it in the way of holding up the price, as those who represent the farming industries want it to do; so I think we are both correct. The only difference is that the Senator wants the low price and I want the high price. I want to stabilize it on the high standard and the Senator would prefer to stabilize it on the lower standard. We are both correct, I think.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The READING CLERK. On line 4, after the words "rye flour and meal," it is proposed to strike out "30" and insert "45," so as to read:

Rye flour and meal, 45 cents per 100 pounds.

The amendment was agreed to.

The READING CLERK. On line 5, after the word "wheat," it is proposed to strike out "25" and insert "30," so as to read:

Wheat, 30 cents per bushel of 60 pounds.

Mr. WALSH of Massachusetts. Mr. President, the Senator from North Carolina [Mr. SIMMONS] and other Senators are interested in this paragraph, and I should like to ask that it go over until to-morrow. It is a very important paragraph.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it will be passed over. The Secretary will state the next amendment of the committee.

The next amendment was, on page 105, line 10, before the words "per cent," to strike out "15" and to insert "10"; in line 11, after the word "valorem," to strike out "per ton"; at the beginning of line 13, before the word "malt," to strike out "dried beet pulp,"; in the same line, before the word "brewers'," to strike out "and"; in the same line, after the word "grains," to insert "and dried beet pulp,"; in line 15, after the word "with," to strike out "oil cake or oil-cake meal, or"; and to insert "oil cake, oil-cake meal,"; and in line 16, before the word "per," to strike out the figure "6" and to insert "15"; so as to make the paragraph read:

PAR. 731. Bran, shorts, and other by-product feeds obtained in milling wheat or other cereals, 10 per cent ad valorem; hulls of oats, barley, buckwheat, or other grains, ground or unground, 10 cents per 100 pounds; malt sprouts, brewers' grains, and dried beet pulp, $5 per ton; mixed feeds, consisting of an admixture of grains or grain products with oil cake, oil-cake meal, molasses, or other feedstuffs, 15 per cent ad valorem.

Mr. WALSH of Massachusetts. Mr. President, I think I have received more letters in protest of the duty fixed in this paragraph than any other paragraph in the whole bill.

These products come from Canada, and are used in the feeding of cattle and poultry by the New England farmers, and they are very, very much opposed to these duties. They urge that these products be placed upon the free list. I am not going to take the time to reiterate what I have said in discussing buckwheat, but I am going to ask that these letters be inserted in the RECORD, and I call attention particularly to a letter from the Boston Chamber of Commerce, protesting against these duties. I think these letters are from about every section of the State of Massachusetts, and they all unite in protesting against the duties named in this paragraph, and they all assert that these rates will be effective to them; they will have to pay an increased price, because they get these products from Canada and not from the West. It simply means the levying of an increased price upon the farmers of New England. These duties hit New England hard and do no good to the western farmers.

Mr. HITCHCOCK. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Nebraska?

Mr. WALSH of Massachusetts. I do.

Mr. HITCHCOCK. They think they will probably be injured by this increased cost in the raising of poultry more than they can possibly be benefited by having a tariff put on poultry at the expense of the consumers in Massachusetts?

Mr. WALSH of Massachusetts. Exactly. I referred a short time ago to the fact that yesterday we considered that the tariff duties upon poultry should be increased, and to-day I have protest after protest against the increased duty upon these products which the raisers of poultry and of cattle feed to their poultry and cattle.

Mr. WADSWORTH. Mr. President, will the Senator state if he has received any protests against the tariff on poultry from poultry raisers?

Mr. WALSH of Massachusetts. No; I have not.

Mr. WADSWORTH. Then, as I understand, the Senator's correspondents are entirely willing to have a tariff on poultry, but not a tariff upon the material that they feed to poultry?

Mr. WALSH of Massachusetts. I will say to the Senator frankly that if I had any correspondence of that kind it probably would be of that nature; but whatever correspondence I have had has been in protest of these duties which increase the cost of the feedstuffs to the farmers of New England. I must say, to their credit, that I have not received, as far as I recall, a request from a farmer in New England or Massachusetts for an increased duty upon poultry—not one. I did receive some letters favoring protective duties upon milk and cream and agricultural products in general.

Mr. HITCHCOCK. Mr. President, it was asserted here yesterday that the reason why they needed the tariff upon poultry was because of the higher cost of producing poultry in the United States; and now we find in this paragraph, put in by the same committee, the main reason why poultry may be produced at higher cost in the United States than in Canada. It is the same old vicious circle that runs all through this bill. You have taxed every article you can possibly conceive of, and you have made it so that it costs the United States more to produce everything under the sun, according to your argument, than any other country can produce it for.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Massachusetts for printing in the RECORD certain letters indicated by him? The Chair hears none. The letters are as follows:

GRAIN BOARD OF THE BOSTON CHAMBER OF COMMERCE,
*Boston, Mass., Dec. 7, 1921.*

Hon. CHARLES M. COX,
*7½ Chamber of Commerce Building Boston, Mass.*

DEAR MR. COX: At a meeting of the grain board of the Boston Chamber of Commerce held to-day the question was brought up as to the proposed new tariff act on grain now under consideration by our Congress, and the following resolutions were passed unanimously:

"*Resolved*, That the grain board of the Boston Chamber of Commerce views with alarm the proposed new tariff act of 1921, known as H. R. 7456, so far as it relates to the marked increase in the tariff rates of importation on buckwheat, bran, and shorts. Representing, as we do, the wholesale and retail grain interests of New England, we take this method of informing our Senators that it is of material help to New England to receive importations from Canada of buckwheat and bran in certain years, especially when the supply is short in our own country."

The proposed new tariff—paragraph No. 724—would impose a duty on buckwheat of 30 cents per 100 pounds, whereas for at least 17 years to our knowledge there has been no duty whatever on this article. We respectfully request that this product should come in free or that a maximum duty be set not exceeding 10 cents per 100 pounds.

There is no item of domestic saving which comes closer to the common people of New England than that of keeping a small flock of hens. Their number is legion and they are scattered through every town and many cities. Buckwheat is fed entirely in New England to hens and is an important adjunct.

Paragraph No. 731 relates to bran and imposes a duty of 15 per cent "ad valorem," which, we understand, it is planned shall be on the basis of United States valuation. We respectfully protest against an "ad valorem" basis. It involves serious question as to what price shall be considered a fair value in a country as large as ours and where the prices in the Middle West are so much lower than in the East, owing to the high rates of freight. We respectfully urge that bran and shorts be put on a "specific" basis, and we also respectfully suggest a rate of 10 cents per 100 pounds as fair and reasonable.

A comparatively small amount of bran is imported from Canada when conditions are favorable. It usually comes at periods, as at the present time, when our own mills, which are running only part time, can hardly supply the demand. Bran is considered by farmers as an important feed for cattle and horses. We respectfully urge that the rate of duty be set not to exceed 10 cents per 100 pounds on a "specific" basis.

It was voted that you be delegated to represent the grain board before the Senate Finance Committee in respect to this matter, and we should appreciate any efforts which you can put forth to convince our Senators that New England would suffer from an advanced rate of duty on grain and grain products.

Very truly,

J. E. SOUTHWORTH, *Chairman.*

—

CHARLES M. COX CO.,
*Boston, August 18, 1921.*

Hon. DAVID I. WALSH,
*United States Senator from Massachusetts,*
*Washington, D. C.*

MY DEAR SENATOR WALSH: It is not often that I have felt called upon to write you for any business reason.

I am now taking the liberty of saying that there is one item, or perhaps one series of items, in the Fordney tariff bill which affects our business materially. It is that section which relates to a duty on bran or any other by-products of flour mills, and also which relates to tariff on ground oat hulls or by-products of oatmeal mills.

Very large amounts—many hundreds of cars annually—of bran have been imported into this country from Canada, but from no other country.

Probably at least nine-tenths of this bran comes into New England, and it all helps our eastern farmer to buy his grain ration at a little lower price.

We understand that in the latest phase of the Fordney bill the tariff on these goods is put at 15 per cent ad valorem, whereas the original Fordney bill carried a tariff of $1.50 per ton. Our hope and earnest desire is that when the bill is finally adopted it will be on a specific basis and not ad valorem, and, of course, also that the rate be as low as is reasonably possible.

The reasons that you have not heard from many people on this subject are manifest. In our own case, for example, we buy ten or twenty times as much bran and feedstuffs from our own mills as we do from Canada, and we are not in a position, therefore, to conduct an active campaign on this subject because of the possibility of offending our own mills.

Other similar reasons probably deter a good many people from making a campaign, while the consumers and eastern farmers are doubtless not informed on the question.

Anything you feel like doing in order to assist in bringing about the specific duty at a low rate, say $1.50 or $2 per ton, which would, in other figures, be 7½ cents to 10 cents per hundredweight, will be very much appreciated.

Yours very truly,

CHARLES M. COX.

P. S.—The reason that we desire the specific rather than the ad valorem duty is to avoid possible disputes in explanation of prevailing prices on commodities. We find it sometimes vexatious and troublesome.

Our own interests in this matter are small compared with that of the New England farmers, who are the ones who would be benefited by a reduced tariff.

—

CONCORD, MASS., *December 7, 1921.*

Hon. DAVID I. WALSH,
*Washington, D. C.*

DEAR SIR: With the interests of the farmers of this section in mind I wish to ask that you do everything within your power to defeat the proposed tariff taxing the imports of bran and buckwheat from Canada. I refer to the new tariff (H. R. 7456), on which I understand hearings are now being held.

Our farmers have hardly been able to receive for their products the amount expended to produce them, and with the proposed tariff in

effect it is sure to make their condition worse. Not only will it result in higher prices for the commodities themselves, but will be felt in all the ready-mixed feeds of which they form a part.

This past year has been one of unusual hardship for the farmer in this State and everything that can possibly be done in his behalf at the present time will help wonderfully. What we ask is that buckwheat will continue to come into the country free as it has in the past, and that bran will be on a "specific basis" of 10 cents per hundred pounds. I sincerely hope you will stand back of the farmers and do whatever you can to see that this additional burden is not allowed to be placed on the farmers of this State.

Respectfully yours,

B. W. BROWN GRAIN CO.
ROBERT P. DUKESHIRE, *Manager.*

—

WRENTHAM, MASS., *December 8, 1921.*

Hon. DAVID I. WALSH,
*United States Senate Chamber, Washington, D. C.*

SIR: We understand that the proposed tariff law tends to increase the duty on grain, and we should like to call this to your attention so that you may protect the interest of New England, and we believe that you can do so by bringing about a reduction of rates.

This would especially apply to bran, which is used in large quantities by the dairy interests of New England, and to buckwheat, which is used by poultry raisers.

It seems important enough to us for you to take some action immediately, and we respectfully urge that you do so.

Respectfully,

W. K. GILMORE & SONS, INC.
G. W. GILMORE.

—

ROSLINDALE P. O., BOSTON, MASS.,
*December 7, 1921.*

Hon. DAVID I. WALSH,
*United States Senate Chamber, Washington, D. C.*

SIR: Our attention has been directed to the proposed new tariff, known as H. R. 7456. In our opinion, we are very certain that this bill, as now drafted, will be detrimental to the interest of New England, especially to the farmers and poultry raisers.

There are two items in particular that we wish you would kindly consider. First, that of bran. We would ask that you use your good influence to have this assessed as a specific duty rather than on an ad valorem basis. It is probably needless for us to narrate our reasons for the change, as you well understand the confusion it would cause. The specific duty ought not to be over 10 cents per hundred.

Another item, appearing on page 39 of the bill, is the proposed assessment of 30 cents per hundredweight on buckwheat. This is the first time buckwheat has been placed on a duty list. A large proportion of the buckwheat used by New England poultry raisers comes from Canada, and we believe this supply should not be shut off. Buckwheat ought to come in free, and we kindly ask that you extend your influence to place it on the free list, as well as to make a specific duty on bran of 10 cents per hundredweight.

We can not help but reiterate that these changes seem so vital for New England that, consequently, we feel justified in asking you to exert very definitely your influence.

Respectfully,

THE WHITTEMORE CO.

—

LAWRENCE, MASS., *December 9, 1921.*

Hon. DAVID I. WALSH,
*Washington, D. C.*

DEAR SIR: We have noticed on page 39 of the new tariff act of 1921, bill H. R. 7456, that the duty assessed on bran is on ad valorem basis rather than a specific basis. We believe this will cause no end of confusion and materially increase the price to the New England dairy interests, and would kindly ask that you use your influence to change the basis of duty to 10 cents per hundredweight. We feel that bran is a very important article for the dairy interests of New England, and believe that you can be of real service in this matter. Will you kindly give this your attention?

Respectfully yours,

H. BRUCKMANN,
By FRED L. TINSCH, *Manager.*

—

WOBURN, MASS., *December 9, 1921.*

Hon. DAVID I. WALSH,
*United States Senate Chamber, Washington, D. C.*

DEAR SIR: We have been using more or less Canadian bran in our business for the last few years and have found that it has been of great value to the New England dairy interests.

This is especially true when the crop conditions in the United States are poor, as it gives us an outside supply tending to keep the prices down to a reasonable level.

We have always found Canadian bran to be of good quality.

The new tariff act of 1921 imposes a high ad valorem duty. We wish to protest against this vigorously, claiming that if any duty is to be assessed it should be a specific one and ought not to exceed over 10 cents per 100 pounds.

Our convictions are so strong that we are going to ask you to use your good offices to make the desired changes.

We trust that you will do all in your power to bring about an amendment in the proposed bill.

Respectfully,

CUMMINGS & CHUTE,
LOUIS A. CHUTE.

—

MALDEN, MASS., *December 10, 1921.*

Hon. DAVID I. WALSH,
*Washington, D. C.*

DEAR SIR: I am strenuously opposed to any increase in duty on buckwheat and bran as proposed in new tariff (H. R. 7456). It will certainly increase the price of these commodities and work a hardship on the consumer.

Respectfully yours, JOHN V. KIMBALL, *Mayor.*

WAKEFIELD, MASS., *December 10, 1921.*

Hon. DAVID I. WALSH,
*Washington, D. C.*

HONORABLE SENATOR: I have learned that there is now before the Senate Finance Committee a tariff which proposes placing a duty on bran, buckwheat, and grain products in general.

Would like, therefore, to call your attention to the fact that the farmers of New England are now already overburdened; that there are numerous farm lands for sale at the present time for little or nothing, and that any additional strain would mean much to them.

May I respectfully request that you support amendments to this tariff to the effect that buckwheat be allowed to enter free, or that, if a duty is necessary on either one of these above-mentioned items, it be not over 10 cents per hundred pounds, on a "specific basis."

Respectfully yours,

MRS. MABELLE J. WEBSTER.

—

GLOUCESTER, MASS., *December 8, 1921.*

Hon. DAVID I. WALSH,
*United States Senate Chamber, Washington, D. C.*

SIR: We wish to protest against the provisions of the new tariff act, known as H. R. 7456, wherein it is proposed to tax grain if brought from Canada into the United States.

We believe that the New England farmer and poultry raiser will suffer and that the western farmers will receive a benefit at the New England farmers' expense.

This is especially true when there is a short supply in our own country, and only by importing bran and wheat feeds from Canada are we likely to keep prices down to a reasonable level.

Can you not arrange to give your attention to this matter so as to reduce the rate of tariff, or, if possible, to eliminate it?

Anything which you can do will be appreciated, and we feel certain that you will be rendering a service to New England.

Respectfully,

D. B. HODGKINS SONS.

—

WEST BRIDGEWATER, MASS., *December 10, 1921.*

Hon. DAVID I. WALSH,
*United States Senator, Washington, D. C.*

DEAR SIR: Just a few words in protest against the proposed tariff bill (H. R. 7456), on grain, especially bran and buckwheat. We think this an added burden on the already overburdened people of New England. We respectfully urge that you use your influence to defeat this bill.

Very respectfully,

WEST BRIDGEWATER GRAIN CO.,
By A. D. TODD, *Vice President.*

—

BOSTON, *December 10, 1921.*

Hon. DAVID I. WALSH,
*United States Senate, Washington, D. C.*

DEAR SIR: Congress is now in the act of forming a new tariff bill, known as H. R. 7456, and we understand they propose to about double the duty which we have been paying on Canadian bran.

This would make feed bran cost our farmers more than at present and we think you realize that the farmers in this country are selling their grain at very small prices and anything which we can get into this country that will cost them less, which they use, will surely help them.

From 1913 to 1921 bran was admitted free, but under the emergency tariff of 1921 the rate has been 10 per cent "ad valorem," based, however, on foreign values. It is now proposed to make the duty 15 per cent "ad valorem," based on American values.

What we would suggest is that the rate be made 10 cents per 100 pounds, on what is known as the "specified basis." We think the people should be interested in any legislation that will bring about the lower cost of living.

Yours very truly,

RODNEY J. HARDY & SONS.

—

WAKEFIELD, MASS., *December 8, 1921.*

Hon. DAVID I. WALSH,
*United States Senate Chamber, Washington, D. C.*

SIR: It has always been quite a help to us in the grain business to be able to buy Canadian bran at certain times of the year, and we feel that the interests of New England should be taken care of, especially as it appears that the powerful western agricultural interests are proposing a high tariff on bran. This tariff will act against us in their favor.

We certainly believe that the duty on bran should be reduced and should be based on a specific basis.

We hope that you can devote sufficient time and energy so as to effect an amendment to the new tariff law now in process of enactment.

Respectfully,

CURLEY BROS.

—

BOSTON, *December 29, 1921.*

Hon. DAVID I. WALSH,
*Washington, D. C.*

DEAR SENATOR: The proposed new tariff, paragraph 731, refers to bran and imposes a duty of 15 per cent "ad valorem," which we understand it is planned shall be on the basis of United States valuation. We respectfully protest against an "ad valorem" basis. It involves a serious question as to what price shall be considered a fair value in a country as large as ours and where the prices in the Middle West are so much lower than in the East, owing to the high rates of freight. We respectfully urge that bran and shorts be put on a "specific" basis, and we also respectfully suggest a rate of 10 cents per 100 pounds as fair and reasonable.

A comparatively small amount of bran is imported from Canada when conditions are favorable. It usually comes at periods, as at the present time, when our own mills, which are running only part time, can hardly supply the demand. Bran is considered by farmers as an important feed for cattle and horses. We respectfully urge that the rate of duty be set not to exceed 10 cents per 100 pounds on a "specific" basis.

The proposed new tariff, paragraph 724, would impose a duty on buckwheat of 30 cents per 100 pounds, whereas for at least eight years there has been no duty whatever on this article. We respect-

fully request that this product should come in free or that a maximum duty be set not exceeding 10 cents per 100 pounds. Buckwheat is fed in New England to hens and is an important adjunct.

There is no item of domestic saving which comes closer to the common people of New England than that of keeping small flocks of poultry. Their number is legion and they are scattered through every town and many cities.

All other grains and by-products are on a specific basis. The same arguments which make for a specific duty on wheat, corn, oats, rye barley screenings, dried beet pulp, etc., would apply to bran, shorts, and other wheat by-products.

Yours very truly,

WALKER-GORDON LABORATORY CO.,
By G. W. FRANKLIN, *Treasurer*.

—

NEWTON CENTRE, MASS., *December 9, 1921.*

Hon. DAVID I. WALSH,
*United States Senate, Washington, D. C.*

DEAR SIR: In the interest of reducing the high cost of living, we feel that there should be no duty placed on grain which has previously come into this country free and at a low rate of duty. The proposed tariff act taxes grain quite materially. We believe that you could be of considerable aid to the people in New England by protesting against any increase in duty, and we kindly suggest that you bring your influence to bear.

Respectfully,

F. W. DORR CO.,
F. W. DORR.

—

MANSFIELD, MASS., *December 12, 1921.*

Hon. DAVID I. WALSH,
*Washington, D. C.*

SIR: We wish to refer to the duty assessed on page 39 of the bill H. R. 7456 as it relates to grain and grain products. We believe that the basis of assessing duty should be specific and not ad valorem. Such a provision would cause trouble, and we hope that you will do your best to have the tariff amended. We do not believe it right to assess any more duty than has been assessed for the last few years, and we trust that you will use your influence to this end.

Yours truly,

MANSFIELD COAL & GRAIN CO.,
ALEX H. MCRAE, *Treasurer*.

—

FALL RIVER, MASS., *December 12, 1921.*

Hon. DAVID I. WALSH,
*Washington, D. C.*

SIR: We wish you would devote your influence for a short time to the proposed new tariff bill relating to the assessment of duty on grain. New England has been very fortunate in obtaining a supply from Canada so that her farmers have been prosperous, but according to our understanding it is now proposed to shift this advantage from New England to the western farmer. We wish to enter our vigorous protests. Anything which you can do will be appreciated.

Yours truly,

MACKENZIE & WINSLOW (INC.),
By THOMAS WALKER, *Treasurer*.

—

QUINCY, MASS., *December 12, 1921.*

Hon. DAVID I. WALSH,
*United States Senate, Washington, D. C.*

SIR: The proposed tariff bill places a high duty on grain and does not meet with our approval. We feel that the New England farmer is entitled to as low, if not lower, grain prices than he has enjoyed in the past, and we would kindly ask that you put forth your efforts in his favor. We feel certain that it will be appreciated, especially as it now appears that New England is going to suffer at the benefit of the western agricultural interests.

Yours respectfully,

F. H. CRANE & SONS (INC.).

—

SALEM, MASS., *December 9, 1921.*

Hon. DAVID I. WALSH,
*United States Senate, Washington, D. C.*

SIR: The bill known as House bill 7456 increases duty on grain, part of which we have been in the habit of getting from Canada. To us it seems a mistake to restrict the market. Can you not help us out? We feel that you might be able to eliminate or at least lessen the rate of duty. We are expecting that you will put forth your best efforts.

Respectfully,

ROPES BROS.

—

BARRE, MASS., *December 10, 1921.*

Senator D. I. WALSH,
*Washington, D. C.*

DEAR SIR: I write to ask your support in opposing the new tariff bill, H. R. 7456, which places higher duties on Canadian grains and feeds.

The New England dealers and consumers will suffer greatly under such a bill. Up to date New England has been able to use many of these grains and feeds owing to short hauls and low rates, so it was of much value to the consumers in keeping prices down.

Yours truly,

HOWARD & HIGGINS.

—

FITCHBURG, MASS., *December 10, 1921.*

Senator DAVID I. WALSH,
*Washington, D. C.*

DEAR SIR: My attention has been called to the new tariff bill, H. R. 7456, placing higher duties on Canadian grains and feeds. I would like to ask you to oppose this, as it will work a great hardship on New England dealers and consumers. In the past New England has been able to use considerable of the grains and feeds from Canada, owing to short hauls and low rates, and it has been of great advantage to the consumers in keeping prices down.

Yours truly,

EDW. F. ACKLEY.

FITCHBURG, MASS., *December 10, 1921.*

Hon. DAVID I. WALSH,
*Washington, D. C.*

DEAR SIR: We understand that the proposed new tariff bill, known as H. R. 7456, proposes to greatly increase duties on all grain and grain products from Canada.

New England is a natural market for a considerable amount of Canadian grain and grain products at certain times of the year, and as agricultural conditions are in New England we feel careful consideration should be given to any tariff placing additional burdens on our people engaged in this line of activity.

Yours very truly,

J. CUSHING CO.

—

WINCHESTER, MASS., *December 10, 1921.*

Hon. DAVID I. WALSH,
*Washington, D. C.*

DEAR SIR: Am I correct in assuming that it is proposed to increase the duty on grain coming from Canada into the United States? If this is true, I should like to enter my protest, as it seems to me that the Canadian supply should not be artificially restricted.

This increase, of course, would have to be paid by the consumer.

One of our greatest problems to-day is to get the cost of living down to a basis where it would be fair to all, but if the country, carrier, and distributor will not cooperate I doubt if we ever see the problem settled.

Hoping you can favor the consumer on this bill, I am,

Very truly,

C. H. SYMMES.

—

SPENCER, MASS., *December 16, 1921.*

Hon. DAVID I. WALSH,
*Washington, D. C.*

DEAR SIR: Our attention has been directed to the fact that the new tariff bill, H. R. 7456, as passed by the House of Representatives tends to greatly increase the duty on grain.

We feel that grain should continue to come into the United States free or at a slight duty, and would kindly ask that you exert your influence to this proposition.

It is very important for New England that bran be admitted from Canada free when there is a poor crop in this country, so that the dairy interests of New England will not suffer and be at the mercy of the western farmers.

We hope that you will protest against such a duty, and ask that you do your utmost to give us relief.

Respectfully,

H. P. HOWLAND & SON.

—

FOXBORO, MASS., *December 12, 1921.*

Hon. DAVID I. WALSH,
*Washington, D. C.*

SIR: We wish to refer to the duty assessed on page 39 of bill H. R. 7456 as it relates to grain and grain products. We believe that the basis of assessing duty should be specific and not ad valorem. Such a provision would cause trouble, and we hope that you will do your best to have the tariff amended. We do not believe it right to assess any more duty than has been assessed for the last few years, and we trust that you will use your influence to this end.

Yours truly,

FOXBORO GRAIN CO.,
ALEX H. MCRAE, *Treasurer*.

—

HOLLISTON, MASS., *December 10, 1921.*

To the Hon. DAVID I. WALSH.

SIR: Recently we have been informed that there may be a duty assessed on grain coming in from Canada, which previously has been practically free from any duty. In our opinion, this would be a mistake and detrimental to the agricultural interest of New England. Will you kindly bring whatever influence is necessary to bear so as to change the proposed rates?

Respectfully,

G. A. FAIR.

—

NATICK, MASS., *December 8, 1921.*

Hon. DAVID I. WA SH,
*United States Senate, Washington, D. C.*

SIR: We understand that the new tariff law provides for increase in duty on grain coming into this country from Canada. To us this seems inimical to the interests of New England, and would kindly ask you to use your influence to have the rates of duty decreased. We refer especially to items of bran and buckwheat, which are vital to the dairy and poultry interests of New England. The duty on these two items should not be more than 10 cents per hundredweight.

Respectfully,

ROBINSON & JONES CO.,
CHARLES F. ROBINSON,
*Secretary and Treasurer*.

—

BOSTON, MASS., *December 10, 1921.*

Hon. DAVID I. WALSH,
*Washington, D. C.*

DEAR SIR: Referring to the emergency tariff bill, H. R. 7456, regarding increased duty on grain and feed coming from Canada to the United States—

We understand that this bill has passed the House and will go before the Senate next Tuesday or Wednesday. As we understand it, this is quite an increase in duty, which makes an increased cost to the consumers in the United States, especially New England, as there are great quantities of grain and feed shipped into New England from Canada.

It would seem to us that it is an inopportune time for the Government to increase any fixed charges, such as duty, thereby increasing the cost of the goods and making the cost of living so much higher to the general public. Inasmuch as the trend of the times is to reduce the cost of living and bring about stable business conditions, it would be wise policy for the Government not to make such a change in the tariff. In fact, we believe the less the Government has to do with interfering with general business conditions and protecting one interest at the cost of another, we would all be much better off in a shorter

time than by having continued Government interference, so that we do not know where we are at and are doing business under very annoying and uncertain conditions.

We trust you will use your best influence to oppose any passage of this tariff bill; and if it is to be passed, there should be sufficient time set so that present contracts that are made for shipment in December and January may be shipped without any increased duty and a disruption of the business.

Yours truly,

HENRY JENNINGS.

—

LAWRENCE, MASS., *December 9, 1921.*

Hon. DAVID I. WALSH,
*United States Senate, Washington, D. C.*

DEAR SIR: I understand that the new tariff act of 1921 proposes to place a duty on certain grains which are shipped from Canada to this country.

New England, as you know, produces but little grain, and any import duty on same would work a hardship to farmers and consumers here who must use it.

The New England grain dealers are, of course, solicitous of the welfare of the farmer, who is his best customer, which accounts for my writing you this letter.

Respectfully yours,

DEAN K. WEBSTER, *Treasurer.*

—

UXBRIDGE, MASS., *December 10, 1921.*

Hon. DAVID I. WALSH,
*Washington, D. C.*

SIR: We should appreciate it very much if you would use your influence to reduce the tariff rate as now proposed on grain and mill feeds. Anything that you could do would be helpful to New England farmers, and our observation leads us to believe at the present time they should be helped rather than discouraged. It seems important to us to keep the price of grain as low as possible, and we would kindly ask that you put as many grain items as possible on the free list. If it is impossible to do this, we trust that you will see that the duty is reduced.

Yours truly,

TAFT BROS.

—

164 GREEN STREET,
MELROSE, MASS., *December 10, 1921.*

Hon. Senator DAVID I. WALSH,
*Washington, D. C.*

DEAR SIR: The people of this State and all New England are not in favor of the tariff now in process, which will place a duty on buckwheat and bran, because of the fact that these two articles are necessary to our farm life. We must have them and at a reasonable price, and we do not believe they are imported only at times when they come as a relief to us.

Will you kindly see that these articles are allowed to enter free or at a rate of not more than 10 cents on a specific basis?

Respectfully,

CHAS. H. CLOUDMAN.

—

1078 MAIN STREET,
MELROSE HIGHLANDS, MASS., *December 9, 1921.*

Hon. Senator DAVID I. WALSH,
*Washington, D. C.*

HONORABLE SIR: I have been informed that there is now in process a new tariff act proposing new increased duties on grain and grain products.

May I respectfully request that you protect the interests of the common people of New England in so far as a tariff is concerned that will place additional burden on our farmers in their effort to keep hens, cattle, and horses.

Respectfully yours,

GLADYS E. MORRISON.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from North Dakota?

Mr. WALSH of Massachusetts. Yes.

Mr. McCUMBER. If the argument of the Senator from Nebraska means anything, it means that the farmers of this country, and especially those who raise poultry, eggs, and so forth, are entirely dependent upon Canada, and could not live unless they could get Canadian imports free. This is one of those difficult problems that we have to solve, where one class of people who live upon the farm produce grain, and the other class produce cattle, and feed cattle, and sell milk and butter, as is indicated by the interesting question of the Senator from New York, when he asked whether or not any of these poultry raisers had asked that poultry be placed upon the free list. I think that the people who produce poultry and who produce eggs pressed us more vigorously for high rates than any other class of people that I know of in the United States. I am not complaining that they want the highest possible tariff. Also, those who produce milk and cream and butter want as high protection as they can possibly get; and in all cases we placed their duties considerably lower than they thought were necessary for them to live upon. They all want free feed for their cattle, however, and free feed for their chickens. We had to work out the best solution of the problem that we could upon a protective basis so as to give the producer of the feed some little protection, and at the same time to give a better protection to the man who produced the final product in the shape of eggs and dairy products.

Upon screenings, and so forth, we are going to recommend a very low rate of duty, about 10 per cent ad valorem; and upon bran, shorts, and so forth, while our farmers want a good price for their bran and shorts because they think that assists in holding up the price of the grain, we have had to consider their interest in connection with the interest of the dairymen who have to feed bran and shorts, and we have given both a protection which was as nearly as we could measure justice between the two.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment of the Committee on Finance was, on page 105, line 19, after the word "Unground," to strike out "75 cents" and to insert "$1.50"; and in line 20, after the word "ground," to strike out "$1.50" and to insert "75 cents," so as to read:

PAR. 732. Screenings, scalpings, chaff, or scourings of wheat, flaxseed, or other grains or seeds: Unground, $1.50 per ton; ground, 75 cents per ton.

Mr. McCUMBER. Mr. President, the committee requests me to propose the following amendment in paragraph 732, on page 105.

Strike out all of the matter after the word "unground," in line 19, down to and including the words "a ton" in line 20, where it last occurs in the line, and insert in lieu thereof the words "or ground, 10 per cent ad valorem," so that it will read:

Screenings, scalpings, chaff, or scourings of wheat, flaxseed, or other grains or seeds: Unground or ground, 10 per cent ad valorem.

The PRESIDING OFFICER. The Senator from North Dakota offers an amendment which will be stated by the Secretary.

The READING CLERK. On page 105 it is proposed to strike out all the matter after the word "unground" in line 19, down to and including the word "ton" in line 20, where it last occurs in the line, and to insert in lieu thereof the following:

Or ground, 10 per cent ad valorem.

Mr. WALSH of Massachusetts. Mr. President, may I ask the Senator if that is an increase in the rate?

Mr. McCUMBER. It decreases it enormously.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The next amendment was, on page 105, at the beginning of line 21, to strike out "That screenings, dirt, and other foreign matter mixed with grains or seeds provided for in this title shall pay the same rate of duty as the grains or seeds: *Provided further*," so as to read:

*Provided*, That when grains or seeds contain more than 5 per cent of any one foreign matter dutiable at a rate higher than that applicable to the grain or seed the entire lot shall be dutiable at such higher rate.

The amendment was agreed to.

The next amendment was, on page 106, line 5, after the word "for," to strike out the figures "17" and to insert "25," so as to make the paragraph read:

PAR. 733. Cereal breakfast foods, and similar cereal preparations, by whatever name known, processed further than milling, and not specially provided for, 25 per cent ad valorem.

Mr. WALSH of Massachusetts. Mr. President, may I ask the Senator from North Dakota what time we are going to suspend to-night? I will be glad to proceed as far as paragraph 735, but we will begin then to consider some matters which I would feel obliged to ask for a quorum to consider, and I do not like to do that.

Mr. McCUMBER. It would be satisfactory to me to go to paragraph 735. Allow me to ask at this time unanimous consent that when the Senate closes its session this calendar day it shall take a recess until 11 o'clock to-morrow.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. WALSH of Massachusetts. In view of the fact that the Senator is not desirous of continuing the session beyond the time we take in the consideration of matters up to paragraph 735, I am going to refrain from any discussion of paragraph 733 or paragraph 734. I simply want to call attention to the fact that these cereal breakfast foods are exported in very large amounts from this country, and that the same protest I have made in reference to the other items we have been considering to-day apply to the products named in paragraph 733 and to the products named in paragraph 734.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The next amendment was, in paragraph 734, page 106, line 10, after the word "kind," to strike out the figures "28" and to insert "30," so as to read:

Biscuits, wafers, cake, cakes, and similar baked articles, and puddings, all the foregoing by whatever name known, whether or not containing chocolate, nuts, fruits, or confectionery of any kind, 30 per cent ad valorem.

The amendment was agreed to.

Mr. McCUMBER. On page 106, line 10, I ask that the Senate disagree to the committee amendment beginning at the end of that line, reading as follows: "bread, 15 per cent ad valorem: *Provided*, That no article shall be dutiable as bread unless yeast was the leavening substance used in its preparation." The purpose of that is to enable us to place the article on the free list.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was rejected.

Mr. WALSH of Massachusetts. I will ask the Secretary to read paragraph 734 as agreed to.

The Assistant Secretary read as follows:

Biscuits, wafers, cake, cakes, and similar baked articles, and puddings, all the foregoing, by whatever name known, whether or not containing chocolate, nuts, fruits, or confectionery of any kind, 30 per cent ad volarem.

Mr. WALSH of Massachusetts. I ask that paragraph 735 be passed over.

The PRESIDING OFFICER. Without objection, paragraph 735 will be passed over.

Mr. WALSH of Massachusetts. I understand that completes all the chairman desires to have taken up this evening. However, I have no objection to the committee amendment in paragraph 736 being acted on.

Mr. McCUMBER. Very well.

The PRESIDING OFFICER. The Secretary will state the amendment.

The next amendment was, on page 106, after line 17, to strike out paragraph 736 in the following words:

PAR. 736. Bananas, 2 cents per bunch; dried, desiccated, or evaporated, and banana flour, 4 cents per 100 pounds.

The amendment was agreed to.

Mr. WALSH of Massachusetts. I shall have to ask that the next two paragraphs be passed over.

The PRESIDING OFFICER. Paragraphs 737 and 738 will be passed over.

Mr. WALSH of Massachusetts. I have no objection to the amendment in paragraph 739 being acted on.

The PRESIDING OFFICER. The Secretary will state the amendment.

The next amendment was, on page 107, line 5, before the word "cents," to strike out "10" and to insert "5," so as to read:

PAR. 739. Cider, 5 cents per gallon; vinegar, 6 cents per proof gallon: *Provided*, That the standard proof for vinegar shall be 4 per cent by weight of acetic acid.

The amendment was agreed to.

Mr. McCUMBER. I think there will have to be a number of amendments offered to paragraph 740.

Mr. WALSH of Massachusetts. We have reached a place in the schedule where I think we might as well suspend. The citrus fruits and the other fruits will cause a great deal of discussion.

## FEDERAL RESERVE BANK BUILDING, ST. LOUIS.

Mr. SHORTRIDGE. I ask unanimous consent to report back favorably from the Committee on Banking and Currency Senate Joint Resolution 208, authorizing the Federal Reserve Bank of St. Louis to enter into contracts for the erection of buildings for its head office and branches.

The PRESIDING OFFICER. The Senator from California asks unanimous consent, out of order, to submit a report from the Committee on Banking and Currency on Senate Joint Resolution 208. Is there objection? The Chair hears none.

Mr. SHORTRIDGE. I ask for the immediate consideration of the joint resolution.

Mr. SMOOT. I ask the Senator from California whether it applies only to St. Louis.

Mr. SHORTRIDGE. Only to St. Louis. The Senator from Missouri [Mr. SPENCER] can explain it.

Mr. SPENCER. It applies only to the Federal reserve bank at St. Louis. The bank bought the lot upon which the building was to be erected, but did not make their contract, because they thought the price of material was too high a couple of years ago. In the meantime, as the Senate knows, legislation was passed forbidding any building beyond a certain price. The joint resolution applying only to that building went to the Committee on Banking and Currency and was referred to a subcommittee composed of the Senator from California [Mr. SHORTRIDGE], the Senator from Kentucky [Mr. ERNST], and the Senator from Virginia [Mr. GLASS], and they unanimously reported in favor of it. Then the whole committee took it up and unanimously reported in favor of it.

It authorizes the building to go up in the city of St. Louis, where the land is already purchased, and also at one of its branches at Little Rock, Ark., where the land is already purchased. As a matter of fact, I may say that there is a big block right in the business center of St. Louis, which the bank has acquired, has torn down all the structures, and so it will remain until this building goes up. I may also say to the Senate that the bank is now occupying rented quarters and has about a two years' lease, and there is no other place in the city of St. Louis to which that bank can go when their lease is up. A renewal of the lease would probably be prohibitive. It is an absolute necessity so far as the city is concerned.

Mr. SMOOT. I have no doubt but that the statement made by the Senator is absolutely correct, but he could not possibly have made a fairer statement of the conditions existing at Salt Lake City if he had known all the circumstances.

Mr. SPENCER. Then they ought to have the same relief.

Mr. SMOOT. I ask that, after the words "St. Louis," we strike out the word "is" and insert the words "and Salt Lake City are."

Mr. SPENCER. May I ask the Senator whether in Salt Lake City the land has been purchased?

Mr. SMOOT. It has been purchased and the buildings on it have been demolished, but because of the passage of the law the building was stopped. I want to say frankly that the Federal reserve bank desires the building. Their plans were all agreed to, bids were asked for, and the proceedings were immediately stopped when that law was passed.

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

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

Mr. SMOOT. I move that, on page 2, line 3, the word "bank" be changed to "banks"; also, after the words "St. Louis" that the word "is" be stricken out and there be inserted the words "and Salt Lake City are," so as to read:

That the Federal Reserve Banks of St. Louis and Salt Lake City are hereby authorized to enter into contracts for the erection of buildings and to authorize the erection of buildings for its head office and branches on lots heretofore acquired for that purpose: *Provided*, That the total investment in such buildings shall not exceed an amount equal to 30 per cent of its paid-in capital stock and surplus.

The amendment was agreed to.

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

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

The preamble was agreed to.

The title was amended so as to read:

A joint resolution authorizing the Federal Reserve Banks of St. Louis and Salt Lake City to enter into contracts for the erection of buildings for its head office and branches.

## BUSINESS AT EVENING SESSION.

Mr. CURTIS. Mr. President, I wish to submit a request for a unanimous-consent agreement. We need a short executive session. I ask unanimous consent that at the conclusion of the executive session the Senate shall take a recess until 9 o'clock this evening, and that at that session no business shall be transacted except that the Presiding Officer shall sign enrolled bills which may come over from the House.

Mr. HARRISON. I do not see the senior Senator from Ohio [Mr. POMERENE] present. There was a question about the bill relating to the interchange of mileage tickets, Senate bill 848. I was in hopes that some disposition could be made of it, if possible, before the House adjourns, so that that might become a law, if the Senator from Ohio should withdraw his objection.

Mr. CURTIS. If he does and there is no objection from anyone else, we could include that bill. But all we want to accomplish at the session this evening is the signing of enrolled bills.

Mr. HARRISON. The Senator will make an exception of that bill?

Mr. CURTIS. I am willing to do that.

Mr. BROUSSARD. I just inquired of the leader of the majority in the House as to a joint resolution, No. 353, which passed the House some time ago providing for tents for the American Legion convention at New Orleans in October.

Mr. CURTIS. I will include action on that joint resolution if it comes over.

The PRESIDING OFFICER. Will the Senator again state his request?

Mr. CURTIS. I ask unanimous consent that at the conclusion of the executive session the Senate shall take a recess until 9 o'clock to-night, and that at the 9 o'clock meeting no business shall be transacted except the signing of enrolled bills, action upon the bill for the interchange of mileage tickets, if the objection of the senior Senator from Ohio is withdrawn——

Mr. HARRISON. Provided there is no other objection.

Mr. CURTIS. Yes; provided there is no other objection, and to consider the joint resolution mentioned by the Senator from Louisiana to loan tents to the American Legion for their convention at New Orleans.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Kansas?

Mr. SMOOT. I understand that it will not be necessary for every Senator to come here this evening.

Mr. CURTIS. No one need come.

Mr. SMOOT. There will be no quorum call?

Mr. CURTIS. There will be no quorum call.

Mr. OVERMAN. And no other business transacted.

Mr. CURTIS. No other business will be transacted.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Kansas? The Chair hears none, and it is so ordered.

JOHN G. SESSIONS.

Mr. HARRISON. Mr. President, I was very anxious awhile ago to call up a bill on the calendar, but I did not care to interfere with the proceedings on the tariff bill. There is a bill on the calendar. Senate bill 3157, for the relief of John G. Sessions, which has been reported from the Committee on Claims unanimously. I did not press the matter on the deficiency bill, but I would like to have it passed at this time.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Claims with an amendment, on line 6, to strike out "$12,519.46," and to insert in lieu thereof "$7,977.77," so as to make the bill read:

*Be it enacted, etc.*, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury of the United States not otherwise appropriated, to John G. Sessions the sum of $7,977.77 to reimburse said Sessions for losses incurred by him in performance of work contracted to be done in construction of a levee on the Mississippi River, in Issaquena County, State of Mississippi, known as the Ellesly enlargement, on which the work was performed in 1917 and 1918, and said sum is hereby appropriated.

The amendment was agreed to.

Mr. SMOOT. I would like to have some little explanation of the bill.

Mr. HARRISON. This is the same character of bill for which an appropriation was made by the Appropriations Committee a year ago. There were many claims at that time, and this is based on the same state of facts. The bill went to the Committee on Claims and was unanimously reported. I offered it as an amendment to the deficiency bill, but I talked with the Senator from Wyoming [Mr. WARREN] and at his request did not press the matter, he preferring that it should be passed as a separate bill.

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

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

SETH J. HARRIS AND OTHERS.

Mr. CAPPER. From the Committee on Claims, I report back favorably with amendments the bill (H. R. 2694) for the relief of Seth J. Harris, Jimmie Lou Martin, Mary Holloman, and William Henry Coleman, and I submit a report (No. 803) thereon.

Mr. HARRIS. I ask unanimous consent for the present consideration of the bill.

There being no objection, the bill was considered as in Committee of the Whole.

The amendments were, on page 1, line 3, after the enacting clause, to strike out "That the Secretary of the Treasury be, and he is hereby, authorized and directed, through" and insert "That"; in line 5, before the words "to pay," to insert "be, and is hereby authorized and directed"; and in the same line, after the word "pay," to insert "out of the employees' compensation fund, provided for under the act of September 7, 1916," so as to make the bill read:

*Be it enacted, etc.*, That the United States Employees' Compensation Commission be, and is hereby, authorized and directed to pay out of the employees' compensation fund, provided for under the act of September 7, 1916, to the following-named persons the sums designated as compensation for personal injury and death suffered through the explosion of a certain shell fired by the student officers of Fort McPherson, Atlanta, Ga., on the south side of Kepesaw Mountain, Cobb County, Ga., on August 8, 1917:

To the guardian of the two surviving minor children of Seth J. Harris, $20 per month each until they shall reach the age of 18 years, monthly compensation to commence from the date of the accident.

To Jimmie Lou Martin, on account of the death of her husband, Charlie Martin, the sum of $35 per month until her remarriage or death, and $3.50 additional per month for each of her six minor children; and in the event of the remarriage or death of said Jimmie Lou Martin payments on account of said minor children shall be paid to their guardian or guardians until such time as they shall have reached the age of 18 years, respectively, monthly compensation to commence from the date of the accident.

To Mary Holloman, on account of the death of her husband, James Holloman, the sum of $35 per month until her remarriage or death, and $3.50 additional per month for each of her two minor children; and in the event of the remarriage or death of said Mary Holloman payments on account of said minor children shall be paid to their guardian or guardians until such time as they shall have reached the age of 18 years, respectively, monthly compensation to commence from the date of the accident.

To William Henry Coleman, for personal injuries, the sum of $300.

The amendments were agreed to.

The bill was reported to the Senate as amended and the amendments were concurred in.

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

The bill was read the third time and passed.

EXECUTIVE SESSION.

Mr. CURTIS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 6 o'clock and 5 minutes p. m.) the Senate, under the order previously made, took a recess until 9 o'clock p. m.

## EVENING SESSION.

The Senate reassembled at 9 o'clock p. m., on the expiration of the recess.

Mr. CURTIS. Mr. President, I ask unanimous consent that the Senate take a recess for 10 minutes.

The PRESIDING OFFICER (Mr. JONES of Washington). Without objection, it is so ordered.

The Senate thereupon took a recess for 10 minutes, and at the expiration of the recess (at 9 o'clock and 10 minutes p. m.) reassembled.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 831) to amend the proviso in paragraph 10 of section 9 of the Federal reserve act amended by the act of June 21, 1917, amending the Federal reserve act.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H. R. 11298) amending existing law which authorizes the construction of a public building at Paris, Tex., so as to authorize and empower the Secretary of the Treasury to acquire a new site for same by exchanging therefor land and property now owned by the United States Government in said city; and to authorize the erection on said new site, when acquired, of a public building suitable for post-office purposes; and for other purposes.

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

H. J. Res. 322. Joint resolution favoring the establishment in Palestine of a national home for the Jewish people; and

H. J. Res. 353. Joint resolution authorizing the Secretary of War to loan certain tents, cots, chairs, etc., to the executive committee of the Louisiana Department of the American Legion for use at the national convention of the American Legion to be held at New Orleans, La., in October, 1922.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Presiding Officer [Mr. JONES of Washington] as Acting President pro tempore:

S. 831. An act to amend the proviso in paragraph 10 of section 9 of the Federal reserve act amended by the act of June 21, 1917, amending the Federal reserve act;

H. R. 11214. An act authorizing the President to scrap certain vessels in conformity with the provisions of the treaty limiting naval armament, and for other purposes;

H. R. 11298. An act amending existing law which authorizes the construction of a public building at Paris, Tex., so as to authorize and empower the Secretary of the Treasury to acquire a new site for same by exchanging therefor land and property now owned by the United States Government in said city; and to authorize the erection on said new site, when acquired, of a public building suitable for post-office purposes; and for other purposes;

H. R. 11588. An act to amend an act entitled "An act to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers, sailors, and marines";

H. R. 12090. An act making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1922, and prior fiscal years, supplemental appropriations for the fiscal year ending June 30, 1923, and for other purposes;

H. R. 12092. An act granting the consent of Congress to the Louisiana Development Co. to construct a bridge across the Red River at or near Grand Ecore, La.;

H. R. 12120. An act granting the consent of Congress to the county court of Lafayette County, in the State of Missouri, to construct a bridge across the Missouri River; and

H. R. 12121. An act granting the consent of Congress to the county court of Saline County, in the State of Missouri, to construct a bridge across the Missouri River.

LOAN OF TENTS TO AMERICAN LEGION CONVENTION.

The joint resolution (H. J. Res. 353) authorizing the Secretary of War to loan certain tents, cots, chairs, and so forth, to the executive committee of the Louisiana Department of the American Legion for use at the national convention of the American Legion to be held at New Orleans, La., in October, 1922, was read twice by its title and referred to the Committee on Military Affairs.

Mr. BROUSSARD. On behalf of the senior Senator from New York [Mr. WADSWORTH], chairman of the Military Affairs Committee, who is unavoidably detained from the Chamber, I am authorized to report favorably, without amendment, the joint resolution (H. J. Res. 353) authorizing the Secretary of War to loan certain tents, cots, chairs, and so forth, to the executive committee of the Louisiana Department of the American Legion for use at the national convention of the American Legion to be held at New Orleans, La., in October, 1922.

I ask unanimous consent for the immediate consideration of the joint resolution.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution, which was read as follows:

*Resolved, etc.*, That the Secretary of War be, and is hereby, authorized to loan, at his discretion, to the executive committee of the Louisiana Department of the American Legion, for use in connection with the national convention of the American Legion, to be held in New Orleans, La., October 16 to 20, 1922, such tents, with necessary poles, ridges, and pins, cots, chairs, or camp stools, etc., as may be required at said convention: *Provided*, That no expense shall be caused the United States Government by the delivery and return of said property, the same to be delivered to said committee designated at such time prior to the holding of said convention as may be agreed upon by the Secretary of War and T. Semmes Walmsley, chairman of said executive committee: *And provided further*, That the Secretary of War shall, before delivering such property, take from said T. Semmes Walmsley a good and sufficient bond for the safe return of said property in good order and condition, and the whole without expense to the United States.

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

RECESS.

Mr. CURTIS. I move that the Senate take a recess, the recess being under the unanimous-consent agreement, until 11 o'clock to-morrow morning.

The motion was agreed to; and (at 9 o'clock and 25 minutes p. m.) the Senate, under the order previously entered, took a recess until to-morrow, Saturday, July 1, 1922, at 11 o'clock a. m.

## NOMINATIONS.

*Executive nominations received by the Senate June 30 (legislative day of April 20), 1922.*

APPOINTMENT, BY TRANSFER, IN THE REGULAR ARMY.

COAST ARTILLERY CORPS.

Capt. Kenneth McCatty, Cavalry, with rank from January 24, 1919.

First Lieut. Norton Donald Adams, Air Service, with rank from July 1, 1920.

POSTMASTERS.

ALABAMA.

William C. Curtis to be postmaster at Double Springs, Ala., in place of J. W. Curtis, resigned.

ARIZONA.

Patrick D. Ryan to be postmaster at Fort Huachuca, Ariz., in place of O. E. Buchanan, resigned.

ARKANSAS.

William B. Owen to be postmaster at Alma, Ark., in place of W. A. Bushmiaer, resigned.

CALIFORNIA.

Dwight R. Jackson to be postmaster at Glendale, Calif. Office became presidential April 1, 1922.

Earl B. Birmingham to be postmaster at Hilts, Calif. Office became presidential April 1, 1921.

Etta L. Miller to be postmaster at Stratford, Calif. Office became presidential April 1, 1922.

FLORIDA.

John W. Philip to be postmaster at Sarasota, Fla., in place of C. S. Abbe. Incumbent's commission expired January 31, 1922.

ILLINOIS.

William L. McKenzie to be postmaster at Elizabeth, Ill., in place of John Coveny, deceased.

Mancel Talcott to be postmaster at Waukegan, Ill., in place of D. A. Grady. Incumbent's commission expired September 24, 1921.

MICHIGAN.

Frank O. Parker to be postmaster at Alma, Mich., in place of V. P. Cash, resigned.

Albert W. Lee to be postmaster at Britton, Mich. Office became presidential January 1, 1921.

MINNESOTA.

Dora N. Ruud to be postmaster at Granite Falls, Minn., in place of George Lien. Incumbent's commission expired January 24, 1922.

MISSISSIPPI.

William L. Fox to be postmaster at Lyman, Miss., in place of W. J. James, resigned.

Ocram C. Elliott to be postmaster at Nettleton, Miss., in place of B. C. Davis. Incumbent's commission expired December 20, 1920.

MONTANA.

Orson B. Prickett to be postmaster at Billings, Mont., in place of T. C. Armitage. Incumbent's commission expired February 5, 1922.

NEBRASKA.

Elmer W. Couch to be postmaster at Henry, Nebr. Office became presidential April 1, 1921.

Mildred E. Johnson to be postmaster at Mead, Nebr. Office became presidential April 1, 1921.

NEW JERSEY.

Edmund A. Kenney to be postmaster at River Edge, N. J. Office became presidential October 1, 1920.

Jennie Madden to be postmaster at Tuckahoe, N. J. Office became presidential April 1, 1922.

NEW YORK.

Robert A. Lundy to be postmaster at Ray Brook, N. Y., in place of R. A. Lundy. Incumbent's commission expired April 27, 1920.

NORTH CAROLINA.

Sadie M. Mullen to be postmaster at Huntersville, N. C., in place of O. G. Turbyfill. Incumbent's commission expired January 8, 1921.

OKLAHOMA.

Omer K. Benedict to be postmaster at Tulsa, Okla., in place of J. M. Crutchfield, resigned.

OREGON.

Lucius L. Hurd to be postmaster at Glendale, Oreg., in place of L. L. Hurd. Incumbent's commission expired July 21, 1921.

PENNSYLVANIA.

Harry A. Borland to be postmaster at Indiana, Pa., in place of H. W. Fee. Incumbent's commission expired February 4, 1922.

Samuel E. Crawford to be postmaster at Petrolia, Pa., in place of G. M. Jamëson, declined.

TENNESSEE.

Walter Carr to be postmaster at Moscow, Tenn., in place of E. D. Sneed. Incumbent's commission expired February 4, 1922.

TEXAS.

Robert A. Jackson to be postmaster at Chillicothe, Tex., in place of Mina Daughtry, resigned.

VERMONT.

Fred R. Lloyd to be postmaster at Fair Haven, Vt., in place of D. F. Carmody. Incumbent's commission expired January 24, 1922.

VIRGINIA.

Ira D. Baker to be postmaster at Lovettsville, Va., in place of C. F. Shumaker. Incumbent's commission expired July 21, 1921.

WISCONSIN.

Lyle H. Nolop to be postmaster at Alma Center, Wis., in place of G. M. Breakey. Incumbent's commission expired June 29, 1920.

## CONFIRMATIONS.

*Executive nominations confirmed by the Senate June 30 (legislative day of April 20), 1922.*

REGISTER OF THE LAND OFFICE.

Galen C. Pond to be register of the land office, Montrose, Colo.

POSTMASTERS.

CONNECTICUT.

Charles W. Birely, New Haven.

IOWA.

R. Earl Ferguson, Rolfe.

NEW JERSEY.

Walter L. Stewart, Mount Holly.

OKLAHOMA.

Alice B. Spears, Hulbert.
Leo B. McWilliams, Miami.
Porter J. Newman, Welch.

OREGON.

Wallace W. Stnead, Heppner.

PENNSYLVANIA.

Daniel Jones, Coaldale.
DeWitt C. Vail, New Milford.
H. Stanley Drake, Norristown.
Ambrose D. Mitchell, Portage.
William L. Meserole, Springville.
Vincent S. Pownall, Swarthmore.
John C. McCurdy, Verona.

RHODE ISLAND.

S. Martin Rose, Block Island.

WEST VIRGINIA.

Julius Thompson, Petersburg.

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# HOUSE OF REPRESENTATIVES.

FRIDAY, *June 30, 1922.*

The House met at 12 o'clock noon.

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

Our Father who art in heaven. Thou art speaking to us in so many ways, God. Speaking to us in the promise and power of the seasons, in a merciful Providence, in our national existence, in the morning hours of youth, in the eventide of the years, in the weakness of sickness, and in the strength of health. O may we take heed, and we beseech Thee to never leave nor forsake us. Magnify, enlarge, and intensify a closer relationship among all our fellow citizens. More and more may our Nation come into a new light, and help us to long and work for the best things in its behalf. These hours so freighted with problems so vital to our country with which we have been intrusted and to which we have pledged our allegiance, O God, stand guard and be present in all counsels and conferences, and may the ultimate issues be foretokens of a golden age couched in the golden rule of Jesus. In His holy name we pray. Amen.

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

### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed bills and joint resolution of the following titles, in which the concurrence of the House of Representatives was requested:

S. 3594. An act for the relief of Anton Rospotnik and the exchange of certain lands owned by the Northern Pacific Railway Co.;

S. 2051. An act to amend section 3142 of the Revised Statutes to permit an increase in the number of collection districts for the collection of internal revenue and in the number of collectors of internal revenue from 64 to 65; and

S. J. Res. 215. Joint resolution providing for reinvestigation of the tricounty irrigation project, Nebraska.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to the following concurrent resolution:

Senate Concurrent Resolution 24.

*Resolved by the Senate (the House of Representatives concurring)*, That there shall be printed 5,000 additional copies of Senate Document No. 179, Sixty-seventh Congress, entitled "Report of the United States and Canadian Government Engineers on the Improvement of the St. Lawrence River from Montreal to Lake Ontario," of which 3,000 copies shall be for the use of the Senate document room and 2,000 copies for the House document room.

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 House of Representatives to the bill (S. 1033) regulating the issuance of checks, drafts, and orders for the payment of money within the District of Columbia.

The message also announced that the Senate had passed without amendment bill of the following title:

H. R. 11244. An act authorizing the construction of a bridge across White River, in the State of Arkansas.

The message also announced that the Vice President had appointed Mr. PHIPPS, Mr. BALL, and Mr. HARRIS members of the joint committee on the part of the Senate pursuant to the provisions of the act entitled "An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1923, and for other purposes," approved June 29, 1922.

The message also announced that the Senate had passed with amendments the bill (H. R. 12090) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1922, and prior fiscal years, supplemental appropriations for the fiscal year ending June 30, 1923, and for other purposes, had insisted upon its amendments, and asked for a conference with the House of Representatives upon the bill and amendments, and had appointed Mr. WARREN, Mr. CURTIS, and Mr. OVERMAN as the conferees on the part of the Senate.

### SENATE BILLS REFERRED.

Under clause 2, Rule XXIV, Senate bills and joint resolution of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 3594. An act for the relief of Anton Rospotnik and the exchange of certain lands owned by the Northern Pacific Railway Co.; to the Committee on the Public Lands.

S. 2051. An act to amend section 3142 of the Revised Statutes to permit an increase in the number of collection districts for the collection of internal revenue and in the number of collectors of internal revenue from 64 to 65; to the Committee on Ways and Means.

S. J. Res. 215. Joint resolution providing for reinvestigation of the tricounty irrigation project, Nebraska; to the Committee on Irrigation of Arid Lands.

### NEW POSITIONS IN THE DEPARTMENT OF LABOR.

Mr. SNELL. Mr. Speaker, I present a privileged report from the Committee on Rules.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House Resolution 396 (Rept. No. 1169).

*Resolved*, That it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (S. 3396) entitled "An act creating the positions of Second Assistant Secretary and private secretary in the Department of Labor." After general debate, which shall be confined to the bill and continue not to exceed one hour, equally divided between those for and those against, the bill shall be read for amendment. At the conclusion of said consideration the bill shall be reported to the House and the previous question considered as ordered on the bill and any amendment thereto to final disposition without intervening motion except one to recommit.

Mr. CRAMTON. Mr. Speaker, I wish to make a point of order that there is no quorum present.

The SPEAKER. It is clear there is no quorum present.

Mr. SNELL. I move a call of the House.

The motion was agreed to.

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

| | | | |
|---|---|---|---|
| Anderson | Chalmers | Edmonds | Hersey |
| Andrew, Mass. | Chandler, Okla. | Ellis | Hicks |
| Arentz | Christopherson | Evans | Hogan |
| Bankhead | Clark, Fla. | Fields | Hooker |
| Beck | Classon | Foster | Hukriede |
| Beedy | Cockran | Frear | Humphreys |
| Bell | Codd | Fulmer | Husted |
| Bixler | Colton | Funk | Hutchinson |
| Black | Connell | Garrett, Tenn. | Ireland |
| Blanton | Connolly, Pa. | Garrett, Tex. | Jefferis, Nebr. |
| Brand | Cooper, Ohio | Gilbert | Jeffers, Ala. |
| Brennan | Copley | Goldsborough | Johnson, Miss. |
| Britten | Coughlin | Gorman | Kahn |
| Brooks, Ill. | Crisp | Gould | Kearns |
| Brooks, Pa. | Davis, Minn. | Graham, Pa. | Kelley, Mich. |
| Brown, Tenn. | Deal | Green, Iowa | Kiess |
| Buchanan | Dempsey | Greene, Mass. | Kindred |
| Burroughs | Dickinson | Greene, Vt. | Kitchin |
| Burtness | Drane | Harrison | Kleczka |
| Campbell, Kans. | Drewry | Hawley | Knight |
| Cantrill | Driver | Henry | Kopp |
| Carter | Dunn | Herrick | Kunz |

| | | | |
|---|---|---|---|
| Langley | Nelson, A. P. | Rosenbloom | Taylor, Ark. |
| Larson, Minn. | Nelson, J. M. | Rouse | Taylor, Tenn. |
| Lawrence | Newton, Minn. | Rucker | Ten Eyck |
| Lazaro | Newton, Mo. | Sabath | Thomas |
| Leatherwood | Nolan | Sanders, Ind. | Thompson |
| Lee, Ga. | Norton | Sanders, N. Y. | Tilson |
| Linthicum | O'Connor | Shelton | Treadway |
| Logan | Osborne | Shreve | Tyson |
| Longworth | Padgett | Sinclair | Vaile |
| Luce | Paige | Sisson | Vare |
| Lyon | Parks, Ark. | Snyder | Walters |
| McClintic | Patterson, Mo. | Stafford | Ward, N. Y. |
| McLaughlin, Pa. | Purnell | Steagall | Ward, N. C. |
| McSwain | Rainey, Ala. | Stedman | Wason |
| Maloney | Rainey, Ill. | Steenerson | Webster |
| Martin | Rayburn | Stevenson | White, Kans. |
| Merritt | Reber | Stiness | Williamson |
| Miller | Reed, N. Y. | Stoll | Wilson |
| Montoya | Riddick | Strong, Pa. | Winslow |
| Moore, Va. | Riordan | Sullivan | Wise |
| Morin | Roach | Summers, Wash. | Woods, Va. |
| Mott | Robertson | Sumners, Tex. | Yates |
| Mudd | Robsion | Swank | Young |

The SPEAKER. Two hundred and fifty-three Members have answered to their names; a quorum is present.

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

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors.

THIRD DEFICIENCY APPROPRIATION BILL.

Mr. MADDEN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill making appropriations for deficiencies in 1922 and prior fiscal years, disagree to the Senate amendments, and agree to the conference asked for by the Senate.

The SPEAKER. The gentleman from Illinois asks unanimous consent to take from the Speaker's table the deficiency appropriation bill, disagree to the Senate amendments, and agree to the conference asked by the Senate. Is there objection?

Mr. GARNER. Mr. Speaker, reserving the right to object, will the gentleman tell the House, if he will, about what amendments of the Senate are likely to be agreed to?

Mr. MADDEN. Well, I can not tell that now; it is impossible to keep those in one's mind; but I do not think any amendment will be agreed to to which the gentleman from Texas will not agree.

Mr. GARNER. Mr. Speaker, I do not intend to object, but I do hope the gentleman from Illinois and the House will indulge me just for a statement. It has been the custom of the Congress at the end of a session to bring in a deficiency bill, send it over to the Senate, and there it is loaded up with ancient amendments.

Mr. MADDEN. Will the gentleman yield for a second there?

Mr. GARNER. I will.

Mr. MADDEN. I wish to say that no such thing will happen in this case.

Mr. GARNER. Well, there are some amendments put on there that if we had a chance to vote on—and they will probably be agreed to—we would not have agreed to in the House. If I understand the gentleman from Illinois, he has already had an informal conference.

Mr. MADDEN. Yes.

Mr. GARNER. This bill is agreed to as a matter of fact; you have come to an agreement.

Mr. MADDEN. Yes.

Mr. GARNER. What I want to call to the attention of the House, and especially to the Committee on Appropriations, is the custom of bringing out in the last moment, just before Congress is preparing to adjourn, a deficiency bill, have it loaded down with amendments at the other end of the Capitol, and then it is brought here, and we are told that if we do not agree to this deficiency at once, why, we can not take a recess or can not adjourn. Congress has been held up for a number of times in that way, and the gentleman from Illinois and his associates ought to discontinue that practice by undertaking to bring out these deficiency bills before the last days of the session.

Mr. MANN. Let us hope we will have a reform in that matter in the Senate in the next Congress.

Mr. GARNER. We can hardly hope to carry the Senate the next time. [Laughter.]

We will try to carry this House and bring about a reform in this particular. This applies just as well to the Democrats as to the Republicans. There is no partisanship about it. It has occurred in the last 20 years that I have been here, and it ought to be stopped.

Mr. MADDEN. I think the gentleman from Texas will agree with me in what I have said when the conference report comes back. I think he will find that there are no such items in it.

Mr. GARNER. Why do you need a little deficiency in here for the Vice President's office, an item of $400 for taking care of his automobile? If he wants such a provision made for him, why wait until just before the 1st of July and put in a tit-bit of $400 for the presiding officer of the Senate?

Mr. MADDEN. That is a Senate matter that we do not try to control.

Mr. GARNER. I do not object to these particular matters, but I think it is too little for a body like the Senate to be guilty of, if I may use that expression in the sense of guilt, putting in a little tit-bit at the very last moment of Congress for $400. That is all.

The SPEAKER. Is there objection?

There was no objection; and the Speaker announced as the conferees on the part of the House Mr. MADDEN, Mr. ANTHONY, and Mr. BYRNS of Tennessee.

NEW POSITIONS IN THE DEPARTMENT OF LABOR.

Mr. SNELL. Mr. Speaker, I move the previous question on the resolution.

Mr. POU. That gives 20 minutes on a side?

Mr. SNELL. Yes.

The SPEAKER. The gentleman from New York moves the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The gentleman from North Carolina is entitled to 20 minutes and the gentleman from New York to 20 minutes.

Mr. SNELL. Mr. Speaker, the resolution as presented, if adopted by the House, provides for the consideration of Senate bill 3396. I think all the Members of the House fully understand what is provided in this legislation. It is to create a new position of Second Assistant Secretary of Labor and a private secretary to the Secretary.

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

Mr. SNELL. In just a moment. Then I shall be glad to yield.

Probably there is no man in this House that dislikes more to create additional offices and place additional men on the pay roll than I and I think my record in the House will prove that. [Applause.]

Mr. MADDEN. Will the gentleman yield me five minutes later?

Mr. SNELL. Yes.

When this matter first came before the Committee on Rules, personally I was opposed to the resolution; but after looking into the matter and getting all the information possible I decided that there was a condition there that we certainly must remedy if we want the Department of Labor to function properly in the Immigration Bureau. There is a condition that confronts the Labor Department occasioned on account of legislation that has been passed by this House and by a very large majority of the House that is impossible to comply with unless we furnish the Secretary the machinery to do it with. We have made many new restrictions on immigration and provided by law that every man who is kept out of this country has the right of personal appeal to the Secretary of Labor, or the Acting Secretary or the Assistant Secretary. These things must be acted upon by the Secretary of Labor, and the powers lodged with him can not be delegated to any other person in the department; and that is the reason why, in order to take care of these conditions, it is necessary to have an additional Assistant Secretary of Labor.

In December of last year the department passed upon 13,600 cases. If you want these cases passed on properly you must furnish the department with the machinery necessary to do it. On the average there are 300 cases a day coming before this Labor Department that must be passed upon by the Secretary of Labor himself, and he can not do it and attend to the other duties he is called upon to perform. Here we are simply providing the machinery to carry out the laws that we have passed and make it possible to perform the duties we have imposed upon the Labor Department. If you want to carry it on properly in accordance with the law you must furnish these men. [Applause.]

Mr. MADDEN. Mr. Speaker, will the gentleman yield me five minutes?

Mr. SNELL. Yes; I yield to the gentleman five minutes.

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

Mr. MADDEN. Mr. Speaker, the reason why I am asking to be heard at this time is that a little later on I shall be busy with other things, perhaps when this matter comes up for consideration. I think it is well to study this proposition, whether it is wise or unwise. We ought not to go headlong into the creation of new places unless we are sure that it should be done.

Now, let me recite the situation in the various departments for a moment. The Department of Labor has an annual appropriation of $6,800,000. They want an additional Assistant Secretary to-day. The Department of the Interior has an appropriation of $295,000,000, and they have one assistant. The Department of Commerce has one assistant. The Navy Department spends $350,000,000 a year, and they have one assistant. The Army spends $350,000,000 a year, and the War Department has one assistant.

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

Mr. MADDEN. In a moment.

I want to say now, gentlemen, right here, that if the Labor Department is permitted another assistant and a secretary to the assistant and perhaps a number of clerks under the secretary to the assistant, you will have to do this for every other department of the Government.

It is not merely the creation of an Assistant Secretary here. You are creating that place with all that goes with it. It means a new organization. No one knows how large an organization it will be that you will allow the Assistant Secretary.

Mr. JOHNSON of Washington. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. I can not yield now.

Mr. JOHNSON of Washington. Just for one question.

Mr. MADDEN. Very well.

Mr. JOHNSON of Washington. The gentleman knows that the head tax and other fees brought in by immigration along that line pay more than all the expenses of the department.

Mr. MADDEN. Yes; the same thing is true with the postage stamps. Everyone pays for postage stamps, but that is no reason why, because we have an income from some department, we should spend it and more. I am not so much concerned about the cost here in this particular case as I am about what will follow. If you create this place and all the places that will go with it, you will have to do the same thing for every other department of the Government, and the first thing you know you will have more than 2,000 additional employees on the pay roll.

Now, I want to ask you whether you are willing at this time to pass a bill that will involve the chance of any such contingency? I know the Secretary of Labor was here on the floor the other day lobbying with the Members for their votes for the creation of this place, and I want to say that he ought to be ashamed of himself. [Applause.] He had no business up here for any such purpose. I want to say one thing more for him, that if he would sit in his office and attend to the work assigned to him as Secretary of Labor he would not need this assistant. [Applause.] I am opposed to any Cabinet officer coming up on the floor of this House and lobbying for the creation of new places. There is a way to get such things done without doing that. He must prove his case. I do not believe he has proved it, and I hope, gentlemen, that this rule will not pass. [Applause.]

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

Mr. MADDEN. I am through.

Mr. POU. I yield 10 minutes to the gentleman from Texas [Mr. Box].

Mr. BOX. Mr. Speaker and gentlemen of the House, the Secretary of Labor requested that either the Commissioner of Immigration be authorized to do the work of passing on these appeals or that an Assistant Secretary be created, and of course our friends the Republican majority presented a bill to create the new office instead of letting the man do it who is already being paid and can do it.

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

Mr. BOX. If the gentleman will excuse me, I can not. I will insert the statement in the Secretary's letter requesting either that the Commissioner General of Immigration be authorized to do this work or that this place be created. He said:

> Congress should either amend the law so as to place final authority and responsibility in these appeals in the Commissioner General of Immigration or furnish the Secretary of Labor with another assistant, who may devote all of his time and attention to this important and ever-increasing work. (CONGRESSIONAL RECORD of June 19, 1922, p. 9001.

You can determine for yourselves what choice the committee has made. True to form, they are creating new Government jobs.

I am sorry that the House continues to do things like this. The number of immigrants now coming into the United States is only one-fourth or one-fifth of the number that came in some time ago when the law was administered by the existing force.

Mr. CABLE. Will the gentleman yield?

Mr. BOX. I can not yield. The Assistant Secretary of Labor has no new power of review given by the law passed by you or by any recent law. That talk is bunk. Look at the law and see whether there has been any change that invests him with any new authority in that connection. If the present force could handle 750,000 to 1,250,000 immigrants per year, why can it not now handle 240,000 per year? [Applause.] The former number came in under the old law and the latter number are coming in under the present law.

Mr. CABLE. Does the gentleman want an answer to that question?

Mr. BOX. I will answer it myself. I want to give the House information and not excuses for furnishing jobs.

Mr. CABLE. Will the gentleman yield?

Mr. BOX. I do not yield. I want to give the House some information. It is claimed that because of the last law—I presume that is the claim, because it is the only semblance of anything I could find in the Secretary's letter or in any of this talk except palaver—that because of the percentage law a greater amount of work is required. I think the distinguished gentleman from Illinois [Mr. MADDEN], chairman of the Appropriations Committee, has touched one of the keynotes of it in saying that if the Secretary of Labor would do more of this work himself instead of attending to matters outside his official duties the people would not have to pay somebody else to do it. He said:

> I know the Secretary of Labor was up here on the floor the other day lobbying with the Members for their votes for the creation of this place, and I want to say that he ought to be ashamed of himself. [Applause.] He had no business up here for any such purpose. I want to say one thing more for him, that if he would sit in his office and attend to the work assigned to him as Secretary of Labor he would not need this assistant. [Applause.]

I quote his exact, unrevised remarks as taken by the official stenographer.

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

Mr. BOX. I can not yield. I do not wish to be discourteous, but my time is very short. If an additional number of appeals is presented, why is that so? A much smaller volume of immigration business is being handled by the department generally. That is plain. If the appeal business handled by the office of the Secretary of Labor is increasing, why is it? If that is true, it is due to two reasons. First, the department has ceased to observe the law and to be governed by it, and is being governed by the judgment and discretion of those who administer the office in disregard of the law. When a judge refuses to follow the law and substitutes his own ideas of what should be done, instead of being governed by the rule laid down by the law which applies to the case, his decisions are always appealed from, and confusion and uncertainty follow. When the Secretary of Labor claims the right to admit men notwithstanding the law, every man who is excluded comes up and asks that that discretion be exercised in his behalf. You passed a resolution here, on March 13 I believe, validating the illegal admission of a large number of people—admitted notwithstanding the provisions of the law. A number of gentlemen rose and asked what assurance there was that this would not be repeated. You were asked to validate the illegal act of letting in men in whose behalf Congressmen or Senators or somebody else went up there and said: "This is a good fellow. Please let him in."

Mr. KING. Will the gentleman yield?

Mr. BOX. I will ask the gentleman to excuse me. I have had to deny that courtesy to others.

I will submit in my remarks a statement of the official report showing that since that assurance was given to this House in March several hundred people excluded by the law have been admitted. I will give the exact number:

> Admissions in excess of the quota for the year appearing in the above table represent temporary admissions made in cases involving unusual hardship. Total excess up to and including March 15, 1922, 2,460. (Weekly report given by the Commissioner of Immigration, dated March 15, 1922.)
>
> Admissions in excess of the quota for the year appearing in the above table represent temporary admissions made in cases involving unusual hardship. Total excess to June 21, 1922, 3,034. (Weekly report of the Commissioner of Immigration, dated June 21, 1922.)

Mr. KING again rose.

Mr. BOX. I can not yield any further.

Mr. KING. Mr. Speaker, I make the point of no quorum present.

Mr. SNELL. I will ask the gentleman not to do that.

Mr. KING. Mr. Speaker, at the request of the gentleman from New York I withdraw the point of no quorum.

Mr. BOX. A second reason is that Senators and Members of this House too frequently join in breaking down the law by interceding with the Secretary of Labor to admit aliens illegally.

Mr. Speaker, I will insert in my remarks the questions asked by Members on the majority side when that question was up and when we were opposing it, when they asked what assurance the House had that this illegal admission of aliens would not occur again.

Mr. KINCHELOE. I want to ask the gentleman, if this resolution is passed admitting those who are here illegally, what assurance has the Congress that immigrants in the future will not come in under the same circumstances? (CONG. RECORD, March 16, p. 3969.)

The gentleman from Washington [Mr. JOHNSON] answered by a statement evidently meant to give the assurance sought by the gentleman from Kentucky [Mr. KINCHELOE].

Mr. GERNERD. What assurances have we, if this be agreed to, that there will not be a repetition of it? (CONG. RECORD, March 16, p. 3973.)

Mr. JOHNSON made a further recital meant to give the assurance sought by the gentleman from Pennsylvania [Mr. GERNERD]. The RECORD and recollection of Members will verify the statement that Members of the House understood that it would thereafter be unnecessary to validate violations of the law.

I will insert a statement by the Assistant Secretary of Labor that Congressmen send their appeals up there in bundles by the armful:

Just as I was trying to get out some Congressman's stenographer came in with an armful of them, and I want through them hurriedly. Some came within the rule we have been trying to lay down, others did not.—(Hearings Immigration Committee, Serial 1-B, December 19, 1921, p. 224.)

When the Secretary of Labor or his assistant instead of being governed by the law is governed by appeals of Congressmen or relatives of the alien or influential politicians and let in inadmissible aliens who are excluded by the law, you can not blame the country for laughing at the law as a farce. Things like that breed the contempt for the law that bodes so much ill for America. We talk learnedly and with great dignity and pomposity about the majesty of the law when the ragged, poor, and humble are involved, but our attitude is different when officialdom violates the law. That is the chief secret of the trouble up there in the Labor Department—it is not following the law. If I had time I would like to tell you from the record the condition of the underpaid employees of the Immigration Service. I have a letter in my files from a man in the service whom I think I met in the field. He tells why a lot of this business occurs. I will suppress the signature. The truth is many of the men are working at starvation rates—guards getting less than $1,000 a year, inspectors doing this important work for $1,100 and $1,200 a year, going aboard the ships, the great palatial passenger ships of the great steamship companies, and kowtowing around to the officers and others in charge like porters on a Pullman train, when they should be representing the majesty and dignity of the law of the United States. While they are working at starvation rates, accepting tips and bribes, and the dignity of the law is being lowered, the majority are making a job for some one of the crowd at the top to consume money which should be used in improving the service.

The SPEAKER pro tempore [Mr. DOWELL]. The time of the gentleman has expired.

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

Mr. KING. Reserving the right to object, will the gentleman include in his remarks the specific charge he has made against the Secretary of Labor, that he is away from his post and not attending to business?

Mr. BOX. I will quote what the gentleman from Illinois [Mr. MADDEN] has said as my authority.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

## MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Craven, its Chief Clerk, announced that the Senate had agreed to the amendment of the House of Representatives to the bill (S. 3425) to continue certain land offices, and for other purposes.

The message also announced that the Senate had passed with amendment the bill (H. R. 11214) authorizing the President to scrap certain vessels in conformity with the provisions of the treaty to limit naval armaments, and for other purposes, in which the concurrence of the House of Representatives was requested.

The message also announced that the Senate had passed without amendment the bill (H. R. 11588) to amend an act entitled "An act to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for the discharged sick and disabled soldiers, sailors, and marines."

## NEW POSITIONS IN THE DEPARTMENT OF LABOR.

Mr. SNELL. Mr. Speaker, I yield four minutes to the gentleman from Washington [Mr. JOHNSON].

Mr. JOHNSON of Washington. Mr. Speaker, I sincerely hope the rule will be adopted, and I hope that thereafter the Members will pay close attention to some statements that will be made by those who have made an intensive study as to the situation which creates the actual necessity for the creation of this position. This bill comes to this body from the Senate, where it was reported after a hearing held by Senator BORAH and others, and it comes to this House from the Committee on Labor. But inasmuch as the situation largely hangs around the question of immigration, and inasmuch as immigration creates 75 or 80 per cent of the business of the Department of Labor, the members of the Committee on Immigration of the House have given the problem much attention, and since the bill was reported myself and other members of the Immigration Committee have gone to the department, have learned the exact situation, which we hope to discuss when the bill is up for consideration.

Those of you who have been here for some time remember that we had an acrimonious debate over the right of review of appeal cases by the then Assistant Secretary of Labor over the then Commissioner General of Immigration that resulted in a change of plan but not a change of law. Now, it is true that we have fewer immigrants than we had, and yet we are in a worse jam on account of the right of review. When we had 1,400,000 immigrants annually, we only had 2 per cent of the cases up on appeal for final review. In the old days the Commissioner General of Immigration took the report of the chief of the board of inquiry, wrote an opinion, followed by the word "approved" or "disapproved," and this went up ostensibly to the Secretary of Labor, as required by law, but really to the Assistant Secretary of Labor who was supposed to accept the opinion and sign his name. Assistant Secretary Post refused to do that. The row which followed—and I am sorry for my part of that phase of it—enabled Mr. Post to show that there was nothing in the law to require the commissioner to do that—it really was the duty of the Secretary of Labor or his assistant. In Mr. Caminetti's time the appealed cases piled up by the thousands. Since the advent of Mr. Husband as commissioner he has undertaken to simplify the situation with the understanding that all appeals go to the Assistant Secretary of Labor. This overloads the Secretary. It may be that there should be no appeals in quota cases, but they are there just the same. With no appeal some fierce mistakes would have been made in the execution of the new law. Any Member of Congress has the right to go there in behalf of a constituent seeking an appeal for some alien. And if a Member of Congress does go there he expects to be heard by the Secretary of Labor even if it takes an hour, and even if a thousand appeals are pending.

The Assistant Secretary of Labor sits there from sunrise to sunset acting in the capacity of a judge of a court. In fact, it is a court. We have set it up under our law, and you do not want a rubber stamp or a numbskull to do the work. [Applause.] Neither do we want the work there not done.

Mr. BOX. Mr. Speaker, I yield five minutes to the gentleman from California [Mr. RAKER].

Mr. RAKER. Mr. Speaker and gentlemen of the House, the report of the committee on this bill shows that the work is being done now by the solicitor general and then to justify the appointment of an Assistant Secretary of Labor they state in the report that there will be no additional appropriation needed to conduct the office of the Secretary of Labor. The purpose then is to turn the solicitor general out of work, creating a new position, and it is provided in the bill to add something over $8,000. It ought not to be done.

But the crux of the matter is this. We have now a Secretary of Labor whose duty it is to pass upon these appeal cases, whose sworn duty as Cabinet officer is to dispose of these questions and not give them to subordinates. That is the law and is as it ought to be.

The trouble is that the appeal after being thoroughly digested by the Commissioner of Immigration and the attorney for the Department of Labor goes to the Secretary of Labor and then what happens?

This is what happens. An attorney is employed, and after the Secretary of Labor has decided the case this attorney goes

to him and says, "I want you to hear me." Then a friend comes in from some distance with a long sad song and affidavit, ex parte statements, and after the Secretary has passed on the case again, he says, "I want you to hear me." Then the Members of the House and of the Senate, after the attorney and the friends have failed to succeed, say, "I want you to hear me," and in that way that case is kept open for months, when the evidence is taken by the proper public officials, sent to the Commissioner of Immigration, passed on by the commissioner general, shows beyond question and peradventure of doubt that the immigrant is not admissable, and should be excluded under the quota law. What is the result?

The result is that there has been a sufficient amount of pressure to allow the immigrant to remain. Look at the record and you will see that there are over 3,000 of those immigrants now in the United States in violation of law, where the Members of the House and of the Senate and the friends and the lawyers have gone down to the Secretary of Labor and he has postponed the cases and let them in with the hope that on the 1st day of July, 1922, the quota law again will be opened and that these people, being on the ground, will be the first to be admitted; when, as a matter of fact the reports show that the ocean is now lined with steamships loaded with immigrants, and that no doubt on the 1st of July the quota will be exhausted in over two-thirds of the countries. These people want to come in and the result has been that the law has not been enforced. The Secretary of Labor decides that the man exceeds the quota, but he has not been reported as he should be. The following newspaper article from The News, of Washington, D. C., of this date, confirms what I have just said. The item is as follows:

FOREIGN HORDE NEARS UNITED STATES—IMMIGRANT RESTRICTIONS LIFT TO-DAY, THOUSANDS COME.

[By Frank Getty, United Press staff correspondent.]

STAPLETON, N. Y.—The greatest immigrant armada in history bore down on New York to-day.

A score of liners, bringing a horde of foreigners, are rushing for port or hovering just outside the 3-mile limit.

At the stroke of midnight the gateway of the New World will swing open to admit a new year's quota of immigrants. After that hour Uncle Sam will admit from each country permitted to send immigrants one-fifth of 3 per cent of that country's present population in the United States.

The SPEAKER, pro tempore. The time of the gentleman from California has expired.

Mr. POU. Mr. Speaker, this proposal is but a repetition of the old story that as time passes efforts in behalf of economy are met with proposals for new offices. Some months ago Congress passed a law which very materially reduced the number of immigrants who can find their way into this country. Under the old law with a million a year coming into the country there was no suggestion that an additional Secretary of Labor was necessary. Yet when we reduce the number to about 3 per cent of the number originally admitted into the country, lo and behold, the office of the Secretary of Labor sends an appeal to Congress that the force is overworked, and that they can not possibly get along and attend to the duties of the office without an additional assistant. That seems rather contradictory. It is a little strange that when the number of immigrants has been so tremendously reduced, it should be found necessary to create an additional office of the Assistant Secretary of Labor.

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

Mr. POU. Yes.

Mr. CABLE. I just want to say that the appeals are permitted——

Mr. POU. Oh, I yielded for a question.

Mr. CABLE. I just want to tell the gentleman——

Mr. POU. I do not yield for any comments. If the gentleman wants to ask me a question, very well.

Mr. CABLE. Does the gentleman not think that with more appeals they need more help?

Mr. POU. My answer to that is this: When a million immigrants were brought into this country nobody ever suggested the need of another Assistant Secretary of Labor, but now when the number is reduced to 3 per cent it is indeed strange that a Cabinet officer of the party that has promised economy should, through his friends in this Chamber, send an appeal to Congress stating that he is overworked and can not possibly attend to the duties of his office unless a new office is created. [Applause.]

Mr. SNELL. Mr. Speaker, I yield four minutes to the gentleman from Ohio [Mr. FESS].

Mr. FESS. Mr. Speaker, when this measure was first proposed I was opposed to it. I was opposed to it on general principles, because I felt we did not want to enter upon the addition of any new offices at a time when our best effort is to prevent additional expense. I entered into a serious investigation of the situation, induced by the strong representation of the needs of the office. It is a condition that we are facing, no matter what theory I might have or anyone else might have. The condition is this. In recent years we have made an effort in our immigration laws to be more selective than we have been heretofore. In other words, the discriminations were not so sharp in the earlier legislation, but they are becoming sharper and sharper every day. Limiting the number that can come into the country has resulted in additional effort to get in, and that will also add to the effort of the officers to obey the law in spirit as well as in letter. That means necessarily more appeals than ever before. Anyone knows that to be a fact. Under the deportation act, which has added tremendously to the work of the immigration officers, we find our situation just as was suggested a moment ago. With the law limiting the number of immigrants to 3 per cent of the nationals, the fiscal year beginning to-morrow we know will show a great congestion in respect to cases on appeal. There is no possibility for the present organization to take care of the increased work, at least expeditiously. We have made laws, but failed to provide the necessary machinery for enforcement. Is it fair to the administrator of the law to let such a situation continue? Is it fair to those who have been admitted to passage in Europe and who have gotten here to be held up for weeks awaiting the final decision? It is neither fair to the immigrant nor to the immigration officers. It is not fair to the Government, and adding the sum of $8,000 annual additional expense to take care of the situation is not a large matter in the circumstances. We are confronted with a condition, not a theory. That was the determining factor in making up my mind so that I felt I could vote to bring this out of the Committee on Rules, and I think every Member on the Rules Committee did what he ought to do. This is a matter which I feel certain ought to have our approval. [Applause.]

Mr. SNELL. Mr. Speaker, in reply to what the gentleman from Illinois [Mr. MADDEN] said, this is not a question of how much money is spent by any department, but this is a matter of individual work, necessary to be performed by the Secretary, the First Assistant Secretary, or the Acting Secretary to carry out the instructions of this House. That is the only reason why this rule is brought in here and why we ask for its adoption. I move the adoption of the resolution.

The SPEAKER pro tempore. The question is on agreeing to the resolution.

The question was taken; and on a division (demanded by Mr. POU) there were—ayes 90, noes 28.

So the resolution was agreed to.

Mr. ZIHLMAN. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill S. 3396, creating the position of Second Assistant Secretary and private secretary in the Department of Labor.

Mr. RAKER. Mr. Speaker, a parliamentary inquiry. As I understand it, under the rule the time for debate is to be divided equally between those for and against the resolution?

Mr. ZIHLMAN. There is no member of the Committee on Labor on either side of the aisle who is opposing this bill.

Mr. RAKER. I am opposed to the bill, and I ask for the half-hour recognition.

Mr. ZIHLMAN. That is satisfactory to me, Mr. Speaker.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill S. 3396, with Mr. MANN in the chair.

The CHAIRMAN. [Applause.] The House is in Committee of the Whole House on the state of the Union for the consideration of the bill S. 3396, which the Clerk will report.

The Clerk read as follows:

A bill (S. 3396) creating the positions of Second Assistant Secretary and private secretary in the Department of Labor.

*Be it enacted, etc.*, That there shall be in the Department of Labor an additional Secretary, who shall be known and designated as Second Assistant Secretary of Labor. He shall be appointed by the President and shall receive a salary of $5,000 a year. He shall perform such duties as shall be prescribed by the Secretary of Labor, or required by law, and in case of the death, resignation, absence, or sickness of the Assistant Secretary shall, until a successor is appointed or such absence or sickness shall cease, perform the duties devolving upon the Assistant Secretary by reason of section 177, Revised Statutes, unless otherwise directed by the President, as provided by section 179, Revised Statutes.

SEC. 2. That there shall be in the Department of Labor one private secretary to the Second Assistant Secretary of Labor at a salary of $2,100 a year.

SEC. 3. That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $8,283.34, or so much thereof as may be necessary, to pay the salaries of the Second Assistant Secretary of Labor and the private secretary to the Second Assistant Secretary for the fiscal years 1922 and 1923.

Mr. ZIHLMAN. Mr. Chairman——

Mr. RAKER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. RAKER. The Chair has recognized the gentleman from Maryland. Will he be recognized for one hour under this rule?

The CHAIRMAN. The gentleman from Maryland is recognized for 30 minutes.

Mr. RAKER. And am I recognized for those opposed to the bill?

The CHAIRMAN. The Chair will determine that question when it arises.

Mr. ZIHLMAN. Mr. Chairman, I yield five minutes to the gentleman from Indiana [Mr. BLAND].

Mr. BLAND of Indiana. Mr. Chairman, the Committee on Labor very carefully considered a bill identical with this one. I am unable fully to understand the attitude of the chairman of the Committee on Appropriations [Mr. MADDEN] concerning this bill. He indicates a prejudice against the Labor Department that is difficult to understand. Any man who goes thoroughly into a statement of the facts in this case is bound to realize it is for the betterment of the United States to have these immigration appeal services rendered by an assistant secretary. The gentleman from Texas, a moment ago, attempted to lead this House to believe that because there are fewer immigrants coming into this country we should need fewer immigration officers. He either is not in possession of the facts or did not want to give the House the facts, one or the other. He knows or ought to know the restriction we put upon immigration causes so many appeals that the Labor Department to-day is actually overwhelmed with them.. They can not hope to fairly hear those appeals unless we give them the relief asked for in this bill. Certain gentlemen say let the Immigration Commissioner pass upon them. The appeal decision must be made by some one. It must be by the Secretary or a deputy. We could authorize the commissioner to decide the whole question, of course. But the people more familiar with the immigration problems realize that that is not the thing to do. We ought to have a check placed upon it by way of appeal. When we are trying to stop the flood of undesirable citizens coming into this country it is worth while to give a little bit of consideration to this question of appeals, which have amounted to 2,000 a month. Why this opposition to this measure? I can not understand it. There is no additional expense.

If there is any, it certainly is not much. Why this quarrel, when it is generally admitted that this great service finds itself helpless by reason of the legislation which we ourselves passed? We ought to eliminate, gentlemen, the prejudice there is toward creating a new office if the new office is necessary and no one can advance an argument that is convincing against the necessity for this one. Would it not be foolhardy on our part to let this great service go to rack and ruin and not give fair consideration to the great number of appeal cases merely because we have changed the name of an officer who considers the cases? Gentlemen, I have studied this situation very carefully, and I know that every man who has fairly considered this bill is for it. The chairman of the Committee on Appropriations would not listen, would not talk to the Assistant Secretary of Labor when he came to present his cause. If he had listened and talked to him I think he would have taken a different attitude,

Mr. McDUFFIE. Will the gentleman yield?

Mr. BLAND of Indiana. I will.

Mr. McDUFFIE. Outside of the amount carried in the bill can the gentleman give us some idea of what the additional cost will be?

Mr. BLAND of Indiana. I do not think it will entail additional cost on the Government of the United States. These appeals have increased so enormously on account of the immigration laws that we passed that the Secretary can not hear them all. He should give his time to more important matters. He is a busy man. Why do you want to make the great position of Secretary of Labor a justice of the peace court?

Mr. McDUFFIE. The gentleman from Illinois did not seem to agree with that.

Mr. BLAND of Indiana. He has not gone into the case very thoroughly.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RAKER. Mr. Chairman——

The CHAIRMAN. Does the gentleman desire recognition in opposition to the bill?

Mr. RAKER. I do.

The CHAIRMAN. The gentleman is recognized for 30 minutes.

Mr. RAKER. I yield 10 minutes to the gentleman from California [Mr. LEA].

Mr. LEA of California. Mr. Chairman, I ask unanimous consent to proceed out of order.

The CHAIRMAN. The gentleman from California asks unanimous consent to proceed in his 10 minutes out of order. Is there objection?

Mr. ZIHLMAN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. ZIHLMAN. Is that permissible under the rule adopted?

The CHAIRMAN. It is not permissible under the rule. The Chair will state to the gentleman from California that the rule provides debate shall be confined to the bill.

Mr. LEA of California. I ask permission of the committee that I may proceed out of order.

The CHAIRMAN. The rule adopted provides that general debate shall be confined to the bill. The Chair thinks the committee would not have the power to change the rule by unanimous consent.

Mr. LEA of California. I yield back the balance of my time.

Mr. RAKER. I yield 10 minutes to the gentleman from Texas [Mr. Box].

Mr. BOX. Mr. Chairman and gentlemen of the committee, I insist on appealing to the judgment of Members that if there be a greater number of appeals by excluded aliens it is because the law is not properly enforced by the department. The only new test applied by the law which they are enforcing now is the quota or 3 per cent regulation.

Mr. JOHNSON of Washington. Let us get that exactly right. The gentleman knows that the immigration act passed in 1917 could not go into thorough effect on account of the war. That new act contained the illiteracy test, the psychopathic inferiority test, and the quota test—those three things.

Mr. BOX. But under that law 800,000 immigrants came in in one year without any appeal by the Labor Department for additional help, while the gentleman and his party associates now want two assistant secretaries to handle only 240,000 per year, while one formerly handled over 800,000 per year.

The truth is that our Immigration Department has not been functioning satisfactorily for some time, not since I have been acquainted with its work. The quota admissible each month is already figured out; we know weeks in advance whether a man from Russia or Italy or any other country is admissible. There is nothing to be settled by an appeal. If a case is appealed the figures have already been given a hundred times.

Mr. SIEGEL. Mr. Chairman, will the gentleman yield?

Mr. BOX. I can not yield further, because the time is limited.

It is a matter of mathematical count. They know how many can be admitted, and they know that if the law is complied with a man who is in excess of the quota can not be admitted. But the trouble is that this department has followed the rule of admitting them when there was lots of influence behind them in spite of following the law.

In the last weekly report of the Bureau of Immigration giving the number of these admissions you will see some 3,000 admitted because of "unusual hardships." The meaning of "unusual hardships" is not defined by law. It is not in the law. There is no rule defining it. These admissions are in spite of the law. The result is that the Assistant Secretary of Labor follows his discretion instead of the law. When one Congressman or Senator hears that the other Member's constituent has gotten in in spite of the law, he makes a hot trail to the Assistant Secretary and says, "You let in the alien relative or friend of so-and-so's constituent in spite of the law; now let mine in."

And so, the fence being broken down, they are trying to get in everywhere, and we shall have to have many officials to pass on the undefined question of "hardships" in each case. This House was warned that when the law was not followed there would be no guide. You can not administer that department satisfactorily with a dozen assistant secretaries without law. The trouble is that they are not administering the law; and that being true, these immigrants are being illegally received. That is one reason for the great number of appeals now to be disposed of at additional expense.

Mr. HIMES. Mr. Chairman, will the gentleman yield?

Mr. BOX. I am sorry I can not yield.

Another is this: When a Member of Congress or a public official or a foreign-language newspaper editor makes an appeal, he is heard. There is no law, so "discretion" and politics and favoritism prevail. The thing is in a mess because the law has not been followed.

Mr. KING. Mr. Chairman, will the gentleman yield?

Mr. BOX. Well, I have been refusing other gentlemen. I do not want to be discourteous, but I shall have to decline.



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Now, that condition prevails in that service, and the people of the country ought to know it. Some poor devils over there in New York have been taking bribes. They must live largely on tips. Think of a man living, performing duties of an inspector over there, on $1,200 a year. He goes on the ships to do a big lot of his inspection. I have seen them there. They do not march there like the President walks around the White House grounds.

The following is a part of a letter believed to have been written by one of them to the gentleman from Texas:

Hon. J. C. BOX,
*Congressman, Washington, D. C.*

DEAR SIR: It may be of some help to your committee to get acquainted with the inner workings of the watch force at Ellis Island. All that is needed to handle reds, insane, and convicts is enough able watchmen and proper equipment. * * * Your attention is also called to the fact that able watchmen get only $900 to $960, while old or in good graces of the supervisor get the limit of $1,020. Watchmen are compelled to hold outside jobs. * * * Could you do your best under these conditions if you were a watchman?

We are to blame for it; we are playing at the enforcement of these important laws. I have, against the judgment of gentlemen on my side of the House, urged the making of appropriations for the better enforcement of the law at the ports and on the frontier, but the House has not seen fit to do it, and now instead of paying living salaries, providing an adequate force and upholding the service as it should be upheld, we are feathering the nests of the politicians and permitting the underpaid employees and the service to suffer.

This bill was first introduced in the Senate by a Senator from Delaware. I would just like to show you the great number of communications that I have received in opposition to the immigration laws, attacking them, trying to break them down, attacking the literacy test, saying we need 4,000,000 of laborers, in the face of this imminent condition of unemployment, urging the committee to let in 4,000,000 laborers. Mr. COLEMAN DU PONT'S name is printed on much of that concern's literature, on many of those very letters as "chairman of the board." I speak of the "Interracial Council." Now, look at the record. That demand came from people financed by such concerns as the Du Pont de Nemours Co. and a great group of big business concerns, including the Standard Oil Co. Now the same set of men want somebody to help to enforce the law.

Gentlemen, this thing is wrong. It grows out of a wrong. It is perpetuating a wrong. The remedy is to be found by doing what public officials should do, enforcing the law. Anything else is political hypocrisy; anything else is subversive of good government. The employees down there who accept a tip of $50 or $75 or $100 from somebody for illegally letting in some alien have no more cause to feel worse about it than somebody higher up who violates the law to please a friend or make political capital. Some of the humbler ones have been indicted. I want to insert a report here as to some of those indictments. They did not say anything about the fellows that bribed them. Not a word about them. It is a press report published in one of the organs of the present administration at Washington, appearing in April of this year:

OFFICIALS AT ELLIS ISLAND ACCUSED OF MULCTING ALIENS—FOUR INSPECTORS AND BARBER ARE INDICTED ON CHARGES OF IMMIGRATION LAWS FOR MONEY FROM RELATIVES.

NEW YORK, April 3.—An investigation started several weeks ago by Immigration Commissioner Robert E. Tod has revealed at Ellis Island an alleged conspiracy on the part not only of immigrant inspectors but of land agents, missionaries, and other persons not directly connected with immigration to prey on persons seeking to bring relatives into this country.

As a result of the inquiry, the Federal grand jury to-day indicted four immigrant inspectors, William Alexander, William Leonard, Jeremiah Fitzgerald, and John Donovan, and a barber, Tobias Levy. The indictments charge accepting bribes, unlawfully admitting aliens into the United States, and altering Government records. Bench warrants have been issued for the men.

OTHER INDICTMENTS DUE.

Samson Selig, assistant United States district attorney, who is prosecuting the case, is unable as yet to tell how widespread are the operations of the alleged ring. He announced to-day, however, that the investigation has only started. He predicted other indictments shortly.

Foreign-born residents of eastern cities anxious to bring relatives into this country without delay have been mulcted of many thousands of dollars, according to Selig, who mentioned numerous instances where land agents in the employ of steamship companies worked in conjunction with unscrupulous inspectors.

HAVE PRICE LIST.

Selig said members of the ring collected from $500 to $1,500 in some instances where they procured speedy admission of an alien to the United States. In other cases $20 sufficed. Persons whose relatives were coming over in the steerage were given a horrifying description of conditions at Ellis Island and told that for a small sum of money their relatives could be spared detention and possible rejection, according to the prosecutor.

To make good on their promises, Selig charges, names were stricken from the alien manifest list and placed on the citizenship list and landing guards enabled aliens to come into the country without delay. Selig declared he had discovered instances where aliens having contagious diseases were admitted by trickery, and told also of the case of a woman with an illegal child who came here to marry the father of the baby.

Under the law she was barred. An Ellis Island missionary provided an inspector with a fraudulent marriage certificate and the woman and her baby were admitted, Selig asserted.

They said the inspectors were mulcting the immigrants. But aliens and their relatives went slipping around bribing them and getting them landed by some devious way. It was not wrong for alien influences to corrupt the service; oh, no. It was wrong for the poor devil at the bottom to take $10 as a tip or a bribe from an alien, his relatives, or attorneys. But why pick out that lowliest man and call him a criminal and say he was robbing the man who bribed him?

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BOX. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ZIHLMAN. Mr. Chairman, I yield four minutes to the gentleman from Georgia [Mr. UPSHAW].

The CHAIRMAN. The gentleman from Georgia is recognized for four minutes.

Mr. UPSHAW. Mr. Chairman and gentlemen, I ask the members of the committee to remember, first of all, that this bill was unanimously indorsed, regardless of political lines, by the Committee on Labor. It seems to me that such united action on the part of those who have studied the question should have weight with those who do not know the facts. I have voted for every restriction against foreign immigration that has come before me since I have been in Congress. I am compelled to take issue with my genial friend, the gentleman from Texas [Mr. Box], when I declare that the argument he has been making about things going wrong up yonder at Ellis Island does not touch this situation at all. It only makes stronger the argument that the Department of Labor ought to have more assistance to help compass the growing complications of the situation and see that mistakes are not made and that the laws are not evaded.

Mr. JOHNSON of Washington. If the gentleman will yield, I want to make it very clear that the handling of appeals in quota cases constitutes a very small part of the total number of appeals in a year's time.

Mr. UPSHAW. I want to emphasize another thing, gentlemen. I have it from the lips of the Secretary of Labor himself that this will not entail any extra expense upon the Treasury of the United States. I phoned the Secretary's office just a few moments ago, and the Assistant Secretary told me—the Secretary not being in his office at the moment—that if this bill passes one man will resign July 1 who is now getting the same salary that the Second Assistant Secretary will get if he is appointed, this man now doing work that, frankly, he has not quite the legal right to do. But this bill will officialize, so to speak, the work that must be done, and which is too overwhelming in volume and detail for the Secretary himself to personally perform.

Mr. HUDSPETH. Will the gentleman yield?

Mr. UPSHAW. My time is very brief, but I will yield to the gentleman.

Mr. HUDSPETH. I understand there seems to be some doubt whether it will cost the Government anything additional.

Mr. UPSHAW. I remind the gentleman that I have just made the statement based on the testimony of the Secretary of Labor, and the supplemental statement from his office since this debate began, that it will not cost the Government an extra dollar.

Mr. BOX. If so, why does the bill authorize the appropriation of additional money?

Mr. UPSHAW. That can be readily adjusted. I take the word of James J. Davis. I believe he tells the truth.

Frankly, I do not like to find myself out of harmony with many of my Democratic colleagues. They are just as patriotic and wiser perhaps than I am, but it is possible that they have not studied this Department of Labor as carefully nor dealt with it as intimately as I have. But the thing that I wish especially to resent, in my right as a Congressman and as an American citizen, is the criticism hurled at the Secretary of Labor by the chairman of the Committee on Appropriations [Mr. MADDEN], who said he was "ashamed of the Secretary of Labor for coming down here and trying to lobby for this bill." I want to say that I am proud of Secretary Davis for doing that very thing. [Applause.] Woodrow Wilson set the splendid Democratic example of leaving Olympus, if you please, and

coming down here as a human President to have helpful conferences with Senators and Congressmen about legislation. And President Harding and some of his Cabinet officers have wisely followed his sane and thoroughly American example. [Applause.]

If Mr. Lasker can come from the Shipping Board to Capitol Hill—he is not a member of the Cabinet—and make an appeal before committees for liquor on American ships, God knows that a high-class, God-fearing man like James J. Davis, who has proven that he has a heart bigger than his body and that he really loves humanity, has a right to come anywhere he wants to come and try to influence legislation that will make for the efficiency of his department. [Applause.] I am tired of the cheap epithet "lobbyist" being hurled at any man who, as an American citizen, to say nothing of being a member of the Cabinet, comes here to this Capitol and seeks to influence legislation by legitimate means. The humblest man or woman has a right to come to this Capitol in which he is a stockholder and to this Congress which he owns and seek by every clean, honest, legitimate means to secure worthy legislation. James J. Davis is a great, God-fearing, church-going man—may his tribe increase among high officials here and everywhere—and I have new hope for the solution of the problems between labor and capital while a man of such signal ability and such a Christian spirit keeps his hand of love and strength and wisdom upon labor's restless heart.

Often on Sunday and often during the week he speaks to thousands of workingmen and reaches his fatherly, brotherly hand to thousands of orphans, teaching the wholesome doctrine that the principles of the Prince of Peace in regenerated human hearts will solve every problem of society, individual and organic, in America and in this struggling world.

A man of such character and wisdom as I have personally found James J. Davis to be can get most anything I have got, especially my vote, to help him improve his department, that touches humanity more closely, perhaps, than any other department of our Government. Let us not vote prodigal millions right and left for Army and Navy and nations across the seas, and then suffer a small spasm of economy to keep us from doing our duty when efficiency and humanity are at stake. [Applause.]

Mr. RAKER. The statement of gentlemen on the other side was that there are so many cases because of the new law. The gentleman says he has investigated the matter. Is it not a fact that no appeals are allowed in the kind of cases he referred to, such as idiocy, epilepsy, and constitutional psychopathic inferiority?

Mr. UPSHAW. I can not answer that question technically, but I can say on general principles that this is a growing department and that its business has vastly increased.

Mr. RAKER. I should like to have the gentleman answer my specific question.

Mr. UPSHAW. I do not have to answer that direct question, because, very frankly, I do not know.

Mr. ZIHLMAN. Will the gentleman yield to me?

Mr. UPSHAW. I yield to the gentleman from Maryland.

Mr. ZIHLMAN. I will say to the gentleman from California that there were 14 cases of epilepsy heard in the month of May before the board of review.

Mr. RAKER. I yield five minutes to the gentleman from Tennessee [Mr. BYRNS].

Mr. BYRNS of Tennessee. Mr. Chairman, I am sure we all appreciate and admire the genial good nature and great optimism of my good friend from Georgia [Mr. UPSHAW], but I can not share in the optimism that he has shown in his recent remarks. My experience in Congress is that it is absolutely impossible to create an office and provide additional machinery of government that does not cost the people something. This bill provides for a second assistant secretary at $5,000 a year, with a private secretary at $2,100, and every man within the sound of my voice knows that that is not the limit of the expense, because as soon as this position is created, I dare say, certainly within the next year, there will be a request of Congress to provide an additional clerical force for this Second Assistant Secretary of the Department of Labor.

Mr. GALLIVAN. Will the gentleman yield?

Mr. BYRNS of Tennessee. I yield to the gentleman from Massachusetts.

Mr. GALLIVAN. Does the gentleman from Tennessee know that last year, because of diminished appropriations in the Department of Labor, the Secretary of Labor, James J. Davis, never drew a dollar of his salary for himself, but paid it out of his own pocket for extra help to do Federal work? [Applause.]

Mr. BYRNS of Tennessee. I do not know what the Secretary of Labor did with his salary. He is to be commended for his action if he did as the gentleman from Massachusetts suggests, although personally I do not think that he ought to have done it. I think the Government ought to pay for any services rendered or any assistance needed by him in his official capacity. [Applause.]

Mr. GALLIVAN. So do I.

Mr. BYRNS of Tennessee. I do deny that a Second Assistant Secretary of Labor is needed at this time. The gentleman from Indiana [Mr. BLAND] made some criticism of the gentleman from Illinois [Mr. MADDEN]. He said that the gentleman from Illinois [Mr. MADDEN] is prejudiced in this matter. I submit to the gentleman that it is not fair to say that, because no one is prejudiced against the Secretary of Labor or his great department, which is rendering a great service; but I submit that merely because a Member of this House gets on the floor and undertakes to plead for economy and to prevent the creation of new offices at this particular time it ought not to be charged that he is actuated by prejudice. It is always easy to find an excuse to create a new office or to get additional money out of the Treasury.

If anyone doubts that, he has only to read some of the speeches that have been made here this morning on this particular bill. After you once create an office you never get rid of it. That was demonstrated here yesterday, because only a few weeks ago this House and the Senate abolished certain land offices which cost the Government something like $80,000 a year. You will be called upon to pass an appropriation bill this afternoon carrying $75,850 to take care of the action of the House yesterday in restoring these land offices and providing for the employees whom Congress only a few weeks ago decided should be eliminated as wholly unnecessary.

Now, gentlemen, I submit that if the Secretary of the Interior Department has only one assistant secretary, if the Department of Commerce has only one assistant secretary, if the War Department and the Navy Department have only one assistant secretary, there certainly can be no reason for creating two assistant secretaries in the Department of Labor. Just as certainly as you pass this bill these other departments will be here asking for an additional assistant secretary. The bill carries $5,000 as a salary; but it is no secret, we all know that as soon as the reclassification bill becomes a law—and it doubtless will become a law at this session—the salaries of the assistant secretaries are going to be considerably increased, possibly to $6,000 or $6,500. We ought not to create new offices and make additional unnecessary charges on the Treasury when we are confronted with a deficit which the Secretary of the Treasury says will be over $500,000,000. [Applause.]

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. ZIHLMAN. Mr. Chairman, I yield five minutes to the gentleman from Washington [Mr. JOHNSON].

Mr. JOHNSON of Washington. Mr. Chairman, I know that the Appropriations Committee has a great amount of work to do, and I believe that gentlemen of that committee should not be criticized for their efforts to economize, but I contend that the members of the Appropriations Committee do not possess all of the information there is, and I contend that they are peculiarly lacking in information concerning the Department of Labor. That department has not had a committee especially assigned to make its appropriations these past 10 years, so the lump sum has had full sway there, and if the gentleman from Illinois will call me when they have the next appropriation bill up in his committee I will show them where to take out much more than this will cost and where it will do no harm.

Mr. BYRNS of Tennessee. Will the gentleman yield?

Mr. JOHNSON of Washington. Yes.

Mr. BYRNS of Tennessee. Does not the gentleman think it would be a good deal better to save the money and not create this new office?

Mr. JOHNSON of Washington. No; really I do not. All the expenses of the Labor Department and more are paid from the head tax taken from these aliens. We have set up a law giving every one of them a right of appeal. When Congress fails to uphold that law, when it can not provide money to hire secretaries to act on the appeals, to pay the judges of the very immigration court that we have provided, then we had better abolish the whole system. [Applause.]

Now, I am sincere about that. We must not enact a law authorizing these appeals and then fail to provide either the means or the men to take care of the appeals.

A great deal is being made of the fact that some appeals are on account of the quota law. Perhaps there should be no ap-

peals from an exact quota, but you must remember that the boundaries of the countries have been changed so that quotas have not been exact, and yet the quota appeals are but a small part of the labors of the Secretary of Labor. There are many appeals of cases of persons likely to become public charges. They are resisted and go up on appeal.

Mr. Chairman, I have tried every way I could for years to have the whole Department of Labor reorganized. It needs reorganization. It was hastily put together several years ago, and I hope that some day we will find time to reorganize the whole department.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. RAKER. Mr. Chairman, I yield five minutes to the gentleman from Texas [Mr. CONNALLY].

Mr. CONNALLY of Texas. Mr. Chairman, I ask unanimous consent to proceed out of order.

The CHAIRMAN. The Chair will say to the gentleman that the rule provides that general debate shall be confined to the bill.

Mr. CONNALLY of Texas. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. CONNALLY of Texas. I will ask the Chair if it is not true that anyone can speak out of order unless the point of order is made?

The CHAIRMAN. The gentleman from Texas submitted a request for the Chair to put to the committee. The Chair thinks that he can not submit that request to the committee without directly violating the rule. The gentleman can speak out of order if he is not called to order, but the Chair can not submit a request contrary to the provisions of the rule.

Mr. CONNALLY of Texas. Mr. Chairman and gentlemen, I want to call the attention of the committee to a matter that has occupied a great deal of space in the newspapers in the last two days. In prominent headlines, occupying conspicuous places among the dispatches, have been accounts of kidnaping of American citizens in Mexico and the capture by Mexican bandits of American property. These reports present a very serious situation.

Mr. WALSH. Mr. Chairman, I make the point of order that the gentleman is not discussing the bill under consideration. Other gentlemen who have sought permission to speak out of order have been denied.

Mr. CONNALLY of Texas. This being a nonpartisan matter, I did not know but that I might be allowed to proceed.

Mr. WALSH. I appreciate the fact that the gentleman from Texas never makes a partisan speech, but I do not think he ought to inject this into this debate. Furthermore, I would like to hear the gentleman more at length on this question.

Mr. CONNALLY of Texas. It is very evident that the gentleman from Massachusetts would like to hear me more at length from the fact that he has made objection before he has learned what I am talking about.

Mr. WALSH. It does not take long to ascertain what the gentleman is talking about.

Mr. CONNALLY of Texas. Very well, Mr. Chairman, I recognize the autocracy of the gentleman skilled in the rules, and I abide by his objection. I yield back the balance of my time. [Applause.]

Mr. ZIHLMAN. Mr. Chairman, I yield four minutes to the gentleman from New York [Mr. SIEGEL].

Mr. SIEGEL. Mr. Chairman, on December 10, 1920, speaking on the floor of this House, I said:

> I should like to say also to my colleagues that I could change and relieve the congestion at Ellis Island very quickly if Congress would abolish the office of Commissioner of Immigration and in lieu thereof place the Assistant Secretary of Labor at Ellis Island, so that he could act on each and every appeal promptly. If an immigrant is not fit mentally, morally, or physically, or if he is a crook, criminal, or an anarchist, see that he is sent back by the next ship after being given his legal rights. But you do not do that. Under the present law you bring the appeals from Ellis Island to Washington, and here they take from a week to four or five months before the appeals are acted upon. If you had your Assistant Secretary of Labor at Ellis Island to pass on the question you would not only get rid of all the correspondence and delay, but you would relieve the congestion. For many reasons that is the policy which should be adopted.

My views are more confirmed than ever that this is the only solution. Let us look at this question as Americans, and not as partisans. This is not a question with which to play politics.

Mr. BOX. Mr. Chairman, will the gentleman yield?

Mr. SIEGEL. Yes.

Mr. BOX. Is it contemplated that this Assistant Secretary of Labor shall be stationed at Ellis Island?

Mr. SIEGEL. My information is that he is going there to take up appeals and determine them quickly. In that way the Government would save more than $8,000 per year by reducing the number of your telegrams, by reducing the correspondence now passing back and forth. We would be able to use the men thus relieved for other purposes at Ellis Island. A moment ago the question came up as to whether the right of appeal exists under the immigration law. The United States Supreme Court has repeatedly said that it does exist. If you desire to deport an alien or attempt to keep an immigrant out, the right of appeal exists, and if you do not give it you are violating the elementary law of the land.

A moment ago the question was raised as to whether these quota law cases can be appealed. Those people are entitled as a matter of absolute right to appeal. If the doctrine of no appeals were carried out, there would not be any opportunity even for an infant to have his rights protected. Let me call your attention to a case, the report of which I take from the New York Tribune of June 27, 1922:

> Little Siranoosche Gulumian is on her way to Constantinople, a puzzled and frightened victim of the vagaries of the immigration laws. The girl's parents, Mannik Gulumian and his wife, Marucek, are in Dorchester, Mass., in the care of a son who fought under the Stars and Stripes in the World War. The same law which admitted them excluded her.
>
> "As to the third relator Siranoosche Gulumian," said Judge Mack, of the United States district court, who upheld the writ of habeas corpus on which Mannik and Marucek Gulumian were released from Ellis Island, "inasmuch as the evidence was conflicting as to her place of birth, I can not hold that the board was without legal justification to find the place of birth to have been Constantinople. Under this finding and in view of the fact that the quota allowed under the immigration laws to Turkey had already been exceeded, her admission was properly refused."
>
> By due process of law, therefore, little Siranoosche, the third relator, a Turk by birth and by law, was carried weeping, screaming, and kicking aboard the *Megali Hellas*, a steamship bound for Constantinople, Saturday night, while her equally tearful parents, the first and second relators, who were born in Armenia, prepared for the journey to Dorchester.
>
> Since February 8, Siranoosche and her parents have been detained at Ellis Island. The little girl became a favorite there and for her it was the happiest period of her brief existence. Everyone at Ellis Island knew "Noosie," the smiling, black-eyed little girl who had been born while her parents were refugees in Constantinople awaiting an opportunity to sail for America, where a warm welcome awaited them at the home of their son.
>
> It never occurred to them that there would be any question as to their admission. Their son Nubar, was a man of wealth and standing in the new land toward which their faces were turned and had fought in its Army. If there was any delay or misunderstanding, such as other immigrants feared, they would call on Nubar.
>
> Even Nubar, though he engaged counsel, displayed his discharge papers, and appealed to Washington, could not get his small sister into the United States. She had been born in Constantinople.

True, there was the right of appeal which this crazy-quilt law gives, and that is what it is. It is the most inhuman law that was ever put on the statute books, and, regardless of what any man or organization says to the contrary, that is the fact. The great trouble is that the average Member in this House is so busy with other work, so busy with committee hearings and departmental matters which he is compelled to devote himself to, that he does not know the operations of the immigration law, and he does not know the immigration law itself nor the naturalization law, for that matter. On the floor of the House some of the members of my own committee have been discussing this immigration law without having a full knowledge of what it is. I refer to the statement made a few moments ago about the right of appeal. There is no doubt that the right of appeal exists. I agree with the gentleman from Texas [Mr. Box] in so far as he says they are expecting a large arrival of immigrants in the morning at Ellis Island. Tomorrow morning, with all of the ships coming in, instead of having the 703 men to act there, as was the case a few months ago, we will have a force of 500 men. Within the next 48 hours we are going to see the greatest congestion ever seen in this country on Ellis Island, with thousands of men, women, and children there having to sleep on the bare floors, with no pillows, no cushions, and with only their baggage on which to place their heads. This we have done in the name of economy, notwithstanding the fact that these immigrants pay a head tax of $8 and visé fee of $10. That is the kind of consideration we give to human beings. It is about time Congress woke up and did its duty by these people, by itself, also by our country, which is receiving these immigrants who are to be our future citizens. The first impressions often leave lasting ones. Now, gentlemen, I may not agree with all the views of Secretary of Labor Davis, but he is working very hard and should be commended instead of denounced here. He can not be here to defend himself. Let us play fair with our public servants and give them the credit they deserve. Let us tell the truth about them. [Applause.]

Mr. UPSHAW. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. ZIHLMAN. Mr. Chairman, I yield five minutes to the gentleman from Ohio [Mr. CABLE].

Mr. CABLE. Mr. Chairman, justice and humanity require proper consideration of appeals in cases involving the rights of people and our Government. Under our present law every alien who may not appear to the examination immigration inspector at the port of arrival to be clearly and beyond a doubt entitled to land, shall be detained for examination in relation thereto by a board of special inquiry. This board is appointed by the Commissioner of Immigration or inspector in charge at the various ports of arrival, as may be necessary for the proper determination of all cases of immigrants detained at such port under the provision of law. It consists of three members. The board has authority to determine whether or not an alien who has been duly held shall be allowed to land or shall be deported. At such hearings the immigrant is entitled to representation, and a complete record of the testimony is made. The alien has the right to appeal through the Commissioner of Immigration at the port of arrival and the Commissioner General of Immigration to the Secretary of Labor, and the taking of such appeals operate as a stay of action until the receipt by the Commissioner of Immigration at the port of arrival of a final decision by the Secretary of Labor. Similar proceedings are had when a warrant is issued for the arrest of an alien for the purpose of deportation, and such alien is entitled to representation and a hearing. In either case the law specifically requires the Secretary of Labor or, in his absence, his assistant, to pass on all these appeal cases.

It is important, both to the country and to the alien, that these appeals should have full consideration. The large amount of work that this law entails is quickly appreciated when we know the number of appeal cases. For example, the number of warrant and appeal cases received from January 1 to June 30, 1921, was 7,287, or an average of 1,214 per month. For the period from July 1 to December 31, 1921, the number was 9,131, or an average of 1,532 per month. The amount of work in these appeal cases involve consideration that is beyond the power of the Secretary or his assistant to give. Many vitally important questions arise each day in the Department of Labor, involving not only these appeals but questions arising in the Bureau of Immigration, of Naturalization, in the Children's Bureau, in the Women's Bureau, and in the Employment Service.

The Secretary of Labor, to facilitate the work, appointed a board of review of five members to pass upon these appeals, giving full right to the immigrant to have some one appear in his behalf. This board went into operation January 1, 1922, and a summary of that month is as follows:

*Board of review, summary for January, 1922.*

| | |
|---|---|
| Number of cases reviewed | 1,291 |
| Number of aliens involved | 1,994 |
| Number of cases in which Senators or Congressmen were interested and heard | 174 |
| Number of cases in which attorneys were heard orally | 151 |
| Number of cases in which attorneys were interested and heard by brief or other memoranda | 81 |
| Number of cases in which societies, relatives, friends, and interested parties, other than Senators, Congressmen, and attorneys, were heard | 57 |
| Total | 463 |

*Nature or kind of cases coming before the board of review on appeal.*

| | |
|---|---|
| Number of alien contract labor | 46 |
| Number of Chinese cases | 58 |
| Number of dangerous contagious disease | 29 |
| Number of loathsome contagious disease | 38 |
| Number of crimes involving moral turpitude | 61 |
| Number of crimes involving prostitution | 19 |
| Number of stowaways | 30 |
| Number of communists | 30 |
| Number without passport | 49 |
| Number of aliens under 16 unaccompanied | 21 |
| Number of aliens assisted | 56 |
| Number of accompanying aliens | 9 |
| Number coming as excess quota | 208 |
| Number likely to become public charge | 595 |
| Number physically defective | 128 |
| Number of feeble-minded | 27 |
| Number insane | 14 |
| Number entering without inspection | 149 |
| Number of illiterates | 193 |
| Number coming from "barred zone" | 4 |
| Number deaf and dumb | 3 |
| | 1,697 |

The summary of the work of the board to June 1 is as follows:

*February, 1922.*

| | |
|---|---|
| Number of cases reviewed and decisions written | 1,285 |
| Number of aliens involved | 1,993 |
| Number of oral hearings by the board | 296 |

*March, 1922.*

| | |
|---|---|
| Number of cases reviewed and decisions written | 1,900 |
| Number of aliens involved | 2,609 |
| Number of oral hearings by the board | 561 |

*April, 1922.*

| | |
|---|---|
| Number of cases reviewed and decisions written | 1,447 |
| Number of aliens involved | 2,471 |
| Number of oral hearings by the board | 286 |

*May, 1922.*

| | |
|---|---|
| Number of cases reviewed and decisions written | 1,409 |
| Number of aliens involved | 2,079 |
| Number of oral hearings by the board | 269 |

The Assistant Secretary of Labor now devotes 90 per cent of his time going over the results of this board of review, and he either confirms their findings or refuses to do so. This work involves such a big and important task and the issue is so great that some one should devote their entire time to the subject.

It is the intent of the law that the Secretary of Labor, himself, personally, or his assistant, shall investigate each one of these appeal cases and to render a decision that shall be fair and impartial to the persons involved as well as this country.

The gentleman from Illinois [Mr. MADDEN] is opposed to this bill. He protests against Secretary of Labor Davis coming to the Capitol in behalf of its passage. The Secretary of Labor, Mr. Davis, is making a fine record with his department. He says that all persons should be treated humanely and justly. The present law does not fully permit this. The law requires that each one of these cases should be considered on appeal fairly and impartially. The Secretary believes in a fair hearing, and he is entitled to such machinery that all persons appealing to him will receive justice. The Secretary ought to be congratulated, not condemned, for coming to Congress seeking a measure whereby persons shall receive justice and a fair hearing, particularly when the issue at stake is one of residing in the United States or in a foreign land.

The gentleman from Illinois [Mr. MADDEN], chairman of the Appropriations Committee, objects to the bill because of additional expense. That gentleman evidently forgets for the moment that the head tax the immigrant pays takes care of the expense of the department and that costs involved in appeals are not paid by the Government.

I am proud of the record of the Secretary of Labor, and am glad to speak on behalf of the bill that will permit him to carry out an efficient performance of the duties of his office. In other departments the Cabinet member has authority to delegate his work to his assistants or chiefs. In the Department of Labor Congress considered the rights of human beings of highest privilege, and that therefore the Secretary of Labor or his assistant only should consider these appeal cases and pass on them. This right can not be delegated. The duties of the Department of Labor are heavy and important. A special Assistant Secretary, giving his entire consideration to the appeal of human beings, is a proper subject of legislation for this Congress.

Mr. ZIHLMAN. Mr. Chairman, I yield three minutes to the gentleman from New York [Mr. LONDON].

Mr. LONDON. Mr. Chairman, in the Committee on Labor I voted to report this bill, surely not with the desire to increase the number of Republican officeholders nor with the hope that a representative of my party would be appointed as Assistant Secretary. The Department of Labor was intended to be a very important department and, as I said sometime ago, it was to be one of the pillars of the temple of liberty. The Secretary of Labor was supposed to represent the interests of labor, the sentiments of labor, the aspirations of labor in the executive branch of the Government. It is the duty of a secretary to see that everybody else attends to work. It is the duty of the Secretary, the head of a department, to attend to the big matters and take a national view of things. It is not his function to take care of individual cases. He has to determine policies; he has to debate policies; he has to participate in the deliberations of the Cabinet, as a member of the Cabinet, to be preparing himself adequately for performing the function of one of the board of directors of the Government.

When this department was created its purpose was declared by law to be, "to foster, promote, and develop the welfare of the wage earners of the United States; to improve their working conditions and to advance their opportunities for profitable employment." This was supposed to be the task of the office of the Secretary of Labor. No office should have been more important, and no Secretary of Labor should permit any other department to overshadow him.

The addition of an Assistant Secretary of Labor to take up a part of his task, to take up the work of looking over appeals, examining appeals, should enable the Secretary to do the bigger part of the work. Now, let me say one word to the gentleman from Texas. I do not like to be cruel in criticism; I recall one of the quaint characters of Dickens who says, "If that is the law, the law is a jackass," and I am very much reminded——

The CHAIRMAN. The time of the gentleman has expired.

Mr. LONDON. Give me one minute to complete this noble sentiment.

Mr. ZIHLMAN. I yield one additional minute to the gentleman from New York.

Mr. LONDON. I am very much reminded of that when I hear his insistent demand that the law be enforced literally and rigorously, without any intelligence, without any judgment—why, there must be intelligence used in enforcing any law. It can be turned into a cruel weapon of oppression or it can be made the intelligent vehicle of the expression of deliberate, well-thinking men. [Applause.] Whenever you enforce the law literally it is cruel. The immigration law is harsh enough. You must give room to the soul of the man who is to enforce it. The gentleman from Texas wants the letter of the law enforced and the spirit of man crushed. [Applause.]

Mr. ZIHLMAN. Mr. Chairman, may I inquire how much time I have remaining?

The CHAIRMAN. The gentleman from Maryland has six minutes remaining.

Mr. ZIHLMAN. I yield two minutes to the gentleman from Colorado [Mr. VAILE].

Mr. VAILE. Mr. Chairman, I just desire in this brief time to point out that the argument of the gentleman from Texas was unintentionally a little misleading. It was not correct to say that the very large number of these appeal cases are caused by immigrants coming in excess of the quota. If members of the committee will look at the sample month of January, which is put in this report, they will see that the total number of aliens involved in the cases of appeal numbered 1,924; the quota cases were only 206, averaging only a little more than 10 per cent of that amount. Neither is it correct to say that Congressmen are interfering in a great many of these cases, causing the great mass of appeals. Of course, people apply to Congressmen asking for their assistance, but January was a fair sample month, and there were only 174 of those cases out of a total number of 1,994; that is to say, less than 10 per cent in which Members of Congress were interested. Gentlemen must remember that at a time when the immigration is very much restricted, restrictd perhaps to 10 per cent of what it would be under the old law, a very large portion of all the cases that come are appeal cases, because the appeal is given under the positive provision of our law, and it would be most inhumane to deny the officers before whom that appeal should be heard. And if we do not provide for this assistant secretary we force Ellis Island to become a jail. Certainly that would be a serious reflection upon us, but it is a jail because the cases of these people can not be promptly disposed of now. I yield back what time may remain.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RAKER. Mr. Chairman and gentlemen of the committee, the statement that this affects labor is just made for the purpose of getting sympathy somewhat. But labor is not involved. The question that the Secretary of Labor is looking after the conditions of labor is true, and under the law you have placed the jurisdiction of the immigration laws under that department. It is also true that under the law a solicitor general, at a salary of $5,000 a year, is assigned to the Secretary of Labor for the purpose of doing his work. The question of detention at Ellis Island is not involved, because there can only be 20 per cent during the month of July of about 240,000, as compared to about 1,250,000 who entered during the year prior to the law and prior to the enactment of the 3 per cent law.

Mr. KING. I wonder if the gentleman will submit to an interruption.

Mr. RAKER. For a question.

Mr. KING. It has been said here by the gentleman from Texas [Mr. Box] that the Secretary of Labor was neglecting his duty.

Mr. RAKER. I do not care to discuss that. Personally I feel that the Secretary of Labor, Mr. Davis, is trying to do his duty. I want him to act personally.

Mr. KING. And was not in his office. The gentleman is the last speaker; will he not state something upon that subject? I do not believe the story. I do not think there is any truth in the statement.

Mr. BOX. The statement was first made by the chairman of the committee, and I followed him.

Mr. KING. The gentleman has persistently kept from answering anything further.

Mr. RAKER. I will not go into that; I might possibly, but I do not want to go into that. I am discussing it here upon its merits. The question of Ellis Island is not involved. The gentleman from New York stands as he always stands and wants to leave the doors down absolutely for the immigrants of the Old World——

Mr. SIEGEL. Will the gentleman yield?

Mr. RAKER. I can not right now.

Mr. SIEGEL. Of course not.

Mr. RAKER. For all kind and character of immigrants, those that are excluded now under the law, to come here and destroy our country, and those who are afflicted with contagious and dangerous diseases.

Mr. SIEGEL. Now, will the gentleman yield for a question—for a brief question?

Mr. RAKER. No; I can not yield now.

Mr. SIEGEL. Will the gentleman yield later?

Mr. RAKER. I surely will always like to yield to the gentleman from New York if I have the time. I want to call your attention to this fact, that before the 3 per cent law was enacted for the fiscal year there were about 1,250,000 people coming into the United States. This number were actually admitted. Before the 3 per cent law was enacted, I say, and the question of a few exclusions arose, the same law relating to the exclusion of aliens was on the statute books, referring to those who were paupers and to those who believed in destroying the Government and those who were afflicted with contagious and infectious diseases. And yet, with 1,250,000 of those immigrants coming in a year, the appeals were heard.

Now, with only about 240,000 coming in, can it be possible, with only one-sixth of the number coming in, that out of that number the greater proportion of them are inhibited or prevented from entering the United States because of the restrictions as to anarchic beliefs, sabotage, contagious diseases, belief in doctrines involving the destruction of our Government, and including prostitutes and paupers and others? And how can it be possible that an additional organization is necessary to take care of them? The record shows the contrary, and further, under the rules and regulations adopted by the Secretary of Labor in regard to appeals, when the board of inquiry passes upon a matter it simply goes up to him and he approves or rejects it, a matter involving only two minutes' work.

Now, just a moment on the question of appeals. There has been a very loose statement made here in regard to these appeals, and it ought to be understood. Some men say on the floor of the House that they know all about the immigration laws, and they are going to have this Assistant Secretary moved out from Washington and away from the influence of the Secretary of Labor; and they are going to put him down at Ellis Island, right where he is in touch with all these organizations and institutions and purposes and desires to bring people here who want to destroy this Government, people afflicted with all the diseases known to mankind; they are going to be right there to watch them and to help bring them in. I think we ought to think something about our own country and about its condition. This country has been and is yet the haven of the downtrodden and oppressed of the world, but certainly we should not leave the doors wide open not only to those who are ready and willing and eager to destroy our Government but also to those who are afflicted with these diseases which, if allowed to enter, would sweep the country like a visitation of smallpox.

Now further as to the question of appeals, the law provides for a board of inquiry and a board of hearing. It takes the testimony when a man is arrested to be deported, and when he lands at Ellis Island for admission a full and impartial hearing is given him, and all the evidence is taken. If he is rejected on the ground that he is in excess of the quota permitted, or if he is rejected on the ground that he believes in destroying our Government and its officials or for any of the reasons or causes that exclude an alien, he has the right to appeal from that decision. That is certified up to the Commissioner of Immigration, and the Commissioner of Immigration goes over it with his lawyers, and then it goes to the Solicitor General, who makes an investigation of the facts and the law; and then the Secretary of Labor, with all that examination behind him to enable him to see what the law is and what the facts are, either approves or rejects the decision first made excluding the alien.

Mr. CABLE. Mr. Chairman, will the gentleman yield for a short question?

Mr. RAKER. In a moment.

Now the trouble is most of the cases could be disposed of in five minutes. Three thousand are admitted at this time and over 11,000 were admitted last year. An attempt is made on the part of various people to break down the immigration law. That is all there is to it. They admit 3,000 to-day, and they have been admitting them without law or rhyme or reason, hoping that on the 1st day of July, 1922, considered as in foreign territory, temporarily here, they will be admitted in excess of the number authorized to come, and, as some one has said, there will be a great congestion at Ellis Island on the 1st of July.

Mr. SINNOTT. Will the gentleman tell us how that 3 per cent per capita restrictive bill is working out?

Mr. RAKER. It is working out finely. Good results are being obtained every day. It is helping to give the country a little rest, so we can digest and assimilate those already here. Let America have a chance.

Now, further, as to the question of the appeal: It depends entirely upon whether or not the Secretary desires to hear counsel, whether he desires to hear outside individuals, whether he desires to hear Members of the House and to reopen the case and to pass upon it from one to a dozen times or not, or whether the man should be deported under the law. I guarantee to this House that there have been some of these cases that have been reopened at least a dozen times and the time of a man's deportation has been extended from one month to a year. That is the trouble. You speak about humanity; you speak about the human nature that enters into these cases.

Mr. CABLE. Will the gentleman yield there?

Mr. RAKER. I yield.

Mr. CABLE. I wondered if the gentleman believed justice could be done in a case where at least 2,000 cases are appealed in a month?

Mr. RAKER. Well, they take the testimony of the applicant and of his friends and what the record shows, and what he admits. You will find that in those 2,000 cases each one is in excess of the quota.

Mr. SIEGEL. I think the gentleman from California ought to address his remarks to the gentleman from Ohio [Mr. CABLE], or else the gentleman from Ohio should not consume the gentleman's time.

Mr. CABLE. I would like an answer to my question as to how much consideration they can give to a case when there are 2,000 cases appealed each month and there is a record in each case for consideration?

Mr. RAKER. They can give consideration to all of them and lots more and then have time to visit and time to spare. You have seen those records. On the first page of it all the authorities have been gone through; they simply affirm or reject the decision of the lower official. Why create more useless officers and thereby add more expense to the taxpayers? The burden is surely heavy enough now without adding more. But our friends on the other side think they must have a few more appointments. It is not right. You should stop it. If you do not the people will stop you from acting. Better have a little heed.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. RAKER. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

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

There was no objection.

Mr. ZIHLMAN. Mr. Chairman, it seems to me that in the opposition to this bill there has been a great ado about nothing, as the bill does not appropriate a single dollar out of the Federal Treasury. It merely authorizes the expenditure of $7,100 per year for the services of an additional Assistant Secretary of Labor and a private secretary to him.

The chairman of the Committee on Appropriations, the gentleman from Illinois, stated that this would involve the appointment of other officials and employees in the Department of Labor. Not a single official, other than the assistant secretary and his private secretary, is authorized in this proposed law; so that if additional employees and positions are created in the Department of Labor, it will necessitate an act of Congress, and could not be brought about unless the committee, of which the gentleman from Illinois is chairman, is convinced of the necessity for these additional employees and because of the work of the department.

The gentleman from Texas [Mr. Box] and the gentleman from California [Mr. RAKER] pointed out the danger of the immigration law being broken down because of pressure and influence. This might be possible, because of the tremendous pressure of work in the department, rendering it impossible to give proper consideration to the many cases brought before the board of review.

The Secretary of Labor has pointed out the great number of Members of Congress, both of the Senate and House, who have interested themselves in the many cases brought before him, so that if there is any undue influence being brought to bear in behalf of excluded aliens, we are all contributing to the breaking down of the law.

However, I do not feel that any alien has been admitted who is not entitled to admission, unless it might be because the Board of Review, the Secretary, and the Assistant Secretary, who must under the law personally pass on these cases, are unable to give the necessary time and study to same.

The gentleman from Tennessee [Mr. BYRNS] pointed out the fact that there is no additional Assistant Secretary to the Secretary of the Navy or to the Secretary of the Interior; but, gentlemen of the committee, in these departments it is not provided by law that the Secretary and the Assistant Secretary must personally review more than 300 cases per day, cases affecting the very life and existence of these would-be future citizens of the Republic.

Anyone who has given any thought to this subject knows it is physically impossible to review that number of cases per day and that this work must be delegated to some of the officials of the Department of Labor. The Secretary of Labor has delegated this work to the solicitor's office and has been paying out of his own pocket for a part of the service rendered.

Mr. OLIVER. Will the gentleman yield?

Mr. ZIHLMAN. Yes.

Mr. OLIVER. Does the gentleman feel that the appointment of an Assistant Secretary will greatly expedite the cases that are now pending and perhaps prevent the accumulation of work of this kind in the future?

Mr. ZIHLMAN. I do. I want to say further that the necessity for this additional official was placed before the Director of the Budget, and the Department of Labor advised the Director that unless this relief was given it would be necessary to ask for an additional appropriation for the solicitor's office. In the interest of economy, the Director of the Budget therefore recommended the creation of these two additional positions, an Assistant Secretary of Labor, to whom could be delegated the work of reviewing the appeals made by aliens who had been refused admission, which work must under existing law be performed by the Secretary or an Assistant Secretary and a private secretary to the above official.

The chairman of the subcommittee handling the appropriations for the Department of Labor advised the chairman of the Labor Committee, who is absent to-day because of illness, that he was convinced of the necessity for these additional employees or officials of the Department of Labor, and that an appropriation should be made for their salaries, and that the subcommittee was only prevented from recommending it because of the fact that there was no legislation authorizing them to make the appropriation.

I wish to insert at this point a letter I received from the Secretary of Labor in reference to this bill, which contains a statement of the number of cases brought before the department during the month of May and the nature of same; also giving a list of the number of Senators and Members of Congress who were heard, and also a list of the number of attorneys interested in these cases, as well as the number of aliens involved:

DEPARTMENT OF LABOR,
OFFICE OF THE SECRETARY,
*Washington, June 6, 1922.*

Hon. FREDERICK N. ZIHLMAN,
*House of Representatives, Washington, D. C.*

MY DEAR CONGRESSMAN: I inclose a copy of the report showing the number of cases reviewed and decisions written in immigration matters during the month of May, and make the following observations of analysis:

The number of decisions reviewed and written were 1,409, involving 2,079 aliens. The amount of detail work requiring by law the signatures of the Secretary or Assistant Secretary of Labor involved the signing by one of these officials between 400 and 500 times a day, or between 10,500 and 13,000 a month. One hundred and twelve Senators and 295 Congressmen interested themselves in these cases, and 505 attorneys represented the alien clients. A goodly number of these were heard personally by myself or the Assistant Secretary.

From the above, since the authority to definitely decide in immigration cases can not by law be delegated by the Secretary to any other but the Assistant Secretary, it will be apparent that the immigration work of the Department of Labor takes up nearly all of the time and attention of the Secretary and Assistant Secretary of Labor. In fact we estimate that 85 or 90 per cent of our work is immigration, and there is no one to whom it can be delegated unless both the Secretary and Assistant Secretary are absent, in which case necessarily the Acting Secretary is charged with these duties.

The point has been raised that the Department of Labor now has a large number of appointments. Even though this were granted to be true, it does not help the situation in any manner, for only one appointee, namely, the Assistant Secretary of Labor, can assist the Secretary in 85 or 90 per cent of the activities of the department. The Department of Labor, although its immigration activities occupy so large a per cent of the time of the executive officers, has other functions equally as important to the public. It might be well to call attention to the other bureaus, namely:

Bureau of Labor Statistics.
Children's Bureau.
Bureau of Naturalization.
Women's Bureau.
Division of Conciliation.
United States Employment Service.
Bureau of Industrial Housing and Transportation.

No matter, therefore, how many appointments the Department of Labor might make in its eight bureaus there is no appointee authorized to assist the Secretary, and his one assistant is handling 85 or 90 per

cent of its work, which results in giving on an average only 2 per cent administrative direction to each of the other important functions.

Immigration under the 3 per cent quota act opens up again on July 1. At the present time, because of that 3 per cent act, immigration to the United States amounts to comparatively nothing to what it will be when the flood comes. With the burden of work thrust upon the Secretary of Labor and his one assistant, as evidenced by the inclosed statement, requiring so much time and attention, what the situation will be after the 1st of July can probably be best left to the imagination. Last year when immigration was at its flood tide the administrative officers worked practically double time, and even at present we are exercising daylight saving at both ends and still unable to render what I should term 100 per cent prompt service.

Cordially yours,

JAMES J. DAVIS.

*Summary of immigration appeals for May, 1922.*

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|---|---|
| Number of cases reviewed and decisions written | 1,409 |
| Number of aliens involved | 2,079 |
| Number of oral hearings by the board | 269 |
| Number of cases in which Senators and Congressmen were interested: | |
| Senators | 112 |
| Congressmen | 295 |
| Number of cases in which attorneys were interested | 505 |
| Number of cases in which societies, relatives, friends, and interested parties other than Senators, Congressmen, and attorneys were interested | 567 |
| The tabulation below will give an idea of the character of cases upon which decisions were rendered: | |
| Accompanying aliens | 27 |
| Actors | 20 |
| Alien contract labor | 121 |
| Anarchist, communist, I. W. W., etc | 21 |
| Assisted aliens | 34 |
| Barred zone | 7 |
| Children under 16, unaccompanied | 49 |
| Crimes involving moral turpitude (burglary, felony, forgery, grand larceny, murder, perjury, robbery, smuggling, etc.) | 51 |
| Domestic servants | 22 |
| Entered within one year of deportation without permission | 8 |
| Excess quota | 238 |
| Heart trouble | 18 |
| Hernia | 20 |
| Idiots, feeble-minded, imbeciles, or mentally deficient, etc | 26 |
| Illiterates | 139 |
| Insane | 65 |
| LPC (aliens arriving without funds) | 404 |
| Physical defectives (deformed, epileptics, nervous affections, paralysis, and senility) | 80 |
| Professional beggars | 1 |
| Prostitution, immorality, procurer, etc | 75 |
| Section 23 (foreign contiguous territory) | 38 |
| Students | 5 |
| Surreptitious entry, stowaways, without inspection, and without passport or visé | 265 |
| TB, LCD, and DCD (favus, leprosy, trachoma, venereal diseases, etc.) | 101 |
| Visitors | 2 |
| Chinese | 141 |
| Japanese | 13 |

In handling this difficult question, which involves the very existence and well-being of the Nation, because it deals with the future citizens of the Republic, we want to make it possible for them to receive a hearing if they are being unjustly excluded and at the same time we want to protect ourselves against the entrance of undesirables, the infirm, the illiterate, and all of that class who are foisted upon us by municipalities of Europe desiring to rid themselves of undesirables.

Let us treat those who come among us to take up the responsibilities of citizenship with us and who desire to fit themselves for intelligent participation in the affairs of this great Government the opportunity of presenting their claims to the proper authorities without undue delay or hardship, so that their first impression of our Government and its people will be worthy of their expectation of the opportunities which we extend to the weak and oppressed of all the nations of the world.

If I might be pardoned a personal word, I might say that I am the son of an immigrant—my father came to this country in the steerage about a half a century ago—and for the past 30 years I have been in intimate touch with aliens and their descendants and have learned to know and appreciate them as I find them in the blinding glare of great furnaces, in the sweat and grime of industry, amid clanging machinery, deep down in the mines, weary with toil; and I think I know something of the struggles, something of the aspirations, as well as their appreciation of the wonderful opportunities of this free Republic which the forefathers founded, and which has been the hope of the downtrodden of the Old World.

Personally, I have always favored such laws as would encourage the right kind of immigration; not the riffraff, not the insane nor the criminal, nor that class encouraged to come here by steamship companies and their agents and runners; not that class which large employers have at times encouraged to come in great numbers, in order that they might beat down wages, lower the standard of living, beat the remnants of human ideals from the toilers' breast and make him take less and less for his labor, that even the little he has might not be taken away and given to another who would take even less.

Not the revolutionist and those who would destroy our existing form of representative government and set up another founded upon their own ideas and conceptions of moral, of national, and of international law.

But I have favored that class who have helped build up this empire of the west, the frugal, God-fearing, hard-working, clean-living, and clean-thinking men of the Old World, who seek and who love human freedom—imbued with the spirit of liberty, equality, and justice; who come to take up their permanent abode with us, to familiarize themselves with our form of government, and who believe in our institutions, and to whom we can turn with confidence and hope when danger threatens the great Republic from within or without.

To them we did turn—at least to their immediate descendants—when the baneful shadow of war thrust its red glare over the land and the achievements of centuries of constructive statesmanship hung in the balance; when the world trembled under the iron heel of a militarist, drunk with the lust of world dominion and domination.

Men of all the races of the earth, transplanted to this land of promise, nourished and fostered by the warm winds of hope, opportunity, and equality, believing in, standing for, and ready to defend America and all that she holds and proclaims. They gladly offered all, gladly gave all—a grand galaxy of descendants of Old World gladiators—now keeping step, now swearing allegiance to the colors, the Government, and the music of the Union.

And out of this world carnage that brought more suffering and cost more in human lives than any other great catastrophe in the world's history came a new confidence, a confidence in the loyalty and in the love of these descendants of the English, the French, the Poles, the Russians, the Finns, the Rumanians, and men of other Teutonic races as well.

They demonstrated the fact that they had been truly fused in the melting pot of the Western Hemisphere.

That here on the rim of the sunset,
The land of the melting pot vast;
And into it comes every stranger,
Regardless of color or cast—
The immigrant boy with his bundle,
The immigrant girl with her shawl,
Emerge from the caldron of nations—
Americans, all!

And when on the horizon rises
A war cloud to threaten the land,
With Liberty's native-born children,
Shoulder to shoulder they stand;
For America ready to battle;
For America ready to fall;
Not Russians, nor Swedes, nor Italians—
But Americans, all.

Many of us hold that probably the greatest problem confronting the Nation in working out our future prosperity is the relation between capital and labor, and the bringing about of such conditions and terms as will enable them to work harmoniously together for the advancement of their own and the country's best interest and the development of our foreign trade in the markets of the world.

More progress has been made during the past six years along the line of collective bargaining and cooperation, of mediation and conciliation, than in any similar period in the history of the Government. This was, of course, due in a large part to our participation in the World War—the necessity of increasing production and the speedy construction of camps, cantonments, shipyards, and factories.

The lesson of England's mistakes loomed before us, a danger signal as to what we should or should not do. The British Empire had attempted to determine her labor and industrial policy without taking into account in any way the men who were the recognized leaders among the laboring people of England, and as a result there was dissension and dissatisfaction, resulting in decreased production and bitter animosity as well. So that in the early days of the war it was determined by the Government, speaking through the National Council of Defense, that no advantage should be taken of the abnormal and unprecedented conditions that prevailed, either by the employer or employee, and labor was given representation in the new order of things which had been brought about to stimulate production, and thus was laid a foundation which should have been of permanent benefit in all of our future dealings with this great problem.

There has been criticism of labor in that it took advantage of the shortage of men in industry; that it coerced employers into giving abnormally high wages and shorter hours. Much has been said of this, and very little about the fact that business as a whole flourished and prospered beyond the wildest dreams of the most sanguine; exorbitant and abnormal profits

were exacted in many lines of industry and commerce. But, taken as a whole, both classes demonstrated their loyalty, their patriotism, and their willingness to submerge personal advantage for the common cause.

Millions of workers laid down the tools of peace and industry to take up the weapons of warfare and helped write another glorious page in the history of the American people. Thousands of employers offered their establishments to the Government; hundreds of them served on boards and commissions; hundreds of thousands of them stood back of the long line that stretched from home and fireside to the battle fields of France and gave of their own ripe experience without hope of pay or reward.

We had hoped that because employer and employee had during the war a common interest, and in many cases a common sorrow, with their sons fighting for their country, ofttimes in the same company, and were thus able to serve one another, the news of each day bringing the capitalist and the laborer into closer contact one with the other, that it meant a return to conditions somewhat akin to the early industrial conditions that existed in this country, when the children of both went to the same school, when each knew the other by his given name, when their interests were common and were not subject to the manipulations of a board of directors concerned only with the stock market.

It is a disappointing commentary upon our national life that no sooner had our war drums ceased beating and the troops returned that we find the same animosity, the same narrow vision, and the same antagonism that existed prior to the inception of the great struggle; and each day since that time they have drawn further apart; each day widens the gap which we hoped was closed forever, notwithstanding the fact that they both are dependent and interdependent upon the other and that the markets of the world are open in a greater degree than ever before, with competition here at home for a period eliminated from those sources which have chiefly menaced our standards of living and proven themselves to be a factor in American markets in former peaceful times. And thus to-day we find both capital and labor approaching our industrial problems as though the chief aim and purpose was not to increase and stimulate production and to avail ourselves of the opportunities ready and at our door, but as though their chief aim and object was to destroy each other.

Surely in this period of readjustment and of world chaos the need for patriotism and loyalty to the Government is as great as during the war, and he who casts aside all semblance of the spirit of sacrifice at this time is untrue to those who made the great sacrifice during the war.

There are certain automatic and fundamental rules by which organized labor must govern itself in order that it might continue to be a factor in our national life. If it disregards its agreements and contracts which have been solemnly entered into by its representatives, it can not exist in our modern industrial life. It must purge itself of all radicals and extremists, who would tear down our structural government and set up a new order in its stead; and it must build upon the foundation of a constructive and broad-minded policy, administered by honest and fair-dealing men whose Americanism is above reproach, and who will meet the problems confronting them on a business basis and with modern ideas.

It must continue to agitate for education and enlightenment and for improved working conditions, and not for a soviet system of government founded upon the rule of force.

Labor must make loyalty to our institutions and to our system of government—with such changes as are necessary from time to time to meet changing conditions, and these to be made by the means and manner provided by the laws of the land—a part of their teachings and tenets and one of their qualifications for membership. On the other hand, capital has no inherent nor vested right in labor; they are colaborers and copartners in the industrial struggle.

It has been established through years of litigation and sacrifice that labor has the same right to organize as capital has, and which right is exercised by almost every industry and profession in America. Labor has a right to a hearing and counseling with their employers. There can be no question about this, and it is a fundamental obligation, both legal and moral, which the Government has now laid down for the guidance of those industries and utilities over which they have jurisdiction.

The day has passed when one man sitting as the head of an industrial corporation can, by the grace of a board of directors, say that they will not counsel and will not discuss with their employees the conditions under which they work and live. I contend that during the critical times through which the country is now passing the position of any captain of industry in issuing a statement that he will deliberately precipitate an industrial conflict, rather than counsel with the men who man his factories and furnaces, is out of touch with the times, and has taken an untenable, un-American position, and he is equally to blame with those who preach the doctrine of industrial revolution and who hope to bring about chaos in the hope that thereby they may be elevated to positions of responsibility and power.

Hundreds of thousands of men who labor in the mines, far from the sunlight of the day, are to-day walking the streets in idleness because certain capitalists have refused to meet them in conference, and hundreds of thousands of men engaged in transportation and the operation of great utilities are now considering the question of the general strike.

Some way should be found which will compel the parties interested to make an honest attempt to settle their differences and not continue a condition which menaces every citizen of the land. And in meeting the perplexing question of to-day and the days to come let us keep in mind that the leaders who rose in other times and places when the preservation and the perpetuity of the Nation were threatened took counsel with and were guided by the best thought of all the people of the land. They believed in the combined and matured judgment of the great heart of America and looked to the people themselves to voice the remedies for existing ills.

Theodore Roosevelt said that we can not lift any part of the Nation without all classes being benefited thereby. Likewise we can not lower the standards under which any class of our people live without the entire structure being threatened. Let us, then, continue to have faith in America and in her destiny, truly believing that it is a government in the interest of all the people and not in the interest of any particular class, and by the combined and coordinated effort of the people themselves we can, when all is said and done, look for a happy solution of many of the perplexing problems of this era, so that the time is not far distant when—

In our busy mills and fertile hills
We may fashion the Nation's plan.
And the things we do, be the purpose true,
Of the people, and not any one man.

And the hopes we sow and the things we grow
May be fruits of a wider realm
Than a narrow street, where hot hearts beat,
And a lone hand holds the helm.

In the open book of the world we may look
And read with our open eyes,
And ask any aid, from the marts of trade,
How the way before us lies.

For the woe or the weal that the people feel
Are born in a mightier breast,
And we rise or fall by the good of all,
By the good of the East and the West.

The CHAIRMAN. The time of the gentleman has expired. All time has expired. The Clerk will read the bill for amendment.

The Clerk read as follows:

*Be it enacted, etc.*, That there shall be in the Department of Labor an additional Secretary, who shall be known and designated as Second Assistant Secretary of Labor. He shall be appointed by the President and shall receive a salary of $5,000 a year. He shall perform such duties as shall be prescribed by the Secretary of Labor, or required by law, and in case of the death, resignation, absence, or sickness of the Assistant Secretary shall, until a successor is appointed or such absence or sickness shall cease, perform the duties devolving upon the Assistant Secretary by reason of section 177, Revised Statutes, unless otherwise directed by the President, as provided by section 179, Revised Statutes.

Mr. CABLE. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

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

There was no objection.

Mr. OLIVER. Mr. Chairman, I make the same request.

The CHAIRMAN. The gentleman from Alabama makes the same request. Is there objection?

There was no objection.

Mr. KING. I make the same request.

The CHAIRMAN. The gentleman from Illinois makes the same request. Is there objection?

There was no objection.

Mr. LEA of California. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from California offers an amendment which will be reported by the Clerk.

The Clerk read as follows:

Amendment offered by Mr. LEA of California: Page 1, line 6, after the word "of," strike out "$5,000" and insert "$4,000" in lieu thereof.

Mr. LEA of California. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

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

There was no objection.

Mr. LEA of California. Mr. Chairman, I ask unanimous consent to proceed out of order for 10 minutes.

The CHAIRMAN. The gentleman from California asks unanimous consent to speak out of order and to proceed for 10 minutes. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from California is recognized to speak out of order for 10 minutes.

Mr. MONDELL. Mr. Chairman, reserving the right to object, I do not think we ought to have speeches out of order at this stage of the proceedings.

Mr. SEARS. I make the point of order that the Chair had already recognized the gentleman and stated that there was no objection.

Mr. MONDELL. I object.

Mr. LEA of California. I make the point of order there is no quorum present.

Mr. MONDELL. The gentleman can do that if he desires.

The CHAIRMAN. The gentleman from California, having been recognized to speak out of order for 10 minutes, makes the point of order that there is no quorum present.

Mr. LEA of California. I misunderstood the situation. If I have permission to proceed, I withdraw the point of no quorum.

Mr. MONDELL. I am rather disposed to make the point of order myself under the circumstances.

The CHAIRMAN. Does the gentleman from Wyoming make the point of order that there is no quorum present?

Mr. MONDELL. I will not make the point.

Mr. JOHNSON of Washington. Has the gentleman from California 5 minutes or 10?

The CHAIRMAN. The gentleman from California is entitled to 10 minutes to speak out of order with the permission of the committee.

Mr. LEA of California. Mr. Chairman, in a speech recently delivered by the gentleman from Illinois [Mr. GRAHAM] this House has witnessed a recrudescence in mild form of the war investigating committee of other days. As a minority member of that committee, I feel justified in calling attention to some matters concerning the war investigation and the prosecution of war frauds, which were suggested by the speech of the gentleman from Illinois, and which perhaps can now be viewed in the clearer light of subsequent reflection.

THE UNPROVEN CHARGES.

In 1920 the gentleman from Illinois [Mr. GRAHAM] served in the double capacity of chairman of the war investigating committee and political ammunition maker. The epitome of many of his speeches was in these words:

> I say to you, with a full apprehension of the nature of the charge, that there are thousands of men who have violated the law during the war, of whom the Attorney General's department has full knowledge, and none of whom has been or will be prosecuted. * * * But I take considerable hope in the thought that after the 4th of next March another * * * Attorney General will have something to say about the administration of these matters.

The time for reckless talk and indiscriminate charges is past. For two years, during the Sixty-sixth Congress, the war investigating committee could make all sorts of unsupported charges and get away with it by charging that an Attorney General of opposite political faith would not prosecute the proven crimes. The investigating committee was free to make charges, but had no responsibility in sustaining them.

That time is past. For 16 months the Attorney General the gentleman from Illinois hoped for has been in that office and has not confirmed a single one of his charges of two years ago. One of two conclusions is inevitable. The charges were unwarranted or the Attorney General has failed to do his duty.

METHODS OF INVESTIGATING COMMITTEE.

The absence of that impartial and judicial balance, characteristic of the committee's work, destroyed even the merit of its efforts. The members in their overzeal to build up a case against political opponents constantly resorted to captious and specious criticism. In the zeal of advocacy they frequently ignored the presentation of exculpatory facts which, if revealed, would have destroyed their arguments. Not infrequently an excess of zeal resulted in misstatement of facts.

Take one notable case where an important exculpatory fact was concealed from the public. Muscle Shoals has been a fireside topic of the Nation. During the war investigation the Department of Justice conducted an investigation of Muscle Shoals. The chairman of the investigating committee and his stenographer and accountants were given access to the secret files of the Department of Justice. One of these files showed that a contract, dated June 8, 1918, was the product of Charles E. Hughes. The files also showed that the bill of Mr. Hughes, in a substantial sum for that service, was presented by the Air Nitrates Corporation for payment to the Government.

Liberal excerpts from these reports of the Secret Service files of the Department of Justice were embodied in the hearings by the chairman. Immediately adjoining the language quoted from the files of the department condemning this contract of June 8 was a paragraph showing the relation of Mr. Hughes to the contract. This was entirely omitted from the hearings and the report of the Graham committee and no reference made thereto.

The chairman of the investigating committee in a report filed in this House on the 18th day of May, 1920, denounced that contract in the following language:

> By this second unconscionable contract the Government officials permitted the American Cyanamid Co. and its subsidiary corporation, the Air Nitrates Corporation, to absolve the American Cyanamid Co. from any legal obligation, to increase the fee of the Air Nitrates Corporation on all its expenditures past and future to $1,500,000, to reserve to the American Cyanamid Co. the right to buy the plant when the Government was done with it, and to increase their royalty from $12 per ton to $30 per ton on nitrogen fixed, in case the Government should operate after the war. No reason is given for these contractual changes and it is obvious that no satisfactory explanation can be made.

Commenting on the officers responsible for making these contracts, it was declared:

> So flagrant and meretricious was the conduct of these officers, charged with this high responsibility, as to deserve the most severe and outspoken criticism. Such failure to perform their plain duty could only arise from ignorance or collusion.

Thus the officers in the War Department for their responsibility for this contract are denounced in outspoken terms. The gentleman from Illinois, however, in his report of the matter to this House and in his speech on this floor failed to inform the House that the contract he denounced was approved by the Hon. Charles E. Hughes and the bill for his services in that connection was presented against the Government. The important fact of the Hughes authorship was thus concealed.

In public estimation, Mr. Hughes's authorship of that contract would have been regarded as an exculpatory fact that would have made the country loath, indeed, to believe the characterization of the transaction given it by the gentleman from Illinois.

The gentleman criticizes Attorney General Palmer for refusing free access to the files while the investigation of Muscle Shoals was "actively pending" in the Department of Justice. He fails to state the Attorney General subsequently permitted him, his stenographer, and accountants free access to the files above mentioned. Had Attorney General Palmer entirely refused access to the files, his offense would have been less than that of the chairman of the committee, who withheld that important fact from the information he gave to Congress and the country. In purporting to give the facts the chairman assumed the obligation to give the whole facts.

Let us examine one or two concrete examples of erroneous information disseminated to the public by this committee.

For example, the gentleman from Illinois, in attempting to discredit a war expenditure, makes the bald assertion that a spruce logging railroad, 38 miles long, costing $4,000,000, had "no value as a logging road." As a matter of fact, the railroad tapped the greatest virgin stand of airplane spruce in the world. It was expressly built to furnish spruce for 1919 in contemplation of the war continuing. The sole reason it was not used was because the war fortunately terminated, making unnecessary the supply of spruce for which it was essential.

Again, the gentleman from Illinois stated that Disque, in charge of spruce production—

> built 13 railroads * * * over which no logs were hauled.

Nine of these roads were in fact used for transportation of logs during the war. Though there was unexpected delay in completing one or more of these unused roads they were intended primarily for a future supply of spruce which the early termination of the war made unnecessary.

Again, the chairman of the investigating committee stated—

> as result of our entire aviation program we obtained 213 * * * planes and 527 secondhand foreign planes, which were either bought or borrowed from our associates in the war.

The unquestioned fact is over 1,200 American-built planes were sent to Europe; over 5,000 planes were purchased from the Allies and used in Europe. We "borrowed" no planes. The statement as to the 213 planes was intended to cover the American-built planes in Europe. As a matter of fact, that is the total of the American-built planes at the front on the day of

the armistice and is only a part of a total of 417 American-built planes actually used on the front during the war. Counting planes of all classes and quality, we had over 16,000 planes during the war.

Again, in the recent speech it was stated that the report of the Committee on Aviation named "guilty officials" and infers there has been a wanton failure to prosecute them. Guilty of what? The report on aviation was replete with criticism, but recommended neither the prosecution of any man nor a suit to recover any money.

I have nothing to say in personal derogation of the members of the investigating committee. I respect them all. I regard the chairman as an able and useful Member of this House.

The war was conducted under the administrative heads of the Democratic Party. Democrats and Republicans alike rallied to the support of the country and equally shared war activities. Nevertheless, the party in power inevitably assumed political responsibility for the conduct of the war.

The expenditure of many billions of dollars in the course of a few months necessarily through organizations hastily assembled to meet the urgent necessities of war that brook no delay, inevitably meant waste, extravagance, a degree of inefficiency, and more or less avaricious preying upon public funds. It is the plain, important duty of everyone in position of responsibility to vigorously prosecute all guilty, regardless of politics, influence, or prestige.

Recently this House voted on a resolution, in substance providing for a congressional investigation of war expenditures and the work of the Department of Justice, in connection with the war-fraud cases. I have voted for every investigation of matters arising under the former administration that has been presented to this House. I have done that regardless of whether Democrats or Republicans were in power, because, generally speaking, the public has a right to know the facts concerning any matter of the public's business; also an investigation gives persons having complaints an opportunity to be heard. The publicity of an investigation tends to discourage and suppress evil influences in governmental affairs.

DISTRUSTFUL ATTITUDE OF PUBLIC.

I believe it is a fair statement of the situation to say that a large portion of the public is dissatisfied with what it regards as inexcusable inaction of the Attorney General in reference to war-fraud matters. Whether or not the Attorney General deserves that distrust is another question. I am merely stating what I believe to be the fact. Several circumstances have combined to create this distrustful attitude of the public.

In the first place, the Graham committee of the Sixty-sixth Congress created a widespread and exaggerated public opinion as to fraud, graft, and unconscionable profiteering in financial transactions in connection with the conduct of the war. From thousands of platforms and from more thousands of newspapers the public gained a distorted view as to the extent and character of these peculations. For two years every denunciation of these alleged conditions was accompanied by a declaration that on the advent of a new administration and Attorney General the wrongs would be righted, thousands of graft criminals would be sent to jail, and millions, even billions, of dollars recovered and restored to the Treasury of the United States. The public was led to believe that the number of criminals was so great and the proof so apparent that prosecution and conviction by the thousands would take place as soon as the Attorney General was sworn in.

In public opinion the Attorney General was assigned the impossible task of making a record to conform to these perverted and preconceived notions of the public.

With one or two exceptions, the Graham reports to Congress alleging the frauds in vast numbers were given to the country shortly preceding the advent of the present Attorney General. Such reports were also accompanied by the charge that the former Attorney General failed to act in these cases and the promise that the future Attorney General would. Therefore the burden of making good on the Graham reports was passed to the present Attorney General.

Vast business interests were closely associated in the public mind with war-fraud cases. The present Attorney General, justly or unjustly, was, in public opinion, regarded as too much of a politician of the machine type. Therefore public opinion was in a mood to accept the criticism that the Attorney General was too friendly disposed to large interests concerned.

The public expected that immediately upon the accession of the new Attorney General increased forces would be mobilized for a drive against war frauds. The converse happened.

Upon the accession of the present Attorney General the personnel of the war-fraud and graft division of the Bureau of Investigation of the Department of Justice, which had already been reduced, was increasingly reduced. The general inference created for 14 months after the accession of the present Attorney General was that war-fraud investigations and prosecutions were being brought to a close with little action or tangible results.

Even as to cases in court left pending by the former Attorney General the public failed to see the vigorous prosecution that was expected. For instance, in the case of the American Steel Spring Co., where five defendants were indicted for fraud, involving the manufacture of war materials, the case was dismissed with little, if any, explanation as to the reasons. The Attorney General may have been entirely justified in what he did, but the public did not readily understand or accept the reasons.

In the case of the Standard Steel Car Co., in which the Mellons, including the present Secretary of the Treasury, were directors, the chairman of the war investigating committee on December 16, 1919, denounced the transactions in these terms:

> It is so permeated with fraud and corruption that I do not wonder that any defender of this administration would not care to discuss it. There was fraud and bribery proved in some of the subcontracts, but all such accounts were allowed in full.
>
> The company stole a carload of small tools from this plant and removed them clandestinely to their own plant. The wonderful machine which they took from the Government as junk they are now sending to their subsidiary factories for use.

Commenting on the settlement made, Mr. GRAHAM said:

> Gentlemen, read the record, it stinks of corruption.

Those who joined in such charges are now chagrined to see no results confirming their charges.

The failure to institute and maintain prosecutions in these cases during the former administration was attributed to Democratic unwillingness to expose or prosecute wrongdoing that occurred during its period of power. High expectations were entertained in the popular mind that immediately on the accession of the new Attorney General a record of prosecution, conviction, and recovery of millions and even billions of money would make good the charges of the Graham committee. Sixteen months have expired and the public have observed no efforts or results to justify their anticipations thus created by that committee.

A number of cases charging civil and criminal frauds were pending in court at the end of the Palmer administration. The present Attorney General has had responsibility of these cases, with the conduct of which I am not familiar. Recently, however, Charles Ritzman, formerly an Army officer, who was indicted under the Palmer administration in September, 1919, was on the 15th day of this month convicted by a jury on a charge of having accepted a bribe of $800 to influence the purchase of supplies by the Government.

A recent newspaper item also gives an account of a case conducted by J. F. Staley, a Deputy Attorney General under the Palmer administration, temporarily acting for the present Attorney General, in which the Government secured judgment on the counterclaim against the Gulf Refining Co. for about $500,000 in a suit that company filed against the Government to recover $7,500,000.

Somewhat further increasing public distrust was the apparent effort of the Attorney General to suppress the investigation recently proposed, as indicated by its defeat in this House and the reversal of the Rules Committee in reporting it. Strong criticism of the Attorney General having been boldly asserted by members of his own party in this House, I question whether or not the Attorney General pursued the wise and diplomatic course in resisting an investigation to be conducted by members of his own party, whose friendship he had little cause to question.

The committee chosen to investigate the management of the war was of opposite political faith. The duty assigned them was to investigate and render a truthful, impartial report of the facts. An independent body should have been selected, free from political motives and influences. In all just trials only impartial judges are selected to determine controversies. That rule of common sense and justice was ignored in selecting Members for the war investigation. In effect, a party to the controversy was given official power to pass judgment upon his opponent's case.

For such a committee to fulfill its legitimate mission was practically an impossible task. To perform it required those rare qualities of impartiality and sportsmanship which are able and willing to concede an antagonist the merit and justice of his cause. How totally this committee failed to reach that high plane of impartiality and sportsmanship is evidenced by hundreds of pages of reports, in none of which is there any

concession of worthy patriotic motives or useful accomplishments to the persons administering our war activities. In all cases where political bias and suspicion could not suggest words of censure words of praise were at least withheld.

No recognition was given to the great achievements of the war. If a man from a newly discovered country could read the reports and have no other source of information, he would probably conclude that America lost the war, or if she did not lose it her participation in it was a record of humiliation and dishonor.

The committee permitted its work to be so characterized, tainted, and stratified with political and partisan motives that the whole legitimate purpose of an investigation failed.

In fact, the reports of the committee are preeminent. They are preeminent as a source of misinformation concerning the war. The intelligent student of the future will give about the same credence to these reports as a modern intelligent farmer would give to the weather predictions of an almanac.

The matter of investigating and prosecuting war frauds stands to-day practically where it stood 16 months ago on the discharge of the Congressional War Investigating Committee and on the accession of the new Attorney General. A widespread belief in the existence of frauds on a vast scale has been created and no adequate proof produced.

The new Attorney General coming into office under these conditions, the country naturally assumed that he would immediately augment his war investigating and prosecuting forces, clear the war record, and accomplish justice.

The country was unwilling that this matter should rest as it was 16 months ago. It wanted these matters disposed of by somebody in authority who had the responsibility to prosecute the guilty and to remove from the innocent the reflections unjustly cast upon them. Instead of charges the country wanted proof or disproof, punishment or exoneration. It has been furnished neither.

FRAUD-INVESTIGATING ORGANIZATION.

In volunteering a defense of the present Attorney General against the charges of inaction recently made, the gentleman from Illinois said, "The Attorney General has had to build his organization from the ground up."

On March 4, 1921, the day Attorney General Daugherty succeeded to that office, the head of the investigative service and the assistant director were both Republicans who had been in the service for many years preceding the Wilson administration. Practically all the heads of the nine divisions of the country were either Republicans or had been in the service by appointment before the Wilson administration began.

The former Attorney General turned over to the present Attorney General a war-fraud investigating organization of 45 men, most of whom have long connection with the Government. They were selected without regard to politics, and most of them were Republicans. Evidence produced before the House committee on the 4th day of May, 1921, two months after the accession of the present Attorney General, showed the office force of 45 engaged in war-fraud investigations had been reduced to 30.

I am advised that since March 4, 1921, 24 of these men engaged in war-fraud investigations have been released from the service, 3 of whom had previously been taken over by the Department of Justice from the fraud and graft section of the Military Intelligence Division of the War Department because of their particular experience and qualifications in war-graft cases.

FRAUD AND CLAIMS CASES.

In view of the past declaration of the chairman of the war investigating committee that Mr. Palmer, formerly Attorney General, "found no war frauds to prosecute"; in view of his prediction two years ago that it mattered not how many crimes would be "uncovered" none would be prosecuted, it is pertinent to place in the record some facts concerning claims and war-fraud matters. All cases, criminal and civil, growing out of contracts between the Government and individuals during and following the war were primarily investigated by the departments in which they arose.

WAR CLAIMS.

The Secretary of War, in his annual report for 1920, reported a settlement of claims aggregating $3,300,853,000 for a liquidated sum of $437,819,000, or 13 per cent of the amounts claimed. Following the armistice, 42 war claims boards were established and undertook the settlement, in accordance with the Dent Act and other laws, of many thousands of unliquidated claims against the Government. It was an undertaking of vast proportions and incidentally involved reports of probably 30,000 inspectors and agents of the United States in different war activities. Cases before war claims boards involving alleged frauds and the recovery of money were from time to time referred to the Department of Justice; but the war claims boards were primarily for financial adjustments and not for the investigation or prosecution of crimes.

The War Department, under Secretary Baker, on the 29th of May, 1919, made a request for funds for the investigation and prevention of graft and fraud in the administration of the Army. In this connection it was said the disposition of vast quantities of military supplies incident to demobilization of our Army "opens the way for graft and fraud, which, if not prevented, may assume very serious proportions."

The Military Intelligence Bureau of the War Department established a special division known as the Fraud and Graft Section to investigate and furnish evidence for the prosecution of fraud and graft cases.

Up to May 10, 1919, the War Department, Military Intelligence Division, Fraud and Graft Section, investigated 1,058 cases, and through the Department of Justice made 507 arrests and secured 196 convictions before civil and military courts. Prior to June 16, 1919, $600,000 was recovered. The department had on this work about 17 investigators. The cost as reported to Congress was about $68,000. All of the actual arrests and prosecutions before civil courts were carried on by the Department of Justice.

On March 25, 1920, in requesting an appropriation for the Fraud and Graft Section of the Military Intelligence, General Churchill, chief of the division, reported that the War Department during the period from August 1, 1918, to March 25, 1920, had investigated 3,212 cases, arrested 1,891 persons, and secured 1,024 convictions before civil and military courts.

After June 30, 1920, the War Department discontinued the investigation of cases other than those having to do with the personnel of the Army, and its records were turned over to the department, including 246 cases, of which 147 were theft and embezzlement cases.

The report of the Attorney General for 1920 states that the Department of Justice was conducting investigations of alleged frauds in 25 shipyards and munition plants involving millions of dollars, and also similar cases in reference to the Coastwise Lumber & Development Co., the air nitrates plant, Muscle Shoals, and the Hog Island shipyard. The report of the Attorney General for 1920 shows the investigation of 6,032 cases and the conviction of 435 persons. The prosecution of the shipyard cases resulted in acquittal of the defendants after a trial lasting several months.

The report of the Attorney General for 1921, covering eight months of the administration of Attorney General Palmer and four months of Attorney General Daugherty, shows 146 convictions and 857 cases closed. The amount of property recovered was only $63,548.

In August of 1920 a separate division of the bureau in the Department of Justice was created to handle this work, to which special agents were assigned. Ninety-nine of these cases involved charges of fraud, varying in amounts from small sums to several million dollars. The theft and embezzlement cases involve comparatively small amounts. The total amounts involved in fraud cases aggregated something like $25,000,000. The department took up the consideration and investigation and final classification and assignment of these cases. Doubtless no final determination was reached in part of these cases at the time the present Attorney General was inducted into office.

On April 13, 1920, the House passed a resolution requesting the Attorney General to institute investigations before grand juries for the purpose of prosecuting persons guilty of criminal conduct and institute civil suits for recovery of Government funds. On the 3d of June following Attorney General Palmer requested an appropriation of $3,500,000 to carry on the work. Congress not only refused the requested appropriation but reduced the appropriation for detection and prosecutions of crimes for the year 1921 by $325,000.

On the 18th of December, 1920, the Attorney General was advised through the Appropriations Committee that his department would have to be reduced. Material reductions were made.

On the 10th of January, 1921, Attorney General Palmer requested the Appropriations Committee for a deficiency appropriation of $500,000 to carry on these war-fraud investigations and the statement was made by representatives of the department that the investigations had been continued, notwithstanding the absence of necessary funds.

Representatives of the department appeared before the Appropriations Committee on May 4, 1921, two months after the accession of the present Attorney General, advised the committee that the investigation of the cantonments was still going

on but that only about 30 men were engaged in the work and "they figure that it is now drawing to a close." It is also stated there has been a reduction in the forces and the expenses have been reduced and that the Attorney General expected "to get along" next year on that amount, meaning the normal appropriation.

ACTS CONSTITUTING FRAUDS.

The general character of fraud cases and financial claims of the Government growing out of the war might be summarized as follows:

Cases where prime contractors failed to pay subcontractors the full amounts collected by them for that purpose; cases where the Government furnished materials to contractors and false or erroneous reports were made to the Government as to the amount or quality of Federal material on hand at the time work was ordered stopped following the armistice; cases in which war claims boards were unable to reach an adjustment with the contractor and where questions of fraud, questions of law, and disputes as to the facts are involved; cases to recover credit extended by the War Credits Board; cases of overpayments due to deception, error of facts, or disputes as to the legal rights involved; cost-plus settlement where the investigation showed that subcontractors were affiliated with prime contractors, and therefore not entitled to the amount of profit allowed on first settlement; cases of overpayment due to misunderstanding rules governing war settlements and also mistakes shown on reauditing accounts; cases of bribery to secure the acceptance of war contracts; padded pay rolls and overcharges of various kinds, where claims were made for amounts and quality of material in excess of that furnished.

The recently proposed investigation having been denied, the sole responsibility for action still rests with the Attorney General. He has recently augmented forces for a more vigorous handling of these matters. Personally, I hope the Attorney General will be big enough and brave enough to do the right thing, prosecute the guilty with energy, and protect the innocent against wrongful aspersions. In that way the taint of doubt and suspicion can be removed from the history of the war and a service performed for the country.

When this task of the Attorney General is performed guilt will rest upon some, but America's war record will remain cleaner and stronger as the passing of temporary passions give way to a more appreciative and clearer vision. When that time comes all citizens of the Republic will understand what Champ Clark understood at the close of the war when he said:

It is astounding that we raised an Army of four million and a half men and sent over 2,000,000 of them to France in a few months; that we gave sustenance and help and food and raiment to half the nations in Europe and are still not bankrupt ourselves. It is the most monumental job ever undertaken by the children of men, and we accomplished it and accomplished it well and thoroughly, and, as Admiral Schley said about the results of the naval victory in Cuban waters, there is glory enough for all. Let us quit quarreling.

Mr. ZIHLMAN. Mr. Chairman, I move that all debate on the section and all amendments thereto be now closed.

The CHAIRMAN. The gentleman from Maryland moves that all debate on this section and all amendments thereto be now closed.

The motion was agreed to.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from California [Mr. LEA].

The Clerk read as follows:

Page 1, line 6, after the word "of," strike out "$5,000" and insert in lieu thereof "$4,000."

Mr. LEA of California. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. The gentleman from California asks unanimous consent to withdraw his amendment. Is there objection?

There was no objection.

The Clerk read as follows:

SEC. 3. That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $8,283.34, or so much thereof as may be necessary, to pay the salaries of the Second Assistant Secretary of Labor and the private secretary to the Second Assistant Secretary for the fiscal years 1922 and 1923.

Mr. VOLK. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. WALSH. Reserving the right to object, I would like to know on what subject.

Mr. VOLK. It is on narcotic legislation.

The CHAIRMAN. Is there objection?

There was no objection.

The extension of remarks referred to are here printed in full as follows:

Mr. VOLK. Mr. Speaker, I desire to bring before this body two matters of very grave concern and importance to the public, both arising out of the narcotic drug situation in this country. The first pertains to a demand from medical and scientific men from every quarter of the United States calling for the report and adoption of House Resolution No. 258, which provides for a thorough, complete, and unbiased investigation of narcotic drug addiction. The second relates to corrolary condemnation of administration of the Harrison Narcotic Act, particularly since the enforcement of the law was transferred to the narcotic division of the prohibition bureau of the Internal Revenue Department.

In House Resolution No. 258 and in an address before this body on Friday, January 13, 1922, I called specific attention to rules and regulations issued by the Internal Revenue Department interpreting the Harrison Act, and having the force and effect of law, a document as extraordinary as ever issued by this or any other Government in its presumptuous assumption of authority and ruthless disregard of facts and experience.

I refer to the rulings promulgated October 19, 1921, by the office of the Federal Prohibition Commission, over the signature of R. A. Haynes, Prohibition Commissioner, and D. H. Blair, Commissioner of Internal Revenue.

This ruling, in effect, disposes of a medical and scientific problem relating to the handling of narcotic-drug addicts by eliminating the physician and scientist and turning the entire matter over to Federal police, district attorneys, and favored sanitarium proprietors and underworld peddlers, who have reaped a golden harvest from their nefarious and illicit traffic.

Without any foundation in proven medical knowledge or experience, this ruling asserts that "medical authorities agree" that addicts may not be treated unless confined within prison or sanitarium walls and that "this consensus of medical opinion" is used by the Revenue Department as a basis for the policies of the prohibition commissioner.

In the early stages of the discussion of this problem in this House I received a letter from the Commissioner of Internal Revenue, written in response to my request asking to know upon whose authority the remarkable ruling just cited was promulgated. The reply stated that medical and other experts attached to the Treasury Department decided these questions.

The only other explanation vouchsafed was contained in the language of the regulation to which I have referred, which says:

The following resolutions passed by the council of health and public education of the American Medical Association at its (the council) meeting on November 14, 1920, is pertinent in determining the period over which narcotic treatment should be extended in purely addiction cases:

"*Be it resolved*, That the council of health and public education of the American Medical Association indorses the principle expressed in the California law, section 8½, which forbids the use of opium and its derivatives in the withdrawal treatment of those addicted to the use of drugs for a period of more than 30 days after the commencement of the withdrawal treatment."

The American Medical Association may be stated to be the very bedrock of medical opinion in this Nation. It is comprised of the best brain and talent within a noble profession. It has in its membership about 90,000 of the physicians in the United States. It is bound by a code of ethics which has gone further than any other agency to place the practice of medicine upon the highest pinnacle and plane.

These men and this great institution are unimpeachable. Their integrity is undoubted. Their voice carries with it the weight of a professional body upon which the halt and the lame, the ill and well must depend for very life itself. And when they speak by resolution we all may listen in full confidence that we are receiving the pure thought of medical wisdom and the real consensus of medical opinion.

AMERICAN MEDICAL ASSOCIATION REPUDIATES ACT OF ITS COUNCIL ON ADDICTION.

It is of momentous importance, therefore, that the American Medical Association in solemn convention assembled should have arisen in its might and repudiated the minority findings of this so-called council, a group of five men out of this great body, which minority findings they have dared to set forth, and officials of these United States have accepted, as the solemn opinion of all the medical fraternity.

This repudiation was not the action of a minority committee in the association but resolutions openly introduced and adopted by the vote of the house of delegates of the American Medical Association, representing 90,000 physicians, who had been acquainted with the use made of their organization by the Internal Revenue Department to bolster up unsound policies.

The house of delegates of the American Medical Association also knew to a man this House Resolution No. 258, which specifically described the connivance of Government officials responsible for the Prohibition Commissioner's ruling of October 19, 1921, and of members of the medical profession behind the findings of the council of health and public education of the American Medical Association as a conspiracy to drive narcotic drug addicts into established sanatoria purporting to treat narcotic drug addiction. (See Appendix to the CONGRESSIONAL RECORD, 67th Cong., 2d sess.)

With this knowledge at hand, the house of delegates of the American Medical Association, representing a true consensus of opinion in general medical practice, voted on May 23, 1922, unanimous adoption of the following resolution, to be presented to this House:

*Be it resolved*, That the house of delegates of the American Medical Association approves House Resolution No. 258, providing for a select committee of 15 to inquire into the subject of narcotic conditions in the United States—

And so forth. This resolution is a consensus of medical opinion which neither this House nor the Internal Revenue Commissioner nor the Prohibition Commissioner can overlook or ignore. Nor does it stand alone as an expression of medical thought upon the subject of narcotic addiction and narcotic regulations.

AMERICAN THERAPEUTIC SOCIETY BLAMES "CHAOTIC CONDITION" ON RULINGS OF PROHIBITION COMMISSIONER.

On May 2, 1922, in the city of Washington, situate in the District of Columbia, an equally eminent body met in convention and deliberated upon the peculiarly ignorant policies of the Prohibition Commissioner with regard to the handling of the narcotic and addiction problem.

This was the American Therapeutic Society, known throughout the world as an organization whose roster embraces the foremost men of this or any other nation in the science and art of healing. Though I have said that the American Medical Association represents the consensus of general medical opinion, I may truthfully say that the voice of the American Therapeutic Society represents the last word in the treatment and cure of disease by those who are numbered among our famous specialists, our professors of medical practice, and our most illustrious scientific confreres.

This body, in its deliberations on the narcotic drug problem, found that rulings of the Prohibition Commissioner "had created a chaotic condition" and "had handicapped the practitioner and interfered with the prerogatives of physicians."

As its "consensus of opinion," the American Therapeutic Society, by an acclamation vote on May 2, adopted the following resolution to be presented to this House:

*Be it resolved*, That this society indorse the resolution introduced by the Hon. LESTER D. VOLK, to the end that a careful and scientific investigation of the entire narcotic situation may be had so that both the public and the physician may be benefited thereby.

Mr. Speaker, great as are the two learned professional societies whose solemn resolutions I have cited, there remains another and equally great aggregation of scientific savants whose lives have been given up to a study of problems peculiarly related to conditions fostered by our modern complex lives, especially in our great cities, where particularly exist the rings of drug peddlers and sanitarium interests preying on the addict. This body is the American Public Health Association, comprised of the health officers and students of health subjects from every quarter of North and South America.

AMERICAN PUBLIC HEALTH ASSOCIATION INDORSES NARCOTIC INVESTIGATION.

On October 19, 1921, Commissioner Haynes promulgated his interesting views on the subject of narcotics. On November 17, 1921, this body, meeting in annual convention in New York, and reviewing the work of and effects of narcotic regulations, anticipated the resolution of investigation No. 258, which I introduced before this body last January by adopting a resolution calling for a scientific investigation of the moot subject under discussion.

Similar position had been taken by this body for three years previous at its annual meetings and was the result of long and exhaustive investigation by special committees appointed to study various phases and problems of narcotics and addiction and of yearly open discussion of this subject.

The resolution adopted by the American Public Health Association in 1921 was sponsored by Dr. Peter H. Bryce, an internationally known health and scientific authority.

I might well stop here to point out that I have proved my case against the Government officials who claim that their policies represent the "consensus of medical opinion." However, so great and overwhelming is the demand of the medical profession at large for relief and clearing up of this complex and intolerable situation now existing, that the House should have knowledge of all expressions of opinion, that it may sit in solemn judgment upon the public officials under fire.

Therefore I call the attention of the House to the adoption of resolutions supporting House Resolution No. 258 by State medical societies, State pharmaceutical societies, and scientific and civic and quasi medical organizations, the enumeration of which would merely serve to accentuate the general growing demand for the investigation of the narcotic question.

An example of the expression of "consensus of medical opinion" by a State medical society is that of the home State of the Hon. D. H. Blair, Commissioner of Internal Revenue, which is as follows:

Realizing the importance of securing intelligent legislation on this matter at an early date, not only as a means of properly treating those that are afflicted but as a safeguard to the practicing physician, the Medical Society of the State of North Carolina, in convention at Winston-Salem, April 25, passed the following resolution during the meeting of the house of delegates:

"*Resolved, first*, The Medical Society of the State of North Carolina, now in session in Winston-Salem, approves House Resolution No. 258, providing for a select committee of 15 to inquire into the subject of narcotic addiction in the United States, the personnel of this committee to include all doctors who are now Members of the House of Representatives.

"*Resolved, second*, That this society indorses the position taken by Hon. LESTER D. VOLK, the propounder of Resolution No. 258, which position he has so ably and admirably sustained in a speech delivered in the House of Representatives on January 12, 1922.

"*Resolved, third*, That a copy of these resolutions be sent to the Senators and Representatives of North Carolina in Congress and that they be requested to use their best efforts to bring about the adoption of the resolution presented by Hon. LESTER D. VOLK."

There can be no controverting of this mass of evidence against the pernicious and ignorant policies adopted by the prohibition department, and a thorough and searching investigation should be made of the facts and incidents relating to the promulgation and enforcement of the order of October 19, 1921, and the conduct of the narcotic division of this department along these lines in the face of overwhelming medical disapproval.

If for no other reason, this House should act because of the humanitarian and economic issues involved.

THE CRY OF THE HONEST ADDICT.

No more convincing evidence for the necessity of an immediate and complete investigation of the narcotic drug problem could be presented than the facts contained in the following letters which have come to me unsolicited from various parts of the United States. They are merely a few from the collection which I have available. The names of the writers are withheld for obvious reasons.

This is the upright, honest, respectable, and respected addict, comprising from 80 to 90 per cent of those addicted. This is the type of addict whose care and treatment, yea, their very salvation, should command the interest of this wise, considerate, and humane Government. Contrast these with the so-called depraved, degenerate, criminal, underworld type of addict, exploited and advertised by morbid publicity.

As pointed out in my previous speech, there are between one and two million addicts in the United States. Over 1 per cent of our entire population.

The cries of these sufferers demand that we hear them in the name of humanity. Can we ignore that cry? Can we ignore their plea for help and assistance?

Congressman LESTER D. VOLK,

MY DEAR SIR: Recently I have had the pleasure of reading your remarkable speech relating to drug addiction.

Unfortunately I am one of the addicts, not of the criminal class. I am a trained nurse and hold a supervising position in a large hospital. What I have suffered for the past few years since the new laws and rulings came in I never can begin to tell you. I have never bought drugs from the underworld peddlers but will be obliged to resort to that means of obtaining it if something isn't done to assist decent, respectable persons, such as I claim to be. The price of the drug now is exhorbitant and the means of obtaining it is simply torture for ill persons. I have had a dreadful time finding anyone who would help me, as all physicians are afraid of the law.

I am tied up here in the hot city all summer and dare not go away for a vacation, which I need so badly, because I can only obtain three days' supply of the drug and must stay right here in New York to get it. A short time ago I lost my only brother and I could not even go to the funeral, out of town, because I could not go away from the doctor who gives me my prescription and the druggist who supplies me. This slavery is almost unbearable.

Addicts in New York are treated with less consideration and more cruelty than the law allows animals to be treated. All last winter I tramped through the bitter cold weather after my day's work was done to obtain my medicine, and then the fright and terror we live under all the time for fear of being deprived of it altogether and being obliged to admit our addiction, or the fear of being cast into prison and being treated with what is called the "cold-turkey treatment," which consists of sudden and complete withdrawal of the drug from the patient and being hourly washed down with a hose of cold water until cured. I will never submit to treatment at the hands of these brutal captors in a public institution. I will commit suicide on the steps of the Board of Health Building first and show the world how cruel these existing laws are.

I contracted this dreadful curse through an illness, and was surprised to find myself addicted after a very short time. Not one of my

friends know of my addiction and I never wish them to; it would kill me and disgrace my family, and no one would dare to give me a position of any kind much less such a fine one as I hold now.

If these people who are torturing decent drug addicts are Christians, I never wish to be one. In the name of God and humanity try to help us to go on our lives as best we can, not force us to any more humiliation. This thing of being registered publicly as an addict is an outrage. Physicians, many of them, would like to help us but are frightened to touch a case of addiction. Oh, for some humane law and treatment for decent drug addicts. Thousands exist. What can the law do by inflicting such awful penalties for sick and unhappy persons. Oh, for a relief from the hell and torture of the last few years—a tortured and frightened woman.

———— ————.

NEW YORK, *July 1, 1922.*

The ruling which creates the above condition of affairs is the one in which the Prohibition Commissioner solemnly ordains:

This bureau can not under any circumstances sanction the treatment of mere addiction where the drugs are placed in the addict's possession, nor can it sanction the use of narcotics to cover a period in excess of 30 days when personally administered by the physician to a patient, neither in a proper institution nor unconfined.

If a physician, pursuant to the so-called reductive ambulatory treatment, places narcotic drugs in the possession of the addict who is not confined, such action will be regarded as showing a lack of good faith in the treatment of the addiction, and that the drugs were furnished to satisfy the cravings of the addict.

Note that the drug can "under no circumstances" be "placed in the addict's possession" nor "when personally administered by the physician" "cover a period in excess of 30 days," where the addict is "neither in a proper institution nor unconfined."

No other construction can be placed upon this ruling than that it was intended to benefit the sanitarium interests or to encourage a policy voiced by an assistant United States district attorney in the southern district of New York that the best method was to drive all addicts into the underworld for their supply, where they will become a police problem and can be dealt with by the criminal authorities by a voluntary or involuntary commitment.

And if a physician to save a life or prevent the addict from going to the underworld should refuse to stultify his profession and should break this rule by placing "narcotic drugs in the possession of the addict who is not confined"—that is, should cheat the law of a potential criminal (?)—"such action shall be regarded as showing a lack of good faith * * * to satisfy the cravings of the addict."

Truly, a remarkable and learned pronouncement of a humane Government policy.

The following letter is from a woman 75 years old who for 40 years has been an addict. Although dependent upon a pension of $30 a month and paying $2.50 a week for her drug, a Federal agent (not a physician) changes the form of administering, making the cost $30 per week for an inadequate amount, and drives her into the hands of the "narcotic" bootleggers. An example of the practice of medicine by rule and regulation.

————, W. VA., *June 12, 1922.*

Hon. LESTER D. VOLK, M. C.,
*Washington, D. C.*

DEAR SIR: I have just noted in the columns of the Cincinnati Post an article regarding the resolution you have introduced in the Congress regarding the operation of the narcotic laws of the country.

I am much concerned in this matter, since I am myself an addict of the opiate habit and have been for 40 years. I find much interest in your views on this subject, since I am persuaded by recent experiences that persons falling victims to these drugs, usually under circumstances over which they have no control, are being unduly punished by our country's laws as they are written and enforced to-day.

For an instance, I am a woman 75 years of age. I draw a pension of $30, which is my only income. I have been a drug addict for the past 40 years, and naturally do not hope to recover. I have been allowed by the Federal authorities 20 grains of morphine every five days. For 40 years I have used this amount or more by the needle.

Last week the Federal agent ordered that hereafter it be given me in liquid form only, which is inadequate in amount in this form, and should I take enough in this way to satisfy the demand of my mind and body to a comfortable measure only it would cost me about $30 per week. Of course at this it would have to be purchased from bootleggers, since I can not get it from the proper authorities at all.

Persons who have to use this drug for disease, as I have to do, should have some reasonable and legal way to procure it. They can not hope even to retain the respect of the community when dealing with bootleggers and such, though persons who have any experience know that anyone will do such a thing when their mental balance demands it.

I am writing to say that I hope you will be able to enact an adequate remedy for this malignant ill, and that it may be soon and effective. Think of a person of $30 per month income having to spend $30 per week for a mere comfort, when it could be furnished me at $2.50, and a big profit realized on it by the seller at this.

Very truly yours,

———— ————.

The following is a letter from another resident of West Virginia. He states that the wonderful cure of ignorant officials is jail, and kick it out. Again, that there are 10 addicts in West Virginia to 1 in 1912. Truly a remarkable statement. It would seem that the present method of handling these unfortunates is to blame:

————, W. VA., *June 12, 1922.*

Hon. LESTER D. VOLK,
*Washington, D. C.*

MY DEAR SIR: I read in one of the Cincinnati papers an item of your proposed bill as a help to the drug victims of our country, which I have looked for and longed for since 1915, as I always felt some one who is placed in a position to do so would at some time do something to aid those at least who through disease are drug addicts. No one who has never experienced it knows the suffering one goes through, and, as you stated in your statement, all that has ever been done for those unhappy citizens has been to place them in insane asylums and jails, where their self-respect is lost and they either commit suicide or become criminals.

And to think we, a Christian Nation, who claim to live under the Christ laws, would so interpret the laws now practiced to clean up our country of the use of narcotic drug users. When one as I have, who has tried with all the strength of my will power to whip it and have visited the asylums, been placed among the insane, and in other ways until all the pride of my soul is dead, and I have a wife and a 5-year-old little girl to support, and without the drug I go blind and can not make a living, while with it I can, though it takes all the money I can make to get it. Yet who is it would not give all, and how much more we would love our country's flag if we felt our Government showed us humanity instead of the inhumane treatment we have so far received.

I come from a family who so far has not one, to my knowledge, who has been prosecuted for crime; yet in the past 24 months I have gone through a living hell, and if I only could find an asylum for a cure that would not make me feel and be looked upon as a criminal or could go to some of my physician friends, whom I could trust, and let treat me for the dysentery and nervous breakdown I am afflicted with, I would lend him all my aid to cure myself of the awful condition myself and wife also is in.

I only wish I had the command of the English language to express to you the awful condition we are in, and we have been insulted by ignorant officials who's wonderful cure is jail, and kick it out; and I have went down into them hell holes, found nails drove down through boards within 1 foot of your body, while on your cot, when, if you jumped up against the spikes, it might cause one's death, and I have sent up prayers to our Savior as he sent to His Father while on the cross. My Lord, my God, why has Thou forsaken me? So I feel that Christ is my friend and loves me, and I wonder who has carried my wife and myself with our darling child through these past years but the sympathy of our Savior's love?

I know it is not so for any aid from our Government, the land of the free, but we begin to wonder what is free in America to-day. Yet I still trust my Master to give some one like yourself the light to help we poor drug addicts out of the slough of despond and your plan of putting the treatment back into the hands of reputable physicians will do more to eliminate the drug addicts than all the politicians and petty officers can do, even if an army equal to the A. E. F. is put out to stop it.

In West Virginia to-day there is, I will safely say, 10 addicts to 1 in 1912. So I have been in all cures of not over three weeks at any one, and if I could get to a place where worries of a financial nature were off my mind and could have three months, I am sure I could keep clear of the awful habit. I'll bless you on my knees to the Giver of all happiness if you will fight to win a law that really will help us to be cured and God will award you for saving many souls from a suicide's death of despair.

Yours truly,

———— ————.

P. S.—Do you, as a physician, know of some treatment where we, my wife and self, could be treated to a successful cure? I have in the past 12 months had experiences which, if known by men, you would be bound to believe; that is, trying to be cured. I have gone out of my mind and for three weeks not remembering one thing. * * * I have worked at insurance and made as much as $500 in one week, but no hope to save a dollar as long as we use the drug and pay the price we have to pay. If you could recommend a place where no hyocine or fake treatment is used or jail or asylums, I will mortgage my birthright to pay it.

The following is a letter from a graduate of some of our widely known drug "cures" in the East. The fear of the hunted and haunted that they may be forced to undergo the horrors and tortures of the "board of health" treatment, the description of the "compulsory registration," and what it has done, are but too plain. It has been rumored that these lists are the prospective customers of the drug peddler and the prospective victims of the blackmailer:

Hon. LESTER D. VOLK.

DEAR SIR: I write this account of my addiction in gratitude to you for your wonderful efforts in behalf of such sufferers as I am and thousands more, quite as good as I am, right here in New York City, and trust that it may help by showing that all such are not degraded criminals, as the authorities make us out to be.

God grant you health and strength to carry on your wonderful work for us to the limit.

I will ask you not to use my name, for it would mean the loss of my livelihood and my family need me, and I must care for them. I feel you will understand and I most gladly trust you with my name and address.

———— ————.

NEW YORK CITY, *June 27, 1922.*

Hon. LESTER D. VOLK.

DEAR SIR: I have read your wonderful speech in the House of Representatives, and I feel that I must write to you and tell you how grateful I feel toward you for the noble and humane stand you have taken for the hunted, hounded, and persecuted drug addicts, of which, unfortunately, I am one. I am glad that some one is big enough, broad enough, and humane enough to understand us. No one except one who has been subjected to the horrors of the last few years can possibly understand what the decent drug addict has been through. This mistake that most people make in thinking that a drug user can only be of a criminal type is most cruel. I want to tell you my story, and I feel that I am but one of many who are of as gentle breeding, respected, honest, and unfortunate as I am.

I am a college woman, the daughter of a judge, the granddaughter of a physician, and of old colonial stock. Unfortunately, through

an illness, I contracted the drug habit and was a confirmed drug user before I knew it. I had been given it by a physician during the critical part of my illness, and when weak in the convalescing period, I continued to take it, feeling that I was not strong enough to do without it just then but would stop when I was a little stronger. I became quite well and made up my mind that I would cease buying the drug (morphine).

When my supply was exhausted I simply did not purchase more but at the week end went home to my residence in the country far away from the source of my drug supply. I laughed to myself about people contracting habits. I knew that there wasn't any such thing—it was simply weakness of character and ignorant and common to believe such foolish, fanciful things. I retired and before morning awoke with such distress of mind, horror after horror chasing itself through my mind—such physical distress and torture that I was nearly insane.

For a time it never occurred to me that it was due to the lack of the morphine, but after a few hours of this dreadful agony I determined that it was the lack of it and consoled myself with the thought that I had ceased using it before I was strong enough to do without its dependence. Before Monday morning when I could get back to town I nearly died from the sudden deprivation of the drug. How I got back into town to the source of my supply I know not, but I reached there in a condition of almost collapse and almost fell into the place.

On securing the usual amount I immediately became my normal self again, and this opened my eyes to the fact that I must have contracted the habit. I continued to take it simply to keep me from making a spectacle of myself among my friends and to enable me to continue my business—for I held and am still holding an important position of trust with many people dependent upon my instruction and advice—and to keep myself in hand and to appear normal, I continued to take just as small an amount as possible to keep myself in mental hand, and consoled my conscience with the promise that when my vacation came that I would find a "cure."

When my vacation came I began my hopeless quest for some one who would cure me. I went from physician to physician, was insulted, jeered at, and almost thrown out of medical office after office, and was told that I didn't want to be cured, called a "dope fiend," and one doctor said to me, "Go without it. What does a man do who has his arm cut off? Why, he does without it. Well, you go and do the same." I could not find anyone who would understand, and when I found one who did, he did not dare to help me. So, worn out mentally, physically, and almost broken hearted, I gave it up for the time, hoping at some time in the near future to find some one who would help me. Then the Boylan law came in and then my worry was to find some one who would even sell me the drug or enough to keep me from acting queer or breaking down with my work, for I had a family on my hands to support. I am a widow, and my little family had to have my support.

I struggled along under the difficulties that the Boylan law made for me, getting the drug anywhere I could possibly get it and paying once $5 for four one-half grain tablets. A friend of mine who was associated with a druggist got me a little, and so I went on, half insane for fear my supply would be entirely cut off; and in that event I should be obliged to acknowledge my addiction before the whole world—lose my position, in which I am beloved, apparently normal, and respected, and be obliged to creep away disgraced, unhonored, and reviled.

Oh, it was dreadful! What agonies of mind I suffered and agonies of body through lack of sufficient drug to keep me mentally balanced, no one can ever possibly understand. It's a wonder that I did not commit suicide, for I fully made up my mind to do so if I was compelled to make the curse of my life public. Then the dreadful horror of the "board of health treatment" came into existence and I determined to end it all if I was compelled to stand in the writhing, shivering line with crooks and thugs awaiting the daily dole of enough of the drug to keep me going.

Fortunately, before that happened I found a great humane physician, who obtained for me an "exemption" for a limited time. This physician would have cured me had there been any place where a decent, self-respecting person could go to obtain treatment, but there was none. So, after much search I found an advertisement of a western "cure" for addiction. Got into touch with the representative of that "cure" (?) (whom I found later to be a chiropractor) and paid out a large sum of money for a "home" cure.

Taking the last cent I had in the world from the bank with joy, trusting that it would be the means of making me free, I gladly paid it. This chiropractor "cure" representative had associated himself with a New York physician so as to conform with the law as to making out prescriptions for me, and the "cure" was on. I was told that in 10 days I would be completely free of my addiction. They gave me what afterwards proved to be some bottles of Hyoscine, with instructions as to taking it. I took it, nearly killed myself, and fell into a state of unconsciousness which lasted 48 hours, and frightened my family nearly to death. Fortunately, I was at home. The two doctors had my money and disappeared when they found I had given up my last cent. My family thought I had a nervous breakdown, and the physician they had called in during my collapse thought so also.

After a few weeks I staggered back to my place of employment, more dead than alive mentally and physically, and continuing the drug, hoping and praying for some help from somewhere, but it has never come. I am still holding my responsible position, and while my heart it almost broken, I am apparently just an active, normal, responsible business woman, honored by my employers and those under me. I have been able, through a wonderful physician, to obtain just enough of the drug to keep me going and normal, and hoping and praying for some relief.

I have a friend who is a trained nurse. She has been employed in one of the public institutions where the "cure of drug addiction" was applied to those unfortunates who fell into the hands of the "drug squad," and rather than go through what she has seen and truthfully relates, I would prefer death and have it all over at once.

The last three years have been years of torture. I thought it was hard enough to have to go to a physician for a prescription at all, but to be obliged to go daily for enough to keep body, soul, and mind together has been almost more than I can possibly endure.

My addiction was brought on by an illness of acute rheumatism, which has resolved itself into chronic arthritis, affecting my hands and knees particularly. Days and days when I have been so ill that I should have been in my bed, I have had to drag myself forth, and whatever the condition of the weather, beating snow or driving rain, I have had to go personally for my prescription—days when the very act of my going out and battling with the elements has only aggravated my disease, and several times has nearly killed me. I have crept to the doctors when my temperature has been 103°, for, without my drug, I could not exist.

Then the terror of the whole thing has been awful, the constant fear that I might be arrested and thrown into a "cure" with criminals and degenerates has filled my soul with fear every moment of the time. I have never for one moment felt free from the possibility of being arrested or the object of espionage from some of the "narcotic squad." I only want to be cured or left alone. I am not a menace to society, nor a blot on civilization, as drug users are termed and called. If they will only let me go the rest of the way quietly alone, I will be most grateful.

The very fact that they keep me in a state of constant fear makes me take more of the drug than I would if my mind was at rest. It keeps my nerves unstrung and terrorizes me constantly. The awful thought that I might, any day, fall into the hands of the police and be railroaded off to be cured, is horror in itself, as the board of health has a record of every addict, his home and place of employment, and I understand that these records are accessible to others. I can never feel safe, and each day seems to me may be the last day that I will be allowed to live my own life and go my own way. A threatening hand, heavy and ever ready to fall, hangs over thousands besides myself. The public "cures" in the city institutions are well known for the cruelty of method employed. Those poor creatures who had money could, during the cure, purchase the drug and thus elude the horrors of the cure, while the penniless ones stood the cure, were tortured and most of them died.

If I were obliged to go into a public institution with a lot of criminals and take such cure as has been administered to those poor creatures, I would gladly welcome death, for such procedure would mean my admitting my addiction to the world, and in doing so I would simply be committing suicide—for no one after such publicity would employ me for one moment, and without my work for myself and family I would be much better off dead. I would not submit to such a cure. I simply could not endure it either mentally or physically. I am hoping and praying for some relief somewhere.

I have found in my experience that drug addiction really has not the pleasures that lurid writers claim for it. I have never experienced any delightful langours or sensations—for me it is simply the one thing now that keeps me myself and allows me to continue my work for my little family. So I must have it—and as there is no cure for it, nor any place to go to be cured, if there were, I must continue.

To say that takers of drugs always increase their dosage and finally deteriorate into liars, thieves, and unclean specimens of degraded humanity is untrue. I have never increased my drug in years. I am a wide-awake, clean, wholesome woman, beloved by my family and associates, and always expect to be such unless I am forced by the law to associate with criminals by being thrown into prison to take a "cure"—which I will not be.

Also it is said that drug users flock together, reveling in the morbid joys of using their drug—another falsehood. I never knew but one drug user in my life, and this was years before I became so. I do not know the "underworld" and never in my life ever saw a purveyor of drugs in the street or elsewhere. I would not know one on sight. I have never lost a day's work through my addiction in years, and always dependable, active, and well-balanced mentally—and expect to be so if I am permitted to go my own way, lead my own life, and harm no one but myself—if I am harming myself.

I am so thankful for such a big, wonderful man as you are—one who understands the situation perfectly. I am sure that you will help us and reach down your strong hand and save us from going under amid all this torture and horror that surrounds us just now. God grant you courage and strength to change the situation as it now stands, for without some such help as you are offering us, thousands of decent, respectable, and respected drug addicts will be obliged to end it all some other way.

God help you to help us.

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The following is an extract of the testimony of a woman drug addict published by the Nea Service (Inc.), in their release of June 26, taken from a sworn copy which I have in my possession. This woman has undergone practically every known form of treatment without success and with resulting near ruin. Her baby was born an addict. The fallacy and unreliability of the advertised routine treatments and so-called "cures" is shown, and it is an unanswerable document in favor of real scientific study and investigation of this condition:

STORY OF A WOMAN DRUG ADDICT.

(By Nea Service.)

I am a nurse 43 year old, a widow with one son. I have been a morphine addict for more than 20 years. My son was born an addict, but I cured him in babyhood—the only time, it seems to me, when addiction can be cured.

When I was 20 I became ill with appendicitis and a complication of internal trouble. I was sick for three years and had many treatments, and finally had to be operated on.

The doctors gave me morphine, but never steadily enough to cause complete addiction until the last attack, which lasted seven months.

The doctors stopped the morphine at the time of the operation. They lectured me about will power and warned me not to let the morphine get a hold on me. I never had any enjoyment out of it, except relief from suffering. But the damage was already done.

When they stopped the morphine, I became a wreck. I could not sleep. I was deathly sick.

I was without morphine for two or three months. Pains, weakness, nervousness, and sleeplessness were driving me insane. I had to have relief. I thought I could take morphine to relieve my suffering and quit when I was well.

I married before I fully realized I was addicted. When I finally found out that I could not stop the morphine I was nearly wild with suffering. My husband and I talked it over and he finally insisted I must stop trying to do without it.

BABY IS BORN WITH DRUG ADDICTION.

Then we began a search for some doctor who would save me. We tried and tried, without success—and then baby was born.

He was a fat, healthy looking baby. Then suddenly the nurses wouldn't let me see him. I knew something was wrong.

I got up out of bed and went to him. He was blue and drawn and looked as if he were dying. He looked just the way I did when I needed morphine.

We sent for the doctor and told him our fears. The baby seemed to be dying and the doctor gave him a little dose of morphine and in 20 minutes he was fine and quiet, with a good color and a healthy look.

My baby had been born a morphine addict.

I had the most awful ideas of killing myself and the baby, too. And then I made up my mind I would save him somehow.

It tore the heart out of me to see the way he suffered. He would draw up his little legs and shriek and moan and you'd think he would cry himself to death.

I insisted that he should not have any morphine except just when it would keep him from dying. He only got a few doses, but for 18 or 19 months he was awfully sick.

We stuck it out, and my baby lived and began to get stronger, and was completely cured.

But now I am terrified at what will happen to him if anyone ever gives him an opiate in case something happens to him.

I am constantly sick and scarcely ever able to work, though I used to earn good money as a trained nurse.

What I need is another operation. But I can't because there is no hospital I can find that will take care of my addiction.

I wish I had died when I was born. Or that my son had died in those first awful days.

Addicts like me, accidentally placed in the grip of a terrible disease, are hunted like criminals under present laws. The public does not know that most of us are not criminals at all.

ADDICTION IS MADE EASIER FOR CROOKS.

Recent interpretations of laws placing narcotic administration in the hands of laymen who have no medical knowledge of addiction have made things worse for thousands of accidental addicts like myself, who now must have opiates to live.

But things are easier for the crooks and degenerates who buy their drugs from peddlers.

I am sorry I ever registered as an addict under the law. I think I would be better off if I took chances buying morphine from peddlers.

Instead I am chained to one job, to one doctor. I dare not leave the city 48 hours, because no other doctor will prescribe for me. I have had to refuse several fine positions because of that.

I have to buy my drug every few days. I can not get a supply ahead. The expense is increasing all the time.

DRUGS COST HER $1.30 EVERY DAY.

Until two years ago I could buy a week's supply for 65 cents. Then it was 90 cents a week. That wasn't so bad. But now it costs me $1.30 a day.

I know the druggist doesn't want me to come to him any more than I want to. I know he can't help charging me so much more than the drug used to cost. He'd rather not have addiction prescriptions anyway.

Everything is playing into the hands of the peddlers. Out of the hysteria they are getting rich.

The trouble is the public knows only about the underworld addict. They class the rest of us, honest and law-abiding, with criminals.

Honest doctors are afraid to do anything for us beyond what the law allows.

But we addicts long for freedom. We know that our only hope for escape from the cruel chains of the drug habit is through scientific study and research and adequate provision for the intelligent and sympathetic care of addicts.

That is why we hope Congress will study our situation carefully, so that we can look forward to cures when possible, relief when addiction has progressed too far for a cure, and prevention of addiction at the outset.

THE HONEST AND INNOCENT NARCOTIC AFFLICTED.

The above are the class of opiate addiction sufferers declared by the report of the American Public Health Association and by every other report and investigation of reliable source, and in the modern textbooks and monographs on the subject of narcotics and addiction, to be medical problems. Honest and innocent people, from the judge to the returned soldier from France, from the minister to the laborer, from the woman of means and culture to the hard-working wife of the artisan or the self-supporting, honest laboring woman, from the corporation president to the clerk, from the legislator to the average "man on the street"—no age nor sex nor social scale immune to the physiological or pathological processes of this disease—the honest and innocent people who have contracted this condition as a result of therapeutic administration of opiate drugs.

They are the neglected, persecuted, and harassed and exploited sufferers to-day. The doctor or the druggist, terrorized by subordinate officialdom, can turn them from his door. The medical school can refuse to study and teach the facts and care of their condition and needs for its understanding and consideration. Casually appointed so-called "committees" can ignore their sufferings and needs. Hospitals can close their doors to them. Ignorant official subordinates can brutally force them through sufferings and harassments and finally drive them to the underworld peddler and smuggler.

They are the neglected crux of the narcotic drug situation. They are the victims for whose exploitation the fake treatment or sanitarium cure or advertised remedy contends with the underworld peddler and the extortionist and blackmailer. They are the real sufferers and victims of the narcotic situation to-day, and of the morbid publicity and hysterical promotion and incompetent administration. Nothing is being done for them, and all honest help and care is being driven away from them by administration of laws dominated by "interested" or partisan or promoting groups. To the honest narcotic addicts and their condition and needs the administration turns a deaf ear, led astray by the blare of the trumpets and the glare of the bonfires and the beating of the tom-toms of the "side show" medicine dance of the panacea promoters in medical and lay officialdom.

In what is probably the most comprehensive and accurate report from any scientific organization committee outlining the real needs of the situation, the report of a standing narcotic drug committee of the American Public Health Association, printed in the American Journal of Public Health January, 1920, pages 83–86, inclusive, contains the following:

The administration of laws and regulations of a too restrictive character, as applied to physicians and druggists as a whole, has apparently resulted in the neglect of this disease by the medical profession and the consequent retarding of the solution of this problem, just as they would if thrown around the treatment of any other disease. The demands of various minor technicalities and the possibilities of unintentional violations render so hazardous the practice of medicine as applied to these cases as to drive away from help to the addict the average honest practitioner of medicine, while they encourage the shyster and charlatan as they do underworld commerce.

There is neither space nor time for full discussion of these cases of the persecuted, neglected, terrorized, exploited, honest, and innocent addiction sufferer. They are discussed in so many places and reports and writings that it is inconceivable that administration and interpretation should ignore them and their necessities.

But administration and interpretation has been led astray by a handful of people in whom it trusted, and has neglected the real literature and record and information available. By the hundreds of thousands these people are suffering and searching for help and relief and, if possible, cure. Driven by hope and desperation they try one after another of the advertised "cures" and "treatments" and institutions. The average result as shown by all investigation and inquiry and literature of competent origin has been failure—not failure on their part but failure on the part of those who do not yet understand their condition enough to achieve success in their care and treatment. That is the cold, hard fact, platitudes and sophistries and evasions of incompetent official or pseudo-official report and statistics to the contrary notwithstanding.

Those who would study and work upon this condition and care for the sufferers to the best of their honest ability and good faith are driven away by manipulated administration and perverted interpretation and popularized morbid hysteria and false conception and by terrorism and persecution.

The clear and comprehensive report of the standing committee in the American Public Health Association shows the repeatedly demonstrated facts and need of the situation—facts and needs ignored by administration and kept from fulfillment. This report is to be recommended for study and consideration as soon as constructive work and remedy and education is again made possible and the hysterical experiments have ceased to dominate in publicity and administration.

Three years of unbridled power and force should by this time show what these things are doing, both to the harm of the innocent and to the fostering of the evil. Their failure and effects were all warned against in clearly shown prediction and warning from many places of highest authority.

The burden of their viciousness of these years falls upon the hundreds of thousands of innocent addicted. In increasing numbers since my speech and resolutions in January, I have been hearing from these people and their physicians and relatives. A few of the letters and appeals for justice and honesty and mercy and help I have inserted above. Let them speak for themselves, and pray to a merciful God that the administration will at last pay attention to their plight and understand their needs as it did three years ago before the present medical group and their associates came into power.

THE DEGENERATE OR CRIMINAL NARCOTIC ADDICTED.

The type of criminal or degenerate addict who has been "touted" in the press and in reports and statistics by certain officials and committees and promoters, the "submerged tenth" of the narcotic addicted, is an entirely different matter from those I have just discussed. They are the advertising or publicity exploitable assets of the hysteria creator and publicity promoter.

They are not medical problems primarily and never will be. They are problems in vice and criminality and degeneracy. They have little to do with the real problems of addiction. If they constituted the typical addiction case, or even the larger proportion of addiction cases, there would be no controversy and no narcotic-drug situation to-day. It is not for their exploitation that the furore recurs in promotion and spectacular propagandizing of their attributes. They are but "smoke screens" to hide the real quarry aimed at.

They are usually shiftless and penniless and sources of profit neither to the cure promoter nor to the underworld smuggler and peddler. They are the more or less mythical leaders or members of the "drug rings," the "queens of the underworld drug traffic," the "opium kings," and so forth, that have recurrently occupied the headlines of sensational articles in the newspapers for many years whenever some official wanted publicity or some panacea promoter wanted a new law.

Mr. Speaker, I have, of course, sympathy for their affliction, but in them the element of public safety, as in the nonaddicted of their same type of individual, dominates the picture. They are primarily and inherently problems for forcible control. The last report from the American Public Health Association, November 17, 1921, states, "The control of this group is essentially a police problem."

The sordid details of selected specimens of criminality or degeneracy taken from such people and exploited in the press and official report have been the stock in trade of the publicity hunter and panacea promoter and have occupied the public press and administrative consideration to the exclusion of the honest and deserving majority. Such types of people have always existed and always will exist, both addicted and unaddicted.

The horrible and morbid popularizing of them and their environment and characteristics and supposed enjoyments has probably been the chief factor in the extension of the disease of addiction among the youthful and curious, victims of the peddler, and furnished free advertising for his wares. For this extension of the situation in the past three years the ignorant or morbid-minded official parading in the public press is responsible.

I have often wondered if these things were not reflections from the psychology of the particular individuals or political appointees who persistently voiced them and ignored the sufferings and needs of the great majority of honest, innocent, and suffering afflicted. After reading the many piteous letters from the innocent and honest addicted and the medical and scientific and other literature of reliable origin and authority, such perversion of breadth of vision and broadly established facts and such reveling in the morbid and obscene requires the psychology of a Nero or of one of the degenerate kings of medieval ages.

And the continued use of such selected specimens of morbidness and criminality and degeneracy to distract from the medical and scientific and public health and economic and sociological problems confronting those who would study and help the innocent and worthy and deserving sufferers and provide for their needs and difficulties and, as far as possible, render competent treatment, is a blight upon modern civilization. It should be exposed and stopped.

PERSECUTION OF DR. J. M. MANNING.

We can no longer afford to leave the interpretation of the law to the opinions of warring factions or administrative appointees, who change in personnel or may change their minds overnight. We can no longer afford to continue in our national life and administrative offices such situations as called forth the editorial in the Morning Star, of Wilmington, N. C., February 14, 1922, and which are calling forth magazine and newspaper comment with increasing frequency and openness of declaration and condemnation.

The editorial deals with the recent trial and acquittal of Dr. J. M. Manning, one of the most eminent medical men and citizens of his State, arrested for falsely alleged violation of the Harrison Act. The editorial states that during the trial it was brought out that subordinate officials were "going about the State terrorizing doctors and druggists." It voices public appreciation of the statements and attitude of Judge Connor, who condemned the actions of the Government official, and states in part as follows:

> The law under which Doctor Manning was indicted is one of the most wholesome and beneficial laws on the Federal statute books. But, like most Federal statutes, it provides that some department or officer may make regulations for carrying the act into effect. This law has been surrounded with so many abominable and useless regulations that it is almost impossible for a druggist or physician to sell or administer opiates or narcotics without violating some regulation.
>
> It should not be necessary for a judge to comment upon these "flimsy cases brought into court against our best citizens," engineered by "peripatetic" subordinate officials or whoever may influence or direct them.
>
> Government by inspectors and deputies during the war may have been to some extent necessary, but now that the war is over the citizen is going to demand that the Government to which he pays such enormous taxes shall protect his rights and not treat him as an alien enemy.

OFFICIAL MURDER OF DR. C. F. J. LAASE.

It was just such another flimsy case that was brought against my old friend and coworker in medical journalism, Dr. Christian F. J. Laase, one of the most utterly honest men I have ever known, and one of the most studious and devoted to his profession, a man whom I personally know to have started in his narcotic work and study at the request of the officials of the Government in cooperation with whom he studied and pursued his work.

The mere shifting of the enforcement of the Harrison law to the Prohibition Bureau brought into the field new appointees and subordinates who reversed the meaning of the law through arbitrary interpretation and arrested him for doing what their predecessors had advised him to do. He was tried and acquitted, but died as a result of the persecution and harassments he was subjected to in the effort to "get him." Medical journals printed eulogies and medical societies passed resolutions commending his work and writings.

He was killed by the action of an ignorant Government subordinate official. Fittingly inscribed upon his headstone is the epitaph, "A Medical Martyr."

SUPPRESSION OF DR. ERNEST S. BISHOP.

Dr. Ernest S. Bishop is to-day probably the foremost scientific student and authority on the subject of narcotics and addiction in this country, if not the civilized world. He was indicted over two years ago by the same ignorant and arrogant official subordinate, and has been held under indictment ever since. This is clearly being used to keep from dissemination the information on this subject contained in a library said to be one of the most comprehensive and complete in existence and to prevent the application of the principles evolved by an experience and work known to be the most extensive in this country.

In reply to a request from me for some of the facts of his indictment and experience his frank discussion of them is revelational of the methods of modern officialdom. In spite of the unanimous protest in the medical and lay press there appears to be some power able to prevent a fair inquiry into his case and to keep him under indictment and his work suppressed.

Information has come to me from other parts of the country concerning other administrative outrages perpetrated against men of high standing and reputation and honor and honesty, "flimsy cases brought into court against our best citizens and studious scientific workers," also communications describing the most brutal and barbarous tortures inflicted upon innocent, honest, and suffering sick people through the uncurbed power vested in ignorant subordinates.

ELIMINATION OF THE MEDICAL RECORD.

There is no independent weekly medical journal in the United States to-day. The last to go of the independent medical journals devoted to the general practitioner of medicine was the Medical Record. And its passing deserves more than casual mention in connection with this subject of narcotics and addiction. It was recently sold and discontinued under circumstances which at least arouse suspicions involving administrative officials.

For over 50 years the Medical Record has been a bulwark of independent medical and scientific thought, producer of the work of scientific geniuses whose fame reached around the world. It was edited by Dr. Thomas L. Stedman, the dean of and undoubtedly the most scholarly and widely informed and far-seeing and fearless of the medical editors of this country. It was invariably fair, invariably giving space to proponents of both sides in mooted subjects. This journal has been a factor in the development of medical science and honest, independent medical thought perhaps beyond any other medical journal of this country.

It is more than a suspicious circumstance that just prior to its being sold by its publishers and discontinued suit based upon allegations concerning a letter of greatest importance in the narcotic situation, which it published, was brought by the same official subordinate referred to above in discussion of the attacks upon Doctor Laase and Doctor Bishop. It is also a coincidence that this official subordinate's attorney was one of the assistant United States district attorneys involved in the promotion of the Smith-Fearon or Cotillo bill, New York, elsewhere referred to, and the furthering of the claims and ends of its promoters. Because of my interest in medical journalism and this narcotic matter, I have inquired into this episode of the elimination of the Medical Record.

In my opinion as a former medical editor for years and a physician and a lawyer, there were no true grounds for this attack by these two men upon the Medical Record, and it is a matter of grave concern to honest medicine and to independent medical journalism and to honest administration that all the factors and elements in the action of these two men be inves-

tigated and that it be determined to what extent their acts were deliberately directed or inspired toward the terrorizing of the owners of the Medical Record and its final elimination.

The intrigue that has made possible this horrible situation, involving the suppression of fact, is directly traceable to a small group of men who have willfully overlooked the findings of science and experience as relating to addiction.

I referred to them in my address before this body on January 13, and would not again venture upon discussion of their unimportant and discredited practices, opinions, and statements were it not for the fact that I am informed that they are even now engaged in a campaign of propaganda seeking to offset the demand of the medical profession for a complete exposition of their practices and an investigation of the whole narcotic question.

Unfortunately, the leaders of this movement reside in my own city of New York, and are without compunction in using the implied prestige of their appointed committee and official positions to continue a state of affairs that has become intolerable.

I bear no malice toward this coterie. I believe they should have their day in court and an opportunity to match their experience and study of addiction against that of other physicians, and that the whole matter of the handling of addiction should then be weighed and shaped in accordance with the finding of recognized authorities upon addiction subjects and the evidence adduced in current bibliography and available scientific information.

THE PRESENT NARCOTIC DRUG SITUATION.

Mr. Speaker, I desire to call the attention of the House to the condition that exists to-day.

The honest are being persecuted. The innocent are being hounded and harassed and exploited. The sick are being denied care and treatment. The quack and the charlatan and the specific cure promoter are thriving upon their false promises and the hopes and gullibilities of the desperate

Administration is being perverted and corrupted. Ignorant youth, untaught and uneducated in facts and truth, spurred on and his curiosity aroused by morbid and sensational presentation from irresponsible origins, is being drawn into the snares planted by the harpies of human woe and creators of human suffering—agents of the rapidly increasing criminal underworld traffickers and smugglers and peddlers.

The scientific and clinical work and research of men who have made an honest and able study of addiction is being ignored and blocked from recognition by propagandized unscientific and incompetent "formularizations."

From everywhere come increasing records of aggravation of the narcotic situation and of smuggling and peddling and connivance in it of administrative officials, the logical and inevitable outcome of a situation created by ignorance and propagandized misrepresentation and suppression of education and true information. In the uncovering and elimination of this machinery and the laying bare for open consideration and evaluation of all sides and sources of information lies the most important factor in its remedy and final control.

My colleagues are, some of them, supporting measures for international regulation of narcotics and for further extension of administrative control within this country. Both types of measures to a reasonable and competent extent, applied to the proper phases, are needed for control of some of the addiction problems.

With both types of these measures, if competently and intelligently administered, I am in hearty accord. But from 10 years of contact with the bickering and scheming and experimentation that have gone on, fostered and kept alive in my own State—New York—by forces well known and repeatedly exposed and overthrown, I know that under present conditions nothing more will be accomplished than the further confusion of this matter and increase of its evils and of its hideous sufferings and injustices.

Government administration must have active in this work honest and trusted and intelligent and unbiased men, fully informed and fully educated in all possible and available material bearing upon the subject, and must give due recognition to facts as they exist and not be swayed or influenced by any faction or clique or partisan presentation.

The time has come when the Federal Government must stand aside in scientific matters involving honest professional judgment and permit medical men to practice their profession unhampered by lay administrative dictation. The yardstick of rule and regulation must be discarded for the truer measure of "good faith" based upon scientific medical teachings.

WHY CONGRESS SHOULD INVESTIGATE.

The really fundamental task of this situation is to force upon administrators and legislators and bring before the courts all the available information upon the subject which they should consider. These branches of our Government must no longer remain periodically bereft of fair and open presentation of complete facts, nor must it further be possible for interested parties or factions to periodically jockey or manipulate the information which comes before them, nor to suppress such information as does not support or accord with their own desires or ends.

It must no longer be possible for the laity and officials and the courts to be uninformed of the mass and bulk of scientific and medical opinion and to have presented as ultimate and authoritative and complete information such now completely discredited announcements and reports as have for the past two or three years presumed and purported to represent the profession as a whole and to express "consensus of medical opinion."

Upon such presentations, accompanied with attacks upon and persecutions and suppression of the sources of qualified utterance and information, policies are constantly being formulated in administrative circles (see Rulings of Commissioner of Internal Revenue), and laws framed for legislatures (see Smith-Fearon or Cotillo bill, New York), and decisions rendered in courts of law (see United States *v.* Behrman, decided March 27, 1922).

This last decision is of great importance because it is capable of being made into another instrument of manipulative effect and terrorism. It may be used to drive still other thousands of innocent addicted to the clutches of the underworld smuggler and peddler and corrupt official. It declares that the prescribing of "unreasonable quantities" of narcotics is a violation of the Harrison Act, another phrase which can be twisted to subserve the purpose of ignorant or corrupt officialdom.

Is this term "unreasonable quantities" to be left to the definition or determination of picked "committees" or officials of no scientifc qualifications in this subject or the irresponsible discussion and publicity of inexperienced, advertised, overnight "authorities" and "experts"? Or is it going to be interpreted in the light of all available information from reliable sources, none of it muddled or perverted or suppressed? The outcome of the present narcotic situation can not be predicted until these questions are answered.

How much longer is the mere incident or accident of who gets appointed to "committees" and public office going to determine the interpretation and force and effect of statute law to an extent to which the very fundamental intent of the law and its beneficent purposes can be reversed overnight through change of administrators and administrative policies? How much longer can truth and honesty be attacked and suppressed and charlatanism and ignorance and fanaticism and special interest furthered and exploited through the machinery of Government?

How much longer can individual administrative appointees refuse to consider everything which does not accord with or further the purposes or theories of themselves or their selected associates? Is this country going to be governed by law or by arbitrary official opinion under commission powers of unchecked domination? The history of narcotic law in New York State and city should be a warning, a history now being reenacted in the Federal administration.

In the last three years of quibble over words and phrases and "formulæ" and unanalyzed statistics—in the last three years of vindictive attack on persons and gossip and intrigue and manipulation of office and press—beginning with the advent of a new crop of administrators in New York State and New York City and the Department of Internal Revenue, influenced, as shown in my speech of January 12, a most horrible situation has developed.

This situation is built upon chicanery and false doctrines and exploited panaceas—medical pseudomedical, legislative, administrative, and otherwise—and upon ignorance or apathy or incompetence or promotion in administrative office. Destroy that machinery and force upon administration the recognition and application of all facts and material of information and you have made the big and absolutely fundamental step in solution.

Neglect to do this and this country will face the worst horrors yet seen in this situation. Allow the arbitrary opinion of various groups of lay or medical political appointees of no competent experience or knowledge to arbitrarily determine the controversial or mooted questions in a basically scientific question and problem and the present situation will continue

and grow worse, and evil, misery, and injustice will increase. Nobody at all familiar with the history of the past 10 years' experiences and experiment and record of this subject would controvert this statement.

This situation has been periodically stirred up by scientific quibbles and squabbles, by sensational and publicity-seeking officials, and by the promotion of narrow or unscientific definition of various phrases and slogans. It has been kept alive by the persistent dissemination and repetition of meaningless phrases and sloganized definitions and arbitrary pronouncements of incompetent character and origin coming from official or pseudoofficial position. The effect and possibly the deliberate intent of this has been to muddy the clear waters of truth and to provide pseudolegal, petty technicalities which have been used to suppress or attack men whose study and work and established honesty and scientific reputation stood in the way of the promoters of commercial or fanatic or theoretical panaceas.

Shed upon this situation the light of truth, and all of the truth, and it will become possible of solution and checking and control. In no other way can this be done.

Make public and widespread all that is known or available upon this subject so that administrative officials can not avoid or evade facts and real issues and conditions and the public press can not be manipulated into sensational, hysteria-creating advertising of selected cases of vice and degeneracy to the neglect of the needs of the vast majority of the honest and deserving.

With the awakening and arousing and final expression of real "consensus of scientific opinion," as expressed in the unqualified indorsements of House Resolution 258, there can be no further excuse for continued persistence in domination over administration and administrative power and action of the fallacies now openly repudiated.

It rests now with the only unbiased, competent body which can openly and publicly and with widest recognition take up and seriously consider the material and evidence in this narcotic situation and compel its universal recognition—the Congress of the United States.

Mr. KING. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

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

Mr. WALSH. Reserving the right to object, upon what subject?

Mr. KING. It is on a subject that in no way reflects on Members of Congress.

The CHAIRMAN. Is there objection?

There was no objection.

Mr ZIHLMAN. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. BIRD. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

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

There was no objection.

The extension of remarks referred to are here printed in full as follows:

Mr. BIRD. Mr. Speaker, the House finds itself about to take a short recess after months of continuous labor and it is fitting that the accomplishments of the session be reviewed at this time. We have had President Harding at the helm of a Republican administration for a period of 16 months and during all of that time he and the Congress have been in harmonious accord and have worked most diligently with the program of the Republican Party pledges constantly in mind.

In taking invoice it is necessary, first, to review the condition of our country as it was turned over to the Republicans by the Democratic administration on March 4, 1921, after eight years of gross carelessness and mismanagement. True, during part of that distressing period we were plunged into and passed through the most terrible war of all times, but that most terrible experience served as an almost impenetrable screen to hide the mismanagement and inefficiency of Democratic rule that took place not only before and after the war but also in the management of the war itself.

In 1913 when the Democratic Party took charge our national debt was approximately $1,000,000,000. In 1921 when the Republicans took charge our national debt was over $25,000,000,000, and the annual interest alone upon the debt was greater than the total debt in 1913. During 1913 the Democrats increased the running expenses of the Government $43,000,000; in 1914, $39,000,000; and in 1915, $35,000,000. All this was before the war or even preparation for war. In 1916 they increased it in the sum of $129,000,000. Thus it is that we find our national debt figures as follows:

| | |
|---|---|
| 1913 | $1,029,000,000 |
| 1918 | 17,005,000,000 |

And in 1920 when the Nation so roundly decided that a change of administration was necessary we found ourselves struggling under the enormous debt of $25,234,000,000. Right here it should be noted that of that sum more than $11,000,000,000 was loaned by our then President to foreign nations. Much of it was loaned without security or even properly signed notes or due bills, and a very considerable amount was loaned without authority.

In 1920 a feverish, nervous condition was prevalent over the country as a result of the war and the uneconomic condition into which we had been led until the outcome of our national honor and our national and international prosperity was a matter of the gravest concern to all.

The remedy proposed by the Democratic Party was that this Nation of ours submit itself to a league of European nations and that we place ourselves and our problems upon a parity with and in the cauldron of European diplomacy. (And they still propose it.)

The remedy proposed by the Republican Party was:

That we enter no entangling alliances.

That we terminate the war at once and declare peace.

That we have a casting up of our accounts and that war graft cease.

That strict economy in Government be practiced to the end that the burden of taxes on the people be lightened.

That agriculture as the basic industry of the country be given every possible assistance.

That freight rates be reduced.

That our returned soldiers be given honorable and just consideration.

That our industries and our labor be given protection against the chaotic condition of the world markets, and that every facility be afforded for the marketing of our products in all corners of the globe.

The Republican Party, under the leadership of President Harding, and with the aid and support of a Republican Congress, was given the job of bringing order out of chaos, honor out of complication and threatened dishonor, efficiency out of inefficiency, and prosperity out of impending and threatening disaster.

A casting up of the work of the administration and the Congress is to bring before the people of the United States the evidence of the fulfillment of that trust of Government and the verdict at their hands can not be in doubt.

PEACE BASIS ESTABLISHED.

Peace was promptly declared. We have no entangling alliances. We are in no League of Nations. We have preserved our honor and our national integrity, and even more, thanks to our President and his most able Secretary of State, Charles Evans Hughes, we have led the nations of the world a step nearer to the dawn of a universal peace. The limitation of arms conference taught the peoples of the civilized world that there is a better way than war. A burden of billions was lifted from the shoulders of a war-sick world and we ourselves were enabled to cut our war and Navy expenditures in the enormous sum of $215,000,000. Our Army is now cut to a peace Army of 125,000 and our Navy is being reduced to the now famous and peaceful 5-5-3 plan of the conference.

FOREIGN DEBT COMMISSION.

Under a law passed by this Congress the President has named a commission for the purpose of refunding and placing upon a sound business basis the debts and moneys that are due and owing us by the various foreign nations of the world. To this commission, at this time, France is sending a financial commission for the purpose of arranging the refunding of the French debt to this country. A British commission will also come at an early date, and the end of the year may well see about seven-tenths of the total foreign debt put in negotiable form with interest payments at not less than 4½ per cent assured, and a date for final liquidation arranged. With negotiations concluded with the two principal debtor nations, it should not prove a difficult matter to take up the question with each of the other countries in turn and speedily convert the notes now held by the Treasury Department into securities that may be handled in the future as Congress may direct.

WAR GRAFT PROSECUTION.

Out of the maze of war-graft cases much is being developed. And this development is being made in the face of almost constant Democratic harassing, criticizing, and faultfinding. The work is in the hands of the legal department of the Government and the courts, the evidence is being steadily gathered, and indictments are being made. The Congress has appropriated an additional $500,000 for graft prosecution and is rendering every possible assistance.

THE BUDGET LAW.

The Budget law passed by this Congress is the greatest measure known to any great modern government for reduction of expenses in routine of government. It is the right arm of an administration seeking to get full value of the people's money in government expenditure. It has already been a great boon to the present administration and Congress and has greatly aided in the extraordinary record of a reduction of our public funded debt in the amount of $2,000,000,000, a reduction of our floating debt of $700,000,000, and a reduction of taxation of over three-quarters of a billion dollars per year.

AGRICULTURAL REHABILITATION.

Agricultural rehabilitation has been one of the dominating thoughts of the administration and of the Congress, and much progress has been made upon the program.

An emergency tariff was enacted into law May 27, 1921. It has been extended until such time as the regular tariff bill shall become effective. In protecting the products of the farm from foreign inflow at a time when war's reaction was pounding agricultural products to a price below that of production, it had a steadying influence upon the entire economic condition of the country. As an additional aid the Russian relief bill was passed which provided for an extension of $20,000,000 to be used in purchasing in this country corn, seed grain, and food for the starving Russians.

Extension of rural credits was given attention in two measures passed about a year ago. The War Finance Corporation was revived and is now enabled to extend credits for not to exceed three years to persons, firms, or corporations dealing in or marketing farm products and to any association of persons engaged in producing farm products or live stock, and to any bank, banker, or trust company which makes or has made loans to persons engaged in the production of agricultural products or in stock raising or marketing.

A law was passed increasing the interest rate on farm loan bank bonds without advancing the rate to the farm borrower, and this, together with a law diverting an additional $25,000,000, for farm loan purposes, has greatly aided the work of the Federal Farm Loan Board. It now has a working capital of $50,000,000 and for the first time since its organization it is able to function continuously in its making of loans to farmers upon satisfactory security.

PACKERS AND FUTURE TRADING ACTS.

These acts regulate the packing industry and grain exchanges. The packer act prohibits packers and stockyards from engaging in unfair or deceptive practices or giving preference or advantage to any person or locality, or engaging in any act in restraint of trade or such as would tend to price control or monopoly. It also requires fair and equal treatment and services to be rendered by stockyards to all at the same charge, and that schedules for service shall be filed and open for public inspection.

The Capper-Tincher, or futures trading, act prevents gambling in grain and abolishes trading in "privileges," "puts and calls," "offers," "ups and downs," and the like in grain exchanges. Further, it makes them subject to Federal control and holds them accessible to farmers' cooperative organizations. A portion of the act was held unconstitutional by the Supreme Court, and within the last few days a new bill was passed by the House to meet the constitutional objections.

Legislative provision has been made for the appointment of a "dirt" farmer on the Federal Reserve Board. This is as it should be and is the proper recognition of a basic industry.

A study of the agricultural markets of the day as to wheat, corn, live stock, and other farm products will reveal how the crisis has been passed; that the strong trend is upward; that the policy of the Republican administration has been wise, and the agricultural legislation passed by this Republican Congress has been beneficial to the farmer.

FEDERAL HIGHWAY LEGISLATION.

On November 9, 1921, a Federal highway act as an amendment to the Federal road aid act was passed. It carries out the President's recommendations with regard to needed and essential changes in the Federal road aid act, particularly with a view to centralizing authority in the States and insuring the upkeep of Federal aid roads. By it and subsequent legislation the road program is to progress with the greatest rapidity practicable. In this bill special provision is made for farm-to-market highways.

IMMIGRATION.

On May 19, 1921, an immigration law was enacted to be effective until June 30, 1922. On May 11, 1922, this law was extended to be effective until June 30, 1924. By these measures immigration is restricted to an annual 3 per cent of the alien population of the respective countries now within the United States. This is one of the most important pieces of legislation enacted and is a safe floodgate against the flow of immigrants to this country following the World War.

THE ANTIBEER ACT.

In the closing hours of the Wilson administration Attorney General Palmer rendered a decision that greatly weakened the administration of the prohibitory liquor laws. Immediately the incoming Republican Congress gave the matter attention and the antibeer bill was passed, entirely remedying the unfortunate situation the prohibitory liquor laws were left in by the Democratic Attorney General's ruling.

SOLDIER LEGISLATION.

We have kept faith with the returned soldier. The Sweet bill provides for his rehabilitation and upward of half a million of men are now under the supervision of the Veterans' Bureau. In this bureau and for this purpose there has been an expenditure during this year of the stupendous sum of $425,000,000, and this amount will be a continuing one. The adjusted compensation bill—frequently called the soldier bonus bill—has passed the House and is now under consideration in the Senate. That this Congress has endeavored to give the care and attention to the sick and disabled soldier that a grateful Nation wishes him to have is shown by an additional appropriation of $17,000,000, passed April 20 of this year, for the construction of additional hospitals. The work of the Veterans' Bureau has been stupendous and it is noticeable that its efficiency is steadily increasing. Decentralization so much desired by the boys has been almost accomplished. An act of April 7, 1922, provides that veterans of the World War who because of physical disabilities due to service were unable to return to their homesteads may make final proof without further residence or improvements and receive patent to their land. Also grant is made of preferred homestead entry right for 90 days to ex-service men in the opening of public lands, which can only be defeated by prior valid settlement rights. Also an act of April 6, 1922, provides that the period of time during which an honorably discharged soldier of the World War shall be receiving treatment for injuries or disabilities incurred in line of duty shall be deducted from the time of residence required on a homestead.

THE TARIFF.

The permanent tariff policy is well under construction and the Congress will shortly turn its attention to transportation problems. Freight rates have been reduced and must be reduced further and the markets of the world must be reached.

In addition to legislation already mentioned, the Congress has given attention to numerous other highly important subjects. It has enacted the maternity bill. Both the House and the Senate have passed the interchangeable mileage bill and it is now in conference. As amended by the House, it provides for interchangeable scrip or coupon tickets good for passenger service on railroads subject to Interstate Commerce Commission rules. This law when enacted will be of great benefit to the commercial traveler.

A cooperative marketing bill has passed the House; a "blue-sky securities" bill; an antilynching bill; an independent naturalization for women bill; a reclassification of civil-service employees bill; a railroad refunding bill; a bill providing for standard measures for fruits and vegetables, and one preventing interstate trade in filled milk; a bill for the promotion of trade with China; and a bill allowing soldiers' widows credit for time of husbands' service on homestead entries.

These, with more than 200 other bills of public or private nature, have constituted the work of the Congress. The grist of the legislative mill has amounted to a consideration of over two bills a day upon the average. A Congress should stand upon its record, and this Republican Congress is glad to stand upon its record thus far made. Its achievements have been constructive and far-reaching and it has dealt with fundamentals.

The other day I saw hewn in stone on a public building in Washington this axiomatic truth, "The farm—best home of the family—main source of national wealth—foundation of civilized society—the natural providence," and as we now contemplate the work thus far of the Republican administration and the

Republican Congress and by the use of that axiom as a measuring rod judge its labors, I feel confident that the people of this land will see with clearness that those now in charge of governmental affairs have been sound in their policies and their legislation, and have well started upon a safe highway to our Nation's honor and prosperity.

Mr. ZIHLMAN. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. MANN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (S. 3396) creating the positions of Second Assistant Secretary and private secretary in the Department of Labor, and had directed him to report the same back with the recommendation that the bill do pass.

The SPEAKER. The previous question is ordered by the rule. The question is on the engrossment and third reading of the bill.

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

The SPEAKER. The question is on the passage of the bill.

The question was taken; and on a division (demanded by Mr. RAKER) there were—ayes 86, noes 16.

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

The SPEAKER. The gentleman from California makes the point that no quorum is present. Evidently there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will bring in the absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 180, nays 68, answered "present" 1, not voting 181, as follows:

YEAS—180.

| | | | |
|---|---|---|---|
| Ackerman | Faust | Kline, N. Y. | Quin |
| Ansorge | Favrot | Kline, Pa. | Radcliffe |
| Anthony | Fenn | Knutson | Ramseyer |
| Appleby | Fess | Kreider | Ransley |
| Atkeson | Fish | Lampert | Reece |
| Bacharach | Fitzgerald | Lea, Calif. | Rhodes |
| Barbour | Fordney | Lee, N. Y. | Ricketts |
| Begg | Foster | Lehlbach | Riddick |
| Benham | Free | Lineberger | Rodenberg |
| Bird | Freeman | Little | Rose |
| Blakeney | French | London | Rossdale |
| Boies | Frothingham | McCormick | Schall |
| Bond | Fuller | McFadden | Scott, Tenn. |
| Bowers | Gahn | McKenzie | Shaw |
| Brown, Tenn. | Gallivan | McLaughlin, Mich. | Siegel |
| Browne, Wis. | Gernerd | McLaughlin, Nebr. | Sinnott |
| Burdick | Glynn | McLaughlin, Pa. | Smith, Idaho |
| Burke | Gorman | McPherson | Smith, Mich. |
| Burton | Graham, Ill. | MacGregor | Snell |
| Butler | Griffin | Magee | Speaks |
| Cable | Hadley | Mann | Sproul |
| Campbell, Pa. | Hardy, Colo. | Mapes | Stephens |
| Carew | Haugen | Mead | Strong, Kans. |
| Chindblom | Hawes | Michener | Sweet |
| Clague | Hayden | Mills | Swing |
| Cole, Iowa | Hays | Millspaugh | Tague |
| Cole, Ohio | Henry | Mondell | Taylor, N. J. |
| Connolly, Pa. | Hickey | Moore, Ill. | Temple |
| Cooper, Wis. | Hill | Moore, Ohio | Thompson |
| Crago | Himes | Moores, Ind. | Timberlake |
| Crowther | Hogan | Morgan | Tincher |
| Cullen | Hull | Mott | Towner |
| Curry | Hutchinson | Mudd | Upshaw |
| Dale | Johnson, S. Dak. | Murphy | Vaile |
| Dallinger | Johnson, Wash. | Nelson, Me. | Vestal |
| Darrow | Jones, Pa. | Newton, Mo. | Voigt |
| Denison | Keller | O'Brien | Volk |
| Dowell | Kelley, Mich. | Ogden | Volstead |
| Dunbar | Kelly, Pa. | Olpp | Watson |
| Dupré | Kendall | Parker, N. J. | Wheeler |
| Dyer | Kennedy | Parker, N. Y. | Williams, Ill. |
| Edmonds | Ketcham | Patterson, N. J. | Williamson |
| Elliott | King | Perkins | Woodyard |
| Fairchild | Kirkpatrick | Perlman | Wyant |
| Fairfield | Kissel | Purnell | Zihlman |

NAYS—68.

| | | | |
|---|---|---|---|
| Almon | Dominick | Kopp | Sanders, Tex. |
| Andrews, Nebr. | Doughton | Kraus | Sandlin |
| Aswell | Echols | Lanham | Sears |
| Bell | Fisher | Lankford | Smithwick |
| Bland, Va. | Garner | Larsen, Ga. | Steagall |
| Bowling | Gensman | Lowrey | Taylor, Colo. |
| Box | Goodykoontz | McDuffie | Tillman |
| Brand | Hammer | Madden | Tinkham |
| Briggs | Hardy, Tex. | Montague | Tucker |
| Bulwinkle | Hoch | Oldfield | Underhill |
| Byrnes, S. C. | Huddleston | Oliver | Vinson |
| Byrns, Tenn. | Hudspeth | Park, Ga. | Walsh |
| Collier | Jacoway | Pou | Weaver |
| Collins | James | Raker | Williams, Tex. |
| Connally, Tex. | Jeffers, Ala. | Rankin | Wingo |
| Cramton | Jones, Tex. | Reed, W. Va. | Woodruff |
| Davis, Tenn. | Kincheloe | Rogers | Wright |

ANSWERED "PRESENT"—1.

Cannon

NOT VOTING—181.

| | | | |
|---|---|---|---|
| Anderson | Evans | Logan | Sanders, Ind. |
| Andrew, Mass. | Fields | Longworth | Sanders, N. Y. |
| Arentz | Focht | Luce | Scott, Mich. |
| Bankhead | Frear | Luhring | Shelton |
| Barkley | Fulmer | Lyon | Shreve |
| Beck | Funk | McArthur | Sinclair |
| Beedy | Garrett, Tenn. | McClintic | Sisson |
| Bixler | Garrett, Tex. | McSwain | Slemp |
| Black | Gilbert | Maloney | Snyder |
| Bland, Ind. | Goldsborough | Mansfield | Stafford |
| Blanton | Gould | Martin | Stedman |
| Brennan | Graham, Pa. | Merritt | Steenerson |
| Britten | Green, Iowa | Michaelson | Stevenson |
| Brooks, Ill. | Greene, Mass. | Miller | Stiness |
| Brooks, Pa. | Greene, Vt. | Montoya | Stoll |
| Buchanan | Griest | Moore, Va. | Strong, Pa. |
| Burroughs | Harrison | Morin | Sullivan |
| Burtness | Hawley | Nelson, A. P. | Summers, Wash. |
| Campbell, Kans. | Herrick | Nelson, J. M. | Sumners, Tex. |
| Cantrill | Hersey | Newton, Minn. | Swank |
| Carter | Hicks | Nolan | Taylor, Ark. |
| Chalmers | Hooker | Norton | Taylor, Tenn. |
| Chandler, N. Y. | Hukriede | O'Connor | Ten Eyck |
| Chandler, Okla. | Humphreys | Osborne | Thomas |
| Christopherson | Husted | Overstreet | Tilson |
| Clark, Fla. | Ireland | Padgett | Treadway |
| Clarke, N. Y. | Jefferis, Nebr. | Paige | Tyson |
| Classon | Johnson, Ky. | Parks, Ark. | Vare |
| Clouse | Johnson, Miss. | Patterson, Mo. | Walters |
| Cockran | Kahn | Petersen | Ward, N. Y. |
| Codd | Kearns | Porter | Ward, N. C. |
| Colton | Kiess | Pringey | Wason |
| Connell | Kindred | Rainey, Ala. | Webster |
| Cooper, Ohio | Kinkaid | Rainey, Ill. | White, Kans. |
| Copley | Kitchin | Rayburn | White, Me. |
| Coughlin | Kleczka | Reber | Wilson |
| Crisp | Knight | Reed, N. Y. | Winslow |
| Davis, Minn. | Kunz | Riordan | Wise |
| Deal | Langley | Roach | Wood, Ind. |
| Dempsey | Larson, Minn. | Robertson | Woods, Va. |
| Dickinson | Lawrence | Robsion | Wurzbach |
| Drane | Layton | Rosenbloom | Yates |
| Drewry | Lazaro | Rouse | Young |
| Driver | Leatherwood | Rucker | |
| Dunn | Lee, Ga. | Ryan | |
| Ellis | Linthicum | Sabath | |

So the bill was passed.

The Clerk announced the following pairs:

On the vote:

Mr. Rainey of Illinois (for) with Mr. Thomas (against).

Mr. Kunz (for) with Mr. Johnson of Mississippi (against).

Mr. Cooper of Ohio (for) with Mr. Garrett of Texas (against).

Mr. Shreve (for) with Mr. Carter (against).

Mr. White of Maine (for) with Mr. Buchanan (against).

Mr. Riordan (for) with Mr. Black (against).

Mr. Sullivan (for) with Mr. Stevenson (against).

Mr. Kindred (for) with Mr. Stoll (against).

Mr. Sabath (for) with Mr. Driver (against).

Mr. Focht (for) with Mr. Drewry (against).

Until further notice:

Mr. Leatherwood with Mr. Garrett of Tennessee.

Mr. Langley with Mr. Clark of Florida.

Mr. Treadway with Mr. Cockran.

Mr. Funk with Mr. Wilson.

Mr. Lawrence with Mr. Sumners of Texas.

Mr. Reed of New York with Mr. Barkley.

Mr. Summers of Washington with Mr. Kitchin.

Mr. Codd with Mr. Swank.

Mr. Davis of Minnesota with Mr. Moore of Virginia.

Mr. Winslow with Mr. Deal.

Mr. Kahn with Mr. Cantrell.

Mr. Burtness with Mr. Lazaro.

Mr. Beck with Mr. Ten Eyck.

Mr. Brennan with Mr. Drane.

Mr. Dickinson with Mr. Johnson of Kentucky.

Mr. Knight with Mr. O'Connor.

Mr. Evans with Mr. Woods of Virginia.

Mr. Sanders of Indiana with Mr. Tyson.

Mr. A. P. Nelson with Mr. Crisp.

Mr. Frear with Mr. Padgett.

Mr. Greene of Massachusetts with Mr. Lyon.

Mr. Maloney with Mr. Overstreet.

Mr. Brooks of Illinois with Mr. Rayburn.

Mr. Layton with Mr. Martin.

Mr. Griest with Mr. Lee of Georgia.

Mr. Michaelson with Mr. Gilbert.

Mr. Yates with Mr. Bankhead.

Mr. Sinclair with Mr. Hooker.

Mr. Clarke of New York with Mr. McSwain.

Mr. Hicks with Mr. Parks of Arkansas.

Mr. Kearns with Mr. Mansfield.

Mr. Colton with Mr. Goldsborough.

Mr. Luce with Mr. Harrison.

Mr. Osborne with Mr. Stedman

Mr. Webster with Mr. Linthicum.
Mr. Woods of Indiana with Mr. Sisson.
Mr. Stiness with Mr. McClintic.
Mr. Hukriede with Mr. Rucker.
Mr. Larson of Minnesota with Mr. Blanton.
Mr. Robsion with Mr. Wise.
Mr. Taylor of Tennessee with Mr. Taylor of Arkansas.
Mr. Strong of Pennsylvania with Mr. Lyon.
Mr. Nolan with Mr. Fulmer.
Mr. Kiess with Mr. Ward of North Carolina.
Mr. Paige with Mr. Fields.
Mr. Ellis with Mr. Humphreys.
Mr. Patterson of Missouri with Mr. Rainey of Alabama.

The result of the vote was announced as above recorded.

A quorum being present, the doors were opened.

On motion of Mr. ZIHLMAN, a motion to reconsider the vote by which the bill was passed was laid on the table.

The bill H. R. 11155, of similar title, was ordered to lie on the table.

NATIONAL HOME FOR THE JEWISH PEOPLE.

Mr. FESS. Mr. Speaker, I submit the following privileged report from the Committee on Rules, which I send to the desk and ask to have read.

The Clerk read as follows:

House Resolution 360 (Rept. No. 1172).

*Resolved*, That upon the adoption of this resolution it shall be in order for the Committee on Foreign Affairs to call up for consideration the joint resolution (H. J. Res. 322), being a joint resolution favoring the establishment in Palestine of a national home for the Jewish people. That there shall be not to exceed two hours debate on said joint resolution, to be controlled by the gentleman from New York, Mr. FISH.

Mr. FESS. Mr. Speaker, the Committee on Rules, having this measure before it, decided upon one hour of general debate. There is a general desire to expedite matters. The purpose of the resolution is well understood, having been considered in the Committee on Foreign Affairs. I therefore offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. FESS: Line 5, after the word "people," strike out the remainder of the paragraph.

Mr. FESS. Mr. Speaker, this strikes out all provision for general debate. [Applause.]

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

Mr. FESS. Yes.

Mr. WALSH. Does that contemplate also shutting out debate on any amendment?

Mr. FESS. It does not; this is general debate.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. FESS. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

Mr. FISH. Mr. Speaker, I call up House Joint Resolution 322, which I send to the desk and ask to have read.

The Clerk read as follows:

House joint resolution favoring the establishment in Palestine of a national home for the Jewish people.

Whereas the Jewish people have for many centuries believed in and yearned for the rebuilding of their ancient homeland; and

Whereas owing to the outcome of the World War and their part therein the Jewish people are to be enabled to re-create and reorganize a national home in the land of their fathers, which will give to the House of Israel its long-denied opportunity to reestablish a fruitful Jewish life and culture in the ancient Jewish land: Therefore be it

*Resolved, etc.*, That the United States of America favors the establishment in Palestine of a national home for the Jewish people, it being clearly understood that nothing shall be done which may prejudice the civil and religious rights of Christian and all other non-Jewish communities in Palestine, and that the holy places and religious buildings and sites in Palestine shall be adequately protected.

Mr. FISH. Mr. Speaker, this resolution favors the establishment in Palestine of a national home for the Jewish people and is based on justice and humanity. It has been given full consideration in the Committee on Foreign Affairs and that committee has reported it out practically unanimously. It is almost similar in wording to a resolution passed a month ago in the other branch of the legislative body. The only difference is that we changed the word "the" to the word "a," so that instead of its reading "the national home" it reads "a national home." The House has had this matter under consideration for the past week and Members are familiar with the contents of the resolution. The passage of this resolution does not commit us to an entangling alliance or to any obligation to use military or naval force or the expenditure of any money. It is merely an expression of our sympathetic and favorable attitude in establishing in Palestine a refuge for the persecuted Jews of the world where they can develop their own culture, law, and ideals in the ancient land of their fathers, given by Jehovah to Abraham and consecrated in the hearts of the Jewish people as the birthplace of their traditions.

This resolution has nothing to do with the League of Nations or the mandatory power under the league. We are not a party to the league, and it would be a piece of impertinence for us to attempt to dictate to the membership of the league. Those who are for or against the league, reservationists and irreconcilables all alike, can support this resolution with equal fervor, as it expresses the moral encouragement of the Congress of the United States to a project already indorsed by Great Britain, France, Italy, Japan, and other great nations.

I append hereto a copy of House Joint Resolution 322 and a copy of the report.

Joint resolution favoring the establishment in Palestine of a national home for the Jewish people.

Whereas the Jewish people have for many centuries believed in and yearned for the rebuilding of their ancient homeland; and

Whereas, owing to the outcome of the World War and their part therein, the Jewish people are to be enabled to re-create and reorganize a national home in the land of their fathers, which will give to the House of Israel its long-denied opportunity to reestablish a fruitful Jewish life and culture in the ancient Jewish land: Therefore be it

*Resolved, etc.*, That the United States of America favors the establishment in Palestine of a national home for the Jewish people, it being clearly understood that nothing shall be done which may prejudice the civil and religious rights of Christian and all other non-Jewish communities in Palestine, and that the holy places and religious buildings and sites in Palestine shall be adequately protected.

[Report No. 1038, House of Representatives, Sixty-seventh Congress, second session.]

The Committee on Foreign Affairs, to whom was referred House Joint Resolution No. 322, favoring the establishment in Palestine of a national home for the Jewish people, having considered the same, report favorably thereon, with the recommendation that the resolution do pass.

This report expresses our moral interest in and our favorable attitude toward the establishment in Palestine of a national home for the Jewish people. It commits us to no foreign obligation or entanglement. The protection of the holy places is carefully provided for, as well as the rights of Christian and all non-Jewish communities. There is a strong religious and humanitarian appeal in this recognition accorded to the Jewish people that goes beyond its purely material aspects and the discharge of such obligations assumed by the allied governments as expressed in the Balfour declaration of November 2, 1917, which has been indorsed by France, Italy, Japan, and other nations.

The Jews of America are profoundly interested in establishing a national home in the ancient land for their race. Indeed, this is the ideal of the Jewish people everywhere, for despite their dispersion Palestine has been the object of their veneration since they were expelled by the Romans. For generations they have prayed for the return to Zion. During the past century this prayer has assumed practical form.

Palestine, the ancient homeland of the Jew, is to-day a comparatively sterile country, due to the wanton and deplorable policy of desolation systematically carried out by its rulers, the Turks, for many centuries. What was once the country of milk and honey has become, through misrule and oppression, a devastated and sparsely settled land.

Jewish colonization began in Palestine over 40 years ago. In 1897 Theodor Herzl, the founder of the modern Zionist movement, established an organization for the purpose of securing legal recognition of the Jewish right in Palestine and began the practical work of settling the land. A great deal of labor and effort has been put into Palestine by Jews. They have established 72 flourishing colonies on a soil which, before they reclaimed it, was merely sand, stone, and swamp. With the investment of Jewish capital and labor part of this land has been transformed into beautiful gardens that evoke the admiration of visitors to the Holy Land. They have created and maintain a modern school system, and laid the foundations of a national Jewish university in Jerusalem. They have introduced modern sanitation, opened hospitals and clinics, and founded many industries. Banks have been established to provide credit for the smaller trade and business man. They are now prepared to develop a plan for harnessing the water power of the Jordan River, which will provide Palestine with ample electric light and power for a large industrial development.

In this work of regenerating a land that has become desolate and waste through governmental oppression, the Jews of America have participated to a large and generous extent, maintaining the American Zionese Medical Unit and making large contributions to the purchase of land and for the creation of credit institutions.

We of America should be glad to give our moral support to a project which is based upon justice and humanity. To give this recognition to so laudable an endeavor of a people seeking to create a haven of refuge for the oppressed and homeless of their race is to act in consonance with the loftiest American ideals. The Jews have suffered greatly during the war. There are now countless thousands of innocent members of the Jewish race in Poland, Galicia, Russia, Hungary, Ukraine, and Rumania who have been utterly ruined and for whom there is no place in the lands where they had formerly lived. The World War has overwhelmed them. They are seeking a home where, with the generous help of their brethren of other lands who are in more comfortable circumstances, they may re-create their own forms of life and realize their ideals.

The hope of a return of the Jewish people to Zion has had the good wishes of our foremost American statesmen. President Woodrow Wilson, in a letter dated August 31, 1918, wrote as follows:

"I welcome an opportunity to express the satisfaction I have felt in the progress of the Zionese movement in the United States and in the allied countries since the declaration of Mr. Balfour, on behalf of the British Government, of Great Britain's approval of the establishment in Palestine of a national home for the Jewish people and his promise

that the British Government would use its best endeavors to facilitate the achievement of that object, with the understanding that nothing would be done to prejudice the civil and religious rights of non-Jewish people in Palestine or the rights and political status enjoyed by Jews in other countries."

President Harding on June 1, 1921, expressed his friendly interest in and for the Zionist movement, and said:

"It is impossible for one who has studied at all the services of the Hebrew people to avoid the faith that they will one day be restored to their historic national home and there enter on a new and yet greater phase of their contribution to the advance of humanity."

Again, on May 11, 1922, President Harding wrote to a Zionist committee:

"I am very glad to express my approval and hearty sympathy for the effort of the Palestine Foundation Fund in behalf of the restoration of Palestine as a homeland for the Jewish people. I have always viewed with an interest, which I think is quite as much practical as sentimental, the proposal for the rehabilitation of Palestine, and I hope the effort now being carried on in this and other countries in this behalf may meet with the fullest measure of success."

Leaders of the Jewish people here and abroad, who have studied Jewish conditions and needs and are thoroughly familiar with the problems of Jewish life, anticipate the eventual creation of an enlightened state which shall be a center of Jewish culture, a blessing to humanity and to the Jewish race in that ancient land which was given by Jehovah to Abraham, and which is consecrated in all Jewish hearts as the birthplace of their traditions and ideals. The realization of this hope should be given the moral encouragement of the American people speaking through their Representatives in Congress.

Mr. Speaker, I move the previous question on the resolution.

The SPEAKER. The gentleman from New York moves the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on the engrossment and third reading of the resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on agreeing to the preamble.

The preamble was agreed to.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

On motion of Mr. FISH, a motion to reconsider the vote by which the resolution was agreed to was laid on the table.

Mr. GALLIVAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on this resolution.

The SPEAKER. Is there objection?

There was no objection.

Mr. GALLIVAN. Mr. Speaker, this resolution gives expression to sentiments of justice and humanity which are in perfect harmony with the great traditions of our country. It is clearly understood that nothing shall be done which may prejudice the civil and religious rights of Christian and all other non-Jewish communities in Palestine, and that the holy places and religious buildings and sites in Palestine shall be adequately protected. The hope of being restored to the land of their forefathers was never forsaken by the Jewish people, a hope which was sanctified throughout the ages by the tears and blood of the martyr of humanity—the Jew.

Let it not be forgotten that during the 2,000 years of Hebrew occupation of Palestine the land was coveted by all ambitious conquerors as a land of flowing milk and honey. After the destruction of the second Jewish commonwealth by the legions of Titus the land became more and more barren, laid waste by the sword, famine, plagues, and the sweeping sands of the desert. Nevertheless Jewish emigration into the Holy Land was never interrupted. The poet Judah Halevi left prosperous Spain for desolate Judea, meeting death in the attainment of his ideal.

Half a century ago the modern Zionist movement made its appearance. It was endowed with a "King Midas touch," turning into gold everything it attempted in Palestine. In spite of a hostile and indolent Turkish Government it succeeded in building up 50 model colonies, which are regarded by the veterans of Allenby as veritable oases in a desert of general stagnation and slothfulness. Only self-sacrifice of heroes could accomplish this result. The ambitious pan-Germans, headed by the Kaiser, lavished millions on their settlements in Palestine and failed. Just before the final collapse of the Central Powers the largest of the German colonies was sold to the highest bidder, the Jewish people. I can only mention cursorily the most efficient system of elementary and secondary schools which the Zionists established there and their having recently laid the foundation for a Hebrew university on the Mount of Olives, to which a critic like George Brandes and a philosopher like Henri Bergson have offered their inestimable services.

The geniuses of world imperialism—Alexander, Cæsar, and Napoleon—divined the rôle of Palestine as the gateway between the Orient and the Occident and always regarded the Jews as the natural gatekeepers. The Hebrew people, originating in the east and living in the west, possess the mystic heart of the oriental and the critical mind of the west European. The symphonic union of these two qualities might still "put it over" our dear Kipling, who standardized the phrase that "East is east" and "West is west." The gulf will be bridged.

The Jews in Europe are oppressed both physically and spiritually. The Slavs massacre them, the Huns bar their children from their schools and generally boycott them in social life. While some contented Jews in America ride their electric limousines to the luxurious temple, the charred bodies of their unfortunate brethren in Galicia lie buried under the ruins of the burned synagogues of Lemberg and Cracow.

Palestine, to be sure, will not harbor all the Jews of Russia and Poland, but it will remove from them the stigma and the accompanying suffering of a homeless wanderer.

When anyone says that millions of Jews are opposed to Zionism, he forgets that, after all, we have only a few million Jews in all the world, and the fact is that the traditional Jewry is nearly unanimous in support of Zionism, and even members of the so-called reform group are rapidly and surely entering its ranks.

America's sympathy, as expressed through this resolution, will be a source of encouragement to the Jewish people in their struggle to repatriate themselves to the land from which they were exiled by force. There in Palestine we shall see in evidence concrete expressions of the prophetic ideals of Judaism—the ideals of justice, peace, and equality to all children of man regardless of race or creed.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that Members may be given five legislative days within which to extend their remarks in the RECORD on this resolution.

The SPEAKER. Is there objection?

Mr. LONDON. Mr. Speaker, reserving the right to object, of course it will be just an extension of remarks?

The SPEAKER. It can not be in any other way. Is there objection?

There was no objection.

The extension of remarks referred to are here printed in full as follows:

Mr. APPLEBY. Mr. Speaker, under the leave granted to me to extend my remarks in the RECORD I desire to make brief comment and express my views on House Joint Resolution 322, now pending before the House, favoring the establishment in Palestine of a national home for the Jewish people. That we may have clearly before us the exact language of the proposed legislation I would like to preface my remarks by the insertion of the resolution, which reads as follows:

Joint resolution (H. J. Res. 183) favoring the establishment in Palestine of a national home for the Jewish people.

Whereas the Jewish people have for many centuries believed in and yearned for the rebuilding of their ancient homeland; and

Whereas, owing to the outcome of the World War and their part therein, the Jewish people are to be enabled to re-create and reorganize a national home in the land of their fathers, which will give to the House of Israel its long-denied opportunity to reestablish a fruitful Jewish life and culture in the ancient Jewish land: Therefore be it

*Resolved, etc.*, That the United States of America favors the establishment in Palestine of a national home for the Jewish people, it being clearly understood that nothing shall be done which may prejudice the civil and religious rights of Christian and all other non-Jewish communities in Palestine, and that the holy places and religious buildings and sites in Palestine shall be adequately protected.

Hearings covering four days were given on the resolution by the Committee on Foreign Affairs, and many witnesses appeared offering arguments for and against the legislation. In submitting the resolution to the House with a favorable recommendation for its passage the committee stated:

This report expresses our moral interest in and our favorable attitude toward the establishment in Palestine of a national home for the Jewish people. It commits us to no foreign obligation or entanglement. The protection of the holy places is carefully provided for, as well as the rights of Christian and all non-Jewish communities. There is a strong religious and humanitarian appeal in this recognition accorded to the Jewish people that goes beyond its purely material aspects and the discharge of such obligations assumed by the allied Governments as expressed in the Balfour declaration of November 2, 1917, which has been indorsed by France, Italy, Japan, and other nations.

The Jews of America are profoundly interested in establishing a national home in the ancient land for their race. Indeed, this is the ideal of the Jewish people everywhere, for despite their dispersion, Palestine has been the object of their veneration since they were expelled by the Romans. For generations they have prayed for the return to Zion. During the past century this prayer has assumed practical form.

Palestine, the ancient homeland of the Jews, is to-day a comparatively sterile country, due to the wanton and deplorable policy of desolation systematically carried out by its rulers, the Turks, for many centuries. What was once the country of milk and honey has become, through misrule and oppression, a devastated and sparsely settled land.

Jewish colonization began in Palestine over 40 years ago. In 1897 Theodor Herzl, the founder of the modern Zionist movement, established an organization for the purpose of securing legal recognition of the Jewish right in Palestine and began the practical work of settling the land. A great deal of labor and effort has been put into Palestine by Jews. They have established 72 flourishing colonies on a

soil which, before they reclaimed it, was merely sand, stone, and swamp. With the investment of Jewish capital and labor part of this land has been transformed into beautiful gardens that evoke the admiration of visitors to the Holy Land. They have created and maintain a modern school system, and laid the foundations of a national Jewish university in Jerusalem. They have introduced modern sanitation, opened hospitals and clinics, and founded many industries. Banks have been established to provide credit for the smaller trade and business man. They are now prepared to develop a plan for harnessing the water power of the Jordan River, which will provide Palestine with ample electric light and power for a large industrial development.

In this work of regenerating a land that has become desolate and waste through governmental oppression, the Jews of America have participated to a large and generous extent, maintaining the American Zionese Medical Unit and making large contributions to the purchase of land and for the creation of credit institutions.

We of America should be glad to give our moral support to a project which is based upon justice and humanity. To give this recognition to so laudable an endeavor of a people seeking to create a haven of refuge for the oppressed and homeless of their race is to act in consonance with the loftiest American ideals. The Jews have suffered greatly during the war. There are now countless thousands of innocent members of the Jewish race in Poland, Galicia, Russia, Hungary, Ukraine, and Rumania who have been utterly ruined and for whom there is no place in the lands where they had formerly lived. The World War has overwhelmed them. They are seeking a home where, with the generous help of their brethren of other lands who are in more comfortable circumstances, they may re-create their own forms of life and realize their ideals.

The hope of a return of the Jewish people to Zion has had the good wishes of our foremost American statesmen. President Woodrow Wilson, in a letter dated August 31, 1918, wrote as follows:

"I welcome an opportunity to express the satisfaction I have felt in the progress of the Zionese movement in the United States and in the allied countries since the declaration of Mr. Balfour, on behalf of the British Government, of Great Britain's approval of the establishment in Palestine of a national home for the Jewish people and his promise that the British Government would use its best endeavors to facilitate the achievement of that object, with the understanding that nothing would be done to prejudice the civil and religious rights of non-Jewish people in Palestine or the rights and political status enjoyed by Jews in other countries."

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Many Jews reside in the third congressional district of New Jersey. As their Representative in Congress I was naturally much interested in this legislation. It was my privilege and pleasure to attend the hearings. Following closely the testimony submitted, I am frank to say there were many arguments presented in favor of the resolution which appealed to me strongly. Palestine of to-day, the land we now know as Palestine, was peopled by the Jews from the dawn of history until the Roman era. It is the ancestral homeland of the Jewish people. They were driven from it by force by the relentless Roman military machine and for centuries prevented from returning. At different periods various alien people succeeded them, but the Jewish race had left an indelible impress upon the land. To-day it is a Jewish country. Every name, every landmark, every monument, and every trace of whatever civilization remaining there is still Jewish. And it has ever since remained a hope, a longing, as expressed in their prayers for these nearly 2,000 years. No other people has ever claimed Palestine as their national home. No other people has ever shown an aptitude or indicated a genuine desire to make it their homeland. The land has been ruled by foreigners. Only since the beginning of the modern Zionist effort may it be said that a creative, cultural, and economic force has entered Palestine. The Jewish Nation was forced from its natural home. It did not go because it wanted to. A perusal of Jewish history, a reading of Josephus, will convince the most skeptical that the grandest fight that was ever put up against an enemy was put up by the Jew. He never thought of leaving Palestine. But he was driven out. But did he, when driven out, give up his hope of getting back? Jewish history and Jewish literature give the answer to that question. The Jew even has a fast day devoted to the day of destruction of the Jewish homeland. Never throughout history did they give up hope of returning there. I am told that 90 per cent of the Jews to-day are praying for the return of the Jewish people to its own home. The best minds among them believe in the necessity of reestablishing the Jewish land. To my mind there is something prophetic in the fact that during the ages no other nation has taken over Palestine and held it in the sense of a homeland; and there is something providential in the fact that for 1,800 years it has remained in desolation as if waiting for the return of its people. In testifying before the committee a representative of the Zionist organization of America said:

There are 14,000,000 Jews in the world. The fundamental question is that of what is to be done for a homeless people of 14,000,000, whether they now enjoy a certain amount of liberty in one country at a certain time or not. There are 3,000,000 Jews in the United States, but the World War comes along and destroys the very foundations of life of 8,000,000 of them in other countries, and these 8,000,000 are entitled to justice and right dealing in view of the fact that this war was fought for certain ideals, and certain readjustments are being made, certain nations being set up that did not have a ghost of a chance two years before the war to set themselves up without assistance; certain nations have been set up on credit of the American Government; certain nations have been put into position where they have control of millions and millions of people, because it was felt that that was the right thing to do. And here are 14,000,000 Jews, with the very foundations of their lives removed, who find themselves in such a predicament that they appeal to the conscience of the world for a haven of refuge. They are absolutely without the means of reviving themselves without this assistance. We speak to the enlightened nations, "Give us this haven of refuge; we go in there with no intention of oppressing anybody or taking away from anybody what they have or taking away from any individual the rights, the religious liberties, or civil liberties which they have."

One of the greatest sources of pride of an American-born citizen is to hold aloft the land of his birth. The oft-repeated refrain of the poet—

Breathes there a man with soul so dead,
Who ne'er unto himself has said,
This is my own, my native land?—

is but an outburst from one of the deepest wells of the human heart. And for the Jewish race, which gave Christianity to the world and brought to civilization its highest and noblest inspiration; a race which embraces some of our greatest bankers, merchants, lawyers, educators, and leaders in every line of the world's activities, to be longer denied a country which they can call their own is a humiliation too deep for the pride of an American. Fellow Members, the resolution before you embodies the faith of the Jewish people and gives expression to a longing which has never forsaken them. It should be the privilege of the House of Representatives to pass this resolution. It should be the privilege of any Christian nation to help make the cradle of Christianity again the center of civilization instead of permitting it to remain a land of devastation and epidemics, which it has now been for centuries. I believe the House in considering this matter should not consider it purely as if they were economists trying to decide whether this is a good thing for the Jewish people to do, but consider it as an expression of the sentiment and feelings and ideals of the Jewish people, of the soul of the Jewish people for generations. Any nation which attaches itself to this act of redemption of the Jewish land is a party to an epochal event in Jewish history. The adoption of this resolution will be a source of strength and inspiration to us and will be in harmony with the great ideals and traditions of the American people.

The extension of remarks referred to are here printed in full as follows:

Mr. HAWES. Mr. Speaker, this resolution contains a message of good will to Jewish citizens of the world. More important still, it is by indirection a national reply to the spirit of intolerance which unfortunately is developing in our own country.

I vote for the resolution most whole-heartedly, because it must show to the bigoted and narrow intolerant that the great American people do not indorse their activities.

The foe of religious liberty has always been intolerance, sometimes disguised but always the same. It rises for brief periods to considerable strength, but always falls back to its obscure cave of bigotry before the enlightened criticism of good citizenship.

Our danger will not come from a change in our laws, but from an intolerant spirit which would evade the established law and by indirection do those things which the law prohibits.

The friend of religious liberty is not concerned with the difference between creeds, nor, in fact, with the difference between faith and unbelief. Nor can he be satisfied alone with the political separation of church and state. He must oppose the invisible government, the secret cabal, or the political movement which attempt to do indirectly the thing which is prohibited by law.

The honest friend of religious freedom can not without protest permit any man's creed to be made the subject of persecution or the sole measure of his fitness for public office.

We can not lose religious freedom without losing civil freedom, so both must be guarded by zealous citizens.

The American Catholic, the American Protestant, and the American Jew must stand united in firm opposition to any intolerant movement which deprives any creed of the fullest freedom and equal rights under the law or curtails personal liberty of conscience or religion.

The extension of remarks referred to are here printed in full as follows:

Mr. CHANDLER of New York. Mr. Speaker, as an introduction to my speech I desire to read House Joint Resolution 322:

Joint resolution favoring the establishment in Palestine of a national home for the Jewish people.

Whereas the Jewish people have for many centuries believed in and yearned for the rebuilding of their ancient homeland; and

Whereas owing to the outcome of the World War and their part therein, the Jewish people are to be enabled to re-create and reorganize a national home in the land of their fathers, which will give to the House of Israel its long-denied opportunity to reestablish a fruitful Jewish life and culture in the ancient Jewish land: Therefore be it

*Resolved, etc.*, That the United States of America favors the establishment in Palestine of a national home for the Jewish people, it being clearly understood that nothing shall be done which may prejudice the civil and religious rights of Christian and all other non-Jewish communities in Palestine, and that the holy places and religious buildings and sites in Palestine shall be adequately protected.

Mr. Speaker, I am in favor of the pending resolution and shall vote for its passage because it embodies the highest and noblest ideals of liberty, humanity, and civilization.

It is a similar resolution to the one already unanimously passed by the United States Senate, and congressional action in this matter is entirely consonant with the spirit of our free institutions and with our oft-repeated official proclamations of national sympathy with the hopes and aspirations of struggling races for freedom and independence.

This resolution does not propose to involve our country in any foreign entanglements or to bind us by any financial obligations whatsoever. It simply expresses our sympathy, as the representatives of a free people, with the national desires and aspirations for a homeland in Palestine of a scattered and persecuted race, whose contributions to the intellectual and spiritual wealth of the world have been unequaled by those of any other people.

Our sense of justice and our sentiment of freedom alike should dictate the immediate passage of this resolution. National gratitude also demands its passage, for our country, like every other civilized nation on the globe, is under a heavy debt of gratitude to the Jews for their marvelous contributions to the uplift of mankind and to the civilization of the earth.

Aside from the lofty inspiration and the rich heritage of Jewish genius in history, of which we are the direct beneficiaries along with all the other races of mankind, Jewish sacred influences confront and surround each and all of us at all times and in all places—at the prayer meeting, in the Sunday school, in the church, in the cathedral, and in the synagogue.

When the Chaplain offers prayer at each day's opening of this House he invokes upon its Members the benedictions of a Hebrew God and the intercessions of a Hebrew Savior.

The three great events of man's existence are said to be: Birth, marriage, and death. The spiritual food, solace, and inspiration of each of these great events are furnished by the Jew. The hallowing influence of Hebrew scriptures is invoked when infancy is christened into religious life. Jewish music, Mendelssohn's wedding march, furnishes the entrancing accompaniment when bride and bridegroom meet at the marriage altar to pledge eternal love and to be bound to the duties of wedded life by the obligations of Hebrew sacred law. And, lastly, at every open grave in Christendom is read the funeral sermon of St. Paul, a Jew. Thus the Jew goes with us from the cradle to the grave as our spiritual guide and savior. I respectfully submit that every sentiment of decent gratitude should prompt us to help him when we can, and never to persecute him at any time.

The gratitude that should prompt the adoption of this resolution is born not merely of the priceless legacy of spiritual hope, consolation, and assurance that he has bequeathed to us through the centuries. It springs, too, from the contributions of the Jew to the liberties of the human race in every land and time, for the Jew has been the child of revolution and the friend of freedom in every age.

The Mosaic commonwealth was theocratic in origin and character but democratic in function and effect. All the prophets of Israel were fearless champions of human rights. Isaiah and Jeremiah were the first great revolutionists of earth.

Not only have the Jews been friends of freedom in every age; the friends of freedom of every age—Montesquieu and Mirabeau, Cromwell and Macaulay, Cavour and Mazzini, and Washington—have been friends of the Jews. What more fitting tribute, then, could be paid, what finer, what more appropriate expression of appreciation could be offered by the Representatives of a free Nation than to vote this resolution of sympathy and encouragement to the people of a race that has always, in Senate and in Parliament and upon the battle field, been found foremost among the champions of human freedom and of human rights?

The project of founding a new Jewish commonwealth in Palestine is familiar to all readers of the daily press. The so-called Zionist movement has many ardent advocates and able supporters among Jews and gentiles throughout the earth. The overwhelming majority of the Jews of America, from all that I can learn, are enthusiastically in favor of it.

The great world struggle has given a powerful impetus to the movement. Besides, the national idea and the religious self-consciousness of the Hebrew race in all ages have been seeds awaiting ripening for such an event. It has been truly said that—

since the destruction of the second temple by Titus, since the dispersion of the Jews throughout the world, this ancient people has not ceased to long fervently for a return to the lost land of their fathers nor to entertain for it a determined hope.

If I forget thee, O Jerusalem,
Let my right hand forget her cunning;
Let my tongue cleave to the roof of my mouth,
If I remember thee not;
If I prefer not Jerusalem
Above my chief joy. (Psalm cxxxvii, 5, 6.)

This plaintive and pathetic song was chanted in Babylonian exile more than 2,000 years ago, and it finds to-day a sacred echo in the heart yearnings of every Zionist in the world.

To high patriotic purposes and to deep-seated race feelings and impulses is added the religious belief of millions of orthodox Jews that the time has come for the fulfillment of divine prophecy and promise in the gathering of the children of Israel again into the ancient homeland. The foundation of this prophecy is found in Deuteronomy xxx:

If any of thine be driven out unto the outmost parts of heaven, from thence will the Lord thy God gather thee, and from thence will he fetch thee: And the Lord thy God will bring thee into the land which thy fathers possessed, and thou shalt possess it; and He will do thee good, and multiply thee above thy fathers.

And in Amos, ix, 14–15:

And I will bring again the captivity of my people of Israel, and they shall build the waste cities and inhabit them; and they shall plant vineyards and drink the wine thereof; they shall also make gardens and eat the fruit of them.

And I will plant them upon their land, and they shall no more be pulled out of their land which I have given them, saith the Lord, thy God.

Patriotic pride, race impulse, and religious faith, fed and sustained by ancient prophecy and promise, are undoubtedly the great mainsprings of motive of the Zionist movement. Subsidiary and contributory to all these things is without question the cumulative effect of Jewish persecution of every age from the ancient Egyptians to the anti-Semites and Jew baiters of modern times.

Mr. Speaker, in all the history of prejudice the persecution of the Jew has no parallel. Whether born of human wickedness or divine vengeance, Jewish persecution is the strangest of all historical phenomena. When and where it originated and what have been its intensifying and perpetuating causes are still subjects of grave doubt and speculative debate. In any case it represents one of the blackest phases of human life, for it invariably involves all the elements of ignorance and bigotry, of cowardice and cruelty. I never hear any man engaging in wholesale slander of the Jewish race that I do not say to myself: You are either an ignoramus, a bigot, a coward, or all combined in one. Moreover, you are an ingrate of the meanest type, for you are the direct heir and beneficiary of all that the Jew has ever said or done to elevate and save mankind.

To describe the horrors and cruelties of Jewish persecution would be to narrate the history of the Jewish race during 2,000 years. Time does not permit and the occasion does not demand such a narrative. I will only quote in this connection Rabbi Ben Ezra's "Song of Death," which gives pathetic utterance to the agonizing cry of his people of all ages to the God of their fathers for protection and relief:

By the torture prolonged from age to age,
By the infamy, Israel's heritage,
By the Ghetto's plague, by the garb's disgrace,
By the badge of shame, by the felon's place,
By the branding tool, the bloody whip,
And the summons to Christian fellowship.

In this poetic plaint are crowded the cruel memories of a thousand years of Jewish persecution.

But only yesterday in private conversation with a Member of this House, himself a Jew, while discussing this resolution,

I was told that the days of Jewish persecution had practically passed forever, that the age of freedom and enlightenment was at hand, and that Jewish persecution was no longer a valid motive, a rational excuse, for the Zionist movement. I was astonished to hear him say this.

It is a truth well known to all intelligent men that racial prejudice against the Jew has not completely vanished from the minds and hearts of gentiles; that political freedom in an enlightened age has not brought with it full religious tolerance and social recognition; that the Jew enjoys the freedom of the letter but is still under the ban of the spirit. It is not necessary to go to Russia or Rumania to prove this contention.

In 1896 Adolph von Sonnenthal, the greatest of modern actors, who covered the Austrian stage with glory, celebrated the fortieth anniversary of his entrance into theatrical life. The city council of Vienna refused to extend him the freedom of the city because he was a Jew.

In 1906 Madame Bernhardt, the most marvelous living woman, while acting in Canada, was insulted by having spoiled eggs thrown upon the stage amidst shouts of "Down with the Jewess!" This outrage called forth a letter of apology, which appeared in public print, from Sir Wilfred Laurier, Prime Minister of the Dominion.

In the summer of 1907 the sister of Senator Isidor Rayner, of Maryland, was refused admission to an Atlantic City hotel because she was a Jewess. Be it remembered that these several acts of prejudice and persecution did not happen in the Middle Ages or under the Government of the Romanoffs. Two of them occurred at the beginning of the twentieth century, beneath the flags of two of the freest and most civilized nations of the globe. What have Americans to say of the exclusion of a virtuous, refined, intelligent sister of a great American Senator from an American hotel for no other reason than that she was a Jewess; that is, that she was of the same race with the Savior of mankind?

What have you to say, my colleagues, of the Leonard Kaplan incident at Annapolis, an occurrence of the last four weeks? Does this tend to show that the age of enlightenment and freedom is here and that Jewish persecution has ceased? The severe reprimand of the Government administered to the Christian midshipman for "cruelty"—to use a word of Mr. Roosevelt—to his Jewish classmate and comrade was a fitting and necessary rebuke, but it did not and will not cure Jewish persecution, for the very week following the Kaplan incident we learned from the public press that Harvard University, one of our greatest and oldest schools of learning, was to limit Jews among its students.

These considerations, among others, lead me to lend enthusiastic support to the passage of the pending resolution, for I want the Congress of the United States, of which I have the honor to be a Member, to express its sympathy with Jewish hopes and aspirations, register its approval of Jewish national rights, and condemn, indirectly at least, the spirit of bigotry and race prejudice that gives the lie to the Bill of Rights in our Constitution and brands with hypocrisy our national professions of equality of citizenship in America.

If ungenerous and un-American impulses and fierce and unbridled passions must kindle the fires and stir the hatreds of religious bigotry among the people at large, let us here at least, in the sacred confines of this Hall, preserve a dignified and patriotic equanimity, a statesmanlike composure, and a courageous attitude as the legislative guardians of civil and religious freedom on this continent. Let us, above all things, not forget that this Republic was not designed by the Revolutionary fathers to be Protestant, Catholic, or Jewish, but was intended as a perpetual asylum of religious freedom, where Protestant, Catholic, and Jew might each worship Almighty God after the dictates of his own conscience and in his own way.

To say the least of it, if we are to continue to persecute the Jew we should as a matter of simple justice be willing to aid him in the establishment of a homeland beyond the seas where he can be free from persecution. There is all the greater truth in this, since we are practically shutting out from our shores by unreasonably rigid and discriminating immigration laws struggling and persecuted Jews, the majority of whom would be a benefit rather than a hurt to our citizenship and our country.

In a speech delivered by me in this House on April 20, 1921, in opposition to the immigration bill of that year, I used the following language with reference to Jewish immigrants to our shores:

> I note numerous exceptions to the general provisions of this bill, and I unhesitatingly declare to you, my colleagues, that if I had the framing of the measure for final passage I would make a distinct exception of the Jews. I would do it upon no ground of sentiment or whim. I would base the exception upon righteousness and eternal justice. In the framing of the bill and the enactment of the law I would boldly declare to America and to the world that the Jews are a distinct race, with a distinct history, presenting a distinct and irresistible appeal to the judgment and conscience and mercy of mankind. I would declare them to be a scattered race, with no willing and capable protectors against persecution and oppression. I would call the attention of the people of the earth to what they already know, that the Jews gave to Christianity its Savior, to mankind its noblest religion, and to civilization much that is grandest and most beautiful in literature, music, and art. These considerations I would make the basis of an exception to the general provisions of this bill—that all Jews, from whatever parts of the earth they came, who satisfied the requirements of the general immigration laws regarding tests of health, sanity, morals, and good citizenship, should be admitted. An exception of this kind would be in keeping with our national traditions of refuge and asylum for the downtrodden of the earth, and would be a fitting acknowledgment of our indebtedness to the authors and finishers of our religious faith, whose code of morals lies deep at the foundation of all our secular laws, State and national.

I wish to repeat and emphasize in this speech what I said in that one. I shall probably go a step further when the next immigration bill is offered in this House. I shall probably propose an amendment embodying the principles and providing for the privileges for the Jews that I merely suggested in my speech of April 20, 1921. If I accomplish nothing more, I shall at least test the sentiments and feelings of the Members of this body in relation to the Jews and Jewish immigration.

Is there doubt and has there been discussion, you may ask, concerning these sentiments and feelings? Yes, indeed; more than once in the deliberations of committees and in the debates on the floor of this House concerning Jews and Jewish immigration. The question arose at the hearings before the Foreign Affairs Committee on this resolution before us in a colloquy between Mr. SMITH of Michigan, a member of the committee, and Mr. Abraham Goldberg, of New York City, representing the Zionists of America. Mr. Goldberg seemed not willing to declare that our present immigration laws were aimed at the Jews, but merely contented himself with asserting that the Jews were of all races most severely affected by them. Mr. Goldberg, being a Jew, doubtless felt a certain delicacy and timidity in expressing his real sentiments on the subject. Being a gentile Congressman, I have no such feelings of delicacy and timidity, and I declare to you that it is my sincere conviction that a desire to exclude both Jews and Catholics from our shores has been one of the most potent influences in modern American immigration legislation.

I declared this conviction in a speech against the Burnett immigration bill that I delivered on the floor of this House on March 25, 1916. In that speech I elaborated arguments in favor of my contention and was supported in the debate by ex-Representative William S. Bennet, of New York, and by my distinguished colleague, Mr. GALLIVAN, of Massachusetts, who still is an honored Member of this body.

At the hearings of January 20, 1916, before the Immigration Committee, Miss Grace Abbott, of Chicago, a Protestant lady of fine character and extensive experience in immigrant affairs, who is at the present time the efficient head of the Women's Bureau, gave expression to the following deeply significant sentiment:

> I think many people oppose the recent immigration because it is Catholic and Jewish instead of Protestant, as the earlier was. I am neither Catholic nor Jewish.

This declaration was born of the experience and observations of many years of devoted service spent in helping immigrants, and Miss Abbott knew full well whereof she spoke.

But why devote so much time, you may ask, to discussing the immigration question in its relation to the pending resolution providing for a homeland in Palestine for the Jews? The reason is that if we are to shut the Jew from our gates by stringent immigration laws, we should at least be willing to do what we can to aid him in the establishment of a country of his own where he can live in peace and happiness. The plainest dictates of humanity suggest and demand it.

A year and a half ago I traveled extensively in Germany, Austria, Czechoslovakia, Poland, Russia, and Lithuania. I studied the Jewish question at first hand, especially in Poland. I was amazed and shocked at what I saw and heard. Persecution, poverty, misery, disease, death, and destruction confront the Jew everywhere in southeastern Europe. He is at times hunted like a wild beast, for no other reason than that he is a Jew, and there is no boundary of territory that he can cross for refuge and asylum. He is brutally and cruelly chased by one band of pursuers only to be even more brutally and cruelly thrown back by another. And supposedly free America, with continental expanse of territory, with boundless natural resources, with the Mississippi Valley that, if intensively cultivated, would feed the human race for a thousand years, with the Goddess of Liberty in the harbor of New York brandishing forever a torch of freedom and of welcome to the oppressed and distressed of all mankind, and with professions of faith in Jesus,

the Jew of Nazareth, forever upon our lips, this supposedly free America is willing to adopt and execute rigidly a 3 per cent immigration law that practically shuts these wretched beings from the hospitality of our shores and the shelter of our flag.

There are about 15,000,000 Jews in the world. There are about 3,000,000 Jews in the United States. There are about 12,000,000 Jews scattered over the earth outside the United States. Considering the appalling state of affairs in Europe and the prospects of an indefinite continuance, I declare to you in all sincerity, my colleagues, that if I had the power I would bind my country by definite obligations to aid substantially the Jews in establishing a permanent home in Palestine. I would then admit the remaining millions of Jews who could not find room in their ancient homelands to our shores to become citizens of this free Republic, to enjoy the benefits of its citizenship, and to render obedience to its institutions and its laws.

I would, of course, demand satisfactory answers to the following questions from each and all and every one of them: Are you sound and healthy in body, mind, and morals? Do you believe in our Constitution and our laws and will you loyally obey them? Do you love our flag, and will you patriotically follow and uphold and defend it at all times?

Upon receiving satisfactory answers to these questions I would say: "Children of Abraham, descendants of the descendants of the creators of monotheism, who consented that their country should be conquered, their nationality destroyed, and their race dispersed throughout the world in order that this best and noblest gift of God to man, monotheism, might not be sacrificed to pagan and barbarian superstition but might instead be transmitted as a heavenly heritage to all future generations of men, I welcome you to America and bid you be at home."

Mr. Speaker, the obstacles to this new plan of erecting an independent Jewish State in Palestine are many, but not insuperable. The British Government and her allies, under the Balfour declaration, propose to guarantee to the Jews the return of the territory of their ancient Jewish fatherland after the country has been sufficiently colonized by the Jews under the British mandate.

Palestine is about the size of the State of Vermont and has a present population of about 700,000 souls. There are about 15,000,000 Jews in the world. It is reasonably contended that one-half of all the Jews of the earth could live in Palestine under methods of modern intensive farming and under the electrification and irrigation of the country through plans of harnessing the water power of the Jordan and Yarmuk Rivers, plans that have been submitted by the great Jewish engineer, Pincus Ruttenberg.

Palestine is about the size of Belgium, which has a population of 7,600,000. If the plans of Ruttenberg for the redemption of the barren and waste places of the country around Jerusalem, through electrification and irrigation, by utilizing the waters of the Jordan and the Yarmuk are successful, and there is no earthly reason to believe that these plans will not succeed, then Palestine should be able to sustain a population as large as that of Belgium.

A successful culmination of the Zionist movement would probably realize, in time, an emigration of 7,000,000 Jews from other lands, as the innate love of the average Jew for the cradleland of his race, coupled with glorious and thrilling memories of long ago, and the hard lot of misery and grinding toil now endured by many of them in different parts of the world, would be a powerful incentive to join the new settlements in the East. The tide of emigration is already beginning to flow strongly that way, and many flourishing Jewish colonies already exist in Palestine.

There is no reason from a physical viewpoint why Jerusalem and the surrounding country should not become the seat of a prosperous and successful State. The popular notion that Palestine is altogether a barren country, not capable of yielding rich harvests, is a mistaken one. Its appearance is barren only during the dry season, when the grasses which cover the greater part of it are dried up and the herdsmen retire with their flocks of sheep and goats to the loftier mountains. The alluvial lowland to the south of Mount Carmel is as fruitful as ever, and it only needs an honest and vigorous administration, under the plans for electrification and irrigation devised by Ruttenberg, to create in Palestine a land of intensive farming as well as a center of industrial activity. There is no reason why Palestine should not be to the eastern Mediterranean what Belgium is to the North Sea, a perfect beehive of industrial creation and commercial output.

An enlightened political management would not only rekindle the olden Jewish love of agriculture, but would revive the ancient glories of Phœnician commerce through the ports of Acre and Jaffa, which would give an outlet to all the world.

All the spiritual and intellectual elements would certainly be present in the building and perpetuating of a new Jewish commonwealth in Palestine. The Bible and the Talmud would again be their religious guides and the charters of their freedom. A Maccabean soldiery would again defend their national frontiers. A Jerusalem parliament would be heard to echo the splendid eloquence of new Disraelis, Gambettas, and Castelars. Some new Josephus would record the growth of the expanding State, and the melodies of Mendelssohn and Meyerbeer would cheer and sanctify the domestic circles of happy Jewish homes. Such a commonwealth or republic is a consummation most devoutly to be wished if Jewish genius and civilization are to be lost, as is now feared, in some great maelstrom of war and in the readjustment of the boundaries of states and the realignment of races.

Why should not the nations of the world join in such an enterprise if the Jews desire it? Every kingdom of the earth has tried its hand at exterminating them and has failed. Why should they not now change the program for awhile and extend to the patriarch of the tribes, the old man of the centuries, a kindly and helping hand? England will turn Palestine over to the Jewish people at the proper time. Can we not afford—does not a solemn obligation rest upon us as a free and Christian people, to lend sympathy and support to the millions of struggling Jews who desire to link their lives and fortunes to the land of their fathers and with the early memories of their race?

But why should we give legislative sanction, even in the mild form of a mere resolution of sympathy and encouragement, to this movement, you may ask? What business is it of ours where they go and where they stay? Who are the Jews, anyway, that they should be claiming the special attention of the congresses and parliaments of the nations of the earth?

My reply is that the Jews are the most extraordinary people that ever inhabited this earth and that they have been throughout all history the chief benefactors of mankind. Their achievements and benefactions have in every age been out of all proportion to their numbers. They have never numbered and do not now number more than 1 per cent of the human race, and yet it has taken most of the time of the other 99 per cent to keep up with them and find out what they were doing. No other race has contained and exhibited such dynamic energy in small compass. Somebody has said that one Jew in town creates a sensation, two a riot, and three a revolution. A man like this not only deserves but always commands special attention and respect not only from individuals and groups but from congresses and parliaments as well. This fundamental notion of race superiority and race achievement is one of the great reasons for national legislative approval of this resolution.

Another cogent political reason is that an overwhelming majority of the approximately 3,000,000 Jews of America desire the passage of this resolution, and we should certainly pay some little respect to the desires of so important and respectable an element of our population and citizenship, especially when the action contemplated can do no possible harm to the balance of the country.

But how do you know, you may ask, that the majority of American Jews desire the passage of this resolution? I candidly admit that there has been no direct referendum on the subject among the Jews themselves, but I learn from the hearings before the Foreign Affairs Committee that there was an American Jewish Congress held not very long ago at Philadelphia at which delegates representing some 360,000 Jewish voters adopted a resolution by a practically unanimous vote indorsing the Zionist movement. In this connection I wish to quote a paragraph from the hearings containing the statement of Mr. Louis Lipsky, of New York City, who represented the Zionist Organization of America:

The Jews of the United States held a congress two years ago, after the Balfour declaration of the British Government, prior to the peace conference. There were over 360,000 Jews who voted for the delegates who attended that congress. In addition to the 360,000 voters, who elected 300 delegates, there were also 100 delegates elected by the following organizations, practically every national Jewish organization: The American Jewish Committee, of which Mr. Louis Marshall is chairman; the Independent Order B'nai B'rith, of which Mr. Adolph Kraus, of Chicago, is chairman; the Order B'rith Abraham; the Association of Orthodox Rabbis; the Independent Western Star Order; the Independent Workmen's Circle of America; the Progressive Order of the West; the United Synagogues of America, composed of the conservative congregations in the United States; the United Hebrew Trades, which represents an association of the Jewish trades-unions in New York City; the faculty of the Rabbinical College of America, of which Dr. Revell is the president; the Union of Orthodox Jewish Congregations, which is an organization of orthodox Jewish congregations somewhat similar to the United Synagogues, except that it is more

orthodox. The United Synagogues of America represents those organizations that are affiliated with the Jewish Theological Seminary in New York, of which the late Doctor Schechter was president. * * *

At this congress the following resolutions were adopted practically unanimously. There was one gentleman who voted against them:

The American Jewish Congress, speaking for the Jews of America, expresses its appreciation of the historic and epoch-making declaration addressed by His Majesty's Government on November 2, 1917, to the Jewish people, through the Zionist organization, in which it approved of the establishment in Palestine of a national home for the Jewish people and pledged to use its best endeavors to facilitate the achievement of this object * * * it being clearly understood that nothing shall be done which may prejudice the civil and religious rights of non-Jewish communities in Palestine or the rights and political status enjoyed by Jews in any other country.

It seems to me that the indorsement of the Zionist movement by an American Jewish congress, composed of delegates who were elected by the votes of 360,000 American Jews, is very good proof that the Jews of America very generally favor the pending resolution.

My personal observations and investigations also convince me that a large majority of them favor it. I represent a district in New York City in which at least 40 per cent of the people are Jews. They represent in a high degree the wealth, culture, and refinement of American Jewry. I have talked with hundreds of them and have received letters from hundreds of others, and an overwhelming majority have expressed themselves in favor of the resolution before us. On this point the opinion of Dr. Stephen S. Wise is the valuable testimony of an expert witness. The following telegram, signed by him, was sent during the hearings on the measure:

Regret impossible to appear before Foreign Affairs Committee meeting Friday morning. Earnestly hope for favorable action by committee on your resolution which represents the sympathies of the American people and meets the hopes of vast majority of American Jews.

STEPHEN WISE.

I am proud to say that this brilliant Hebrew clergyman is one of my constituents and that I number him among my best personal friends.

I am well aware that no considerable number of American Jews will ever go to Palestine to live, even if a permanent homeland of their race is established there. But if they desire a refuge and an asylum in the land of their fathers for their suffering coreligionists scattered throughout the earth, it is our duty to pay some attention to their wishes in the matter of the passage of this resolution.

In the beginning of my speech I stated that our sense of justice and our sentiment of freedom should prompt us to pass this measure. I added that national gratitude should also prompt us, and with the subject of the gratitude of all the nations of the earth towards the Jews for immeasurable benefits received, I want now to deal briefly. I want to state why I believe that the nations of the earth are under a heavy debt of gratitude to the Jews and why they should all cooperate in the reestablishment and maintenance of a homeland in Palestine for the Jews, and in doing this I must of necessity attempt to define the just cause of gratitude and to describe the real attributes of true greatness.

I respectfully submit, my colleagues, that the true benefactor of mankind, the really great character of history, is not necessarily the king on the throne who, perchance, may have nothing upon a brainless head but a tinsel crown, nor the vulgar conqueror on the field of battle whose only title to greatness may be in the fact that millions of human beings have been slain through him. The true benefactor of mankind, the greatest character of all the race, is he who has contributed most substantially to the sum of human happiness and human good in the proclamations of the revelations of true religion, in the writing of good books, in the discovery of remedies for disease, in the founding of universities, libraries, hospitals, and asylums, and in those acts of personal service that alleviate human suffering, promote human joy, and elevate and ennoble human life.

The French people evidently acted according to the test of true greatness that I have just described when, a few years ago, at a popular election to determine which were the three greatest names in French history, they voted Pasteur first, Victor Hugo second, and Napoleon third. There are no gorgeous tombs, fit for dead deities, for Pasteur and Hugo, such as holds the ashes of the Corsican in the Invalides. No Arc de Triomphe is erected to their memory and to perpetuate their deeds. But the sane French judgment declared the physician and the writer greater than the warrior, and proclaimed the discoverer of the remedy for rabies and the author of Les Miserables greater than the victor of Austerlitz and Marengo.

Under this test of greatness the Jew is the greatest man of all this world, and to him should go out the deep gratitude and unstinted praise of all the nations, for he has been the unchallenged leader of the race in religion and a close and dangerous competitor in every form of intellectual triumph.

In the British House of Lords recently Lord Balfour, author of the Balfour Declaration, delivered a powerful and impassioned speech in favor of a homeland for the Jews in Palestine. In a cable from London to the New York Herald of Thursday, June 22, I find the following paragraph:

An interesting feature of Lord Balfour's speech was a long and eloquent passage dealing with the tribulations of the Jewish race, their valuable contributions to art, philosophy, science, and religion, and the suggestion that Christendom should take the chance of giving the Jews a home where, in peace and quietness, they might develop their culture and traditions.

The sentiments attributed to Lord Balfour by this cabled dispatch are, in my humble judgment, the most just and powerful plea that can be made for Jewish rights to a distinct nationality and a separate home, namely, that his sufferings and tribulations, which I have sought to describe in the course of my remarks, as well as his spiritual and intellectual triumphs, which I shall now attempt briefly to describe, entitle him to special consideration and kindly treatment at the hands of the Christian nations of the world.

JEWISH ACHIEVEMENTS AS A GROUND FOR GRATITUDE.

AS RELIGIONIST.

In the religious triumphs of history the Jew has been incomparable and supreme. In the beginning God appointed him his vicegerent on earth, clothed him with authority plenipotentiary in divine affairs, and revealed to him his oracles, with instructions to teach them to his own and to transmit them to all future generations of men.

The three great monotheistic faiths of mankind are Judaism, Christianity, and Mahometanism. The second is derived from the first and the third from the other two. All had their origin in Judean hills; all their birth and inspiration in the Old Testament of the Jews.

The mountains and valleys of Palestine are dotted with Jewish synagogues, Christian temples, and Mahometan mosques in which native worshippers and pilgrims from all the world kneel at the shrine of the Hebrew prophets.

On the top of Mount Sinai—

Says Disraeli in Tancred—

are two ruins, a Christian church and a Mahometan mosque. In this, the sublimest scene of Arabian glory, Israel and Ishmael alike raised their altars to the great God of Abraham.

Montesquieu likens the Jewish religion to the trunk of an old tree that has produced two branches which cover the earth. These branches are Christianity and Mahometanism. Again, he compares Judaism to a mother who has given birth to two daughters that have turned upon and covered the aged parent with wounds:

La religion juive est un vieux tronc qui a produit deux branches qui ont couvert toute la terre, je veux dire le Mahométisme et le Christianisme; ou plutot c'est une mère qui a engendré deux filles qui l'ont accablée de mille plaies. (Lettres Persanes, LX.)

It must be remembered that Mahometans do not reject Moses and the prophets; nor do they reject Jesus. Mahomet believed and taught that Jesus was inspired but not divine. Mahometans class Jesus among the great prophets of Jehovah, but deny that he was a man-God by immaculate conception. Mahometanism rests upon the double basis of Judaism and Christianity. Paganism enters as an element but can not be considered as a basic principle.

We follow—

Says the Koran—

the religion of Abraham the orthodox, who was no idolater. We believe in God and that which hath been sent down unto Abraham and Ismael and Isaac and Jacob and the tribes, and that which was delivered unto Moses and Jesus, and that which was delivered unto the prophets from the Lord. We make no distinction between any of them, and to God we are resigned. (Koran, chap. 2.)

Mahometans contend that the Pentateuch was the moral and legal code of men in the early ages of the world; that when Jesus Christ appeared the law of Moses was superseded by the Gospels; and that with the coming of Mahomet the Koran displaced them all and became the final guide of men. This book they declare to be the completion of the law, since no more divine revelations are to follow, and they worship Mahomet as the last and very greatest of the prophets that have revealed the will of God to man.

It may be added that there are, in round numbers, about 565,000,000 Christians, 240,000,000 Mahometans, and 15,000,000 Jews on the earth, a total of 820,000,000. These numbers are in the aggregate only about one-half the population of the globe, but they represent the progress, enlightenment, and civilization of mankind.

The Jew is thus the founder and master builder of the great spiritual temple of the human race, whose corner stone is

Hebrew prophecy and whose gorgeous domes are the claims of Jesus and Mahomet to the messiahship of God.

All mankind should be profoundly grateful to the Jew for the precious gift of monotheism, which is the basis of all these faiths, and every nation should help restore him to his ancient homeland, in which monotheism flourished in pristine glory and in mortal combat with polytheism and paganism in the early ages of the world. No praise too high can be said, no help too great can be rendered to the children of the race that emerged from the plains of Mesopotamia in the twilight of history and from their Lilliputian kingdom in Palestine sent forth a religion not only for the earth but for the universe.

All praise, all honor, and all gratitude to the Jew for the gift of the Bible, whose Mosaic code is the most potent juridical as well as spiritual agency in the universe and whose Gospels are the most perfect flowers of all the religious literature of the world. The Bible is everywhere to be found—in the jungles of Africa, while crossing burning deserts, and amidst Arctic snows.

No ship ever puts to sea without this sacred treasure. It is found in the cave of the hermit, in the hut of the peasant, in the palace of the king, and in the Vatican of the pope. Its divine precepts furnish elements of morals and manliness in formative life to jubilant youth; cast a radiant charm about the strength of lusty manhood; and when life's pilgrimage is ended, offer to the dying patriarch who clasps it to his bosom a sublime solace as he crosses the great divide and passes into the twilight's purple gloom. This noble book has furnished not only the most enduring laws and the sublimest religious truths, but inspiration as well to the grandest intellectual triumphs. It is literally woven into the literature of the world, and few books of modern times are worth reading that do not reflect the sentiments of its sacred pages. All honor to the Jew who wrote it and gave it to us!

All praise, all honor, and all gratitude to the Jew for the gift of the Talmud, defined by Emanuel Deutsch as "a Corpus Juris, an encyclopedia of law—civil and penal, ecclesiastical and international, human and divine."

To appreciate the message and mission of the Talmud its contents must be viewed and contemplated in the light of both literature and history. As a literary production it is a masterpiece—strange, weird, and unique—but a masterpiece nevertheless. It is a sort of spiritual and intellectual cosmos in which the brain growth and soul burst of a great race found expression during a thousand years. As an encyclopedia of faith and scholarship it reveals the noblest thoughts and highest aspirations of a divinely commissioned race. Whatever the master spirits of Judaism in Palestine and Babylon esteemed worthy of thought and devotion was devoted to its pages. It thus became a great twin messenger, with the Bible, of Hebrew civilization to all the races of mankind and to all the centuries yet to come. To Hebrews it is still the great storehouse of information touching the legal, political, and religious traditions of their fathers in many lands and ages. To the biblical critic of any faith it is an invaluable help to Bible exegesis. And to all the world who care for the sacred and the solemn it is a priceless literary treasure.

As an historical factor the Talmud has only remotely affected the great currents of gentile history. But to Judaism it has been the cementing bond in every time of persecution and threatened dissolution. It was carried from Babylon to Egypt, northern Africa, Spain, Italy, France, Germany, and Poland. And when threatened with national and race destruction the children of Abraham in every land bowed themselves above its sacred pages and caught therefrom inspiration to renewed life and higher effort.

The Hebrews of every age have held the Talmud in extravagant reverence as the greatest sacred heirloom of their race. Their supreme affection for it has placed it above even the Bible. It is an adage with them that "the Bible is salt, the Mischna pepper, the Gemara balmy spice," and Rabbi Solomon ben Joseph sings:

> The Kabbala and Talmud hoar
> Than all the Prophets prize I more;
> For water is all Bible lore,
> But Mischna is pure wine.

More than any other human agency has the Talmud been instrumental in creating that strangest of all political phenomena—a nation without a country, a race without a fatherland.

AS PHYSICIAN.

Jewish achievements in medicine have been unsurpassed by those of any other race. To carry healing, both spiritual and physical, to the nations seems to have been the peculiar mission of the Jew. To preserve the body on earth and to save the soul in heaven have been the chief objects of his care and solicitude in history.

In human history as a whole the Jew has had less formidable competition in medicine than in any other science. He was the physician par excellence of the Middle Ages. A superstitious reverence attached to his healing powers, so much so that when he became a convert to Christianity he was rejected as physician, because it was supposed that the change of religion had robbed him of the secrets of his art. Francis I, King of France, refused to employ a converted Jew as court physician for this reason. Thus closely were Jewish genius and the science of medicine identified in olden days.

The practice of medicine was an integral part of the religion of the ancient Hebrews, who regarded health and disease as emanating from the same divine source. "I kill, and I make alive; I wound, and I heal," suggested to the Hebrew mind the origin of every malady to which the flesh was heir. Medicine, then, was a sacred science; its practice was a divine calling, and the physician was the messenger of God. The strength of this sentiment may be imagined when it is remembered that the Bible identifies the blood with the soul. (Genesis ix, 4.) The Talmudists regard blood as the essential principle of life. (Hul. 125a.)

Time forbids an enumeration of all the kings, emperors, and popes who had Jewish physicians. Just a few may be mentioned by way of illustration. Maimonides was court physician to the Turkish Sultan Saladin, and, according to the Arabian historian Al-Kitti, he declined a similar position offered him by Richard Coeur-de-Lion, afterwards Richard I, King of England. Queen Elizabeth of England had as court physician Rodrigo Lopez, a Spanish Jew. Farragut, a Jew, was court physician to Charlemagne. Jacob Ben Jechiel Loans, a Jew, was physician to Emperor Frederick III, of Germany, and received from that monarch the order of knighthood. Elias Montalto, a Jew, was physician to Maria di Medici. King Charles IV, of Denmark, had as court physician Benjamin Musafia, a Jew.

A complete list of popes and potentates who employed physicians of Jewish blood would be too long to read. And let it be understood that popes and princes had no monopoly upon the medical skill of the Jews. Their beneficent deeds enrich the pages of all history. Maestre Bernal, ship physician, and Marco, ship surgeon to Columbus, were both Jews. Suffice it to say that in all ages and in all lands, from the hut of the peasant to the palace of the king and the Vatican of the pope, they have crept silently in to minister to the sufferings of humanity.

And it may be confidently asserted that the modern Jew as physician is not unworthy of his people's illustrious past. While the Jews can not justly claim monopoly in the triumphs of modern medicine, every race having its great ornaments and lights, yet it can not be truthfully denied that they are most worthy among the disciples of Aesculapius, of Hippocrates, and Galen.

It may be safely asserted that before the Great War the medical department of the University of Vienna was without a superior in the world. Students from every continent flocked in great numbers to this celebrated school of medicine. Suffice it to say, as a final tribute to the skill of the Jew as physician, that 12 of the professorships of this famous university were held by the Jews in 1900.

AS PHILANTHROPIST.

Closely identified with religion and medicine, in the matter of healing, mercy, and love, is philanthropy.

One of the most stupendous acts of charity recorded in history was that of a Jew, Baron Hirsch, who donated $100,000,000 to philanthropic purposes. This donation was made to help his suffering and struggling coreligionists throughout the world.

A single sentence is a key to the character of this magnanimous, generous-hearted man. A friend sent him a message of sympathy when he lost his only child in 1887. Hirsch sent this reply:

> My son I have lost, but not my heir; humanity is my heir.

Another distinguished Jewish philanthropist was Sir Moses Montefiore, who devoted his life and fortune to works of charity. The celebration of his one hundredth birthday was almost a national event in England. Telegrams of congratulation were received from Queen Victoria, Albert Edward, Prince of Wales, as well as from thousands of beneficiaries of his philanthropy throughout the world.

The charity of no other race is so well organized, so systematic, and so universal as that of the Jew. Like everything else Jewish, it has a scriptural basis. "Thou shalt open thine hand wide unto thy brethren and shall surely lend him suffi-

cient for his need in that which he wanteth" is the foundation of all Jewish philanthropy.

More than 200 years ago the burghers of New Amsterdam gave permission to a few Jews to settle among them "upon condition that they should always support their own poor." In the light of history, ancient and modern, this condition was superfluous and even amusing. In no age of the world have Jews permitted gentiles to take care of their poor. They have frequently contributed generously to gentile charity funds, but have generally refused to receive anything in return. Sir Moses Montefiore, at the age of 76, went to the office of the London Times after midnight to solicit relief for the Christians of Syria. He himself subscribed £200 and personally collected over £20,000. These things he did for the persecutors of his race.

In 1860 Adolphe Crémieux, the celebrated Jewish advocate of France, addressed an impassioned appeal to his coreligionists throughout Europe in behalf of the starving Christians of Lebanon. Was this appeal not genuinely of the spirit of Christ? Did not Crémieux ask his fellow Jews to "turn the other cheek" and to "do good for evil"?

Even the munificent gifts of Baron Hirsch were not confined to members of his own race. He is recorded as saying:

In relieving human suffering I never ask whether the cry of necessity comes from a being who belongs to my faith or not; but what is more natural than that I should find my highest purpose in bringing to the followers of Judaism who have been oppressed for a thousand years, who are starving in misery, the possibilities of a physical and moral regeneration?

AS PHILOSOPHER.

Philo, Maimonides, Spinoza, and Mendelssohn were great Jewish philosophers.

Philo was an Alexandrian philosopher and a contemporary of Jesus. His learning was prodigious. He was deeply versed in grammar, rhetoric, music, Greek literature, and all the physical and mathematical sciences of his age as well as in everything that was Hebrew in religion and philosophy.

Maimonides, "the Jewish Aristotle," possessed the finest intellect of all the learned men of the Middle Ages. His great endeavor seems to have been to reconcile divine with human wisdom as manifested by Aristotle.

Spinoza was a Dutch Jewish philosopher, a pupil of the Amsterdam Talmud Torah, a man whose utter intellectual fearlessness embroiled him constantly, in matters of religion and philosophy, with his coreligionists, causing the rabbis to try him and to place him first under the lesser and later under the great ban, and finally to drive him to a renunciation of Judaism.

In Professor Herz's studio at Berlin is a bust of Mendelssohn, upon which is the following inscription:

Moses Mendelssohn,
The greatest sage since Socrates,
His own Nation's glory
Any Nation's ornament,
The confidant
Of Lessing and of Truth,
He died
As he lived
Serene and wise.

AS HISTORIAN.

Josephus, Neander, Graetz, Palgrave, and Geiger were Jewish historians, who rank among the greatest in the world.

Josephus, after nearly 2,000 years, is the great authority on Jewish history of ancient times. His only rival for the first place among Jewish historians is Graetz, author of "The History of the Jews from the Earliest Times to the Present Day."

AS ASTRONOMER AND MATHEMATICIAN.

The greatest astronomer and mathematician of Jewish blood was Sir William Herschel. Other great mathematicians were Sylvester, sometime professor of mathematics at Johns Hopkins University; Jacobi, German Jewish mathematician, after whom certain intricate functions are termed "Jacobians"; Filipowski, compiler of antilogarithmetic tables; Gomperts, Terquem, and Kronecker.

The fame of Dr. Albert Einstein is not yet permanently established, but there are many competent judges in the world who believe that he will yet take his place in the history of the science of astronomy and mathematics at the side of Sir Isaac Newton.

AS ORATOR AND STATESMAN.

Disraeli, Gambetta, Castelar, Lasker, Benjamin, and Rathenau were Jews.

Benjamin Disraeli in England, Leon Gambetta in France, Emelio Castelar in Spain, Judah P. Benjamin in America, Edward Lasker and Walter Rathenau in Germany, were types of all that is superb in oratory and profound in statesmanship.

As British Prime Minister, Disraeli launched the world policy of Queen Victoria and made her Empress of India. The high-water mark of Jewish success in statesmanship was reached by this eminent Hebrew, and when he died the English laid him to rest in Westminster Abbey among their kings, statesmen, and heroes.

Gambetta, of Genoese-Jewish extraction, was the greatest orator of the French, with the possible exception of Mirabeau. He was a fierce and uncompromising republican, and his grandest oratorical efforts were panegyrics of republicanism.

Emelio Castelar, a Jew, was the most famous Spanish orator of any time. Instances are related where strangers traveled from distant points in Europe to Madrid to hear him speak an hour before the Cortes. When he addressed this body in later life the chamber was always crowded and cards of admission commanded an exorbitant price. His genius was so pronounced that all parties delighted to honor him. His oration on the candidacy of Amadeus for the kingship of Spain is the most gorgeous production in oratorical literature. It is a perfect "field of cloth of gold" in metaphor and imagery. He was chief magistrate and virtual dictator of the short-lived Spanish Republic from September, 1874, to January, 1875.

Judah P. Benjamin was the ablest and most illustrious Jew ever born in the Western Hemisphere. He was very great as orator, statesman, and lawyer. His political career was comprised in public service within the offices of United States Senator from Louisiana and of Attorney General, Secretary of War, and Secretary of State, successively, of the Confederate States of America.

Edward Lasker, once leader of the Liberal Party in the German Reichstag, was the only man whom Bismarck ever feared in parliamentary debate. He was an enthusiastic patriot and altogether above reproach. In general outline he closely resembled the late Carl Schurz in independent notions and lofty ideals.

Walter Rathenau, late Minister of Foreign Affairs of the German Republic, was a Jew. He was the mainstay of the cabinet of Chancellor Wirth, and the Germans were beginning to look to him as the Moses who would lead them out of the wilderness of economic disaster and death. His assassination a few days ago was an irreparable loss to Germany and a distinct menace to the peace of the world.

AS FINANCIER.

Jewish genius in finance has become proverbial and need not be discussed by me. Suffice it to say that the Rothschilds determined for decades in Europe questions of peace and war. Other great Jewish financiers in Europe are the Bleichröders of Germany. The Schiffs, Seligmans, and Guggenheims are well-known American financiers.

AS LABOR LEADER AND POLITICAL ECONOMIST.

The world has been so long accustomed to regard the Jew as a financier and to identify his genius and achievements with finance, that the statement may seem strange to some that several among the world's greatest labor leaders have been Jews. The average Jew can not decry either capital or labor without denouncing the occupations and assaulting the reputations of many of the most illustrious of his race. If capital has numbered among its greatest exponents the Rothschilds, Bleichröders, and Seligmans, labor has counted among its grandest champions other great Jewish names: Karl Marx, Ferdinand Lassalle, Victor Adler, and Samuel Gompers.

AS ACTOR AND ACTRESS.

Jewish genius has been incomparable on the stage. The greatest actress dead, with the possible exception of the English actress, Mrs. Siddons, was Rachel, a Jewess. The greatest living actress, indeed the greatest actress that ever lived, is Sarah Bernhardt, a Jewess. The greatest of modern actors was Adolph von Sonnenthal, a Jew, the dramatic idol of the Austrian capital during three decades. A few years ago the New York Herald printed an article on Sonnenthal. The following are two paragraphs from that article:

In 1881 was celebrated the twenty-fifth anniversary of his connection with the Hofburg Theater. The people went wild with enthusiasm. After the performance they took the horses from the carriage and drew him through the streets. Among the distinguished persons who witnessed the performance was the Emperor of Austria, the Crown Prince, and all the members of the court.

There is in Austria an imperial mandate forbidding audiences to call actors before the curtain, but on this night it was revoked by special permission and Sonnenthal was called out no less than 42 times.

AS MUSICIAN.

Mendelssohn, Meyerbeer, Offenbach, Goldmark, Joachim, Rubinstein, and Strauss were Jews. It may be contended, and with truth, that no one of these musicians possessed the musical genius of Wagner, Mozart, or Beethoven; but, nevertheless, each one of them was a master of his art and the history of music would not be complete without mention of the names of all of them.

AS POET.

The author of the Book of Job and the author of the Book of Psalms were doubtless Hebrews, and were the greatest of all Hebrew poets, for the poetry of Job and the poetry of the Psalms are incomparably the noblest of all poetry of all the literature of the earth.

The greatest of modern Jewish poets were Jehuda Halevi, of Spain, author of the "Elegy of Zion," and Heinrich Heine, of Germany, author of "The Lorelei."

AS PAINTER AND SCULPTOR.

Hebrew civilization has not been very greatly enriched by triumphs in art. In neither painting nor sculpture have the sons of Israel succeeded grandly. The annals of Hebrew great names reveal no Phidias, no Appelles, no Canova, no Raphael. In every sphere of intellectual and spiritual activity, excepting art, Hebrew genius has scored magnificent victories. And failure in art was not remotely due to barrenness of intellect or soul but to the heavenly decree, "Thou shalt not make unto thee any graven image, or any likeness of anything that is in the heaven above, or that is in the earth beneath, or that is in the water under the earth." During all the ages this divine command from Sinai paralyzed and destroyed Hebrew creative genius in works of art. More than once Josephus calls attention to the effect of this ordinance upon the national life of Israel.

It is worthy of note that the express command of the law forbidding images was not more potent in the destruction of plastic art than was the spirit of the Hebrew faith in its warfare upon idolatry among pagan nations. Graeco-Roman polytheism offered the highest incentive to the development of art. To bring the gods in ever more beautiful forms before the eye of the worshipper was the great aim of the Greek and Roman artists.

But diametrically opposed to the pagan conception of the forms and number of the heavenly powers was Hebrew monotheism that believed in but one God, who was purely spiritual, and therefore invisible, intangible, and unapproachable. Judaism delighted to lift its Deity above the sensual, material, and corporeal things of earth and to represent Him as a pure and sinless spirit. This conception of the Creator of the universe and this monotheistic faith, which was in direct antagonism to polytheistic belief, were equally destructive of plastic art with the express command of the law itself. And this is more certainly true since the highest inspiration to triumphs in art in every age have been the actions of the gods and goddesses themselves. The masterpiece of ancient art was the Olympian Zeus of Phidias. The masterpiece of modern art is the Sistine Madonna of Raphael. And when the Hebrews forbade the representation of their Deity in plastic form they shut out the highest inspiration to artistic triumph.

Again, the Hebrew sense of chastity was offended by the immorality of pagan myths as embodied in plastic form. The artistic beauty of certain Greek and Roman statues the Hebrews believed was better fitted to deprave than to purify the moral sentiments of mankind. They saw that the Rape of Ganymede, sanctifying pederasty in marble, was a masterpiece of Grecian sculpture. They felt that the painting of Aphrodite, ensnared and caught in a net with Ares, was not too well calculated to instill pure and virtuous thoughts in the minds of tender youth and of modest maidens who looked upon and contemplated it. They knew that every street corner of Athens and of Rome was marked by an image of some god whose mythic history was filled with inebriety and lust. The Hebrew conscience shrank with terror and with loathing from the serpent of immorality coiled beneath the marble flowers of Grecian and Roman art.

The blighting effect of the Sinaic condemnation of art fell upon architecture as well as upon painting and sculpture. The houses of ancient Palestine were wholly destitute of artistic beauty, and the palaces and the temples at Jerusalem were constructed after non-Jewish models. Roman architecture was employed in the building of the magnificent palace of Herod; and Phoenician workmen from Tyre and Sidon were imported to build the temples of Solomon and of Zerubbabel. (Ezra iii, 7.)

Let it be said, however, that modern Judaism seems to have broken completely away from the ancient prohibition concerning images, and modern Jewish art is beginning to develop into forms of great beauty and power. Solomon J. Solomon ranks among the greatest of English artists, and Joseph Israels has glorified the art of painting in his celebrated delineations of Dutch fisher life. It is probable that the greatest of all Jewish sculptors was Moses J. Ezekiel, born in Richmond, Va., whose works have been exhibited in the chief art centers of Europe, and whose statue of "Religious Liberty" adorns Fairmount Park, Philadelphia.

Mr. Speaker, I could spend the entire day telling the Members of this House about the triumphs of Jewish genius in religion, literature, science, and art if time permitted and occasion demanded, but I must stop. I could proceed to further describe his triumphs in fiction and romance and in the minor subjects of botany and biology and philology and chess playing, in all of which Jewish genius has shone brilliantly. But I repeat that I must stop.

The only justification for this lengthy discussion of Jewish achievement is that it serves to emphasize my hearty approval of the contention of Lord Balfour in his recent speech before the House of Lords that Jewish achievements, constituting civilization's most valuable contribution, entitle the Jew to the sympathy, encouragement, and aid of the civilized nations of the earth in the matter of helping to reestablish for him a homeland in Palestine.

Reduced to the plainest terms of colloquial formula, the Jew may say this to the Christian peoples of the earth: I have given you the sublimest religious truths in the laws of Moses, in the prophecies of Isaiah and Jeremiah, in the songs of David, and in the teachings of Jesus of Nazareth. In these laws and prophecies and songs and teachings I have pointed you the way to a blessed and an eternal life. I have given you much that is grand and beautiful in literature, music, and art. With my hands tied behind me and my heart burdened to the breaking point with a bitter load of hatred and persecution, I have yet managed from the cave of the prophets and from the manger of the Christ, from the filth of the Judengasse, and from the darkness of the hovels of the Ghetto to contribute more than my share to the great cause of liberty, humanity, and civilization among men. Now, will you not help me? Will you not aid me in the reestablishment of a homeland among the sacred places of my race, where I can escape persecution, where I can once again feel the pride and thrill of free and national life, and where the banner of the Jew can once again float proudly from the battlements of Jerusalem? If mankind is not ungrateful and if civilization is not craven, the answer to this question will be "yes" in language, and assistance in action translated immediately into deeds.

OBJECTIONS TO THE ZIONIST MOVEMENT.

But are there no objections to the Zionist movement and consequently to the pending resolution, you may ask? Certainly. There was never a noble enterprise or a great movement in the history of the world that somebody did not rise and object. Christianity itself was not founded without the crucifixion of its Author and without centuries of persecution of His followers. The American Republic was not established until after the English people had offered bitter and bloody objection during seven years and eight months of arduous toil and bitter struggle. Tariff bills are never passed in this House without serious objection from the Democrats, and rivers and harbors bills providing for the irrigation of southern rivers would go through if objections were not made by Republicans. We should not be bothered by objections, but we should hear them freely and answer them candidly and fairly.

It must be candidly admitted that a considerable number of very intelligent and patriotic Jews in America are opposed to the Zionist movement and object to the passage of this resolution. I believe that they are in a decided minority, but the very structure and genius of our Government, as well as its finest traditions, demand fair play for minorities and protection for their rights whenever possible, and we must hear and consider their plea in this case patiently and fully. To this end I have read the hearings on this resolution before the Foreign Affairs Committee carefully three times from beginning to end. I resolved in the beginning of the consideration of this subject not to act hastily, and I have arrived at my conclusions after prolonged and diligent research.

The time at my disposal does not permit me to consider other than the leading objections that have been made to the project of founding for the Jews a homeland in Palestine and to the passage of this resolution, and, in order to proceed clearly and systematically, I shall classify at once these objections.

The opponents of political Zionism, which is proposed by this resolution, as opposed to orthodox Zionism and to economic Zionism, about which there seems to be little dispute among the Jews, make the following main contentions:

1. That political Zionism—that is, a political State in Palestine for the Jewish people—is not desirable or permissible, since Judaism is a religion and not a nationality, and since the Jews are nationals of the country in which they are born and

in which they live and should be faithful to the land of their birth and of their domicile.

2. That political Zionism can not be realized in Palestine; that is, that a political State can not be established with the Jews in dominant control without violating the rights, under principles of self-determination, of the non-Jewish races of the country.

I believe that this is a full and fair statement of the two great objections of the opponents of the pending resolution, and I shall discuss them as briefly as possible in the order in which I have stated them.

Regarding the first objection, I wish to quote Rabbi Philipson, of Cincinnati, one of the opponents of this resolution. At the hearings before the Foreign Affairs Committee, Doctor Philipson said:

> There are those of us who feel that Jewish nationalism does not express the true interpretation of Judaism. We feel that Judaism is a religion and that we are nationals of the country in which we are born and in which we live.

In support of his views and contention, Doctor Philipson read the following resolution of the Union of American Hebrew Congregations at one of their meetings at Richmond, Va.:

> We are unalterably opposed to political Zionism. The Jews are not a nation but a religious community. Zion was a precious possession of the past, the early home of our faith, where our prophets uttered their world-subduing thoughts, and our psalmists sang their world-enchanting hymns. As such it is a holy memory, but it is not our hope of the future. America is our Zion. Here, in the home of religious liberty we have aided in founding this new Zion, the fruition of the beginning laid in the old. The mission of Judaism is spiritual, not political. Its aim is not to establish a State, but to spread the truths of religion and humanity throughout the world.

This is all splendid and inspiring sentiment, and when the Jews at Richmond proclaimed America their Zion we are compelled to applaud their patriotism. But I know that they will pardon me if I remind them, even with a slight touch of sarcasm and cynicism, that the Zionist movement is not intended primarily for American Jews, who are happy in the possession of American citizenship and in comparative freedom from religious persecution. It is intended primarily for the wretched Jews of Russia, Rumania, and Poland who are practically shut out from this American Zion by foolishly rigid immigration laws.

Doctor Philipson and the Jews at Richmond, in drawing too nice distinctions concerning the meaning and mission of Judaism, seem to have forgotten that there are certainly differences at times between a Jew as a man and a Jew as a religionist. A certain analyst is said to have discovered that Jews and Judaism are identical, and that if Jewish blood be examined under a microscope floating particles of the Bible and the Talmud may be found. This is all well as a matter of humor, but I insist that there is such a thing as a Jew who is a man, a human being, a citizen and a patriot, and this aside from any consideration of religion or religious belief. I further contend that this man is entitled to the rights of a freeman, which include benefits of independent nationality and citizenship, and protection furthermore against bodily oppression as well as religious persecution.

Believing this, I shall support this resolution and vote for it because it tends to establish and preserve these rights to the oppressed and persecuted Jews of southeastern Europe who will never be able to reach our shores because of the inhospitable barriers that have been erected against them.

Mr. Speaker, I respectfully submit that the attitude of Doctor Philipson and of the Jews of the Union of American Hebrew Congregations at Richmond and their attempt to define Jewish citizenship and nationality are nothing new in history. They are merely a revival of recurring inquiries and discussions of the subject that have taken place in every age of the world since the beginning of the Jewish dispersion. I ask the indulgence of the House while I discuss briefly this phase of the subject.

After the fall of Jerusalem (A. D. 70) the Jew was a wanderer for many centuries upon the earth without a home and country. Until the closing years of the eighteenth century the Christian governments of Europe denied him the simplest rights of a free man and a citizen. While not a slave in the sense of chattel property, the Jews were frequently regarded as an attachment of the soil, like the ancient Spartan helots, and were transferred from one sovereign to another. At other times, having been despoiled of their goods, they were expelled by wholesale and without ceremony from the countries which they had come to regard as their homes.

The expulsion of the Jews from Spain in 1492 by an edict of Ferdinand and Isabella was a most painful epoch in the history of the Hebrew race. The real reason of this wholesale persecution was the fact that the Jews refused to become Christians when commanded to do so by a fanatically pious Spanish sovereign. According to Isidore Loeb 165,000 Jews left their homes and wandered away into exile in foreign lands. History relates many pathetic incidents that marked the beginning of this dispersion. Great numbers of the Jewish community of Segovia passed the last three days of their stay in the city in the Jewish cemetery, fasting and wailing over being parted from their beloved dead. Jews were not permitted to inhabit Spain again until 1858, when a Republic was established, and a repeal of the ancient edict of expulsion was secured from General Prim through the influence of H. Guedella, of London. But even then they were not allowed rights of unrestricted citizenship.

The French Revolution brought liberty and equality to Jews as well as to gentiles in France, and gave rights of citizenship to all.

The Jews were not completely emancipated in England until 1858, when they were admitted to Parliament without being compelled to take the oath, "On the faith of a true Christian."

It must not be imagined, however, that the free and enlightened policies of France, England, and the United States have been elsewhere pursued. Very few substantial rights of citizenship were enjoyed prior to the Russian Revolution under Kerensky by either Russian or Rumanian Jews; and, it may be added, nearly 7,000,000 Jews, about one-half of the total Jewish population of the earth, lived at that time in Russia and Rumania.

The political status of the Jew 150 years ago was a puzzle to the brainiest statesmen of Europe. Although the year 1793 witnessed the revolutionary emancipation of the Jews in France, Napoleon did not afterwards regard them as citizens. He once said:

> The Jews are not in the same category with the Christians. We have to judge them by the political not the civil right, for they are not citizens.

And to gain desired information concerning them for the purpose of framing appropriate legislation for the Jews in the general reconstruction of the Empire after the French Revolution, he propounded the following 12 questions to the Sanhedrin of France:

1. Is it lawful for Jews to have more than one wife?
2. Is divorce allowed by the Jewish religion? Is divorce valid, although pronounced not by the courts of justice but by virtue of laws in contradiction to the French Code?
3. May a Jewess marry a Christian, or a Jew a Christian woman, or does Jewish law order that the Jews should intermarry among themselves?
4. In the eyes of the Jews are Frenchmen not of the Jewish religion considered as brethren or as strangers?
5. What conduct does Jewish law prescribe toward Frenchmen not of the Jewish religion?
6. Do the Jews born in France and treated by the law as French citizens acknowledge France as their country? Are they bound to defend it? Are they bound to obey the laws and follow the directions of the Civil Code?
7. Who elects the rabbis?
8. What kind of police jurisdiction do the rabbis exercise over the Jews? What judicial powers do they exercise over them?
9. Are the police jurisdiction of the rabbis and the forms of election regulated by Jewish law or are they only sanctioned by custom?
10. Are there professions from which the Jews are excluded by their law?
11. Does Jewish law forbid the Jews to take usury from their brethren?
12. Does it forbid or does it allow usury in dealing with strangers?

To these questions the French Sanhedrin made the following replies:

1. That, in conformity with the decree of R. Gershom, polygamy is forbidden to the Israelites.
2. That divorce by the Jewish law is valid only after previous decision by the civil authorities.
3. That the religious act of marriage must be preceded by a civil contract.
4. That every Israelite is religiously bound to consider his non-Jewish fellow citizens as brothers and to aid, protect, and love them as though they were coreligionists.
6. That the Israelite is required to consider the 'and of his birth or adoption as his fatherland, and shall love and derend it when called upon.
7. That Judaism does not forbid any kind of handicraft or occupation.
8. That it is commendable for Israelites to engage in agriculture, manual labor, and the arts, as their ancestors in Palestine were wont to do.
9 That, finally, Israelites are forbidden to exact usury from Jew or Christian.

These questions and answers formed the basis of all subsequent legislation by the French Government in regard to Jewish religious affairs and plans.

Ascher, the great Jewish teacher, framed this catechism for the Jewish youth of England:

> Has the Jew a fatherland besides Jerusalem?
> Yes, the country wherein he is bred and born, and in which he has the liberty to practice his religion, and where he is allowed to carry on traffic and trade and enjoy all the advantages and protection of

the law in common with the citizens of other creeds, this country the Israelite is bound to acknowledge as his fatherland, to the benefit of which he must do his best to contribute. The sovereign who rules over this land is (after God) his sovereign; its laws, so long as they are not contradictory to the divine law, are also the Israelite's laws, and the duties of his fellow citizens are also his duties.

This catechism and the answer of the French Sanhedrin defined clearly the Jewish notion of the citizenship and fatherland of the Jews under the dispersion.

But it must be conceded that in the case of this strange and extraordinary people there is a peculiar kind of fatherland known to no other race; a fatherland not based upon the soil of earth, nor bounded by streams or mountains, nor subject to the pains and penalties of physical decay and death; a fatherland whose kingdom is of the spirit and whose law is the word of God. Hear Heine describe this fatherland:

The Jews may console themselves for having lost Jerusalem and the temple, and the Ark of the Covenant, and the golden vessels and the precious things of Solomon. Such a loss is merely insignificant in comparison with the Bible, the imperishable treasure which they have rescued. If I do not err, it was Mahomet who named the Jews "the people of the Book," a name which has remained theirs to the present day on the earth and which is deeply characteristic. A book is their very fatherland, their treasure, their governor, their bliss, and their bane. They live within the peaceful boundaries of this book. Here they exercise their inalienable rights. Here they can neither be driven along nor despised. Here they are strong and worthy of admiration. Absorbed in the city of this book, they observed little of the changes which went on about them in the real world; nations arose and perished; States bloomed and disappeared; revolutions stormed forth out of the soil; but they laid bowed down over their book and observed nothing of the wild tumult of the times which passed over their heads.

Zebulon B. Vance, quoting Prof. Maury, compares the great human current of this strange Jewish fatherland to the Gulf Stream:

There is a river in the ocean; in the severest droughts it never fails and in the mightiest floods it never overflows. The Gulf of Mexico is its fountain, and its mouth is in the Arctic seas. It is the Gulf Stream. There is in the world no other such majestic flow of water. Its current is more rapid than the Mississippi or the Amazon and its volume more than a thousand times greater. Its waters as far out from the Gulf as the Carolina coasts are of an indigo blue; they are so distinctly marked that their lines of junction with the common sea water may be traced by the eye. Often one-half of a vessel may be perceived floating in the Gulf Stream water while the other half is in common water of the sea, so sharp is the line and such is the want of affinity between these waters, and such, too, the reluctance, so to speak, on the part of the Gulf Stream to mingle with the common water of the sea. (Prof. M. F. Maury.)

This curious phenomenon in the physical world has its counterpart in the moral. There is a lonely river in the midst of the ocean of mankind. The mightiest flood of human temptation has never caused it to overflow and the fiercest fires of human cruelty, though seven times heated in the furnace of religious bigotry, have never caused it to dry up, although its waves for 2,000 years have rolled crimson with the blood of its martyrs. Its fountain is in the gray dawn of the world's history and its mouth is somewhere in the shadows of eternity. It, too, refuses to mingle with the surrounding waves, and the line which divides its restless billows from the common waters of humanity is also plainly visible to the eye. It is the Jewish race. (Vance.)

This conception of a fatherland above the earth and having no physical boundaries may seem to many a far-fetched thought, a strained political metaphor, but the idea is not new nor is it confined to spiritual kingdoms. Waldstein says:

The abolition of slavery and the Renaissance are as much a fatherland as are England, Germany, France, or the United States.

Kosciusko was once asked where his country was. "Where freedom is not," was the reply of the valiant Pole; and whether in the wilderness of America or on the plains of Poland, Kosciusko felt at home and within the boundaries of his fatherland, provided his sword was unsheathed in the name of liberty.

Mr. Speaker, the historical considerations that I have just presented to the House merely show that the contentions of Doctor Philipson and his coreligionists at Richmond are nothing new, since the political status of the Jew for centuries past has been settled not only by the catechism of Ascher and the answers of the French Sanhedrin but also by the terms of the oaths taken by Jews under the naturalization laws of the different countries in which they have settled. The Ascher catechism says emphatically that "the country wherein he is bred and born" is the fatherland of the Jew. The French Sanhedrin emphatically answered the inquiry of Napoleon by saying "that the Israelite is required to consider the land of his birth or adoption as his fatherland."

All this is sensible and logical enough; indeed, it is the only rational solution of the problem of Jewish citizenship and nationality, while the Jews are scattered throughout the world and have no country of their own. No other solution or determination of the political status of the Jew could be made unless we admit the correctness of the principle that there can be a State within a State, imperium in imperio, or unless we make the Jew an outcast upon the earth, without home or country.

But, in the name of reason and common sense, what is there in all this that offers a serious objection to the Zionist movement or to the passage of this resolution? Is there anything fixed, eternal, unchangeable, and irrevocable in Jewish citizenship that holds the Jew forever chained to the country of his birth or adoption? Does not international law sanction change of citizenship from one country to another? Do not the immigration and naturalization laws of all nations permit expatriation and repatriation without the slightest trace of a stain of treason? Is anything more required by the laws of man, nature, or God of the Jewish citizen or of the citizen of any other race than loyalty to his country during the continuance of his citizenship?

Furthermore, is it not well to remember that the duties and obligations of the citizen toward the country and the country toward the citizen are mutual and reciprocal? Should the citizen be required to render obedience to the laws of the country, to pay taxes, to support the Government, and to defend the flag in times of war, unless the country is willing and able to protect the citizen in the enjoyment of his rights of life, liberty, and property, as well as the pursuit of happiness, at all times? If the country fails in its obligations, is not the citizen absolved from his duties?

American Jews are obedient to the laws of the country and have shown themselves true patriots in every period of our history, both in peace and war, and the Government of our country has protected them in the enjoyment of their legal and political rights. There would be no Zionist question if this state of things existed throughout the world. But what about the Jews of Russia, Rumania, and Poland? Will the opponents of this resolution seriously contend that they owe any particular love, loyalty, or allegiance to the governments of their countries?

Permit me at this point, Mr. Speaker, to consider the second of the main objections to political Zionism and to the passage of this resolution. It has been urged by the opponents of this measure that the principle of the right of self-determination would be violated by the establishment of a Jewish state in Palestine with the Jews in dominant control. It is pointed out by these opponents that the entire population of Palestine is about 700,000, and that of this number about 500,000 are Mahometan Arabs, about 110,000 are Christians of various sects and denominations, and that about 90,000 are Jews. It is urged that, upon the principle of the right of self-determination, these 500,000 Arabs should not be compelled to submit to the domination of a Jewish minority in the country.

Mr. Speaker, I believe firmly in the doctrine of self-government or self-determination as representing a sacred principle in government. Lincoln's "government of the people, by the people, and for the people" is not possible without strict observance and application of the rights of self-determination. But I must insist that it does not become the American Congress or the American Government to prate too loudly at this time about the sacred rights of the Arabs in Palestine, in the light of our treatment of the Filipinos during the last quarter of a century, and in view of the fact that every civilized nation of the earth, excepting the United States, has acknowledged the independence de jure of Esthonia and Latvia upon principles of self-determination.

Our American theories of government are always glittering successes, but our practices are ofttimes dismal failures. We boast of personal liberty in America and then tolerate the Volstead Act upon the statute books. I say to you that there will be no genuine personal liberty in America again until that act is repealed or radically modified. But I shall not stop to discuss or denounce prohibition, since the subject of debate is the Zionist movement.

I want to make at this time, Mr. Speaker and gentlemen of the House, my attitude and views upon the Arab question in Palestine very clear and emphatic. I am in favor of carrying out one of the three following policies, to be preferred in the order in which they are named:

(1) That the Arabs shall be permitted to remain in Palestine under Jewish government and domination, and with their civil and religious rights guaranteed to them through the British mandate and under terms of the Balfour declaration.

(2) That if they will not consent to Jewish government and domination, they shall be required to sell their lands at a just valuation and retire into the Arab territory which has been assigned to them by the League of Nations in the general reconstruction of the countries of the East.

(3) That if they will not consent to Jewish government and domination, under conditions of right and justice, or to sell their lands at a just valuation and to retire into their own countries, they shall be driven from Palestine by force.

Mr. Speaker, I wish to discuss briefly each of these alternatives in order. And first let me read the now celebrated Balfour declaration of date of November 2, 1917, during the progress of the Great War, and afterwards incorporated in the preamble

of the British mandate authorized by the League of Nations. The Balfour declaration was in the following language:

His Majesty's Government view with favor the establishment in Palestine of a national home for the Jewish people and will use their best endeavors to facilitate the achievement of this object, it being clearly understood that nothing shall be done which may prejudice the civil and religious rights of existing non-Jewish communities in Palestine or the rights and political status enjoyed by the Jews in any other country.

If this is not a condensed and at the same time a complete bill of rights both for the Arabs of Palestine and for the Jews who intend to remain in their present homelands outside of Palestine, I have never read or seen one. It is conceded by the Arabs themselves that the present government of the country under the British mandate and through the Zionist organization as an administrative agency is infinitely better than the government of the Turks who were chased out of the country by Allenby, the British general. It is probably better than any that the Arabs could create and maintain for themselves.

I respectfully submit that the Arabs in Palestine should be and would be happy and contented under the present government of that country if it were not for Turkish and Arab agitators, who travel around over the land stirring up trouble by making false representations concerning the true character of the Zionist movement, and by preaching a kind of holy war against the immigrant Jews who arrive from day to day. The Arabs are well represented in the personnel of the present Palestine administration, which has recognized their language as one of the official languages of the country, and has given official standing to the Moslem religion.

There is no good reason why the Jews and Arabs should not live together in perfect peace and harmony in Palestine. They are all Semitic in blood and language, and all worship the same God and the same Hebrew prophets. Instead of being antagonistic there is every race and religious reason for peace and harmony.

In the second place, if the Arabs do not wish to remain in Palestine under Jewish government and domination there is plenty of room outside in purely Arab surroundings. The British Government and her allies made overtures and gave pledges to the Arab people to furnish them lands and protect their freedom in consideration of Arab alliance with the Allies during the World War. That pledge has been kept. The Hedjaz kingdom was established in ancient Arabia, and Hussein, Grand Sheriff of Mecca, was made king and freed from all Turkish influence. The son of King Hussein, Prince Feisal, is now the head of the kingdom of Mesopotamia, and Arab predominance in that country has been assured by the Allies to the Arab people.

Mesopotamia is alone capable of absorbing 30,000,000 people, according to a report submitted to the British Government by the Great English engineer, Sir William Wilcocks. Arab rights are also fully recognized and protected by the French mandate over Syria. There are also several flourishing Arabic cultural and political colonies in Egypt. In short, the Arab-speaking populations of Asia and Africa number about 38,000,000 of souls and occupy approximately 2,375,000 square miles, many times larger than the territory of Great Britain. In other words, under the reconstruction of the map of the East, the Arabs have been given practical control of Greater Arabia, Mesopotamia, Syria, and parts of Egypt, which gives them an average of 38 acres per person. If the Arabs are compelled to leave Palestine and turn it over entirely to the Jews, it is admitted that the Arab race would still be one of the wealthiest landowning races on the earth. Therefore, I contend that if they will not consent to live peaceably with the Jews, they should be made to sell their lands and retire to places reserved for them somewhere in Arabia, Syria, Mesopotamia, or Egypt, that suit them best, and where they can worship Allah, Mahomet, and the Koran to their heart's content. After all is said, the fact remains that the Arabs have more lands than they need, and the Jews have none. I am in favor of a readjustment under the Balfour declaration, without too great regard to nice distinctions in the matter of the question of self-determination. This thought brings me to my third proposal heretofore mentioned, that the Arabs should be driven out of Palestine by the British and Jews, or by somebody else, if they will not listen to the voice of reason and of justice.

I shall probably be told that, regardless of the question of land and property rights, the Arabs have an interest in the holy places around Jerusalem. Admitting that their claims in this regard are just, there should be no trouble along this line. There is no reason to believe that Jews and Christians would deny them access to the holy places in the pilgrimages that they might desire to make from their Arab countries. But if the rights of the Jews to their ancient homeland are to be made dependent, as a final question, upon Moslem interests in the holy places around Jerusalem, I am willing and prepared to repudiate these rights entirely and to shut the Arabs out altogether.

Mr. Speaker, I despise and hate race prejudice and religious bigotry worse than I do the devil and all his ways. But I must confess that feelings of intolerance arise in my mind and heart when I hear any attempted justification of Mahomet, his message, and his mission. My respect and homage go forth even reverently to all the great ethical and religious teachers of history, to those spiritual and intellectual leaders of the race who, at times in agony and in martyrdom, have delivered messages of regeneration to mankind.

I make my respectful salute to Confucius and Buddha, the ethical teachers, in whose writings are found many passages of sublimity and beauty. I pay my deep homage and reverence to the Hebrew prophets and teachers, to Moses, to Abraham, to Isaac and Jacob and the tribes, to the gentle Hillel, and to Akiba. My reverence and adoration go up to Jesus of Nazareth, the most precious gem of human life, "the noblest blossom of a noble tree, the crown of the cedar of Israel." But I draw the line on Mahomet, the military conqueror and robber, the forger of oracles, the polygamist.

I have read the Koran through twice from beginning to end. I have also read several standard lives of Mahomet, among them those of Washington Irving, Higgins, Sale, and Gibbon. Furthermore, I have made it a point to read translations from the books of his own Turkish and Arabian biographers. I feel justified, then, in saying that I am pretty well acquainted with Mahomet and his teachings, and I trust that you will not think that I am guilty of too great digression if I now pay my respects to both Mahomet and his followers.

The declaration may sound bold and even unjustifiable to some of you, but I am prepared to assert that Mahomet stole all that is worthy in his religion from the Jews and Christians, that the finer passages of the Koran are taken almost bodily from the Bible, and that the followers of Mahomet overran and captured Palestine by military force. If these things be true, it comes in bad grace from the Arabs of Palestine or from their friends and apologists to lay claim to either the territory or the sacred places around Jerusalem. I respectfully submit that even a thousand years of political or historical prescription give no valid title to lands or places originally acquired by fraud and force.

In closing, Mr. Speaker, I wish to say that we Christians should encourage the reestablishment of the Jews in Palestine for selfish and sentimental reasons as well as from motives of gratitude and a sentiment of justice. We should rush to the assistance of the Jews in the matter of the Zionist movement as Lord Byron went to Greece to fight for the independence of the Greeks. We should speak in Congress with the same feelings and the same inspiration that caused him to write "The Isles of Greece," feelings born of a love of freedom and of a passionate desire to preserve a civilization and a type.

No garden of flowers is perfect or complete without the presence of the rose and the orchid, of the violet and the lily, and, indeed, of every kind of flower of tenderness and beauty. Nor can the garden of life be perfect and complete without the presence and preservation of all the fine types of intellect and spirit that have come from the trials and sufferings, the struggles and sacrifices of the various peoples of our race. Civilization would certainly be made imperfect by the loss of any one of the great types, for its essential elements, after all, are but the component parts of a blending of the varying attributes and excellencies of all human life.

Rome gave laws, Greece gave letters, and Palestine gave religion to mankind. Thus runs the judgment of the world. We are interested in the preservation of all these colossal types, and especially those of the Hebrew and the Greek, and above all that of the Hebrew, for beyond the boundaries of kingdoms and above distinctions of creed or blood is a colossal universal spiritual type established by the Hebrew. This type reflects the sacred and spiritual in every human heart that looks above idols and beyond the stars; a type that ignores self and attributes every splendid, righteous act to the Author of all things; that spurns a self-development whose maker and molder is not God; that hears in rolling thunder the awful voice of Jehovah sending warnings to his children, and sees in lightning a manifestation of eternal wrath; a type that gave Pharisees to Judea, Stoics to Rome, and Puritans to England.

These latter characterizations suggest integral opposites somewhere—the needed complements of a perfect whole—and reflection at once begins to classify along lines of nature and of history, grouping Pharisees with Sadducees, Stoics with Epicureans, and Puritans with Cavaliers.

The essential complement of the Hebrew type was furnished by Greece, the first great rival of Judea in intellect and spirit. The civilizations of the earth circle around these names as smaller planets revolve around great central suns. The essential elements of opposing Hebrew and Hellenic growths are everywhere reflected in national and individual life.

In the organization of every man on earth two antagonistic forces are forever active—the heavenly and earthly, the spiritual and natural, the ascetic and voluptuous. If the spiritual predominates, the man is Hebrew in structure and temperament. If the sensuous and voluptuous are the controlling attributes, the man is Greek.

If in the solitude of deep forests he hears the rustle of the leaves as fleeing nymphs depart, and sees in every tree and rock and stream the reflected image of some deity of nature; if, while standing on the famous battle fields of earth, he hears again the tread and tramp of embattled millions, feels again the sublime thrill and fierce rapture of a bayonet charge, hears again the brazen lips of hostile cannon thunder alternate anthems to the god of battles; if "with color, form, and music he is touched to tears," and while standing in the Vatican or Louvre feels within himself the thrilling power that corresponds to the magic force that painted a Madonna or carved a marble god, then this man is a Greek of the age of Pericles, a figure from the antique world.

A full development of these attributes on a colossal scale and along collective lines stamps a nation's history with character and distinctive life reflecting in the whole the characteristic traits of all component parts. To verify this thought, cast a glance across the pages of Hellenic history.

An old blind bard sings; the Iliad is born, and under the spell of the Homeric muse all the grace and grandeur of Grecian life blossom into perfect beauty.

A million Persians advance upon a mountain pass, 300 Lacedæmonians defend, and the chivalry of the ages has a standard and a metaphor in the death-devoted sacrifice of Leonidas and his band.

Ctesiphon moves the Greek Assembly to vote Demosthenes a golden crown in consideration of public services, the motion is illegal, Ctesiphon is accused, and at the trial of the indictment the oratorical prodigies of antiquity appear as combatants. Æschines is exiled, Demosthenes is apotheosized, and mankind receives the priceless legacy of the incomparable oration, "On the Crown."

Zeuxis and Parrhasius, as a trial of skill, paint two pictures. That of Zeuxis represents a bunch of grapes and is so perfectly executed that the birds come and pick at it. Flushed with pride and confident of success Zeuxis calls upon his rival to draw aside the curtain which conceals his picture. But, lo! the curtain itself is the painting of Parrhasius, and Zeuxis is beaten, for he who has deceived the birds is himself deceived by his antagonist.

Phidias, Praxiteles, and other sculptors carve from cold and pulseless marble those forms of life and beauty that thrill the human soul with perfect joy, and the frieze of the Parthenon, the Apollo Belvedere, the Venus di Medici, the Venus de Milo become the perpetual heritage of a sensuous and beauty-loving world.

Marvelous and magnificent history this. And from alpha to omega how superbly Greek—every line and lineament stamped with Hellenic imprint. But how radically different all this from everything Judean. The accentuated antithesis of every chapter of Grecian history describes all the glories and splendors of Hebrew life.

The Greek relied upon himself and his javelin for safety and preservation in time of danger. The Hebrew placed his trust in God and believed that prayer would save him from all harm. In the temples of the Acropolis, in the pages of the Odyssey, in the victories of Marathon and Salamis, the Greek acknowledged the handiwork of man and dedicated monuments to those who had brought renown to Greece. The Hebrew ascribed to the omnipotence of Jehovah every grand and righteous act and covered with benedictions the prophet who had most completely revealed the will of Heaven. Every transcendent deed of righteousness was credited to the Lord of Hosts.

Yes, I repeat, that if all else be lost mankind must preserve at any hazard both the Hebrew and Grecian types of intellect and spirit, for they are fundamental in our natures and are deeply interwoven in the very warp and woof of all that is grandly spiritual and superbly intellectual in our history, literature, and civilization. The loss of the spiritual and intellectual products of Greece and Palestine to civilization would cause mankind to relapse with frightful speed into savage and barbaric night.

The Greeks have Greece. Let us give Palestine back to the Jews.

Then will the prophecies of the Hebrew seers be fulfilled; then will justice be done; then will the demands of liberty, humanity, and civilization be satisfied; then, and only then, will Byron's muse be answered:

OH! WEEP FOR THOSE.

Oh! weep for those that wept by Babel's stream,
Whose shrines are desolate, whose land a dream;
Weep for the harp of Judah's broken shell;
Mourn—where their God hath dwelt the godless dwell!

And where shall Israel lave her bleeding feet?
And when shall Zion's song again seem sweet?
And Judah's melody once more rejoice
The hearts that leap'd before its heavenly voice?

Tribes of the wandering foot and weary breast,
How shall ye flee away and be at rest?
The wild dove hath her nest, the fox his cave,
Mankind their country—Israel but the grave!

ON JORDAN'S BANKS.

On Jordan's banks the Arab's camels stray,
On Zion's hill the False One's votaries pray,
The Baal-adorer bows on Sinai's steep—
Yet there—even there—Oh God! Thy thunders sleep:

There—where Thy finger scorch'd the tablet stone!
There—where Thy shadow to Thy people shone!
Thy glory shrouded in its garb of fire:
Thyself—none living see and not expire!

Oh! in the lightning let Thy glance appear!
Sweep from the shiver'd hand the oppressor's spear:
How long by tyrants shall Thy land be trod?
How long Thy temples worshipless, O God?

—Lord Byron, Hebrew Melodies.

Mr. FESS. Mr. Speaker, the lessons taught us in the tender years of our childhood sink the deepest and abide with us the longest. Those of us who in those early days heard in the home, Sunday school, or church the recital of the famous Bible stories vividly remember the tragedy of the "chosen people" driven from their homeland, and the promise that in time these people would return to occupy the land of their ancestors. This prophetic decree was the more significant because of the persecution that pursued this people as they fled to the four corners of the earth. Through all the vicissitudes inherent to such treatment 14,000,000 Jews have in the main preserved their national traits.

When Palestine was entered by our allied armies the first thought of the modern world was the fulfilment of an ancient prophecy that Jerusalem, the cradle of religion, would some day be restored to the Jewish people. When Britain accepted the mandatory of the ancient Holy Land new impetus was given to the historic promise. It was quite natural that a tremendous sentiment would be aroused among the hundreds of thousands of this people, scattered to the four winds of earth, in favor of the establishment of a homeland where their ancient civilization was born and from whence their people had been either excluded or made servile subjects.

A response to this sentiment was made by the so-called Balfour declaration, expressing British favor of the plan of the Jews to reestablish a homeland in Palestine, which, as I understand, has met with the approval of our own country, especially the advances made in that direction by Britain, the mandatory of that country.

This resolution, as far as is our ability, expresses our sympathy for the success of the proposed homeland for the Jewish people. It seems to me a perfectly proper attitude for us to take, eminently sound in diplomatic relations, correct in principle, humanitarian in design, elevating in sentiment, and commendable from the viewpoint of policy and expediency. This resolution displays our opportunity to express our appreciation of the aspirations of a great people in history.

Mr. BURTON. Mr. Speaker, the proposed resolution is in the following language:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the United States of America favors the establishment in Palestine of a national home for the Jewish people, it being clearly understood that nothing shall be done which may prejudice the civil and religious rights of Christian and all other non-Jewish communities in Palestine, and that the holy places and religious buildings and sites in Palestine shall be adequately protected.

It is similar to the so-called Balfour declaration for the Government of Great Britain issued November 2, 1917, which is in the following language:

His Majesty's Government view with favor the establishment in Palestine of a national home for the Jewish people, and will use their best endeavors to facilitate the achievement of that object, it being clearly understood that nothing shall be done which may prejudice the civil and religious rights of existing non-Jewish communities in Palestine, or the rights and political status enjoyed by Jews in any other country.

The pending resolution omits reference to the rights and political status enjoyed by Jews in other countries because that is not necessary in any declaration by the United States.

On the 25th of April, 1920, the supreme council of the allied powers at San Remo gave a mandate for Palestine to Great Britain. The British forces had wrested Palestine from the Turks in 1917. Under this mandate a high commissioner was appointed July 1, 1920. This high commissioner has appointed an advistory council composed of the heads of the administrative departments and 10 unofficial members representing the various communities. The Jewish population have chosen an elected assembly which selected a national committee to represent the Jewish population of Palestine in its dealings with the administration. Palestine has an area of 13,724 square miles and a population of about 675,000. The very large majority of the population are Moslems, numbering something over 500,000. In the last two years Jewish immigration into the country has been very considerable, amounting to 7,200 last year. The population of Jerusalem is about 60,000. The proportion of the total number of inhabitants in the Holy City to that of Palestine is about the same as that set forth in the first verse of the eleventh chapter of the book of Nehemiah. In the adjustment then made Jerusalem was to contain one-tenth of the population.

Several objections have been urged to the passage of this resolution. First, that it is not the function of Congress or of either House to pass resolutions of this nature relating to foreign affairs. In every case of recognition of a new government, or of a condition of belligerency, the question has been decided solely by the Executive. It would be instructive to give a list of all action by Congress in this regard. The question has been repeatedly before Congress. I will cite a few instances: Early in 1822 the House by an overwhelming majority passed a resolution promising support to the President in any action which he might take for recognition of the South American Republics. In the session of 1823–24 Mr. Webster introduced a resolution for the appointment of an agent or commissioner to Greece, which was then in rebellion against Turkey. This resolution was supported by most eloquent speeches by Mr. Webster and Henry Clay, but no final action was taken upon it. A familiar example of procedure in Congress has been the introduction of bills providing for diplomatic officials in a country where recognition was contemplated. In 1848–49 a representative was sent to Hungary with a view to expressing the sympathy of our Government at the time of the insurrection against Austria. In view of the failure of this insurrection the representative was recalled. There is another class of resolutions, merely expressing sympathy or good will.

In 1861, almost immediately after the convening of the special session of Congress at the beginning of the Civil War, Mr. Sumner introduced in the Senate a resolution expressing sympathy with the suffering people of Crete in their struggle against Turkey. This resolution passed the Senate in July, 1861, and was adopted in the House on the same day. In 1868 Mr. William Loughridge, of Iowa, introduced a similar resolution of sympathy for the Cretans, which was adopted. No action seems to have been taken in the Senate. In the Fifty-first Congress, first session, a resolution was introduced in the Senate by Mr. John Sherman congratulating the Republic of Brazil upon the recent adoption of a republican form of government. This resolution also passed the House upon the motion of Mr. R. R. Hitt, of Illinois. This resolution was transmitted by Secretary Blaine and evoked very cordial response from the Congress of Brazil.

In the Fifty-sixth Congress, at the first session in 1899 and 1900, resolutions of sympathy with the South African Republic, then in a contest for independence from Great Britain, were introduced by Senators Mason, Pettigrew, Allen, and Teller. These resolutions varied in form, all expressing sympathy, one expressing best wishes for the success of their determined fight for liberty, and two of them expressed the hope for mediation. These resolutions were referred to the Committee on Foreign Relations, and no report seems to have been made upon them, or at least nothing further was done. As regards this objection it should be said that action by Congress in matters involving foreign affairs should be very carefully guarded, except upon subjects within its undoubted jurisdiction. In the case of Cuba the final action expressing sympathy was accompanied by a declaration of war.

This present resolution, however, is restricted in its scope. It expresses the sympathy of the United States for the Jewish people in their desire for the establishment of a national home in Palestine, but provides that nothing shall be done which may prejudice the civil and religious rights of Christian and all other non-Jewish communities in Palestine, and that the holy places and religious buildings and sites in Palestine shall be adequately protected. No one here would tolerate any plan under which the feelings of Christians dwelling there or visiting the Holy Land should be disregarded.

Objection is made to the term "national" on the ground that it implies political control. This it not a fair inference from the resolution. It does, however, convey an assertion of sympathy for the political security of Jews who may be located in Palestine and for their protection against the aggression of any other people or nationality, a security which has been denied for centuries. The steps already taken for a separate national assembly indicate the probable developments there, namely, the selection of a legislative assembly by the Jews for the purpose of securing their rights under the government established there. It is to be noted that in past years and to an extent even now there have been separate communities in Jerusalem, the Mohammedans in one quarter, the Jews in another, Christians in another, and those of other nationalities or religions in still another. Very probably if the Jews should ever constitute a majority in Palestine their aspirations would be for political control.

This Congress can not deny an expression of sympathy for this race. Their longing for their old homeland is more pathetic and more appealing than that of any other race in the world. Their traditions, which are associated with Jerusalem, go back to the splendid days of David and Solomon, nearly 3,000 years ago. Since that time Palestine, which is a gateway for the trade and political movements of the near Orient, has been conquered by Assyria, Babylon, and for more than 200 years was under the Hellenic monarchies which ruled over Egypt and Syria; then the Romans under Pompey gained control in 63 B. C. The city and the temple were destroyed by Titus 70 A. D., and 70 years later a heathen temple was established by Hadrian, and pagan worship supplanted the Christian and Jewish religions. Under the reign of Constantine in the fourth century Christian worship was established and continued for nearly 300 years. Early in the seventh century the disciples of Mohamet conquered the country and their rule has continued until 1917, with the exception of the nearly 200 years when it was under Christian control after the capture of Jerusalem in the First Crusade by Godfrey of Bouillon in 1099. During all these centuries a considerable population of Jews has remained in Palestine, the remnant of a race scattered over the earth. It is impossible to exaggerate the yearning of many Jews for a location in that country which witnessed the beginning of their power and the growth of their religion. The poetic imagery in the One hundred and thirty-first Psalm—

> By the rivers of Babylon there we sat down,
> Yea, we wept when we remembered Zion—

has been accepted for ages as the most touching lamentation of a people in captivity.

The Jewish race ever since that time has been the victim of discrimination, persecuted in many countries, but always retaining its religion and distinctive traits, has looked to Palestine and Jerusalem with a never-dying aspiration for its homeland.

This resolution does not contemplate any substantial migration from the United States or England to Palestine. In the two great Anglo-Saxon countries, in the United States from the very foundation of the Government, with its principles of religious equality, and in Great Britain in more recent years, the Jews have enjoyed equal opportunity. Among the great progressive movements of the time has been that toward toleration, but in other countries they are persecuted as of old, and constant animosity and frequent pogroms threaten their security and very life. For many of these Palestine will no doubt be chosen as a home, and they will resort there with joy in the thought of returning to the ancient seat of the prosperity and prestige of their race.

It may be asserted that the problem of establishing a national home for them does not promise greater difficulties than in several countries of Europe where those of different races and religions inhabit the same areas and have learned to dwell together without friction.

A second objection is alleged that a very considerable proportion of the Jews themselves, including many of those most advanced in their views, are opposed to any action which shall look to the establishment of those of their race in a separate political organzation. It is alleged by them that their people owe allegiance to the countries in which they belong, although this allegiance is given with much misgiving in countries where they are unfairly treated. They insist that they are devotees of a religion and not seeking political power. The opinions of those who hold this view are entitled to great respect. It must be said of them, however, that they are for the most part tolerant to the feelings of others of their race, who are in a very large majority, and who join in the Zionist and similar movements.

A third objection is that the location of the Jews in Palestine, in view of the large preponderance of Moslem population, will arouse strife and military protection will have to be offered them. What has already been said as to the combination of various peoples and religions in Europe applies to this also. It is not to be presumed that there will be injustice to the Moslems, Arabs, or other peoples in Palestine. The lands which have been acquired from them, amounting to some 2,000 square miles in Palestine have been purchased at prices far in advance of those formerly current, and it must be said that the settlement of the Jews there has resulted in very marked improvements in the utilzation of the resources of that country. Improved methods of cultivation have been adopted and Palestine gives promise of a restoration to its old-time productiveness. It should be stated that the Senate has passed this resolution unanimously. President Wilson, in a letter dated August 31, 1918, wrote: "I welcome an opportunity to express the satisfaction I have felt in the progress of the Zionese movement in the United States, and in the allied countries, since the declaration of Mr. Balfour." President Harding more recently said: "It is impossible for one who has studied at all the services of the Hebrew people to avoid the faith that they will one day be restored to their historic national home."

It is to be hoped that one of the most beneficent results of the Great War will be the establishment in Palestine of a stable government, in which justice and equality shall be vouchsafed to all classes of its varied population, that the sacred shrines of all religions may be protected, and an opportunity granted to the Jews to return to this homeland with a revival of some of the ancient grandeur which through centuries has made this country most conspicuous in the world's history.

Mr. ANSORGE. Mr. Speaker, in these days of pogroms and of religious and racial intolerance and persecution in other parts of the world, it is, indeed, refreshing to support a resolution in the Congress of the United States which will breathe the breath of hope in the hearts of millions of persecuted and oppressed Jews in Poland, Galicia, Russia, Hungary, Rumania, and the Ukraine, and at the same time recognize and encourage the aspirations and historical claims of many Jewish people in their desire to establish a national home in Palestine.

I am the son of an immigrant who humbly walked through Castle Garden in 1857, and I am proud of my heritage. I would be untrue to my faith and convictions if I did not support this resolution.

I voted against the 3 per cent restricted immigration law which shut down the bars to the persecuted of other lands. Many of them are blood relatives of American citizens. It is meet and proper that the United States, which closed the doors of hope to the persecuted of other lands, should now lend its encouragement to the establishment of a haven in which these persecuted people may seek refuge.

The United States Senate has recently passed by unanimous vote the Lodge resolution favoring the establishment in Palestine of a national home for the Jewish people.

The resolution before the House recites that whereas the Jewish people have for many centuries believed in and yearned for the rebuilding of their ancient homeland, and owing to the outcome of the World War and their part therein are to be enabled to re-create a national home which will give to the house of Israel its long-denied opportunity to reestablish a fruitful Jewish life and culture in the ancient Jewish land, the Senate and House of Representatives of the United States in Congress assembled resolves that we favor the establishment in Palestine of the national home for the Jewish people.

Both the Lodge resolution and the resolution before the House specifically recite that nothing shall be done which may prejudice the civil and religious rights of non-Jewish communities in Palestine, and that the holy places and religious buildings and sites in Palestine shall be adequately protected.

It will be seen, therefore, that the Senate and House by expressing their approval of a national Jewish home in Palestine fully protect the civil rights and religious liberty of all other communities in Palestine. The resolutions commit us to no foreign obligations or entanglements, but express our moral interest and favorable attitude toward the establishment in Palestine of a national home for Jewish people along the lines laid down in the now famous Balfour declaration of November 2, 1917.

I had the honor of appearing before the Committe on Foreign Affairs in support of the resolution now before the House. I also had the pleasure of meeting Mr. Balfour, and of hearing him address the Zionist committee which called upon him in Washington. Although the Balfour declaration was proclaimed during the heat of the war, Mr. Balfour, in his address to the Zionists, voiced the same sentiment as is contained in the Balfour declaration. In other words in 1922 Mr. Balfour feels as he did in 1917.

The Balfour Declaration expressed the favorable view of the British Government of the establishment in Palestine of a national home for the Jewish people and stated that it would use its best endeavors to facilitate the achievement of that object, it being understood that nothing would be done to prejudice the civil and religious rights of existing non-Jewish communities in Palestine or the rights and political status enjoyed by Jews in any other country.

This declaration was presented by Mr. Balfour to the cabinet and approved by it before it was issued. It was subsequently approved by France, Italy, Japan, and other nations.

In my opinion, the recent action of the House of Lords was not intended as a repudiation of the Balfour declaration. It merely voiced opposition to the terms of the mandate. The mandate should be amended, if necessary, to protect Christians and other non-Jews in their civil and religious rights in Palestine. The mandate should carry out the thought of the Balfour declaration which expressly provides that nothing shall be done which may prejudice the rights of existing non-Jewish communities in Palestine. This reservation, and the reservation in the Lodge resolution, as well as the reservation in the resolution before the House, protects all religions, and the mandate should do likewise. Any objection to the terms of the mandate can not properly be directed against this resolution which follows the Balfour and Lodge resolutions and provides full protection to all religions as it properly should do.

Many Jews in America who are not actively affiliated with the Zionist movements are nevertheless in thorough sympathy and accord with the heart-beats and yearnings of the Zionists for a restoration of the homeland in Palestine. Palestine has been the object of the veneration of many pious and devoted Jews for over 4,000 years.

I have here a small booklet, Mr. Speaker, which is published by the Palestine Foundation Fund in New York. It is addressed to the workers of the Zionist fund, and I just want to read a very short paragraph from this booklet.

It says:

Forty centuries of history close with this question. Will you, Jews of America, redeem the Holy Land?

That promise that was made 4,000 years ago is to be fulfilled through you, or is to remain unfulfilled.

You are the guardians of Jewish history to-day. With you Jewish history ends, or through you it begins a new and glorious chapter.

Forty centuries of history are watching you to-day. The far-off generations look to you out of the twilight of the past. The warriors and prophets and teachers of ancient Judea are watching you. The martyrs of Spain and Poland and Russia, they who died that our people might live, are watching you. The young heroes who fell on a hundred fields in the Great War are watching you. The victims of a hundred pogroms, men and women and children, are watching you.

In the eyes of all of them there is the single question, "Will the land of our fathers be restored to our people, or have we lived and died in vain?"

Many prominent Americans, both Jews and gentiles, have expressed their interest and approval of the restoration of Palestine.

President Harding on June 1, 1921, said:

It is impossible for one who has studied at all the services of the Hebrew people to avoid the faith that they will one day be restored to their historic national home and there enter on a new and yet greater phase of their contribution to the advance of humanity.

President Harding on May 11, 1922, wrote to the Palestine Foundation Fund as follows:

I am very glad to express my approval and hearty sympathy for the effort of the Palestine Foundation fund in behalf of the restoration of Palestine as a homeland for the Jewish people. I have always viewed with an interest, which I think is quite as much practical as sentimental, the proposal for the rehabilitation of Palestine and the restoration of a real Jewish nationality, and I hope the efforts now being carried on in this and other countries in this behalf may meet the fullest measure of success.

More recently, on June 25, 1922, the President wrote to the Zionist Organization of America, at its twenty-fifth annual convention in Philadelphia:

A long-time interest, both sentimental and practical, in the Zionist movement causes me to wish that I might meet the members of the organization and express the esteem which I feel in behalf of the great movement.

Ex-President Woodrow Wilson, in a letter dated August 31, 1918, said:

I welcome an opportunity to express the satisfaction I have felt in the progress of the Zionese movement in the United States and in the allied countries since the declaration of Mr. Balfour, on behalf of the British Government, of Great Britain's approval of the establishment in Palestine of a national home for the Jewish people and his promise that the British Government would use its best endeavors to facilitate the achievement of that object, with the understanding that nothing would be done to prejudice the civil and religious rights of non-Jewish people in Palestine or the rights and political status enjoyed by Jews in other countries.

Hon. Louis Marshall, one of the most brilliant minds and one of the foremost Jews in America, in a letter accompanying his contribution to the Palestine Foundation Fund, writes:

I feel it to be the duty of every Jew to help in the rebuilding of Palestine in order that those who desire to take up their homes in the ancient dwelling place of Israel may have an opportunity to do so under the most favorable auspices.

There is no Jew, whoever he may be, who has the right to shirk the duty of assisting in giving due effect to the beneficent purposes which underlie the Balfour declaration.

Mr. Samuel Untermeyer, at the dinner given by the Palestine Foundation Fund to Senator Lodge at the Hotel Astor in New York City on June 13, 1922, said:

The most important and practical instrument for achieving these lofty ideals is the Palestine Foundation Fund, or Keren Hayesod. Here is an instrument which makes it possible for the Jews to pool the necessary resources for restoring the waste places of the Holy Land and repeopling it with prosperous Jewish communities.

The Keren Hayesod stands high above and beyond and far removed from the strifes and discords of party or politics. Its platform is big and broad; it is one on which Jews of all shades of opinion find a common meeting place.

Vice President CALVIN COOLIDGE, in a letter to the Philadelphia Campaign Palestine Foundation Fund Workers, says:

The proposed plan furnishes to the Jewish people an opportunity to devote their great qualities to the upbuilding and preservation of their own homeland and in their own sphere, and I feel sure that the people of the United States will not fail to give that earnest and substantial aid which will be necessary if it is to meet with a full measure of success.

Representative HAMILTON FISH, jr., of New York, a Member of the Committee on Foreign Affairs, reporting favorably on behalf of the committee the resolution before the House, with the recommendation that it pass, has made an able and learned report, which I desire to read:

The Committee on Foreign Affairs, to whom was referred House Joint Resolution No. 322, favoring the establishment in Palestine of a national home for the Jewish people, having considered the same, report favorably thereon, with the recommendation that the resolution do pass.

This report expresses our moral interest in and our favorable attitude toward the establishment in Palestine of a national home for the Jewish people. It commits us to no foreign obligation or entanglement. The protection of the holy places is carefully provided for, as well as the rights of Christian and all non-Jewish communities. There is a strong religious and humanitarian appeal in this recognition accorded to the Jewish people that goes beyond its purely material aspects and the discharge of such obligations assumed by the allied Governments as expressed in the Balfour declaration of November 2, 1917, which has been indorsed by France, Italy, Japan, and other nations.

The Jews of America are profoundly interested in establishing a national home in the ancient land of their race. Indeed, this is the ideal of the Jewish people everywhere, for, despite their dispersion, Palestine has been the object of their veneration since they were expelled by the Romans. For generations they have prayed for the return to Zion. During the past century this prayer has assumed practical form.

Palestine, the ancient homeland of the Jew, is to-day a comparatively sterile country, due to the wanton and deplorable policy of desolation systematically carried out by its rulers, the Turks, for many centuries. What was once the country of milk and honey has become, through misrule and oppression, a devasted and sparsely settled land.

Jewish colonization began in Palestine over 40 years ago. In 1897 Theodor Herzl, the founder of the modern Zionist movement, established an organization for the purpose of securing legal recognition of the Jewish right in Palestine and began the practical work of settling the land. A great deal of labor and effort has been put into Palestine by Jews. They have established 72 flourishing colonies on a soil which, before they reclaimed it, was merely sand, stone, and swamp. With the investment of Jewish capital and labor, part of this land has been transformed into beautiful gardens that evoke the admiration of visitors to the Holy Land. They have created and maintained a modern school system and laid the foundations of a national Jewish university in Jerusalem. They have introduced modern sanitation, opened hospitals and clinics, and founded many industries. Banks have been established to provide credit for the smaller trade and business men. They are now prepared to develop a plan harnessing the water power of the Jordan River, which will provide Palestine with ample electric light and power for a large industrial development.

In this work of regenerating a land that has become desolate and waste through governmental oppression the Jews of America have participated to a large and generous extent, maintaining the American Zionese Medical Unit and making large contributions to the purchase of land and for the creation of credit institutions.

We of America should be glad to give our moral support to a project which is based upon justice and humanity. To give this recognition to so laudable an endeavor of a people seeking to create a haven of refuge for the oppressed and homeless of their race is to act in consonance with the loftiest American ideals. The Jews have suffered greatly during the war. There are now countless thousands of innocent members of the Jewish race in Poland, Galicia, Russia, Hungary, Ukraine, and Rumania who have been utterly ruined and for whom there is no place in the lands where they had formerly lived. The World War has overwhelmed them. They are seeking a home where, with the generous help of their brethren of other lands who are in more comfortable circumstances, they may re-create their own forms of life and realize their ideals.

Leaders of the Jewish people here and abroad, who have studied Jewish conditions and needs and are thoroughly familiar with the problems of Jewish life, anticipate the eventual creation of an enlightened State which shall be a center of Jewish culture, a blessing to humanity and to the Jewish race in that ancient land which was given by Jehovah to Abraham, and which is consecrated in all Jewish hearts as the birthplace of their traditions and ideals. The realization of this hope should be given the moral encouragement of the American people speaking through their Representatives in Congress.

I hope the resolution before the House will pass unanimously. It will lend encouragement and hope to many afflicted and downtrodden people at a time when they are yearning for a home where persecutions and pogroms will be unknown.

Mr. HOGAN. Mr. Speaker, let us not be sparing to-day in our indorsement of a cause so thoroughly American, so near to the heart of liberty, so fruitful to national aspiration, so fraught with meaning to the welfare of the human race as the return of the Jew who desires to go to what he has always loved to term the "Glorious Land."

It should be as natural for the Congress of the United States to extend sympathy for the downtrodden and oppressed as for us to breathe the air. Our Government was founded upon the principle that governments derive their just powers from the consent of the governed; and surely the governed are entitled to the government of their home land. Our Declaration of Independence averred that all men should be assured equality of opportunity. In our early days as a people sparsely strewn along the Atlantic seaboard we fought British tyranny and with the assistance of France won the opportunity to prove what liberty and right could do under a flag which guaranteed them both. Because we were once small and inconsequential in a world of mighty empires and because we depended solely upon our God, our conscience, and our effort for the attainment of might, we have become the greatest servant of mankind. Three-quarters of a century ago we extended sympathy to Hungary when she fought the power of Austria. In 1898 we gave our sympathy to Cuba and helped her shatter the shackles of Spain. In 1917 we did not withhold our sympathy from the allied peoples who were menaced by the autocratic lords of Germany and Austria and, as a result, we freed the world. Two years ago we declared sympathy for Ireland and now, largely as the result of that expression of opinion by this Congress, she is emerging from darkness and chaos to order and opportunity and a greater measure of liberty than she has enjoyed for 800 years. We should not be less generous to the Jewish race.

Certainly if ever any people was downtrodden and oppressed and deserving of the hand of fellowship from us it is the Hebrew people. In spite of the fact that the Jew first gave to humanity the idea of the one infinite God and of His love and mercy to man; in spite of the fact that it is a Jewish commandment to love thy neighbor as thyself; in spite of the fact that it was one of the great Hebrew prophets who asked, "What doth the Lord require of thee but to do justice, to love kindness, and to walk humbly with thy God?" In spite of the fact that our Savior, who taught us so much of the brotherhood of the human spirit, was a Jew, his race has been the victim of persecution and injustice for more than 2,000 years. In all the bitterness with which the struggle of the Jew for independence was put down by the Romans, in the terrible hatred with which he was pursued in the darkest period of Spain, in the worst pogroms under the Romanoffs, he was never pursued more relentlessly than by the Slavs of present Europe. Out of the hatreds engendered in many countries he calls to a world which makes much pretense of enlightenment and civilization for a little spot in Palestine, the original home so dear to Catholic, Protestant, and Mahometan, where he may at last find rest from persecution, where he may tend his flocks as David did of old, and where he may gather his own unto himself and find full and unhampered expression.

Let us remember that we in this Congress are the representatives of the Nation which has guaranteed to each citizen the right to worship God in his own way, the right of conscience, the right of opinion. Under that guaranty Catholic and Protestant and Jew alike have thrived in America as nowhere else. The age of bigotry is passing. As men turn from persecuting their brothers of other faiths in the name of God, they learn to love both God and each other more. He is the best Catholic or Protestant or Jew who has most of the love and kindness and mercy of the Son of Man toward all. And it is a striking fact that the empires which have most oppressed the Jew have crumbled and fallen while this Nation, which has given him most of liberty and opportunity, has prospered more than any in history.

The Turk as an oppressor of the territory of Palestine has been destroyed. He, along with the Romanoff, Hohenzollern, and Hapsburg, has disappeared as a tyrant. Under the new order of things in Palestine and throughout the world the Jew should be given a chance to work out his problems in his own way. Together with the Irish he came to our shores to escape from oppression, and with no capital but his intelligence to seek opportunity in a free land. And like the Irish he has toiled and saved and prospered and brought credit to our institutions. A good Irishman or a good Jew can not make a bad American

citizen. Both having attained the blessings of liberty and equality of opportunity, both desire that the original homeland shall be free to the parent race. I am for both. I think every American should be for both, because both Irish and Jew seek merely the application of the most fundamental of American principles. And because the resolution expressing satisfaction at the re-creation of Palestine as the national home of the Jewish race is couched in the best American spirit, every Member of this Congress ought to vote for it.

The grant of opportunity to the Jew in his own homeland will be a benefit not only to him but to the world, because so long as the Jew remains a problem the peace and order of the world will be disturbed, to however slight or great an extent. No problem can be permanently settled until it is settled right. The Jewish problem can not be settled right until justice is done to the Jew. And justice can not be done the Jew until he has found all of the joy and happiness under liberty and opportunity in his own land and under his own institutions which we Americans have found in America under American institutions.

Mr. KELLY of Pennsylvania. Mr. Speaker, for 2,000 years the moans and groans of disinherited, dispossessed Jews have been heard at the wailing wall of Jerusalem. Seventy generations have wept over the destruction of the Holy City and prayed for its restoration. Seventy generations have passed while "the wild dove had her nest, the fox his cave, mankind their country, Israel but the grave."

In every land of the globe these people of the wandering foot have kept their windows open toward Jerusalem. They have remained faithful to the pledge of their great psalmist, "If I forget thee, O Jerusalem, let my right hand forget her cunning. If I do not remember thee, let my tongue cleave to the roof of my mouth."

In all the history of the world there is no instance of fidelity like that of the Jew for his promised land and for his own people. They have never forgotten, though memory for them was bittersweet, both a joy and a scourge.

It was 40 centuries ago that Jehovah promised Palestine to the children of Abraham. Through slavery in Egypt, through 40 years in the wilderness, they came at last into their possession, a land flowing with milk and honey.

Twelve tribes they were when they heard the divine command given to their leader, Joshua: "Arise now, go over this Jordan, thou and all this people, unto the land which I do give to them, even to the children of Israel."

There they built a powerful nation and established Jerusalem, the city set on a hill, whose heart was the Temple.

Through the centuries divisions came and great adversities fell upon them. Great nations menaced them on the north and south. Assyria and Egypt fought for mastery across their territory. Again and again revivals of the old-time spirit brought unity and peace followed war, prosperity succeeded suffering.

Then Israel seceded from Judah in final disunion and two nations took the place of one. Babylon swept down upon them and carried them into exile. Still they were not destroyed, but those who had wept by the streams of Babylon returned and built the nation anew.

At last mighty Rome swept down upon this harrassed people with her all-conquering legions. Alone of all the nations, Judah dared resist the mistress of the world at the height of her power. For four agonizing years they battled, making so heroic resistance that many Roman soldiers joined the defenders of Jerusalem to die with them a glorious death.

Crushed at last, they were forced to yield and their great temple was destroyed. Once again in 135 A. D. this David of a nation rose under Bar Kockbar and waged three years' war against the oppressor. But the sacrifice was in vain. Rome triumphed and exacted a fearful vengeance. The Jews were driven into exile, homeless and forlorn, and the Promised Land knew them no longer as a people.

Twenty centuries have passed since that dire dispersal. This people has been oppressed and persecuted with massacre and pogroms in many lands. The sons of Abraham have been victims of unexampled hatred and bigotry, but they have refused to die.

Cherishing the faith of their fathers, holding steadfast to the glowing promises of their prophets, priests, and patriots, they have maintained their racial solidarity and their identity as a people in the face of an opposing world.

"Where there is no vision the people perish." The children of Israel have lived because ever in their eyes gleamed the coming day when the God of their fathers should seek them out in the lands of their captivity "even as a shepherd seeketh out his sheep that are scattered in the cloudy and dark day." Had not their prophet Ezekiel told them of the time when "Zion should put on her strength and Jerusalem her beautiful garments to become again one nation upon the mountains of Israel"?

Such an unalterable desire woven into the very web and woof of individual and national life can not be merely a dream. Defying the changes of 2,000 years, overcoming oppression and brutal wrongs, it is one of the real things in the world. It had within itself the seeds of its accomplishment and awaited but the historical moment when conditions should be ripe for its fulfillment.

Mr. Speaker, that moment has arrived. Out of the World War has come the possibility of the fruition of this age-old longing of the Jews for their homeland.

General Allenby with an army in which were Jewish regiments entered Jerusalem. The Turk, who had held the holy places for centuries, was driven out. The triumphal act of this drama of the ages is possible in the here and now.

America is preeminently the Nation to take the initiative in urging the reestablishment of Zion. We can not be indifferent to anything which concerns the welfare of this ancient people to whom we owe a vast debt for laws and literature, ideals and aspirations.

The Book of Books, which has had so vital a place in the founding and development of America, came to the world through the Jews. From them also came the very foundation doctrine in our Declaration of Independence that "all men are created equal."

Our idea of justice, which Madison said "is the end of government and the aim of civil society," would be beyond human conception without the Bible. The first time it gleamed upon the mind of man was when the chosen people recognized the claim of brotherhood under one God, who was the protector of every son of Abraham.

The laws of Israel, which provided that the inheritance of every member of the nation was inviolable and could not be taken away from him nor even sold beyond the year of jubilee, was the declaration that justice was the covenant right of every Israelite. That was the end sought in the laws, that consideration must be given the unfortunate; that the gleanings of the field and vineyards must be left for the poor; that all debts must be released every seventh year; that oppression and injustice, thefts and false weights and measures were sins against the brotherhood. Through all the laws ran the idea that every member of the nation was equal to all others in dignity and rights and privileges and duties.

The next great step in the development of the idea of justice was when the Master Christian, Himself a son of Abraham, living and working in the land of Israel, broadened the scope of brotherhood until it included all nations and all peoples. His ideal is the brotherhood of all men under the fatherhood of one God. Only because of this sublime conception was the Declaration of Independence and the American Government possible.

Mr. Speaker, the American ideal of the home as the foundation of the Nation comes from the Jews. The first educational system for all the children was instituted in Palestine. Interwoven into our history, influencing the lives of every great American, has been the matchless social philosophy, the practical wisdom, the music, oratory, and poetry of the Jews. From them we learned the dignity of labor and the truth that righteous laws are the guardians of human liberty.

But aside from such a splendid heritage, which might equally be the possession of other nations, America owes special obligations to this ancient people. The voyages of Columbus were financed by Jews, and they helped to mold the destinies of this continent since its discovery. Haym Solomon negotiated the loans from France and Holland which Washington declared made possible the triumph of American arms at Yorktown. Col. David Franks was a member of Washington's staff.

Every war of America has seen devoted service by the Jews. Scoffed at as weaklings, they have never shrunk from facing the weapons of the enemies of this Nation. In the World War 235,000 Jews served under the Stars and Stripes. Of the 78 congressional medals, three were awarded to Jewish soldiers. The distinguished service medal was won by 150 American Jews. Ten thousand Jews were commissioned officers in the Army and 500 bore commissions in the Navy.

America has been well repaid for the treatment she has accorded the Jews, and it was here in this new land, for the first time since they ceased to have a state of their own, that they were accorded complete civil and political equality.

To-day there are 3,300,000 Jews in America out of 15,000,000 in all the world. There are more here than in any other land. They have served the Nation well in war and in peace, and they have a right to sympathetic cooperation in the realization of

their national aspirations. America should with generous enthusiasm help the fulfillment of so worthy a purpose.

Mr. Speaker, through all our history runs a thread of American sympathy for a restored Zion. President John Adams voiced it in a letter to Maj. Mordecai Noah, the first American Zionist. President Harrison in 1891 expressed it again upon receipt of a petition signed by many great Americans, asking consideration of the claims of the Jews to their ancient home in Palestine. President Wilson in 1918 joined in approving "the establishment of a national home for the Jewish people in Palestine." President Harding in 1921 gave the American expression when he said:

> It is impossible for one who has studied at all the services of the Jewish people to avoid the faith that they will one day be restored to their historic national home, and there enter upon a new and yet greater phase of their contribution to the advance of humanity.

To-day it is not alone from sentimental reasons, but from a very practical standpoint, that America is justified in lending her helping hand to this project.

The danger spot of the future is Asia. It is quite possible that there a new Asiatic Germany will develop with unlimited man power and resources to threaten again the safety of the world.

A nation which understands Asia and Europe, the East and the West, and can act as mediator between them, will be a blessing to the world. The Jewish State can act in that capacity as can no other nation in the world. The erection of such a Commonwealth will be a force for peace and order more powerful than any treaty between Occident and Orient. It will help to bring the time foretold by the Hebrew prophet, when men shall beat their swords into plowshares and their spears into pruning hooks and nations shall learn war no more.

Christendom should welcome the reestablishment of Zion as fervently as Jewry. Twenty million Sunday school students now study weekly the history of the House of Israel. Its reestablishment in our own day and generation will mean world instruction in the Old and New Testaments.

King Frederick William of Prussia once said to his chaplain: "Give the briefest possible proof of the truth of Christianity." "The Jews, Your Majesty," was the answer.

When the voice of weeping shall be no more heard in Jerusalem and the Jews shall build houses in their homeland and inhabit them, and shall plant vineyards and eat the fruit of them, the world shall have taken a long step forward, I do earnestly believe, toward the time when there shall be "peace on earth, good will to men."

Mr. Speaker, the Jew is God's miracle. He dates beyond the pyramids, but his hands guide enterprises for air navigation and radio communication in the twentieth century. He is a money master, but his gold has flowed into every stream meant to relieve want and wretchedness. He is a man without a country, but he has Zion enshrined in his heart. He is a pilgrim, but he has never lodged at Doubting Castle or supped with Giant Despair. He is of the earth, but his thoughts have been with the stars. He has borne the brunt of bigotry and the pain of persecution, but always on the "midnight sky has painted the glorious morrow." His golden age has always been onward, not behind, and across the centuries of his sorrow have shone the gleam and glow of a restored Jerusalem. He has been inspired and sustained by an unfaltering hope so great that his soul has grown to match it. His faith has been medicine for his misery; his love of the Holy City a charm for every woe. Chief figure in a national tragedy lasting 2,000 years, he sees to-day on the "mountains the feet of Him who bringeth good tidings, that publisheth salvation for the sons who come from afar and the daughters from the ends of the earth."

The Jew is at the border of the promised land once more. America, the great Republic of the West, must help him to establish in his ancient home the commonwealth which will bring East and West into understanding and fellowship, making possible the fruition of all those heart-warm hopes of men which were cradled in the land of Israel.

Mr. BOND. This resolution is of the greatest interest and importance to the Jews of the world. From the materialistic standpoint it means little to the Jews of America, but its religious and spiritual importance can hardly be exaggerated. Through all the ages the Jew has looked forward to the time when Palestine would again be the land of milk and honey and the homeland of the Jewish people. While probably few of the Jews of America will ever attempt to make a home in Palestine, the Jews of America are almost without exception interested in the reconstruction of Palestine because of its religious significance.

It is estimated that there are 3,000,000 Jews in America, of whom perhaps 2,000,000 are in New York State, about 1,500,000 being in the city of New York. The Jews in this country are proud of America and of American institutions. They do not feel they are oppressed here, but are fully appreciative of the liberty and the freedom of opportunity which the laws of this wonderful land afford. Were the Jews treated as well in other countries as in the United States, the desire for a home for the Jews in Palestine might not be so strong, but unfortunately in many countries the Jew continues to be oppressed, and his position is made so hard that it is almost impossible for him to remain in those countries. This makes thousands of Jews wanderers on the face of the earth. To these and the other Jews of the earth who have sympathy for them the idea of a home in Palestine means much.

Were the United States called upon to initiate such a movement there might be some force to an objection that it is an interference with the affairs of foreign nations, but the Balfour declaration, issued November 2, 1917, at the height of the war, firmly established this as a policy of the British Government. This has been still more firmly established by having been incorporated in the mandate under which Great Britain exercises authority over Palestine, and the mandate has been ratified by various other Governments.

The effect of the present resolution therefore is largely moral and constitutes merely an expression of good will and sympathy of America for the aims and aspirations of the Jews. The resolution before the House commits us to no foreign obligations and constitutes no entangling alliance. As it has the approval of Secretary Hughes, of the Department of State, and the President of the United States, we may feel assured no unfortunate diplomatic complications can or will occur. No harm can possibly come from the passing of this resolution. On the contrary, I believe it will result in much good. I therefore favor this resolution and shall gladly vote for it.

Mr. ROSSDALE. Mr. Speaker, the colonists who first settled upon the Western Hemisphere were God-fearing men and women who came to the New World to live their lives and worship God as they desired and believed. They were mostly Christians, and they believed in the Bible and in holy writ; their firm belief and faith in the Scriptures comforted and sustained them in their struggles with the savage and the wilderness and enabled them to conquer a continent and later to found the greatest Republic in the history of man.

It was this same belief in the will of the Almighty, this same firm faith in the Scriptures, that sustained the Jewish people through the centuries of oppression and persecution since their dispersal from the land of the Bible. They, too, believed; and through the long, weary centuries since the cruel might of their Roman conquerers drove them from their homeland "they kept the faith," and piously each day devout Jews have turned to the east and prayed for the day of restoration and return to the land of their fathers.

This Old Testament came to birth in the land of the Jews, and although there are some few unbelievers, the great majority of the American people, both Christians and Jews, believe in the Bible. I believe in it, and I am certain that almost all Members of Congress believe in it, and that God's promises in this Old Testament will be fulfilled. For in Deuteronomy, chapter 30, Moses said:

> If any of thine be driven out unto the outmost parts of heaven, from thence will the Lord thy God gather these, and from thence will He fetch thee. And the Lord thy God will bring thee into the land which thy fathers possessed, and thus shalt possess it; and He will do thee good and multiply thee above thy fathers.

And it is written in the Book of Amos, chapter 9:

> And I will bring again the captivity of my people of Israel, and they shall build the waste cities and inhabit them; and they shall plant vineyards, and drink the wine thereof; they shall also make gardens, and eat the fruit of them. "And I will plant them upon their land and they shall no more be pulled out of their land which I have given them," saith the Lord thy God.

It has been said that the age of miracles is gone by, and lo and behold, in the cradle of the world's civilization, in the sacred land of the Bible, a modern miracle is happening! The Jewish people after the lapse of centuries are resettling the land of their fathers. They are planting the waste lands, irrigating and aforesting the desert, draining the marshes and swamps, building houses and roads, and tilling the soil as their ancestors did.

From everywhere in the wide, wide world, where oppression and persecution have quickened the desire and intensified the yearning of the Jewish people for the reestablishment of their ancient homeland, there come volunteers to help in the rebuilding; from those parts of Europe where anti-Semitism has had free rein and where the ghastly specter of the pogrom ever threatens come a host of refugees, splendid young men and women, who eagerly volunteer as pioneers, among them numerous merchants, intellectuals from the professions, and students from the universities.

A great many of these refugees walked thousands of miles from the interior of eastern and central Europe to a seaport to embark for Palestine. They are settling upon the land among the hills and valleys and ancient places you and I read and learned about when as children we went to Sunday school. They toil there under the blinding Palestinian sun, chanting Hebrew songs as they perform the hardest kinds of manual labor, happy in their opportunity to rebuild the land of their fathers.

The entire world is watching this romance of the return of the Jews with a great deal of interest, and liberal minds throughout the world are giving aid and encouragement to the project.

The British Government on November 2, 1917, issued the following statement of policy, which is known as the Balfour declaration:

His Majesty's Government view with favor the establishment in Palestine of a national home for the Jewish people and will use their best endeavors to facilitate the achievement of this object, it being clearly understood that nothing shall be done which may prejudice the civil and religious rights and political status enjoyed by Jews in any other country.

The following declaration was made for the Italian Government by the Italian ambassador to Great Britain:

On the instructions of His Excellency Baron Sonnino, His Majesty's Minister for Foreign Affairs, I have the honor to inform you that His Majesty's Government is pleased to confirm the declaration already made through their representatives in Washington, The Hague, and Salonica, to the effect that they will use their best endeavors to facilitate the establishment in Palestine of a Jewish national center, it being understood that this shall not prejudice the legal or political status enjoyed by Jews in any other country.

The French Government made the following announcement:

M. Sokolow, representing the Zionist organizations, was received to-day by M. Stephen Pichon. M. Pichon was happy to reaffirm that the understanding is complete between the French and the British Governments concerning the question of the Jewish establishment in Palestine.

And the other allied powers, consisting of Japan, Greece, Holland, Serbia, China, and Siam, have likewise approved it.

In 1920 the Allied Supreme Council at San Remo confirmed the Balfour declaration and gave the mandate over Palestine to England, subject to ratification by the League of Nations.

President Woodrow Wilson wrote:

I welcome an opportunity to express the satisfaction I have felt in the progress of the Zionist movement in the United States and in the allied countries since the declaration by Mr. Balfour on behalf of the British Government of Great Britain's approval of the establishment in Palestine of a national home for the Jewish people and his promise that the British Government would use its best endeavors to facilitate the achievement of that object, with the understanding that nothing would be done to prejudice the civil and religious rights of non-Jewish people in Palestine or the rights and political status enjoyed by Jews in other countries.

President Warren G. Harding, expressing his friendly interest in and for the Zionist movement, said:

It is impossible for one who has studied at all the services of the Hebrew people to avoid the faith that they will one day be restored to their historic national home and there enter on a new and yet greater phase of their contribution to the advance of humanity.

And later wrote:

I am very glad to express my approval and hearty sympathy for the effort of the Palestine foundation fund in behalf of the restoration of Palestine as a homeland for the Jewish people. I have always viewed with an interest which, I think, is quite as much practical as sentimental the proposal for the rehabilitation of Palestine, and I hope the effort now being carried on in this and other countries in this behalf may meet with the fullest measure of success.

Before the present movement assumed concrete form, among the first to express approval of the return of the Jews to Palestine was John Adams, the second President of the United States, who wrote to Maj. Mordecai Manuel Noah, the first American Zionist, as follows:

I really wish the Jews again in Judea, an independent nation; for, as I believe, the most enlightened men of it have participated in the amelioration of the philosophy of the ages; once restored to an independent government, and no longer persecuted, they would soon wear away some of the asperities and peculiarities of their character. I wish your nation may be admitted to all the privileges of citizens in every part of the world. This country (America) has done much; I wish it may do more and annul every narrow idea in religion, government, and commerce.

In 1891 a memorandum was presented to President Harrison by a galaxy of financiers, clergymen, lawyers, and publicists. I have not the time to read all their names, but among them are Cardinal James Gibbons, J. Pierpont Morgan, John D. Rockefeller, Russell Sage, William E. Dodge, John A. Steward, J. Henry Harper, Charles Scribner, Bishop David H. Greer, Dr. William S. Rainsford, Dr. Robert Collier, Dr. Charles A. Parkhurst, Dr. Morgan Dix, Dr. Minot J. Savage, Henry N. Higginbotham, Dr. M. Wolsey Stryker, Judge C. C. Kohlsaat, Melville W. Fuller, Bishop Charles A. Cheney, Bishop S. M. Merrill, Melville E. Stone, Bishop Edward G. Andrew, Dr. Josiah Strong.

From all parts of the earth, wherever the magic story of Israel's return is become known, rulers and writers, preachers and publicists, all express approval. This resolution expressing America's approval of the acceptance of the mandate by Great Britain and the establishment of a Jewish homeland in Palestine was passed by the Senate of the United States unanimously, and I hope the House of Representatives will concur and express its satisfaction likewise.

It may appear strange to some to think of the destinies of nations and of peoples as foreordained, but that is my firm belief, for are we not witnessing the truth of the words of the prophets of the return of Israel, the assurance of whose restoration gleams through the whole vista of prophecy? We know a portion were restored from Babylon, but Isaiah says there shall be a second restoration from the four corners of the earth (Isaiah xi, 11, 12). "Both Israel and Judah shall be gathered and the sanctuary of the Lord shall be set in the midst of them forevermore" (Ezekial 37).

God moves in a mysterious way. After the roll of many centuries, "Israel is lifting up his hands to the Gentiles" (Isaiah, chapter xl, 22). And the mandate accepted by a gentile nation will "bring his sons and daughters from far that he may plant them again in their own land" (Ezekial xxxiv, 13). The gentile world to whom Israel is lifting his hands, respond and as Cyrus aided the Jews 24 centuries ago, so are the gentiles aiding them in establishing a homeland in Palestine and the words of the prophets are come true.

The establishment of a Jewish homeland in Palestine is not without great difficulties and as is to be expected, the project has some objectors. Lord Balfour recently characterized it as "a beneficient adventure in Government." It was a certainty that the establishment of a new form of government in the Near East would bring about many difficulties but none insurmountable where the aims and purposes of the Government are upon so high a plane as the mandate for Palestine.

It has been asserted that the Arab populations of Syria, Mesopotamia, and near-by countries objected to the colonizing of Palestine by the Jews. But Emir Feisal, son of King Hussein, of the Hedjaz, shows the attitude of authorized representatives of the Arab people. Emir Feisal declared:

We are working together for a reformed and revived Near East, and our two movements complete one another. The Jewish movement is national and not imperialist. Our movement is national and not imperialist. There is room in Syria for us both. Indeed, I think that neither can be a real success without the other.

People less informed and less responsible than our leaders and yours, ignoring the need of cooperation of the Arabs and the Zionists, have been trying to exploit the local differences that must necessarily arise in Palestine during the early stages of our movement. Some of them have, I am afraid, misrepresented your aims to the Arab peasantry and our aims to the Jewish peasantry, with the result that interested parties have been able to make capital out of what they call our differences.

I wish to give you my firm conviction that these differences are not on questions of principles but on matters of details, such as must inevitably occur in every contact with the neighboring peoples, and as are easily dissipated by mutual good will. Indeed, nearly all of them will disappear with fuller knowledge.

There have been and no doubt there will be some local differences between the Arabs and the Jews there. It could not be otherwise during a period of transformation as is now in Palestine.

The colonist Jew is bringing Western culture and civilization into the country and it is natural that the Moslem Arabs, steeped in ignorance and extreme poverty, would occasionally clash with the newcomers. This is especially true of the Bedouin Arabs, who have no civilization worth the mention. These Bedouins live in the open and have the same objection to the land being fenced by the Jewish farmers as the American Indians had in the early days of the white settlers; hence it is sometimes necessary for the Palestinian colonist Jew to labor in the fields with a hoe in one hand and a rifle in the other.

These differences will later disappear and as the Jew develops his own culture and builds up the country it is inevitable that he will raise and level up the standard of Arab life there more nearly to his own. The Arabs now occupy only a small portion of the arable land. The rest is uncultivated. The pioneer Jewish settlers purchase what is desolate and unused land and reclaim it by irrigation and scientific agricultural methods. In this manner it is proposed to settle several million Jews there without infringing upon the rights of the present inhabitants.

The real objections to the British mandate in Palestine and the establishment of a Jewish homeland there is being made by a very small number of Arab intellectuals. These are the land-owning Moslem sheiks and effendis. They are mostly Turks and near Turks who have ruled and enslaved the Arab peasantry and now dispute the right of the return of the Jews to what was formerly their own country.

Although at different periods various alien people succeeded them, the Jewish people never abandoned their claim and title to Judea. Other people, when conquered, have either been allowed to remain upon their land or, if dispersed, have been absorbed and lost in other nations. But the Jews, though driven from the land over 18 centuries ago, still maintain themselves as a distinct people with unabated vitality.

Prescription can not be founded upon dereliction in their case, for they have never abandoned the land. They made no treaty, they did not even surrender. They simply succumbed, after the most desperate conflict, to the overwhelming power of the Romans, under Titus, and were slaughtered or enslaved in A. D. 70. About 65 years later the next generation rallied to the land again, under the lead of Bar Cochba, and stoutly resisted the Romans until they were completely overthrown at the siege of Bither, with a slaughter second only to the destruction of Jerusalem.

Since then, having no sovereign nor political head through whom they could speak, they have disputed the possession of the land by continued protests through their literature and their private and public worship.

In all their writings and in every form of worship they have constantly and steadfastly maintained their hope and fervent wish for the restoration of their ancient homeland. The same sentiment is expressed in the feasts of Passover, Pentecost, New Year, Day of Atonement, and Tabernacles, and by Orthodox Jews in the regular Sabbath service and in the morning prayers for every day in the year.

At the "west wall" in Jerusalem they have for years, on Friday afternoons, made the most public protests by the use of the seventy-ninth Psalm and other Scriptures, until "the wailing place" has become known throughout the world.

It seems as if Divine Providence has directed that ancient Judea shall ever be such, for the Jews left so indelible an impress upon the land that whatever civilization is there remained Jewish; even the nomenclature is of the Bible.

It is not a very large country, but nevertheless it is capable of supporting seven or eight million people by intensive cultivation of the land. The population consists of about 600,000 Arabs, mostly Moslems, and about 80,000 Jews.

It has been in possession of the Turks ever since Saladin fought the Crusaders, and the blighting, destructive rule of the unspeakable Turk is seen in the general desolation, for what was once a land of milk and honey is now mostly sand, stone, swamp, and desert, except where the new Jewish colonists have restored it.

The restoration of Zion by the modern establishment of a Jewish homeland will in a measure solve the Jewish question in so far as it relates to the migratory streams of unfortunate Jewish refugees from eastern and central Europe, who have been displaced from their homes in and following the chaos of the late World War. A lessening of the Jewish populations in the lands that now oppress them will afford relief to these unhappy people, since it offers a place to which many will migrate. A famous prelate once said: "Every land has as many Jews as it deserves." Spain at the height and zenith of her power numbered a large Jewish population. After the Inquisition and expulsion of the Jews her decline was rapid; indeed, it is a truism, "No country ever prospered who oppressed them."

It has been said that there were objections to a Jewish Palestine by some of the Jewish people themselves. To be sure there are some Jews who are indifferent, but that is because they have largely drifted away from their own people or know little or nothing about the movement. These protesting Jewish anti-Zionists constitute barely one-half of 1 per cent of the race. The great majority of the Jewish people in the United States and elsewhere are enthusiastic supporters and advocates of Zionism. It has, unfortunately, been the history of the Jewish people that always there are those of their faith and race who in their zeal for an idea become the enemies of their own people. We had an example of this in the fight made against this resolution at the hearings before the Foreign Affairs Committee, when a "celebrated Jewish rabbi" from Cincinnati appeared before the committee in opposition, in his campaign against Zion, which opposition happily finds few supporters among either Jews or Christians.

No great movement of a people has ever been unanimous. America in the making, during the Revolutionary War, produced a Benedict Arnold, and it is therefore regrettable but not strange that the reestablishment of Zion would produce a Jewish Benedict Arnold, who would endeavor to injure, if not destroy, what many millions of the Jewish people throughout the world are praying and striving for.

This resolution will not determine the mandate itself, for that is already an accomplished fact. Great Britain has accepted the mandate given by the allied council at San Remo in 1920, and has administered the affairs of Palestine not only since then but from the time when General Allenby's victorious army entered Jerusalem. It remains but for the ratification of the League of Nations to complete the project. The resolution merely voices America's favorable opinion and will not involve the United States in any possible manner, and I hope the House will pass the resolution, as the Senate did, unanimously.

Mr. SIEGEL. Mr. Speaker, the American people are in favor of this resolution. Both Presidents Wilson and Harding have given their moral support to its contents. Secretary Hughes and a host of distinguished statesmen and eminent Americans have expressed themselves in its favor. It simply repeats that which is known to be the sentiments of every true lover of liberty. By its language it notifies the world that the people of this country favor the establishment in Palestine of a national home for those of the Jewish faith, without in any way prejudicing the civil and religious rights of those of other faiths. It further provides that the holy places, religious buildings, and sites therein shall at all times be adequately protected. Palestine never has been an ordinary country, as it has always been considered as their holy land by the Jews, Christians, and Mohammedans.

At the outset let me say that it is not the desire or wish of the people of the Jewish faith to see Palestine revive as a national homeland by the ousting of the present population. On the contrary, it is their hope and wish to help that population go forward to a higher and better civilization and culture. The achievement of a people depends on the amount of help which it is able to give to other peoples, and not by degrading or oppressing them.

The entire civilized world knows that Palestine has been the permanent residing place and domicile of the Jews for thousands of years. They have had no country which may be deemed their own in the sense that there should be a center from which place cultural expansion among the Jewish people might take place. It is admitted by everyone that wherever the Jews have been and had an equal chance, they have always made their way to the front rank. They have become leaders in the fields of all activities and genuine and true citizens of any country which has held out its hands to give them a place of refuge. They have been, it is true, a people in dispersion. Their conduct, however, in every country has been shown by their undiluted allegiance, devotion, and loyalty to the country and government which has sheltered them. They have always, however, retained their faith and won the respect and admiration of the people of the world on account of that faith. They are always proud of being of the Jewish faith, because it is one of the most ancient faiths known to mankind, and they have a right to look back to an ancestry of which they can be justly proud.

It has always been true that where discrimination against the Jews has ended, they have by their tenacity, industry, and energy always made for the prosperity of the particular place in which they have settled for permanent residence. History records that every nation which has persecuted them has fallen from a high station to be either eradicated from the face of the earth or to sink into practical insignificance.

When Columbus discovered America there were on board of his ship at least five Jews. God has always shaped human efforts for the good of the universe. God designed that in America there should grow up a giant of a Republic that should always stand for justice and fair dealing to all, and it was God's plan that the time should come when these United States should stand as a great champion of justice and right. America was discovered in the very year when Spain expelled the Jews. The people of the Jewish faith were destined to survive despite persecution and suffering such as no other people have known. For 2,000 years it has been their dream that some day they would be able to point to Palestine as the place where enlightened civilization would find its home and make known to the world that its progress can best be advanced in times of peace. Practically every other people on the face of the earth can now point to some place where its oppressed and persecuted may find a haven of refuge. At the present time I know of no other place for them than Palestine. America is slowly shutting its doors by restrictive immigration measures. I feel confident the day is coming when the pendulum will swing the other way, but in the meantime there must be some place where the Jew can go to find a home and build up the land. In Palestine the spiritual life of the Jew will grow by leaps and bounds. It is needless to say that very few, if any, will leave the United States or Great Britain to permanently reside in Palestine. Some will, of course, go temporarily for the purpose of assisting in building it up, par-

ticularly professional men, including engineers, doctors, dentists, agricultural and electrical experts. The highest aspirations of the Jewish people will be redeemed from the moment that they are in a position to call Palestine a national homeland. When the announcement finally comes, it will bring about a great revival of culture and language. Furthermore, the world will once more commence to turn to the ancient Mosaic law for a solution of many of the problems now confronting it.

Throughout the entire Old Testament and the Psalms is found constant reference to the statement that the stranger, widow and the orphan in the gates shall be protected. The religious rights, liberty, and freedom of all who are non-Jews in Palestine will always be fully recognized and protected. The Jew knows only too well how he has suffered on account of the failure of others to recognize those rights when he personally has been involved. He has struggled for centuries to bring about the liberation of his people and the establishment of their rights. The Jew typifies tolerance and breadth of spirit. As has been said by Lord Balfour, "under the British mandate no form of tyranny, racial or religious, will ever be permitted." This statement was really unnecessary, because everyone who knows the history of the Jewish people is acquainted with the fact that they have been and are unalterably opposed to tyranny of any kind. Once the mandate has been ratified, Palestine will have its resources fully developed so that it may become, as it was in the days gone by, a land of milk and honey. The Jews know that it is going to take the hardest kind of work to bring about the proper development of Palestine, but they are prepared by intensive cultivation and by the development of the hydrotechnical projects formulated by Rutenberg to undertake such work, even though the obstacles may seem to the world at large insurmountable.

It is interesting also to look at the census of the population taken January 1, 1922. According to the official returns, there were on that date in the district of Jerusalem 137,457 Moslems, 37,063 Christians, and 33.784 Jews; in the district of Jaffa, 119,407 Moslems, 585 Christians, and 311 Jews, and 12 persons belonging to other religions; in the district of Gaza, 67,548 Moslems, 585 Christians, and 311 Jews; in the district of Galilee, 61,826 Moslems, 13,130 Christians, 11,924 Jews, and 1,725 persons belonging to other religions; in the district of Phoenicia, 69,988 Moslems, 19,915 Christians, 9,738 Jews, and 5,318 persons belonging to other religions; in the district of Samaria, 103,529 Moslems, 1,901 Christians, no Jews, and 158 persons belonging to other religions; in the district of Beersheba, 26,516 Moslems, 205 Christians, and 38 Jews, making a grand total of 761,796 persons.

The population of this same area on March 31, 1919, was 647,850; the Moslem population has increased during the period from March 31, 1919, to January 1, 1922, by 70,271, the Christians by 25,549, and the Jews by 15,963. The population of the city of Jerusalem has increased during the same period from 60,000 to 64,000, that of Jaffa from 40,000 to 45,100, that of Haifa from 20,000 to 34,100, while the population of Nablus (Shechem) has decreased from 22,000 to 20,638, and that of Hebron from 18,000 to 16,332.

At the present time it is well known that only 20 per cent of the land is under cultivation. Experts admit that the almonds, wheat, grapes, and oranges grown in that country are amongst the finest to be had anywhere. The whole population of Palestine, as I have stated, is only 761,796. If we consider that it is equal in area to Belgium, which has a population of about 7,000,000, it can be seen at a glance how several millions more can finally settle there. One of the arguments brought forward against declaring Palestine a Jewish homeland is that the population consists mainly of Arabs. If the grounds of opposition to such declaration were to be upheld on that score, then how can there be any justification for what has been done in the United States, Australia, India, Philippine Islands, and parts of Africa. The Arabs of Asia and Africa number, in all, 38,000,000. They now possess a land at least twenty times as large as the whole of Great Britain. It is estimated to be 2,375,000 square miles. For each 40 acres there is just one Arab. One one-hundred-and-seventieth part of this large acreage is to be found in Palestine. If Palestine is to become a national homeland of the Jews, it still will leave the Arab race in practical ownership and control of one of the richest holdings amongst all the countries of the earth, with practically 40 acres for each Arab. The Arabs, therefore, will have more land than they ever can require or ever think of developing. I believe that this destroys all arguments which have been or can possibly be advanced against the creation of a national homeland for the Jews in Palestine. Some of the Members have made inquiry as to whether there has been previous action along similar lines taken by Congress. It is interesting to know that when Greece was making its great struggle for separation and liberty from Turkey, on January 24, 1824, Daniel Webster delivered one of his greatest speeches, and then favorable action was taken by Congress. On July 22, 1872, Hamilton Fish, grandfather of the author of the present resolution, sent a dispatch to our representative at Constantinople reading as follows:

DEPARTMENT OF STATE,
*Washington, July 22, 1872.*

SIR: It has been suggested to this department, and the suggestion is concurred in, that if the sympathy which we entertain for the inhumanly persecuted Hebrews in the principalities of Moldavia and Wallachia were made known to the Government to which you are accredited it might quicken and encourage the efforts of that Government to discharge its duty as a protecting power pursuant to the obligations of the treaty between certain European States. Although we are not a party, directly or indirectly, in the public affairs of that quarter, the grievance adverted to is so enormous as to impart to it as it were a cosmopolitan character in the redress of which all countries, Governments, and creeds are alike interested.

You will consequently communicate on this subject with the minister for foreign affairs of the Ottoman Empire in such a way as you may suppose might be most likely to compass the object in view.

I am, etc.,

HAMILTON FISH.

On August 11, 1902, John Hay, Secretary of State, one of America's greatest statesmen, sent a dispatch protesting discrimination against the Jews in Rumania which contained the following language:

Putting together the facts now painfully brought home to this Government during the past few years that many of the inhabitants of Rumania are being forced, by artificially adverse discriminations, to quit their native country; that the hospitable asylum offered by this country is almost the only refuge left to them; that they come hither unfitted, by the conditions of their exile, to take part in the new life of this land under circumstances either profitable to themselves or beneficial to the community; and that they are objects of charity from the outset and for a long time—the right of remonstrance against the acts of the Rumanian Government is clearly established in favor of this Government. Whether consciously and of purpose or not, these helpless people, burdened and spurned by their native land, are forced by the sovereign power of Rumania upon the charity of the United States. This Government can not be a tacit party to such an international wrong. It is constrained to protest against the treatment to which the Jews of Rumania are subjected not alone because it has unimpeachable ground to remonstrate against the resultant injury to itself but in the name of humanity. The United States may not authoritatively appeal to the stipulations of the treaty of Berlin, to which it was not and can not become a signatory, but it does earnestly appeal to the principles consigned therein, because they are the principles of international law and eternal justice, advocating the broad toleration which that solemn compact enjoins, and standing ready to lend its moral support to the fulfillment thereof by its consignatories, for the act of Rumania itself has effectively joined the United States to them as an interested party in this regard.

You will take an early occasion to read this instruction to the minister for foreign affairs and, should he request it, leave with him a copy.

We, therefore, see that there are precedents for the action which has already been taken in the Senate in this matter, and which the House is about to follow. The American people have always encouraged by their pen and voice struggling men and women seeking liberty and desirous of taking their well-earned places amongst the peoples of the world. They are happy to do all they can to perpetuate under proper care Jerusalem, the city of God and peace.

THIRD DEFICIENCY APPROPRIATION BILL—CONFERENCE REPORT.

Mr. MADDEN. Mr. Speaker, I ask unanimous consent to consider at this time the conference report upon the bill (H. R. 12090) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1922, and prior fiscal years, supplemental appropriations for the fiscal year ending June 30, 1923, and for other purposes.

The SPEAKER. The gentleman from Illinois presents a conference report upon the third deficiency appropriation bill and asks unanimous consent for its present consideration. Is there objection?

There was no objection.

Mr. MADDEN. Mr. Speaker, I move the adoption of the conference report.

The conference report was agreed to.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Amendment No. 16: Page 13, after line 1, insert:

"DEPARTMENT OF COMMERCE.

"BUREAU OF FOREIGN AND DOMESTIC COMMERCE.

"The Secretary of Commerce is authorized to use any balance remaining in the appropriation for 'Salaries, Bureau of Foreign and Domestic Commerce, 1922,' to pay salaries of any employees of the

Bureau of Foreign and Domestic Commerce for the month of June, 1922, until such time as anticipated reimbursements shall have been received from officers of the department overseas."

Mr. MADDEN. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

Mr. MADDEN. Mr. Speaker, at this time I yield to the gentleman from the Philippine Islands [Mr. DE VEYRA].

Mr. DE VEYRA. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting therein a statement of the general condition of the Philippine Islands, prepared by the Philippine Commission now in this country.

The SPEAKER. Is there objection?

There was no objection.

The extension of remarks referred to are here printed in full as follows:

Mr. DE VEYRA. Mr. Speaker, taking advantage of the permission given me by the House to extend my remarks in the CONGRESSIONAL RECORD, I consider it a great privilege to present before the House, and through the House to the American people, a statement of the actual conditions of the Philippines, prepared by the parliamentary mission now in the United States. Only a few days ago the parliamentary mission presented a memorial to the President and Congress of the United States renewing its petition for the recognition of the independence of the Philippines. There is only one condition required of the Filipinos by the Congress of the United States as a prerequisite to independence, and that is the establishment of a stable government in the Philippines.

There may be differences of opinion as to whether the time has already come, but there can be no difference of opinion as to one fundamental principle. It is the principle that the Filipino people have a right to state their views to the American people and Government. The President and Congress of the United States have been very courteous in receiving the statement of the Philippine mission, which was published in the CONGRESSIONAL RECORD, and the following statement of conditions is the basis upon which that memorial was written. The statement of conditions is a portrayal of actual Philippine conditions as the representatives of the Filipino people see them:

PHILIPPINE PARLIAMENTARY MISSION TO THE UNITED STATES, 1922.

Hon. Manuel L. Quezon, president of the senate, chairman on the part of the senate.
Hon. Sergio Osmeña, speaker house of representatives, chairman on the part of the house.
Hon. Pedro Guevara, senator, chairman pro tempore on the part of the senate.
Hon. José G. Generoso, representative, chairman pro tempore on the part of the house.
Hon. Antero Soriano, senator, member.
Hon. Santiago A. Fonacier, senator, member.
Hon. Ceferino de Leon, senator, member.
Hon. Teodoro Sandiko, senator, member.
Hon. Guillermo F. Pablo, representative, member.
Hon. Pedro Abad Santos, representative, member.
Hon. Celestino Gallares, representative, member.
Hon. Vicente Llanes, representative, member.
Hon. Juan Nolasco, representative, member.
Hon. Emilio P. Virata, representative, member.
Hon. Proceso Sebastian, representative, member.
Hon. Teodoro M. Kalaw, secretary of the interior, honorary member.
Mr. Jorge B. Vargas, director of lands, secretary.
Mr. Wenceslao Trinidad, collector of internal revenue, technical adviser.
Prof. Jorge Bocobo, dean College of Law, University of the Philippines, technical adviser.
Prof. Maximo M. Kalaw, dean College of Liberal Arts, University of the Philippines, technical adviser.
Dr. Antonio G. Sison, professor, College of Medicine and Surgery, University of the Philippines, technical adviser.
Mr. Arsenio N. Luz, ex-Philippine commercial agent, New York, technical adviser.
Dr. Justo Lukban, ex-mayor, city of Manila, technical adviser.
Mr. Benito Razon, merchant, assistant secretary.
Dr. Jose Albert, professor, College of Medicine and Surgery, University of the Philippines, physician.
Mr. Ricardo Summers, clerk of Manila court of first instance, secretary to President Quezon.
Mr. Francisco Zamora, private secretary to Speaker Osmeña.
Mr. Pablo de Guia, bank examiner, disbursing officer.
Mr. Carlos P. Romulo, assistant editor, The Philippines Herald, publicity agent.

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NOW IS THE TIME FILIPINOS APPEAL FOR FREEDOM—WHY REDEMPTION OF AMERICAN PLEDGE NOW ABSOLUTELY NECESSARY—SUMMARY OF PHILIPPINE PROBLEM.

(By Philippine Parliamentary Mission, together with a statement of actual conditions in the Philippines.)

GENERAL DATA AND PROGRESS OF THE PHILIPPINES (1914–1921).

Area: There are 7,083 islands, ranging in size from the islet inhabited only by tropical birds to Luzon, with its million of people. The total land area of the Philippine Archipelago is 114,400 square miles. This is in excess of the combined areas of the States of New York, New Jersey, Pennsylvania, and Delaware. It is 7,000 square miles less than the area of Great Britain. Luzon has 40,814 square miles; Mindanao has 36,906 square miles. Next in order are Samar, Negros, Palawan, Panay, Mindoro, Leyte, Cebu, Bohol, and Masbate.

Climate: The Philippine Islands have a mildly tropical climate. The nights are cool and sunstrokes are unknown. The temperature record for the past 30 years shows an average of 80 degrees. In April, May, and June, the hot months, the mean average is between 83 and 84 degrees. In November, December, January, and February, the cool months, the mean average is between 77 and 79 degrees. Baguio City, a summer resort, has a mean average maximum of 80 and a minimum of 53 degrees.

The recorded death rate per 1,000 whites in Manila for 1917 was 8.8 as compared with 16.5 for New York, 15 for San Francisco, 14 for Chicago, 18 for Glasgow, and 22 for Belfast.

Population: The total population of the Philippines, according to the census of 1918, is 10,314,310, of which 10,250,273 are Filipinos. Out of this 9,381,357 are Christians and 932,593 are non-Christians of all varieties—Mohammedans, 372,464; Buddhists, 740; Pagans, 402,790; and the rest belonging to other religions.

The following is the classification according to citizenship:

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| Filipino | 10,250,273 |
| Chinese | 43,802 |
| Japanese | 7,806 |
| American | 5,774 |
| Spanish | 3,945 |
| English | 1,140 |
| German | 286 |
| French | 182 |
| Swiss | 125 |
| Others | 977 |
| Total | 10,314,310 |

Political subdivisions: The Philippine Islands are divided into 1,289 municipalities and municipal districts, which compose 48 Provinces, 11 special Provinces, and 2 chartered cities.

Literacy: Literacy in the Philippine Islands in 1918 was 49.2 per cent of population over 10 years of age; in Spain in 1910, 40.7 per cent; in Porto Rico in 1910, 35.5 per cent; in Siam in 1915, 11.7 per cent; and in British India in 1911, 5.9 per cent. Persons with academic degrees in the Philippine Islands, 9,428, or 2.9 per thousand. Male population of voting age, 2,061,753. Of this 53.3 per cent are qualified to vote according to the organic law.

GOVERNMENTAL REFORMS SINCE 1913.

(a) Abolishment of the appointive commissioners or upper house of the Philippine Legislature.
(b) Reorganization of the executive departments, providing for appearance of cabinet members in legislature, regrouping bureaus and offices along scientific lines, and unifying their responsibilities.
(c) Establishment of a budget system ahead of the United States.
(d) More autonomy granted provinces and municipalities.

PRESENT GOVERNMENT.

All expenses of the Philippine Government are borne by the Filipino people.

The passage of the Jones Act by Congress in August, 1916, gave the Filipinos a very large share in their own government. With the exception of the offices of Governor General, vice governor, and insular auditor, all of the important executive and administrative offices in the islands are in the hands of native Filipinos. All members of both branches of the legislature are Filipinos as well as provincial and municipal officials. There has been established in the Philippines a stable government of, by, and for the Filipinos, a condition precedent to the granting of their independence. The time for America to fulfill its pledge has already come, and that time is now.

Judiciary: The official records of the Supreme Court of the Philippines demonstrate that during the last two years preceding Filipino autonomy 25.1 per cent of the appealed decisions of the lower courts were reversed by the Supreme Court of the Philippines, while during the last two years of Filipino control of the government the reversals were only 20.8 per cent, or nearly one-fourth less erroneous decisions under Filipino self-government than before that time.

In 1913 there were 12,000 pending cases disposed of, while in 1921 the number rose to 16,000, or an increase of one-third. From 1907 to 1913, for a period of seven years before Filipino autonomy, the average number of decrees of titles to land issued by the Philippine courts was only 1,935, while from 1914 to 1920, seven years of Filipino self-government, the average yearly number was 12,396, or an increase of six times.

Education: Education in the Philippines under Spanish system began with the early Spanish settlers. The University of Santo Tomas, in Manila, having to-day an attendance of over 700 students, is a quarter of a century older than Harvard.

During the seven years preceding the appointment of a majority of Filipinos on the commission (1907–1913) ₱45,859,000 were spent for public education; in 1914–1920, ₱78,094,000 were spent. In 1913 there were only 2,934 public schools; in 1920 there were 5,944. In 1913 there were only 440,050 pupils; in 1921, there were nearly one million.

Social welfare: (a) The appropriation for medical aid to the poor in 1913 was ₱1,548,317; in 1921 the sum was ₱3,153,828.

(b) In 1913 there were no dispensaries where the poor could be given medical treatment; in 1921 there were over 800.

(c) In 1913 there were hardly 12 women's clubs; in 1921 there were 342.

Roads: In 1913 there were only 2,171.6 kilometers of first-class roads, 2,034.3 kilometers of second-class roads, and 3,118.3 of third-class roads, in operation; in 1921 there were 5,066.2 kilometers of first-class roads, 2,044.8 kilometers of second-class roads, and 3,036.6 of third-class roads. (1 kilometer equals five-eighths of a mile.)

Agriculture: The total number of farms is 1,925,276, and 96 per cent of them are owned by the Filipinos. Ninety-one per cent of the urban property (consisting of houses and lands) is owned by Filipinos.

The cultivated area in 1920 was 3,276,942 hectares, as compared with 2,361,483 in 1913, or 38.7 per cent increase.

Commerce: In 1913 the total foreign commerce was only ₱202,171,484; in 1920 the sum was ₱601,124,278. In 1913 the imports from the United States were about 50 per cent of the total imports of the Philippine Islands. Since that time gradual increase was recorded to the extent that in 1920 our imports from the United States represent 70 per cent of the total imports.

Real property: Since 1913 the number of parcels of taxable property in the regular Provinces has an increase of 1,700,000, or more than 100 per cent increase. The volume of real properties subject to taxation has also an increase of over ₱800,000,000, or about 280 per cent increase.

| | 1913 | 1920 |
|---|---|---|
| Postal and telegraph service: | | |
| Length of telegraph wire.....kilometers.. | 9,324.41 | 11,809.66 |
| Number of telegraph offices | 286 | 366 |
| Number of wireless stations | 7 | 16 |
| Number of post offices | 659 | 899 |
| Progress of the Moro Provinces, public works: | | |
| Length in kilometers of roads and trails | 792 | 1,995.3 |
| Number of school buildings existing | 12 | 703 |
| Number of hospitals | 1 | 7 |
| Number of docks existing | 4 | 7 |
| Length in kilometers of telephone lines existing | 343 | 1,381.6 |
| Number of irrigation systems | | 3 |
| Number of hydroelectric plants | | 1 |
| Number of waterworks | 1 | 5 |

| | 1913 | 1921 |
|---|---|---|
| Public instruction: | | |
| Number of schools in operation | 97 | 690 |
| Number of teachers | 217 | 1,452 |
| Enrollment | 9,437 | 61,187 |
| Public health: | | |
| Dispensaries in operation | 50 | 103 |
| Hospitals (public) existing | 1 | 7 |
| Public order: | | |
| Constabulary companies existing | 15 | 47 |
| The withdrawal in the latter part of 1917 and early part of 1918 of all military garrisons and troops in Mindanao-Sulu except the one at Zamboanga placed the maintenance of public order entirely in the hands of local authorities and the constabulary. | | |
| Agriculture: | | |
| Number of hectares under cultivation | 56,115 | 192,528.34 |
| Number of immigrants | | 1,496 |
| Number of colonists | | 6,152 |
| Number of agricultural colonies | 5 | 7 |
| Government ranches | | 6 |
| Commerce: | | |
| Exports | ₱6,458,586.70 | ₱8,682,252.43 |
| Imports | | ₱5,090,199.27 |
| Sawmills in operation (private) | 13 | 17 |
| Number of central trading systems | | 7 |

BRIEF HISTORICAL INTRODUCTION.

Pre-Spanish Philippines: It is difficult to know the actual conditions of the Philippines without some reference to her past. The pre-Spanish history of the Philippines is still shrouded in mystery. However, there are several outstanding facts which prove that while the islands might have been a part at some time or other of some Indian or Malayan empires their connections were slight. They retained a great deal of the qualities of independent communities. One American investigator, Prof. Austin Craig, of the University of the Philippines, claims that a veritable native imperial family reigned in the islands before their discovery by Magellan in 1521, and that the first Spanish colonizers simply destroyed all records of such Philippine dynasty so as to facilitate the conquest of the archipelago.

The Philippine Republic: Filipino dissatisfaction with Spanish misrule was shown by more than a hundred revolutions which, according to the same American professor, occurred in the Philippines during the Spanish régime. We may mention the most important of them, the revolt of 1896–1898. The last part of that revolution was held under the very eyes and with the help of American officials. It extended throughout the entire Philippines, having wrested from Spanish hands practically every foot of Philippine territory except Manila, which was in the hands of the Americans. It set up the first republic in the Far East based on a constitutional government. The Philippine republic has merited the commendation of such prominent Republicans as the late Senator Hoar and John Barrett, ex-director of the Pan-American Union.

The end of the republic was brought about by the Filipino-American war, which lasted for three years. It was, naturally, a one-sided struggle, but it was a struggle which showed the firmness and the desire of the Filipino people for an independent existence. They wanted an independent republic. Had the Filipino people received assurances that America would ultimately free them the war would have been avoided.

Independent aspirations: Defeated, the Filipino people laid down their arms determined that what they had failed to gain in war they would secure through the justice, magnanimity, and square-dealing of the American people. They then began their campaign for independence with peaceful means. They accepted American government, anxious to prove to the American people not only their political capacity but their untiring desire to be free. At first the independence movement was not an organized one, because in the early years of American occupation a law had been passed by the Philippine Commission which practically prohibited all agitation for independence. The only political party which could very well exist under these conditions was the federal party, which advocated statehood and permanent annexation to the United States. This party, however, soon saw the unpopularity of its stand, for it could not find supporters either in the Philippines or in the United States, and so as soon as conditions permitted the advocacy of separation it left out the statehood plan and advocated independence after a period of preparation. In the meanwhile a strong independence party had been formed called the Nacionalista Party, and at the first national election to the Philippine Assembly in 1907 this party won popular favor.

If there was any doubt as to the attitude of the Filipino people on independence, this was dispelled by the action of the Philippine Assembly, the first national representative body to be convoked following American occupation. At the end of the first session this representative body unanimously ratified the closing address of Speaker Osmeña on the question of independence. The speaker, in part, had said:

"Permit me, gentlemen of the chamber, to declare solemnly before God and before the world, upon my conscience as a deputy and representative of my compatriots, and under my responsibility as president of this chamber, that we believe the people desire independence, and that we believe ourselves capable of leading an orderly existence, efficient both in internal and external affairs, as a member of the free and civilized nations."

By virtue of the Philippine bill passed by Congress in 1902 the Philippine Assembly was allowed to send a representative to Washington to voice the aspirations of the Filipino people. In 1907 the Hon. Pablo Ocampo was sent to Washington as Resident Commissioner, who, in pursuance of the mandate of the assembly, advocated the independence of the Philippines. His successors, especially the Hon. Manuel L. Quezon, who was Resident Commissioner from 1909 to 1916, continued with vigor the campaign for independence in the United States.

Early American policy toward the Philippines: America, on the other hand, soon announced a policy of attraction. She adopted the policy of extending step by step the governmental powers to the Filipino people. President McKinley, the man most responsible for the acquisition of the Philippines, said in the very beginning of American occupation: "The Philippines are ours, not to exploit but to develop, to civilize, to educate, to train in the science of self-government."

In his instructions to the first Philippine Commission on the 20th of January, 1899, he expressed the hope that the commissioners would be received as bearers of "the richest blessings of a liberating rather than a conquering nation." Dr. Schurman, president of the first Philippine Commission, construed the American policy to mean "ever increasing liberty and self-government * * * and it is the nature of such continuously expanding liberty to issue in independence."

President Taft, while civil governor of the Philippine Islands, on the 17th of December, 1903, said: "From the beginning to the end of the state papers which were circulated in these islands as authoritative expressions of the Executive the motto that 'the Philippines are for the Filipino and that the Government of the United States is here for the purpose of preserving the Philippines for the Filipinos,' for their benefit, for their elevation, for their civilization, again and again appear * * *.

"Whether an autonomy or independence or quasi independence shall ultimately follow in these islands ought to depend solely on the question: Is it best for the Filipino people and their welfare?" When Mr. Taft was Secretary of War, in April, 1904, in the course of a speech upon the Philippines he said: "When they—the Filipinos—have learned the principles of successful popular self-government from a gradually enlarged experience therein we can discuss the question whether independence is what they desire and grant it or whether they prefer the retention of a closer association with the country which, by its guidance, has unselfishly led them on to better conditions."

In 1908, after the Philippine Assembly had been opened, President Roosevelt, in his message to Congress, said: "I trust that within a generation the time will arrive when the Filipinos can decide for themselves whether it is well for them to become independent or to continue under the protection of a strong and disinterested power, able to guarantee to the islands order at home and protection from foreign invasion."

President Wilson, in a message to the Filipino people delivered by Governor Harrison in Manila October 6, 1913, said: "We regard ourselves as trustees acting not for the advantage of the United States, but for the benefit of the people of the Philippine Islands. Every step we take will be taken with a view to the ultimate independence of the islands and as a preparation for that independence." And in his message to Congress on December 2, 1913, the President said: "By their counsel and experience rather than by our own we shall learn how best to serve them and how soon it will be possible and wise to withdraw our supervision."

The Jones law and its promise: In 1911 the Democratic Party, which had advocated independence, secured control of the American House of Representatives, and the following year the chairman of the Committee on Insular Affairs, Congressman William Atkinson Jones, reported a bill providing for a qualified independence within eight years and for complete independence in 1921. In 1914 a bill was passed by the House of Representatives providing for independence as soon as a stable government could be established in the islands. The bill, however, was crowded out of the calendar in the Senate and failed to be passed. The independence movement was constantly gaining ground, and two years afterwards, in February, 1916, when Congress again took up the Philippine question, the Senate passed the so-called Clarke amendment, which would grant the Philippines independence within four years, although the time might be extended upon the advice of the President to Congress. It was contended in the House of Representatives, however, that it would be unwise to set a definite date for independence, for nobody knew what the situation would be at the time. What the House did was simply to repass the Jones bill it had passed in 1914. The Senate receded from its position and passed the House bill, which thus became the formal pledge of the American people to the Filipino people.

The title of the Jones law is "An act to declare the purpose of the people of the United States as to the future political status of the people of the Philippine Islands, and to provide a more autonomous government for those islands." The declaration of purpose is contained in the following preamble:

"Whereas it was never the intention of the people of the United States in the incipiency of the War with Spain to make it a war of conquest or for territorial aggrandizement; and

"Whereas it is, as it has always 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; and

"Whereas, for the speedy accomplishment of such purpose, it is desirable to place in the hands of the people of the Philippines as large a control of their domestic affairs as can be given them without in the meantime impairing the exercise of the rights of sovereignty by the people of the United States in order that by the use and exercise of popular franchise and governmental powers they may be the better prepared to fully assume the responsibilities and enjoy all the privileges of complete independence: Therefore * * * ."

The Jones law was received by the Filipino people as the real pledge of the American people, for the other statements of American Presidents were mere executive opinion not necessarily binding on the United States.

The Jones law has become a virtual constitutional compact between the American and Filipino peoples, by means of which the Filipinos have accepted a temporary government under American sovereignty, subject to the conditions: First, that it shall be autonomous, or chiefly in the hands of Filipinos; second, that American sovereignty shall not now be impaired; and, third, that it shall be only preparatory to a complete independence, such independence to be granted

"when a stable government can be established in the islands." It is, to quote the words of its author, the late Congressman Jones, "the everlasting covenant of a great and generous people, speaking through their accredited representatives, that they (the Filipinos) shall in due time enjoy the incomparable blessings of liberty and freedom."

Filipino cooperation during the war: After the passage of the Jones law the Filipino people began the establishment of the stable government demanded by Congress as prerequisite to the granting of independence. Shortly afterwards the United States entered the war and immediately all agitation for independence ceased. It was deemed that an independence campaign during the war might embarrass the United States.

The Filipinos responded to the confidence reposed in them by the Government of the United States by themselves offering the service of 25,000 men. The Filipino people contributed a submarine and a destroyer to the fleet of the United States, and 6,000 of their men served in the United States Navy as volunteers. Four thousand Filipinos in Hawaii, who could have claimed exemption from the draft under the citizenship clause of the draft law, insisted on being enrolled under the Stars and Stripes. With the limited resources of the Philippines, poor as the Filipino people are, compared with the United States, with the aid of American residents in the islands, they gave half a million dollars to Red Cross funds and subscribed nearly $20,000,000 for Liberty bonds. The Philippine allotment to the third Liberty loan was only $3,000,000, but $4,625,000 was subscribed. The allotment to the Fourth Liberty loan was $6,000,000, but $12,123,000 was subscribed. "No other American territory," said Governor General Harrison, "has been more loyal to the United States than the Philippines."

Upon the ending of hostilities in Europe the final adjustment of the Philippine independence question became the topic of political discussion in the Philippines. It was thought that the time had come, now that the United States had ended its war with Germany, to take up the Philippine question for its final and definite solution.

The declaration of purposes: On March 17, 1919, the Philippine Legislature passed the "declaration of purposes," which officially stated the attitude of the Filipino people on this vital problem. It was the authoritative voice of the Filipino people addressing the United States and the world.

What the Filipino people said in this "Declaration of Purposes" was, briefly, that the time had come for the final and definite adjustment of the independence question. They reiterated their firm belief in the good faith of the American people in extending the blessings of self-government and holding out generous promises of independence. They referred to the Jones law as a veritable pact or covenant entered into between the American and Filipino peoples whereby the United States promised to recognize the independence of the Philippines as soon as a stable government should be established in the Philippines. They then solemnly stated that they had already performed their part of the covenant with America, that there is now a stable government in the Philippines satisfying the conditions of stability required by the United States of other countries, and that therefore it was now for the American people to perform their part of the covenant.

"The Philippine question," the Declaration of Purposes read, "has reached such a stage that a full and final exchange of views between the United States of America and the Philippine Islands has become necessary. We need not repeat the declarations respecting the national aspirations of the Filipino people. Such declarations have been made from time to time in the most frank and solemn manner by the constitutional representatives of the Philippine Nation and are a matter of permanent record in public document covering more than a decade of persistent efforts, particularly during the last three years. America, on her part, has been sufficiently explicit in her purposes from the beginning of her occupation of the Philippines. * * *

"In applying the principles enunciated in documents and utterances on the Philippines to the conditions now existing in the islands, the Independence Commission will find the following facts:

"That there exist at present in the Philippine Islands 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, not even excepting the case of General Huerta's government in Mexico, which she refused to recognize because it was stained with blood and founded on intrigue, violence, and crime.

"That there exist likewise in the Philippines all the conditions of stability and guaranties for law and order that Cuba had to establish to the satisfaction of America in order to obtain her independence, or to preserve it, during the military occupation of 1898–1903 and during the intervention of 1906–1909, respectively.

"That the 'preparation for independence' and the 'stable government' required by President Wilson and the Congress of the United States, respectively, contain no new requisite not included in any of the cases above cited.

"That these prerequisites for Philippine independence are the same as those virtually or expressly established by the Republican administrations that preceded President Wilson's administration.

"Therefore, so far as it is humanly possible to judge and say, we can see only one aim for the Independence Commission, independence; and we can give only one instruction, to get it. Thus America, in adding another glory to her banner by establishing the first really democratic republic in the east, will apply a second time, generously and freely, the same measure of humanity and justice that she applied in the case of Cuba."

The representative of the American Government in the Philippines, who supervised the establishment of the Government under the Jones law, Governor General Harrison, has concurred in the report of the Philippine Legislature as to a stable government. He reported to Congress through the joint committees which heard the Philippine mission that there was already in the Philippine Islands the stable government demanded by Congress, 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."

President Wilson in his farewell message to Congress officially certified that the Filipino people have already performed the condition imposed upon them as a prerequisite to independence and recommended the immediate granting of independence.

The Republican Party and the Jones law: The coming of the Republican Party does not alter the constitutional position of the Filipino people. The Republican Party is just as much responsible for the present independence policy as the Democratic Party.

While the Jones law was passed during a Democratic administration, the fundamental policy it sets forth—the establishment of a stable government as a prerequisite to independence—is eminently a national policy. It was the condition imposed by American Presidents upon the struggling peoples of South America. It was the policy of Presidents Grant and McKinley. It was President Grant who as early as 1875 expressed the idea that as soon as the Cuban people had set up a stable government their independence would be recognized. This policy was supported by President McKinley. When he urged Congress to declare war on Spain to liberate Cuba he definitely stated that as soon as the Cuban people had established in the island "a stable government, capable of maintaining order and observing its international obligations, insuring peace and tranquillity and the security of the citizens as well as our own," Cuban independence would be recognized. The Cuban people were told by the Secretary of War, Mr. Root, through the military governor, Gen. Leonard Wood, to establish "a stable, orderly, and free government"; and as soon as this was done, as soon as the Cuban people had elected its officers and established a government capable of maintaining order and fulfilling international obligations, then it was declared that there was a stable government in Cuba and American sovereignty was withdrawn.

The Democrats simply adopted the Republican policy for the recognition of Cuban independence and applied it to the Philippines. The phrase "stable government" was first used in the Democratic platform in 1900 drafted by Mr. Bryan. That platform read, in part, as follows: "We favor an immediate declaration of the Nation's purpose to give the Filipinos, first, a stable government; second, independence; and, third, protection from outside interference." Mr. Bryan confessed that he just borrowed that policy from the Republican record in Cuba, and in accepting the nomination for the Presidency he declared that if elected he would recommend to Congress the establishment of "a stable form of government in the islands, just as we are now establishing a stable form of government in Cuba," and the granting of independence "to the Filipinos, as we have promised to give independence to the Cubans." That policy has been carried in practically every Democratic platform since 1900 until it was, with the help of the Republicans themselves, as we have seen, inserted in the Jones law in 1916.

The Filipino people, on the other hand, remain firm in their decisive attitude on the Philippine question. All political parties are committed to the immediate, complete, and absolute independence of the Philippines. The declaration of purposes has been ratified by every subsequent legislature, and hence it continues to be the great independence charter of the people. It is the guide of the present Philippine Parliamentary Mission.

The governmental steps taken: In obedience to the administrative policy extending governmental powers to the people, liberal steps were taken from time to time. At first municipal governments were established in the islands; then came provincial governments. The Filipinos were also given initial participation in the central government with the appointment of Filipino members in the commission and in the supreme court. In 1907 an elective assembly was convened to participate in lawmaking.

With the coming of the Democratic Party into power, this policy of extending self-government was more rapidly pursued. In October, 1913, President Wilson appointed a majority of Filipinos on the commission. With the control of the Filipinos in the two branches of the legislature, the upper house having both legislative and executive duties, a substantial amount of autonomy may be said to have been established in the Philippine Islands.

After three years of experiment with a Filipino-controlled legislature, another more decisive step was taken in the direction of self-government. This was the enactment of the Jones law, often called "the Philippine autonomy act," in 1916. The Jones law is the culmination of the different steps taken by the American Government from the time of President McKinley, when he enunciated the policy of teaching the Filipinos the science of self-government. It gave the Filipinos an elective senate, thus completing their control of legislation, subject to the Governor General's veto power. It also authorized the Philippine Legislature to reorganize all the executive departments, with the result that to-day all the political offices, with the exception of the Governor General and the Vice Governor, are in the hands of the Filipinos. But the Jones law, as we have seen, did not only extend in a very large measure the autonomy of the Filipinos, but also contains in its preamble the solemn promise of independence.

The following statement of conditions chiefly relates to the period covering the years 1914 to 1921, inclusive, in which the direction of governmental affairs was chiefly left to the Filipinos.

### GOVERNMENTAL REFORMS.

#### A. THE ABOLISHMENT OF THE COMMISSION.

When the American Government decided for the first time to try the experiment of colonial government in the Philippine Islands, they had no light to guide them save the experience of those European nations which had colonies in far eastern Asia. Ignorant of the Philippine conditions, the American statesmen at first thought that the problem of governing the islands was similar to the task of the European powers in governing their neighbors—Java, the Malay States, and India. Their first idea was, therefore, to study the colonial systems of these countries. One of the first public documents printed by the American Congress in 1899, accompanying the treaty of Paris, was devoted to the study of the colonial systems of the Orient for their application in the Philippines. But upon a closer observation of Philippine conditions they found that the principles of European colonization would not work in the islands not only because American aims were more altruistic but because political conditions were entirely different. Roughly, colonial government in our neighboring countries is based on the existence of native rulers, rajahs or princes, whose authority has been for centuries recognized by the natives themselves. Apparently and ceremoniously the native princes still rule, but in reality it is their respective European "advisers" or "resident generals" who are the actual rulers. Instead of establishing a new form of government, abolishing the rajahs and native rulers, the Dutch and the English simply improved the native institutions, using these same rulers as instrumentalities through which to impose their own will.

Now these conditions do not exist, and have not existed in the Philippines for more than 200 years. The greatest political service of Spain to the Philippines was the abolishment of this native system of government and the extinction of royal or princely families. The establishment of Christianity in the islands sowed the first seeds of equality and democracy, and the centuries of Spanish domination completely effaced from the Christian population all blood and family distinction.

Upon the coming of the Americans the Philippines had at least a system of local government by suffrage, however defective and limited in practice it was. The work of propaganda for reforms in Spain had brought to the front national leaders, recognized by all the Christian Filipinos not for their princely blood, for they had none, but for their unquestioned ability. The leadership and martyrdom of our national hero, José Rizal, was a proof that the Filipinos could look at some one man as a national guide and inspiration. They had long discarded the tribal conception of social organization. The establishment

of a Philippine Republic and the subsequent war with the United States made it even more apparent that the people could establish a national government after the occidental type. It was for these reasons that the American statesmen who had been studying the governmental forms of Java and the Malay States desisted from their original idea of applying this type of government in the Philippines. There was a potential democracy in the islands.

Without belittling what America has done for the Philippines, there is no getting away from the fact that the progress toward democracy in the Philippines has been due mainly to the materials that America found there. This made America's task a great deal easier. That was why even the early military governors of the Philippines found no difficulty in continuing to a large extent the municipal government of the islands, giving it a larger autonomy. The first local elections in the Philippines took place under the supervision of military officers. After the extension of municipal autonomy came the establishment of provincial government under a board composed of an elective governor and two other provincial officials appointed by the Governor General. Following the popular demand, the provincial government was again changed, and complete provincial autonomy was given under a provincial board totally elected by the people. The Congress of the United States, in passing the organic act of 1902, decided to call a national assembly in 1907 to participate in the national lawmaking. Being the only representative governmental organ, this assembly became the exponent of the ideals and aspirations of the Filipino people. It typified all the ideals of the people, and every step toward a more liberal form of government was advocated and fought for by that body. It insisted that, being the popular body, it should initiate all appropriation bills. It also fought for the control of the Resident Commissioners in the United States. The law provided that the two representatives in Washington should be elected by the two houses, but inasmuch as the intention was to send representatives of the Filipino people and not of the administration and because the upper house was controlled by Americans the assembly argued that it should have the final say as to the choice of these men. There were continuous conflicts on other governmental matters between the lower houses and the appointive commission. Deadlocks were constant on the appropriation bills, the representatives of the people being solidly opposed to the financial policies of the American-controlled upper house. The provision in the law to the effect that in case of such deadlocks the total sum of the previous appropriation law would, upon the advice of the Governor General, be considered appropriated for the ensuing year, left the popular chamber with very little financial power. Add to this the fact that the upper house, or the Philippine Commission, had exclusive jurisdiction over the non-Christian parts of the archipelago, almost one-third of the total area of the islands, and we may know just how much power the assembly had. The government then established, the mixture of a representative institution and an irresponsible executive and administration, was hence very unsatisfactory. That type of government has failed wherever it has been established. It failed in the early English colonies, where, as in the Philippines, the lower house became the stronghold of the people and the governor and his council the representatives of the crown. It failed in Canada, where because of threatened separation from the mother country the system had to be completely abolished and a responsible government established, a government wherein not only the lower house is subject to the people's call but also one in which the chief executive merely acts as a passive and ceremonial figure, leaving all governmental affairs in the hands of a select body, the cabinet, responsible to the people or their representatives.

The defect of the system, noticeable even after a majority of Filipinos had been given control of the upper house, was one of the reasons which led the Congress of the United States in 1916 to enact the Jones law, abolishing the commission and establishing the senate in its stead, and giving the Philippine Legislature power to reorganize the executive departments.

B. THE REORGANIZATION OF THE EXECUTIVE DEPARTMENTS.

There were several reasons why the reorganization of the executive departments was imperative. In the first place, the Jones law authorizes such reorganization, and it was necessary to ratify in the statute books of the Philippines the new executive power granted to Filipinos to make the departmental secretaries responsible to the legislature. In the second place, it was urgent that there be a more logical and scientific regrouping of bureaus and offices. This need had long been felt even before the passage of the Jones law, and for that purpose the emergency board provided in the Philippines appropriation law of 1915 was authorized to act as an efficiency board "to investigate and analyze as minutely as possible the organization of the bureaus of the insular government for the purpose of determining the utility of each of them, the possibility of their improvement by eliminating all duplication of work * * * and in general indicating such changes in the direction and organization of the bureaus as will tend to simplify the system of work followed and result in economy and increased efficiency." In the third place, it was necessary to provide for a harmonious action and cooperation between the executive heads and the legislature. And, in the fourth place, it was felt that the new department heads should have more authority and power over the offices and bureaus under them.

These were on the whole the problems which were met by the reorganization act.

The reorganization act, as finally passed (Act No. 2666, as amended by Act No. 2803 and incorporated as Chapter V in the administrative code) provides several means whereby the responsibility of the executive heads to the legislature can be effected. The secretaries of departments, excepting the secretary of public instruction, are appointed at the beginning of each legislature and with the consent of the Phillipine Senate instead of for good behavior as before. This, by inference, means that the executive heads are to be appointed after each triennial election, and that they are to be chosen in obedience to the popular will as expressed in such election. Members of the legislature can become at the same time cabinet heads. It is true, however, that because of the provision of the Jones law prohibiting members of the legislature from occupying positions created by them, no cabinet post was open to a member of the legislature except the secretaryship of the interior, and this was later filled by a senator; but in the subsequent elections all the cabinet posts, if deemed necessary, could be filled by legislative members. Secretaries of departments may be called by either of the two houses of the legislature for the purpose of reporting on matters pertaining to their departments. The importance of this should not be overlooked. As expressed by Senator Palma, this provision "may not look like very much on paper, but in reality it signifies a great deal. The department heads will not only have to give the information required of them, but being often subjected to minute interrogation they will have to explain and defend their official acts. If the Houses can demand of them that they give an account of their official acts, they are responsible to the houses, though ultimately responsible to the Governor General." Again, only "a citizen of the Philippine Islands," 30 years of age, who has resided in the islands continuously during three years next preceding his appointment, can be appointed. This means that only Filipinos can become secretaries of departments, for an American citizen is not necessarily a Filipino citizen.

"The fundamental theory of this bill," as expressed by Speaker Osmeña, in explaining his vote on the reorganization law, "is that, inasmuch as the country must exercise all the powers conferred upon it by the Jones Act, without sterile vacillation or cowardly renunciation, the departmental direction of the administrative activities should, so far as possible, be in the hands of Filipinos. For this reason the chief executive has ceased to be a departmental head in the sense in which he used to be, and the secretary of public instruction, who is not responsible to the Philippine Legislature, will, under the new plan, have no executive functions but those assigned to him by the Congress of the United States. Neither the Governor General nor the secretary of public instruction will perform the duties of any departmental office belonging to other secretaries during the absence or temporary incapacity of the latter. This distribution of the executive power is in accordance with the legitimate desires of the people and involves a frank determination to assume the responsibilities of a real and ample autonomy.

"It will inaugurate a régime of publicity. The public problems will be treated, not in the dead form of written indorsements and in the privacy of the office but face to face in a direct and personal manner in the senate or in the house of representatives. There will finally come about between the legislature and the executive a reasonable intelligence, not hidden and clandestine but open, subject to the vigilant action of the people. The setting aside of unjustified antagonism as well as renunciation by a clear definition of each of the coordinate powers will correct certain defects which have hitherto seemed inevitable under the so-called presidential or congressional system."

Acts 222 and 1407 of the Philippine Commission, which were responsible for the organization of the executive departments up to 1916, left a great deal to be desired in the way of a logical and scientific arrangement of bureaus. The departments, as created by the first act, were denominated the department of the interior, department of commerce and police, department of finance and justice, and department of public instruction. "The mere mention of the names given to these departments," said Senator Palma, "shows that organization to be theoretically defective. No country in the civilized world has organized a department of commerce and police, because commerce and police involve completely contrary and antagonistic ideas. The commerce is essentially pacific, while the police is essentially warlike. Nor is it good logic to join finance and justice, because, as the chairman of the select committee which has had this bill under examination said very well yesterday, finance and justice do not imply homogeneous ideas nor do they include identical functions; on the contrary, our experience leads us to affirm that the jurist does not always have a thorough knowledge of finance, but that in the majority of cases lawyers are the poorest financiers of the world, at least so far as the management of their own interests is concerned.

"Act No. 1407 reorganized the departments and bureaus and offices of the government, abolishing certain bureaus and offices and creating others in their stead.

"This organization was not better than the previous one, because under it bureaus whose activities were very dissimilar were kept in the same department. In the department of the interior the bureau of health remained side by side with that of lands, and the bureau of agriculture with that of quarantine service. In the department of commerce and police the constabulary continued side by side with the bureau of public works, and the bureau of posts together with that of port works. The department of finance and justice still performed its legal functions at the same time as the work of collecting customs dues and internal-revenue taxes. The department of public instruction continued to solve educational problems and have charge at the same time of the bureaus of supply and printing, a rare combination, indeed."

In the reorganization of the departments the plan of the efficiency board was chiefly followed. Instead of the old four departments, there were to be six departments, to correspond to "the six principal purposes which a fairly well organized government has to accomplish," to wit:

(1) "The political direction of the various local administrative units, such as departments, provincial and municipal governments, and special governments" (the department of the interior);

(2) "The guardianship of the State over the mental development and physical welfare of the citizens" (the department of public instruction);

(3) "The collection of the public revenues and administration of the finances and business of the Government" (the department of finance);

(4) "The enforcement of the law and maintenance of order and safeguarding of the citizens and their rights" (the department of justice);

(5) "The guardianship in connection with the preservation of the natural resources and the development of its sources of wealth" (the department of agriculture and natural resources); and

(6) "The carrying out of such work and services as can not be performed by private citizens, conducive to the common welfare and public prosperity" (the department of commerce and communications).

We have stated that the fourth reason for the reorganization was to give greater control and power to the department heads. Heretofore each bureau was almost a department by itself. It used to send its estimates directly to the legislature, through the executive secretary, and the department head had almost nothing to do with it. It had great power of making regulations. The control of the department head was very slight. The reorganization act, therefore, as amended by act No. 2803 (section 79–c of the Administrative Code), provides that the department head shall have direct control, direction, and supervision over all bureaus and offices under his jurisdiction, and may, any provision of existing law to the contrary notwithstanding, repeal or modify the decisions of the chiefs of said bureaus or offices when advisable in the public interest.

Even in the matters of appointment and removal and the enactment of regulations the department head has been given control. He has the power "to promulgate all rules, regulations, orders, circulars, memorandums, and other instructions" for the "proper working and harmonious and efficient administration of each and all of the offices and dependencies of his department." Chiefs of bureaus can promulgate circulars of information or instructions only upon authorization by the department head. The department head also, upon the recommendation of the chief of the bureau or office, has the power to appoint all subordinate officers and employees whose appointment is not expressly vested by law in the Governor General. He may remove or punish them,

except as especially provided otherwise in accordance with the civil service law. The department head also may change the distribution of the employees or subordinates among the several bureaus and offices.

Under the former executive organization the Governor General was a department secretary himself and had under his control the executive bureau, besides the bureau of audits and the bureau of civil service. Under the new law the executive bureau was transferred to the department of the interior, with the provision that the foreign correspondence and the giving of passports would be retained in the Governor General's office.

All executive functions of the Philippine government, as provided by the Jones law, are subject to the supervision and control of the Governor General, and it was through liberal interpretation on the part of Governor Harrison that a great deal of the control and supervision of the departments was delegated to the other department heads. Section 74 of the administrative code as amended states, after a repetition of the governor's ultimate and supreme executive power, that "the departments are established for the proper distribution of the work of the executive, for the performance of the functions expressly assigned to them by law, and in order that each branch of the administration may have a chief responsible for its direction and policy. Each department secretary shall assume the burden and responsibility of all activities of the government under his control and supervision."

There is in each department an undersecretary to aid the secretary of the department in the performance of his duties. The undersecretary holds his office during good behavior, for unlike the secretaryship there is no provision for a periodic renewal. He performs the duties of the secretary in the latter's absence. Upon the inability of both the secretary and the undersecretary to act, the Governor General may temporarily designate a secretary or undersecretary of another department to perform the duties.

Besides the six regular departments of the government for administrative purposes, there are four other officials who have departmental authority over the offices under them. They are the Governor General, who has departmental authority over the bureau of audits, the bureau of civil service, and over all other offices and branches of the service not assigned by law to any department; the president of the senate and speaker of the house of representatives, who are department heads for the officers and employees of the senate and house, respectively; and the chief justice of the supreme court, who is the department head of employees in the supreme court.

The following are the bureaus and offices under their corresponding departments:

Office of the Governor General: Bureau of audits, bureau of civil service, Philippine National Guard.

Department of the Interior: Bureau of non-Christian tribes, Philippine General Hospital, board of pharmaceutical examiners and inspectors, boards of medical, dental, and optical examiners, board of examiners for nurses, executive bureau, Philippine Constabulary, commissioner of public welfare, cities of Manila and Baguio.

Department of public instruction: Bureau of education, Philippine health service, bureau of quarantine service.

Department of finance: Bureau of customs, bureau of internal revenue, bureau of treasury, mint of the Philippine Islands, bureau of printing.

Department of justice: Bureau of justice, courts of first instance and inferior courts, general land registration office, public utility commission, Philippines Library and Museum, bureau of prisons.

Department of agriculture and natural resources: Bureau of agriculture, agricultural colonies, bureau of forestry, bureau of lands, bureau of science, weather bureau.

Department of commerce and communications: Bureau of public works, bureau of posts, bureau of supply, bureau of commerce and industry, bureau of labor, bureau of coast and geodetic survey.

The heads of the six departments constitute the cabinet. Formerly, by an executive order of the Governor General, it acted as his advisory board. It met once a week for the discussion of departmental measures. With the creation, however, of the council of state the cabinet as a unit ceased to act as an advisory body of the Governor General.

### C. THE COUNCIL OF STATE.

The intent and spirit of the Jones law is to grant the Filipino people the largest amount of self-government compatible with American sovereignty and to create a government in which the "counsel and experience" of the people will play the greater part. Now, what are the means or instrumentalities by means of which the Filipinos as a people can exercise that power of self-government and can give their "counsel" in the government of their country?

Heretofore, when there was only one governmental organ responsible to the Filipinos, the Philippine Assembly, everybody looked to this organization as the faithful exponent of the ideals and aspirations of the Filipino people. It represented the national "counsel" of the people. Its speaker was considered the most prominent Filipino official, for he exhibited the double representation of his district and of the entire assembly. The Filipino people looked to the speaker for the success or failure of any part they were taking in the government.

Under the Jones law two other factors or instrumentalities of government were given to the Filipinos: To the lower elective house was added an elective senate, and the Philippine Legislature was given the power to reorganize the executive departments, with the exception of the department of public instruction. This latter provision has been interpreted as meaning that henceforward all the heads of departments should be Filipinos with the exception of the secretary of public instruction. If the new autonomy meant anything, it was that these three organs of government—the lower house, the upper house, and the Filipino executive heads—should be responsible mainly to the Filipino people instead of to the President of the United States.

The fundamental defect of the Jones law is the absence of responsible and undivided leadership in these three organs of government and the lack of one single body which can properly represent and effectively carry out the "counsel" of the nation. Five years ago, upon the passage of the Jones law, attention was directed to that urgent need. The Filipino elements in the government composed of the secretaries of departments and the houses of the legislature must have a coordinate understanding, a common leadership.

When the time came for filling the executive posts, the necessity was felt for such a unified and collective leadership among the governmental organs granted the Filipinos. The experience of the two houses even before the reorganization of the executive departments clearly showed the lack of such leadership.

There was first an idea to place party leadership outside the legislative chambers. It was also felt that the important executive positions should now be filled by responsible leaders. A movement was therefore started to make the secretaryship of the interior the position of leadership of all the three organs of government granted to the Filipinos. In a caucus of the majority members of both houses, held on December 22, 1916, a resolution was passed urging Speaker Osmeña to leave the speakership and accept the secretaryship of the interior.

Speaker Osmeña, after mature deliberation, declined the secretaryship of the interior in a long memorandum submitted to the caucus of the majority members of the two houses on January 3, 1917. He said that he was "entirely in accord with the principle of a united and responsible leadership," but that under the then existing circumstances he feared that the leadership should not be in the executive department.

The problem of an open and responsible leadership thus remained unsolved. To solve it and to have a definite body which could advise him on matters of importance, with the acquiescence and support of Filipino elements in the government the Governor General decided to create a council of state. He first announced his desire in his message of October 16, 1918, when he said that he was "now ready to establish a council of state to include the authorized spokesmen of the two houses of the legislature in addition to the members of the cabinet to advise the Governor General on matters of public importance." An executive order was subsequently issued to that effect, and the members of the cabinet and the presiding officers of both houses were appointed members of the council of state "to aid and advise the Governor General on public matters."

In a sense, however, the council of state was not a new creation. Ever since the establishment of civil government here there has always been some sort of a council of state in the Philippines. It is not meant that there have been bodies in the past with the name of "council of state," but that the principle underlying the present council of state has always been followed by American governor generals.

Our governors have always endeavored, in their government of the Philippines, to secure the advice of the most representative Filipinos that they could get. That was the reason back of Governor Taft's preliminary steps when he called into power three prominent Filipinos, Doctor Tavera, Mr. Legarda, and Mr. Luzuriaga, the leaders of the only political party in existence—the Federal Party—and had them appointed to the commission. Governor Taft began the practice of consulting the Filipinos whom he thought represented the best opinion of the people of the Philippine Islands. This practice was inspired by President McKinley, who always told the American people that American sovereignty was acceptable to and in accordance with the wishes and aspirations of the great masses of the Filipino people. What the leaders of the Federal Party were at that time to the civil governor the present leaders of the Nacionalista Party, as represented in the council of state, are to the Governor General, with only two incidental differences. The leaders of the Federal Party were not elected by the people, directly or indirectly, and their power was also smaller. Because these Federal leaders were not elected by the people it was not certain that their advice and counsel was approved by the people. As it turned out, in the first national election of 1907 the Filipino people repudiated them and elected a majority of the opposing party to power; but save for these incidental differences the principle back of the practice of securing the counsel of prominent Filipinos in the government of the Philippines was one and the same. It is the same principle underlying the present council of state.

The one great need for the present council of state fully to exercise leadership is its formal and direct ratification by law. Its usefulness as a coordinating and advisory body is recognized by the present Governor General (Gen. Leonard Wood), who immediately upon his inauguration publicly stated that there would be no change in the council of state, and has since been meeting the council as frequently and regularly as his predecessor.

### D. OUR BUDGET SYSTEM.

Nearly all struggles for constitutional government have centered on the control of the public purse. It was the greatest issue in the struggle between King John and the English barons. As a result of the struggle the Magna Charta provided that "no scutage (tenant's tax) or aid (contribution) shall be imposed except by the common council of the nation." In the American Revolution the battle cry was that taxation without representation is tyranny. That voice was reechoed in France when in 1789 the people's control over the revenue was declared to be one of the "prerogative laws of the State."

The Philippine bill of 1902 provided that all appropriations must be made by law. (Sec. 5, par. 15.) This apparently gave the Philippine Assembly, established in 1907, coequal power with the Philippine Commission on money matters. But such was not the fact. The other provision, that in case of a deadlock on an appropriation bill the entire sum appropriated the year before shall be considered as appropriated for the ensuing year (sec. 7, par. 3), gave the Governor General almost dictatorial power in fiscal matters. He could create offices in defiance of the opposition of the representatives of the people and could dispose in whatever way he wished of all the money of the government so long as the entire sum did not exceed the sum previously appropriated. Thus, while other popular legislative bodies had the distinction of commanding and controlling all money bills, serving thereby as a great check upon the executive, the Philippine Assembly was deprived of this function and was, as a result, a considerably weaker body than most legislative assemblies.

Under the circumstances the budget system could not have been established. There was no executive responsible, or who could be made responsible, to the Philippine branch of the legislature, and to whom the preparation of the budget could be intrusted. Nay, it was even more advantageous for the Filipino people to demand one principle of the congressional system—the initiation of all money bills in the lower house. This demand, after a long struggle with the commission, was gained, although with no great advantage, for there being constant deadlocks between the two houses on appropriation bills, the fiscal power remained practically in the hands of the Governor General.

That there was a lack of a systematized plan in our previous financial system can be easily seen in the number and nature of appropriation bills annually passed by the Philippine Commission and the Philippine Legislature. From April 3, 1915, to March 16, 1916, for instance, 37 acts were passed carrying a total appropriation of over 38,000,000 pesos. These acts showed a lack of systematized groupings of objects for the easy comprehension of the public or the legislature.

The procedure followed in the submission and preparation of estimates was similar to the American Federal practice. Thirty days be-

fore the opening of the regular session each bureau chief sent to the executive secretary a statement of the receipts and expenditures of his bureau or office during the year, and an estimate of the receipts and necessary expenditures thereof for the ensuing fiscal year. Like the Secretary of the Treasury of the United States, the executive secretary simply compiled these estimates and sent them to the legislature. He had no power of revision or coordination. There was no executive responsible for the fiscal plan of the government. Bills appropriating money were considered on their individual merits and not on a well-defined fiscal plan for the entire country.

Such, in brief, was the system of government finance in vogue prior to the enactment of the Jones law.

The coming of the Jones law did not immediately solve the problem. The law did not provide for a budgetary system, and there were some who doubted whether it could be made possible under its provisions.

Section 21 of the Jones law states that "the Governor General shall submit to the Philippine Legislature within 10 days of the opening of each regular session a budget of receipts and expenditures, which shall be the basis of the annual appropriation bill. This provision and the fact that the Governor General still retained, according to law, supreme executive power created in the minds of some the doubt as to whether the executive could be intrusted with the framing of the budget. The establishment, however, of a cabinet largely responsible to the legislature overcame the objection.

But there was another difficulty. Under section 21 of the Jones law, it is the Governor General who is to submit a "budget of receipts and expenditures." Should he and not the cabinet draft the budget? In the former case the legislature might not be willing to give up its prerogative of preparing financial measures. Again the Governor General came to the rescue and, following the generous spirit of the Jones law, delegated the formulation of the budget first to the cabinet and later to the council of state. The old practice of having bureau chiefs prepare and submit estimates was changed. Their estimates must now go to the department secretary and then to the department of finance for revision. The Governor General in a message sends the budget as prepared by the council of state to the legislature for approval, amendment, or rejection.

Before the preparation of the budget, a general line of policy is first agreed upon by the council of state. Once the general policy is decided, a circular is sent in July to all offices and bureaus requesting them to send in their estimates, which should include the probable receipts and the proposed expenditures for the coming year. These estimates are made under the supervision and control of the department heads, who have the power to cut down or add items. These different estimates are then submitted by the department heads to the secretary of finance, not later than August 20 of every year. The main work of the department of finance is to coordinate the different departmental estimates in accordance with the general plan agreed upon at the council meeting. It often happens that a certain item submitted by a departmental head is already duplicated by another item from a different department. Any conflict between a departmental head and the secretary of finance is submitted to the council of state for decision. The final budget is approved at the meeting of the council.

Once the budget is definitely approved by the council of state the Governor General submits it with a message to the legislature. The message is read by the secretary of finance in a joint session of the legislature.

The lower house, by agreement with the upper, is the first one to take up the budget. It sets a date for the appearance of the secretary of finance to explain the details of the budget and to answer all questions propounded by the members. This appearance usually lasts a number of days and full opportunity is given the members, especially those of the minority party, to discuss the several items of the bill. To explain further the details of the budget, the individual departmental secretaries may be called, although this is not often done, the secretary of finance generally assuming responsibility for the whole budget. It is the accepted rule in the discussion of the budget that the legislature may diminish the estimates but may not increase them.

Once the budget is approved in principle, it is sent to the committee on appropriations, with instructions to draft the appropriation bill in accordance with the budget. This committee again examines the different items of the budget and then frames and submits its appropriation bill. The committee generally follows the instructions of the house and suggests in its bill only those changes that are absolutely necessary. When the appropriation bill is approved by the house it is sent to the senate, where the secretary of finance again appears to explain the different items contained therein.

The financial plan of the council of state does not cover all the proposed financial activities of the government. It usually leaves a surplus for the legislature to appropriate the way it pleases. This takes the form of new ventures and activities. The totality of the English budgetary principle is not, therefore, as yet followed, whereby all requests for money must come from the executive. But a long and decisive step has already been taken toward financial reform.

The system also requires that all money received from whatever source must be paid into the treasury by the collecting officer, and no disbursement of public funds can be made without specific authority of the legislature. In carrying out this principle and for the purpose of recording accurately the actual cost of each unit of the government, a departure has been made from the established accounting methods. Intergovernmental payments for special services rendered must be entered in the accounts as receipts on the part of the receiving bureau and as expenses on the part of the bureau making the disbursements.

To make the budget system sufficiently elastic to meet changing conditions, an emergency board, of which the secretary of finance is the chairman, two members of the legislature, the insular auditor, and the attorney general as members, was created. In the general appropriation act this board is given a substantial amount with which to supply the additional funds that the various units of the government may need for purposes authorized by the appropriation. As an additional safeguard against possible abuse of power, the actions of the emergency board do not become operative until the approval of the Governor General, and of the presidents of both houses has been secured.

PUBLIC ORDER.

It was one of the conditions for the establishment of the Philippine Assembly in 1907 that there be complete peace and that the Governor General certify that fact to the President of the United States. Governor General Smith did certify the fact that there was complete peace that year, and thus facilitated the establishment of the Philippine Assembly. From that year peace has continued up to the present. It suffered no alteration either during the economic crisis or amidst the hardships of the World War. Every official report from 1907 to the present has testified to the peace and order that obtains and has always obtained in the Philippines. Thus the first requisite of a stable government has been accomplished.

Two institutions are charged with the keeping of public order and they are the municipal police and the insular police, or the constabulary. The municipal police are supported by municipal funds, but is subject to the supervision of the Philippine Constabulary in so far as its organization and discipline are concerned. The spirit of peace and order is so well cemented in the Philippines that there are municipalities which have no more than 3, 5, or 7 policemen each.

The Philippine Constabulary is the insular police which helps the municipal police in cases of necessity and when the municipal authorities so require. There are about 6,000 constabulary soldiers. The constabulary also helps the bureaus of the government in the furtherance of their work, such as in enforcing quarantine measures, controlling diseases, keeping prisoners, etc.

As to the efficiency and success of the constabulary, the report of the Wood-Forbes Mission is the best authority. It admits that it is "dependable and thoroughly efficient." It should, moreover, be noted that during the first years of its establishment the constabulary was the subject of criticism on the part of the public. It has to-day secured the support not only of the officials of the government, but also of the people. As in other branches of the government, Filipinization has been established and there is to-day fewer and fewer American officers as the following figures will show:

| | Number of American officers. | Number of Filipino officers. | Total number of officers. | Number of enlisted men. |
|---|---|---|---|---|
| 1901 | 180 | 3 | 183 | 5,000 |
| 1902 | 186 | 7 | 193 | 5,317 |
| 1903 | 334 | 11 | 345 | 6,000 |
| 1904 | 315 | 14 | 329 | 6,729 |
| 1905 | 304 | 15 | 319 | 6,852 |
| 1906 | 278 | 20 | 298 | 4,773 |
| 1907 | 260 | 57 | 317 | 4,778 |
| 1908 | 236 | 83 | 319 | 4,723 |
| 1909 | 258 | 59 | 317 | 4,267 |
| 1910 | 276 | 50 | 326 | 4,067 |
| 1911 | 247 | 75 | 322 | 4,159 |
| 1912 | 268 | 54 | 322 | 4,233 |
| 1913 | 268 | 58 | 326 | 4,621 |
| 1914 | 239 | 90 | 329 | 4,793 |
| 1915 | 210 | 131 | 341 | 5,002 |
| 1916 | 194 | 123 | 317 | 5,105 |
| 1917 | 106 | 250 | 356 | 5,595 |
| 1918 | 43 | 304 | 347 | 5,343 |
| 1919 | 25 | 323 | 348 | 5,597 |
| 1920 | 17 | 358 | 375 | 5,817 |
| 1921 | 14 | 362 | 376 | 5,968 |

It will be noted that the official personnel continued on the increase up to and including 1903 at which time it was reduced by 6. The greatest number of American officers, 334, was obtained in 1903. Since that year the Filipino officers have been gradually on the increase and the American officers on the decrease. At the close of the calendar year 1921, the American officers numbered 14 and the Filipino officers numbered 362.

THE CIVIL SERVICE.

From the beginning of American occupation it has been the policy to give all positions in the government to Filipinos whenever there are competent persons to fill them. This policy was laid down by President McKinley when he instructed the Second Philippine Commission—

"That in all cases the municipal officers, who administer the local affairs of the people, are to be selected by the people, and that wherever officers of more extended jurisdiction are to be selected in any way, natives of the islands are to be preferred, and if they can be found competent and willing to perform the duties, they are to receive the offices in preference to any others."

This instruction of President McKinley has been placed on the statute books of the Philippines and is still the law to-day. The appointing officers are enjoined to prefer, first, citizens of the Philippines, and second, honorably discharged soldiers, sailors, and marines of the United States.

While that was the law and has been the law since American occupation, there were times when the Filipino people thought that it was not being as efficiently carried out as the strict letter and spirit demanded. From 1907 and 1908 up to 1913, there was very little Filipinization in the Philippine Civil Service. In 1913 there were actually more Americans in the civil service than in 1907 and 1908. Many of these Americans filled mere clerical positions which could very well have been held by qualified Filipinos. From 1913, however, Filipinization grew with the arrival of Governor General Francis Burton Harrison. It has continued growing up to the present. The proportion of Filipinos to Americans during the period 1914–1921 is shown in the following list:

| Year. | Number of— | | | Percentage. | |
|---|---|---|---|---|---|
| | Americans. | Filipinos. | Total. | Americans. | Filipinos. |
| 1914 | 2,148 | 7,283 | 9,451 | 23 | 77 |
| 1915 | 1,935 | 7,881 | 9,816 | 20 | 80 |
| 1916 | 1,730 | 8,725 | 10,455 | 17 | 83 |
| 1917 | 1,310 | 9,859 | 11,169 | 12 | 88 |
| 1918 | 948 | 10,866 | 11,814 | 8 | 92 |
| 1919 | 769 | 12,047 | 12,897 | 6 | 94 |
| 1920 | 582 | 12,651 | 13,143 | 4 | 96 |
| 1921 | 614 | 13,240 | 13,854 | 4 | 96 |

President McKinley's policy has been followed to the letter with no detriment to public service, in fact with the same if not greater efficiency which kept pace with the growth of government activities and the general progress of the country. The discussion of the various government bureaus which follows will amply prove this statement.

ADMINISTRATION OF JUSTICE.

From 1914 to 1921 justice was impartially administered in the Philippines. The judiciary was free from political, family, or other improper influences. Delay in the final decision of cases was no worse than in the United States. The selection of judges and prosecuting attorneys was at least as carefully done as in the preceding years.

It is admitted on all hands that the Supreme Court of the Philippine Islands, whose members are appointed by the President of the United States, by and with the advice and consent of the Senate, a majority of them being Americans, is above all influence, enjoys the confidence of the people, and is composed of men learned in the law and of exceptional talents. The Wood-Forbes mission says of the supreme court:

"The supreme court has the respect and confidence of the Philippine people."

This being so, we believe that the best way to ascertain whether or not the courts of first instance during the new régime have rightly and impartially administered justice is to compare the percentage of appealed decisions affirmed and reversed by the supreme court in the two periods—before and after 1914. If a decision of a court of first instance is affirmed by the highest court in the islands, after a review of the case, such affirmance utterly destroys all claims of mistake, ignorance, partiality, political or family influence, or other improper motive. The data in the following table, compiled from records in the office of the clerk of the supreme court, are full of interest:

*Decisions appealed from.*

| Period. | Total. | Affirmed. | | Reversed. | | Modified. | |
|---|---|---|---|---|---|---|---|
| | | Number. | Per cent. | Number. | Per cent. | Number. | Per cent. |
| Aug. 31, 1911–Sept. 1, 1913 | 1,454 | 910 | 62.5 | 365 | 25.1 | 179 | 12.2 |
| Mar. 3, 1919–Mar. 4, 1921 | 1,782 | 1,194 | 67.0 | 372 | 20.8 | 216 | 12.1 |

To understand the above figures it should be noted: (1) That September 1, 1913, and March 4, 1921, are the dates when the resignation of Governors General W. Cameron Forbes and Francis Burton Harrison took effect, respectively; (2) that for the purpose of comparison only the Supreme Court decisions during the last two years of each administration can be given, because a period of one to four years elapses between the decision of the courts of first instance and that of the Supreme Court.

The figures in the above table show that there was a larger percentage of decisions affirmed and a smaller percentage of decisions reversed by the Supreme Court during the time when the Filipino people enjoyed substantial autonomy than before that period. Does not this fact indicate that the administration of justice was considerably improved when the Filipinos were in control?

With regard to the alleged delay in the administration of justice, the number of pending cases is not so large as is believed in some quarters. According to the 1921 report of the Attorney General there were 26,664 cases pending in the courts of first instance on December 31, 1921. Of these pending cases, 6,108 were probate and 2,707 land registration, which, as everyone knows, are necessarily cumbersome and complicated. Said report also states that in the Supreme Court there were pending decision 306 cases and 914 cases docketed, but not submitted for decision. Therefore, in both the first instance and supreme courts there were all in all only 27,884 cases. No figures are available as to the cases pending in the justice of the peace courts on December 31, 1921. However, the report of the secretary of justice for 1920 shows that 8,046 cases were pending in the justice of the peace courts on December 31, 1920.

The following show the number of cases disposed of by the courts of first instance each year from 1906 to 1921, inclusive:

*Cases disposed of.*

| | | | |
|---|---|---|---|
| 1906 | 7,410 | 1914 | 13,404 |
| 1907 | 6,834 | 1915 | 15,052 |
| 1908 | 7,777 | 1916 | 14,560 |
| 1909 | 10,447 | 1917 | 14,987 |
| 1910 | 9,745 | 1918 | 13,213 |
| 1911 | 12,630 | 1919 | 12,667 |
| 1912 | 12,928 | 1920 | 16,600 |
| 1913 | 14,797 | 1921 | 16,874 |
| Total | 82,568 | Total | 117,357 |

The above figures show that the number of cases disposed of by the courts of first instance for the eight years, 1906 to 1913, inclusive, was as large as 82,568. The total number of cases disposed of for the same length of time (1914–1921, inclusive) under the new régime was even greater, 117,357, or an increase of 34,789, or 42 per cent. The average number of cases disposed of each year during the first period was 10,321, while in the second period (1914–1921) the average was 14,669, or 42 per cent. This increase is the more striking when it is remembered that the abolition of the court of land registration took place during the second period and the adjudication of land titles under the Torrens system was transferred to the courts of first instance.

The law's delay is a traditional problem the world over. The above number of pending cases does not therefore constitute an evil peculiar to the Philippines nor is it due to Filipino fault. Even in the United States the people are confronted with the same problem. That keen observer, Viscount Bryce, speaking of the administration of justice in the United States, says in his recent work, "Modern Democracy" (Vol. II, p. 88):

"* * * Nevertheless even if things are less bad than the causes at work might have made them, clear it is that the incompetence of judges does in many States involve immense waste to litigants through appeals and other delays, and through the uncertainty into which the law is brought by decisions in inferior courts likely to be reversed on appeal.

"Though the administration of civil justice leaves much to be desired, that of criminal justice is far worse. There are few States, perhaps only two or three outside New England—New Jersey is one—where it is either prompt or efficient. All through the rest of the country, South and West, trials are of inordinate length, and when the verdict has been given, months or years may elapse before the sentence can be carried into effect. Many offenders escape whom everybody knows to be guilty, and the deterrent effect of punishment is correspondingly reduced."

In a speech at the annual banquet of the American Bar Association in the summer of 1921, at Cincinnati, Mr. C. A. Severance, president of the association, said:

"When the Chief Justice told us, as he did the other day, that the state of the courts was such that a bill proposing that we have 18 additional judges in the Federal courts had been prepared, and should be passed because of the necessity that exists, he told us nothing we did not already know. The congestion of the Federal courts has become such that it is almost a public scandal." (See journal of the American Bar Association, November, 1921, p. 612.)

The Hon. Henry D. Clayton, judge of Federal district court, Alabama, says:

"One of the contributing and patent causes of the law's delay which lies in the power of the legislative department to remedy is the fact that in many States and in some of the Federal districts there is not the sufficient judicial force to dispose of the present litigation and that which is constantly increasing as the country grows in population and develops in commerce and industry. Besides, the courts are constantly having to deal with much new legislation, amendatory and original; consequently there is from this source increased litigation, involving interpretation and application of statutes, resulting in the accumulation of cases. Because of all these facts and other similar things court dockets become congested and all cases can not be reached for trial until after undue delay in some of them." (See Journal of the American Bar Association, January, 1922, p. 45.)

The Hon. William H. Taft, Chief Justice of the United States, said in an address at the 1921 meeting of the American Bar Association at Cincinnati:

"The congestion which exists in many of the districts of the United States—and it has been growing because of the gradual enlargement of the jurisdiction of the courts under the enactment by Congress of laws which are the exercise of its heretofore dormant powers—has been greatly added to by the adoption of the eighteenth amendment and the passage of the Volstead law. Something must be done, therefore, to give to the Federal courts a judicial force that can grapple these arrears and end them.

"The Attorney General has been much impressed with the great increase in business in the courts, and has recommended to the President and to Congress the adoption of a law which, it seems to me, will much facilitate the dispatch of business in the courts of the United States." (See Journal of the American Bar Association, September, 1921.)

Mr. Edwin W. Sims, of the Chicago bar, says in an article in the Journal of the American Bar Association, November, 1921:

"On April 1, 1920, 135 persons previously indicted for murder were awaiting trial in Chicago. In 1,904 cases the accused were at liberty on bond. In the majority of cases so much time had elapsed since indictment that witnesses had disappeared, evidence had been lost, and successful prosecution made most difficult. * * *

"Chap was indicted for murder March 4, 1911, and released on $10,000 bonds.

"In compiling its report on continuances, the Chicago Crimes Commission ran across the case, and in December, 1919, eight and one-half years after the crime was committed, the defendant was placed on trial." (See Journal of the American Bar Association, November, 1921, pp. 598–599.)

The foregoing goes to show that in the United States no less than in the Philippines there is need of action to relieve the present congestion of cases. As for the Philippines, the legislature on February 14, 1921, created seven new positions of auxiliary judges of the courts of first instance.

In discussing the law's delay in the Philippines we should never overlook the fact that there are certain unavoidable causes which in large measure prevent the prompt administration of justice, which causes are not found in the United States. These are: (1) The interpretation of testimony from the vernacular to Spanish; (2) judges in the Philippines are judges not only of law but also of fact; (3) the law in the Philippines is in a formative condition; and (4) the remoteness of many municipalities from the provincial capitals, together with the difficulty of transportation.

As to the first factor, almost all witnesses testify in the Philippine dialects. The questions are in Spanish or English, so they are interpreted to the local dialect. The answers, which are in the local dialect, are then translated into Spanish for the purposes of record. The translation in both cases takes up at least as much time as the original questions and answers, and often much time is lost in the discussion of the proper interpretation.

With regard to the second cause of delay, there is no trial by jury in the Philippines. Hence, the judge decides not only the questions of law involved but also the issues of fact. It is thus that the task of one judge and a jury in America is performed by one man in the Philippines.

The third factor, that the law is in a formative condition, arises from the blending in the Philippines of the Spanish civil law and the Anglo-American common law. Our laws of procedure and evidence are derived from American sources, while our civil law, much of our commercial law, and most of our penal law are Spanish. This has created many difficulties in the application of the law in a given case, because (a) the underlying principles and the actual working of American procedure and evidence are new in the Philippines, and (b) frequently it is hard to determine how far the new legislation has affected the old law, for the new code of civil procedure in many respects touches upon substantive law, and, further, every lawyer knows that the questions of the right and the remedy are inseparably bound up together. Moreover, our constitutional law and administrative law, as well as our laws on marriage, corporations, negotiable instruments, insolvency, salvage, insurance, chattel mortgage, and many crimes are American in origin, and many Filipino judges and lawyers, who are generally Spanish speaking, meet with difficulties in studying and applying American authorities and cases.

The fourth cause of delay is the remoteness of many municipalities from provincial capitals, together with the difficulty of transportation. This makes it extremely hard for witnesses to appear before the courts, and many cases have to be continued when one or more witnesses can not go to the provincial capital.

The selection of judges has been at least as careful under the new régime as before. Most of the Filipino judges of first instance, appointed during the Philippine Commission régime before 1913, were members of or had sympathies for the Federal, later Progresista Party. In fact, some of them were appointed after their defeat as candidates of the Progresista or Governmental Party for the Philip-

pine Assembly. It is true also that a majority of the appointees to the first instance bench since 1913 belong to or had sympathies for the Nacionalista Party, but this is because the great bulk of the members of the bar were Nacionalistas, and there was a very limited number of attorneys to choose from who were of the Democrata Party.

It can not be said that the legal knowledge of the judges selected since 1913 is lower than that of those appointed before that year. As a matter of fact, before 1913 many judges of first instance were appointed who had neither training in the local law nor practiced law in the Philippines, whereas the appointees since 1913 had schooling and practice in Philippine laws.

As to the independence of the judiciary, it must be stated that formerly the Governor General had power under the law to remove any judge of the court of first instance at pleasure. This power was abolished under the new régime, so that to-day no judge of the court of first instance can be removed by the Governor General "unless sufficient cause shall exist, in the judgment of the supreme court," after such judge has been heard in his own defense. Needless to say, this new law has placed the judges beyond the influence of the chief executive.

There are no proofs that the present provincial fiscals, or prosecuting attorneys, are less efficient than those before 1913. On the contrary, the greater number of criminal cases filed and disposed of from 1914 to 1921 would seem to indicate that the service of the prosecuting attorneys has been improved. It is to be noted also that before 1913 several persons who had not taken or had failed in the Philippine bar examinations were appointed prosecuting attorneys—a practice which was discontinued during the time of more Filipino control of the government.

Act No. 2098 is alleged to have encouraged a sort of peonage in the Philippines. This law punishes the receiving of advance wages with intent to defraud by refusing to work. It also punishes employers who fraudulently refuse to pay wages.

This law, which has been passed to punish fraud and is never applied to a case of civil debt, has been held constitutional by the Supreme Court of the Philippine Islands. (Ramirez *v.* Orozco, 34 Philippine Reports, 412.) Lastly, this law was passed during the administration of Governor Forbes, who was then a member of the Philippine commission, the upper house of the Philippine Legislature at that time.

Inasmuch as most of the justices of the peace are not lawyers, there is much room for reform in the organization of the justices of the peace courts. However, the qualifications of Philippine justices of the peace compare favorably with those of other countries. The administrative code provides in section 207 that "no person shall be eligible to appointment as justice of the peace or auxiliary justice unless he shall be (1) at least 23 years of age; (2) a citizen of the Philippine Islands or of the United States; (3) of good moral character; and (4) admitted by the supreme court to practice law, or be a person who has at least finished the course of legal study in a recognized school, or shall have passed the civil-service examination for clerk of court, or an examination to be held in each Province before a board composed of the judge of the court of first instance, the provincial fiscal, and a practicing lawyer appointed by the judge, under rules and regulations to be prescribed by the attorney general, with the approval of the secretary of finance and justice." Furthermore, the poor ability of justices of the peace all over the world is proverbial. A plan is now being studied in the Philippines looking toward the consolidation of several towns into one district, to be under the jurisdiction of one justice of the peace, who shall be a lawyer.

LAND TITLES.

Homesteads: During the last eight years, from 1914 to 1921, the number of homestead applications received, as well as the number of applications acted upon (canceled, approved, approved canceled, and patented), has considerably increased, as compared with the figures for the eight years previous to 1914; that is to say, from 1906 to 1913. The following table will bear out the above statement:

*Homestead applications.*

| Year. | Received. | Canceled. | Approved. | Approved canceled. | Patented. | Total acted upon. | Pending. | Total number.[1] | Average number.[2] |
|---|---|---|---|---|---|---|---|---|---|
| 1906 | 1,543 | 131 | 332 | 4 | ..... | 467 | 1,404 | ..... | ..... |
| 1907 | 2,643 | 172 | 889 | 6 | ..... | 1,067 | 2,992 | ..... | ..... |
| 1908 | 2,023 | 307 | 1,495 | 23 | ..... | 1,825 | 3,236 | ..... | ..... |
| 1909 | 1,463 | 610 | 858 | 2 | ..... | 1,470 | 3,233 | ..... | ..... |
| 1910 | 2,210 | 679 | 1,129 | 5 | 1 | 1,814 | 3,640 | ..... | ..... |
| 1911 | 2,995 | 718 | 1,445 | 60 | 1 | 2,224 | 4,532 | ..... | ..... |
| 1912 | 3,703 | 1,450 | 1,941 | 74 | 27 | 3,492 | 4,921 | ..... | ..... |
| 1913 | 4,962 | 1,755 | 2,014 | 410 | 106 | 4,285 | 6,524 | ..... | ..... |
| Total | 21,445 | ..... | ..... | ..... | ..... | ..... | ..... | 16,644 | 2,080.5 |
| 1914 | 5,552 | 2,198 | 3,164 | 303 | 160 | 5,825 | 7,017 | ..... | ..... |
| 1915 | 7,466 | 2,188 | 3,434 | 454 | 515 | 6,591 | 9,315 | ..... | ..... |
| 1916 | 8,198 | 2,031 | 3,369 | 304 | 192 | 5,926 | 12,387 | ..... | ..... |
| 1917 | 8,922 | 2,206 | 4,998 | 449 | 322 | 7,975 | 14,554 | ..... | ..... |
| 1918 | 8,259 | 2,297 | 4,315 | 771 | 309 | 7,692 | 16,972 | ..... | ..... |
| 1919 | 7,026 | 2,772 | 3,765 | 871 | 326 | 7,734 | 18,332 | ..... | ..... |
| 1920 | 9,561 | 1,511 | 2,467 | 411 | 739 | 5,128 | 24,326 | ..... | ..... |
| 1921 | 6,672 | 905 | 1,510 | 479 | 835 | 3,729 | 29,032 | ..... | ..... |
| Total | 62,656 | ..... | ..... | ..... | ..... | ..... | ..... | 50,600 | 6,325 |

[1] Total number of applications acted upon for 8 years.
[2] Average number of applications acted upon each year for 8 years.

The foregoing table shows that the total number of homestead applications received for eight years, from 1906 to 1913, was 21,445, and that the number for the following eight years, from 1914 to 1921, the period of Filipino self-government, was 62,656, or an increase of 41,211, or 192 per cent for the second period.

It will also be seen from the above table that the total number of applications acted upon for eight years from 1906 to 1913 was 16,644, while the number for 1914 to 1921, eight years also, was 50,600, or an increase of 33,956 (about 200 per cent) for the second period, which was the time of Filipino autonomy. It will be seen likewise that the average number of applications acted upon each year for eight years from 1906 to 1913 was 2,080.5, while the number for 1914 to 1921, also eight years, was 6,325, or an increase of over 200 per cent for the second period. It is also to be noted that the number of applications patented in 1913 was 106, which was increased to 739, or six times, in 1920, and to 835, or seven times, in 1921.

SALES.

The following table shows the number of applications for sale of public land received, acted upon, and pending each year from 1906 to 1921, a period of 16 years:

*Sales applications.*

FIRST PERIOD, 1906–1913.

| Year. | Received. | Approved. | Approved canceled. | Canceled. | Patented. | Total acted upon. | Pending. | (1) | (2) |
|---|---|---|---|---|---|---|---|---|---|
| 1906 | 72 | 7 | ..... | 14 | ..... | 21 | 92 | ..... | ..... |
| 1907 | 76 | 16 | 1 | 49 | ..... | 66 | 104 | ..... | ..... |
| 1908 | 41 | 20 | ..... | 65 | ..... | 85 | 60 | ..... | ..... |
| 1909 | 58 | 11 | ..... | 17 | ..... | 28 | 90 | ..... | ..... |
| 1910 | 63 | 21 | ..... | 28 | ..... | 49 | 104 | ..... | ..... |
| 1911 | 164 | 27 | ..... | 48 | 2 | 77 | 193 | ..... | ..... |
| 1912 | 220 | 52 | 1 | 85 | 3 | 141 | 277 | ..... | ..... |
| 1913 | 353 | 46 | 8 | 207 | 4 | 265 | 385 | ..... | ..... |
| Total | 1,047 | ..... | ..... | ..... | ..... | ..... | ..... | 732 | 91.5 |

SECOND PERIOD, 1914–1921.

| | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| 1914 | 337 | 79 | 1 | 184 | 4 | 268 | 460 | ..... | ..... |
| 1915 | 431 | 104 | 10 | 133 | 7 | 254 | 664 | ..... | ..... |
| 1916 | 354 | 115 | 10 | 156 | 1 | 282 | 757 | ..... | ..... |
| 1917 | 683 | 137 | 24 | 283 | 3 | 447 | 1,044 | ..... | ..... |
| 1918 | 716 | 185 | 17 | 387 | 14 | 603 | 1,205 | ..... | ..... |
| 1919 | 732 | 145 | 14 | 361 | 1 | 421 | 1,445 | ..... | ..... |
| 1920 | 1,025 | 43 | 10 | 128 | 5 | 186 | 2,309 | ..... | ..... |
| 1921 | 573 | 34 | 17 | 99 | 15 | 165 | 2,766 | ..... | ..... |
| Total | 4,851 | ..... | ..... | ..... | ..... | ..... | ..... | 2,626 | 328 |

[1] Total number of applications acted upon for 8 years.
[2] Average number of applications acted upon each year for 8 years.

From the above table we know that the total number of sale applications received during the eight years from 1906 to 1913 was 1,047, compared with 4,851 for the next eight years from 1914 to 1921. There is, therefore, an increase of 3,804, or 364 per cent, during second period.

We likewise see that from 1906 to 1913, eight years, the number of sale applications acted upon was only 732, while the number for 1914 to 1921, eight years also, was 2,626, which was an increase of 1,894, or 258 per cent, over the first period. The average number of sale applications acted upon each year was 91.5 for 1906–1913 and 328 for 1914–1921.

LEASES.

The following table gives the number of lease applications received, contracts executed, contracts executed void, and applications canceled from 1906 to 1921, 16 years:

*Lease applications.*

FIRST PERIOD, 1906–1913.

| Year. | Application received. | Contract executed. | Contract executed void. | Application canceled. | Total applications acted upon. | Pending. | (1) | (2) |
|---|---|---|---|---|---|---|---|---|
| 1906 | 7 | ..... | ..... | ..... | ..... | 10 | ..... | ..... |
| 1907 | 40 | ..... | ..... | 8 | 8 | 42 | ..... | ..... |
| 1908 | 45 | 5 | ..... | 7 | 12 | 75 | ..... | ..... |
| 1909 | 46 | 5 | ..... | 11 | 16 | 105 | ..... | ..... |
| 1910 | 66 | 2 | ..... | 23 | 25 | 146 | ..... | ..... |
| 1911 | 73 | 4 | ..... | 55 | 59 | 160 | ..... | ..... |
| 1912 | 120 | 2 | ..... | 67 | 69 | 211 | ..... | ..... |
| 1913 | 96 | 6 | ..... | 80 | 86 | 221 | ..... | ..... |
| | 493 | ..... | ..... | ..... | ..... | ..... | 275 | 3.43 |

SECOND PERIOD, 1914–1921.

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| 1914 | 98 | 8 | ..... | 66 | 74 | 245 | ..... | ..... |
| 1915 | 78 | 11 | 1 | 52 | 64 | 261 | ..... | ..... |
| 1916 | 103 | 5 | 1 | 47 | 53 | 313 | ..... | ..... |
| 1917 | 166 | 39 | 2 | 136 | 177 | 306 | ..... | ..... |
| 1918 | 317 | 29 | 6 | 92 | 127 | 508 | ..... | ..... |
| 1919 | 237 | 9 | 3 | 119 | 131 | 620 | ..... | ..... |
| 1920 | 332 | 6 | 1 | 105 | 112 | 842 | ..... | ..... |
| 1921 | 137 | 7 | ..... | 194 | 201 | 778 | ..... | ..... |
| | 1,468 | ..... | ..... | ..... | ..... | ..... | 937 | 117 |

[1] Total number of applications acted upon for 8 years.
[2] Average number of applications acted upon each year for 8 years.

We learn from the foregoing table that the total number of lease applications received from 1906 to 1913, eight years, was 493, while from 1914 to 1921 the number was 1,468. There was, therefore, an increase of 975, or 197 per cent, for the second period. This table also shows that during the period of 1906 to 1913, eight years, the number of lease applications acted upon was only 275, while the number was 937 for 1914–1921, which means an increase of 662, or 240 per cent, for the second period. The average number of lease applications acted upon each year was 34.3 for 1906 to 1913, and 117 for 1914–1921.

FREE PATENTS.

The following table gives the number of free patent applications received and acted upon (canceled and patented) as well as the number of patents canceled from 1906 to 1921:

*Free patent applications.*

FIRST PERIOD, 1906–1913.

| Year. | Received. | Canceled. | Patented. | Patents canceled. | Total acted upon. | Pending. | (1) | (2) |
|---|---|---|---|---|---|---|---|---|
| 1906 | 3,320 | 360 | ..... | ..... | 360 | 3,289 | ..... | ..... |
| 1907 | 7,173 | 611 | ..... | ..... | 611 | 9,851 | ..... | ..... |
| 1908 | 2,577 | 544 | ..... | ..... | 544 | 11,884 | ..... | ..... |
| 1909 | 2,449 | 369 | ..... | ..... | 369 | 13,964 | ..... | ..... |
| 1910 | ..... | 207 | 133 | 3 | 343 | 13,621 | ..... | ..... |
| 1911 | 8 | 478 | 191 | 4 | 673 | 12,956 | ..... | ..... |
| 1912 | ..... | 529 | 358 | 2 | 889 | 12,067 | ..... | ..... |
| 1913 | ..... | 307 | 465 | 5 | 777 | 11,290 | ..... | ..... |
| | 15,417 | 3,405 | 1,147 | 14 | 4,566 | ..... | 4,566 | 571 |

SECOND PERIOD, 1914–1921.

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| 1914 | 1,191 | 338 | 523 | ..... | 861 | 11,620 | ..... | ..... |
| 1915 | 1,375 | 97 | 1,906 | ..... | 2,003 | 10,992 | ..... | ..... |
| 1916 | 1,137 | 102 | 2,117 | ..... | 2,219 | 9,910 | ..... | ..... |
| 1917 | 1,819 | 280 | 475 | 3 | 758 | 10,971 | ..... | ..... |
| 1918 | 1,203 | 518 | 258 | ..... | 776 | 11,398 | ..... | ..... |
| 1919 | 562 | 355 | 306 | ..... | 661 | 11,299 | ..... | ..... |
| 1920 | 670 | 98 | 1,071 | ..... | 1,169 | 10,800 | ..... | ..... |
| 1921 | 767 | 68 | 887 | ..... | 955 | 10,612 | ..... | ..... |
| | 8,724 | 1,856 | 7,543 | ..... | 9,402 | ..... | 9,402 | 1,175 |

[1] Total number of applications acted upon for 8 years.
[2] Average number of applications acted upon for 8 years.

The above table shows that the number of free patent applications received from 1906 to 1913 was 15,417, while from 1914 to 1921 the number was 8,724, or a decrease of 6,693, or 76 per cent for the second period. The number of applications canceled from 1906 to 1913 was 3,405, while the number for 1914–1921 was 1,856, or a decrease of 1,547, or 82 per cent for the second period. The number of applications patented for the first period (1906–1913) was only 1,147, compared with 7,543 for the second period, or an increase of almost six times for 1914–1921. The total number of applications acted upon for the period of 1906–1913 was 4,566, while from 1914–1921 the number was 9,402, or an increase of 4,836 or 105 per cent for the second period. The average number of free patent applications acted upon each year for the first period was 571, while in the second period the number was 1,175.

For the purpose of recapitulating the figures appearing in the foregoing tables, the following table is given, which shows the total number of applications received by the bureau of lands for homestead, sale, lease, and free patent of public land from 1906 to 1913, and from 1914 to 1921, and the number of applications acted upon during said periods:

*General table.*

(Homestead, sale, lease, and free patent.)

| Nature. | Applications received. | | | | | |
|---|---|---|---|---|---|---|
| | 1906 to 1913. | 1914 to 1921. | Increase. | Increase per cent. | Yearly average. | |
| | | | | | 1906 to 1913. | 1914 to 1921. |
| Homestead | 21,445 | 62,656 | 41,211 | 192 | 2,681 | 7,832 |
| Sale | 1,047 | 4,851 | 3,804 | 364 | 131 | 606 |
| Lease | 493 | 1,468 | 975 | 197 | 62 | 184 |
| Free patent | 15,417 | [1]8,724 | [1]6,693 | [1]76 | 1,927 | 1,091 |

| Nature. | Applications acted upon. | | | | | |
|---|---|---|---|---|---|---|
| | 1906 to 1913. | 1914 to 1921. | Increase. | Increase per cent. | Yearly average. | |
| | | | | | 1906 to 1913. | 1914 to 1921. |
| Homestead | 16,644 | 50,600 | 33,956 | 200 | 2,080 | 6,325 |
| Sale | 732 | 2,626 | 1,894 | 258 | 91 | 328 |
| Lease | 275 | 937 | 662 | 240 | 34 | 117 |
| Free patent | 4,566 | 9,402 | 4,836 | 105 | 571 | 1,175 |

[1] Decrease.

SURVEYS.

Cadastral surveys: The cadastral surveys completed in the field by the bureau of lands have also increased during the period of Philippine autonomy, 1914–1916, as shown by the following table:

*Number of parcels surveyed, 1910–1913.*

| | |
|---|---|
| 1910 | 3,070 |
| 1911 | 5,687 |
| 1912 | 8,215 |
| 1913 | 17,118 |
| Total for 1910–1913 | 34,090 |
| Yearly average | 8,522 |

1914–1921.

| | |
|---|---|
| 1914 | 48,380 |
| 1915 | 17,456 |
| 1916 | 12,983 |
| 1917 | 44,617 |
| 1918 | 52,341 |
| 1919 | 24,086 |
| 1920 | 64,154 |
| 1921 | 51,431 |
| Total for 1914–1921 | 315,448 |
| Yearly average | 39,421 |
| Total for 1918–1921 | 192,012 |
| Yearly average | 48,003 |

The above table on cadastral surveys shows that the average number of parcels surveyed each year in four years, from 1910 to 1913, was 8,522, while the average yearly number for eight years, from 1914 to 1921, was 39,421, or an increase of 245 per cent for the second period. Taking the average of the last four years of Filipino self-government—that is, 1918–1921—the yearly average of parcels surveyed was 48,003, as compared with 8,522 of the 1910–1913 period, or an increase of 463 per cent for the 1918–1921 period.

Isolated surveys: The isolated property surveys completed by the bureau of lands from 1908 to 1921 are shown in the following table:

*Number of parcels surveyed.*

1908–1913.

| | |
|---|---|
| 1908 | 6,208 |
| 1909 | 3,855 |
| 1910 | 7,487 |
| 1911 | 7,291 |
| 1912 | 8,835 |
| 1913 | 8,924 |
| Total for 1908–1913 | 37,012 |
| Yearly average | 6,168 |

1914–1921.

| | |
|---|---|
| 1914 | 10,952 |
| 1915 | 8,604 |
| 1916 | 8,926 |
| 1917 | 7,492 |
| 1918 | 8,354 |
| 1919 | 9,366 |
| 1920 | 9,834 |
| 1921 | 14,926 |
| Total for 1914–1921 | 78,454 |
| Yearly average | 9,807 |
| Total for 1916–1921 | 58,898 |
| Yearly average | 9,813 |

It appears from the foregoing table on isolated surveys that the average number of parcels surveyed in six years, from 1908 to 1913, was 6,168 annually, and the average yearly number for eight years, from 1914 to 1921, was 9,807, or an increase of 42 per cent for the last eight years. Taking the average for the last six years, 1916 to 1921, the yearly average of parcels surveyed was 9,813, while, as already stated, the average for 1908–1913, was 6,168, or an increase of 42 per cent for 1916–1921, the last six years of Filipinization of the service.

The above figures further show the increased efficiency of the bureau of lands during the period of Filipinization of that bureau.

ADJUDICATION OF LAND TITLES.

Cases disposed of: The number of land-registration cases disposed of (title confirmed, title denied, and application dismissed) has increased from 1914 to 1920, seven years, compared with the seven years from 1907 to 1913, as shown by the following table:

*Land-registration cases disposed of (Torrens system).*

1907–1913.

| Year. | Confirmed. | Denied. | Dismissed. | Total acted upon. | Total for 7 years. | Average yearly. | Observation. |
|---|---|---|---|---|---|---|---|
| 1907 | 689 | 19 | 75 | 783 | ..... | ..... | |
| 1908 | 767 | 29 | 35 | 831 | ..... | ..... | |
| 1909 | 1,019 | 50 | 86 | 1,155 | ..... | ..... | |
| 1910 | 885 | 30 | 80 | 995 | ..... | ..... | |
| 1911 | 1,374 | 49 | 226 | 1,649 | ..... | ..... | |
| 1912 | 830 | 24 | 61 | 915 | ..... | ..... | |
| 1913 | 807 | 32 | 37 | 876 | ..... | ..... | |
| | ..... | ..... | ..... | ..... | 7,204 | 1,029 | |

1914–1920.

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| 1914 | 366 | 14 | 19 | 399 | ..... | ..... | |
| 1914 | 747 | 26 | 19 | 792 | ..... | ..... | New fiscal year. |
| 1915 | 999 | 20 | 28 | 1,047 | ..... | ..... | |
| 1916 | 982 | 25 | 66 | 1,073 | ..... | ..... | |
| 1917 | 928 | 25 | 32 | 985 | ..... | ..... | |
| 1918 | 992 | 13 | 31 | 1,036 | ..... | ..... | |
| 1919 | 1,002 | 9 | 34 | 1,045 | ..... | ..... | |
| 1920 | 1,857 | 14 | 34 | 1,905 | ..... | ..... | |
| | ..... | ..... | ..... | ..... | 8,282 | 1,183 | |

It will be seen that the total number of cases disposed of for the first seven years from 1907 to 1913 was 7,204, while the total number of cases disposed of for the second seven years from 1914 to 1920 was 8,282, or an increase of 1,078, or 14 per cent for the second period. The average number of cases disposed of each year from 1907 to 1913 was 1,029, while from 1914 to 1920 the average yearly number was 1,183.

The court of land registration ceased to exist on July 1, 1914, and its work was transferred to the courts of first instance. The

total number of cases disposed of from 1915 to 1920, inclusive (six years), was 7,091, as compared with 6,421 for six years, also from 1908 to 1913, inclusive, or an increase of 670, or over 10 per cent for the 1915–1920 period.

Decrees of title issued: The following table shows the number of decrees of title issued from 1906 to 1920:

*Decrees of title issued.*

1907–1913.

| Year. | Number of decrees. | Number of parcels. |
|---|---|---|
| 1907 | 598 | 728 |
| 1908 | 729 | 1,057 |
| 1909 | 896 | 1,255 |
| 1910 | 707 | 1,178 |
| 1911 | 1,888 | 3,080 |
| 1912 | 1,434 | 2,575 |
| 1913 | 7,297 | 9,169 |
| Total | 13,549 | 19,042 |
| Yearly average | 1,935 | 2,720 |

1914–1920.

| | | |
|---|---|---|
| 1914 | 3,956 | 5,873 |
| 1915 | 1,249 | 2,795 |
| 1916 | 5,786 | 7,094 |
| 1917 | 37,762 | 40,779 |
| 1918 | 10,198 | 11,503 |
| 1919 | 13,538 | 15,465 |
| 1920 | 14,288 | 16,093 |
| Total | 86,777 | 99,602 |
| Yearly average | 12,397 | 14,229 |

The total number of decrees of title issued for 1907 to 1913 (7 years), as shown above, was 13,549, while from 1914 to 1920 (also 7 years), the total number was 86,777, or an increase of 73,228, or 541 per cent for the latter period. The average number of decrees of title issued each year from 1907 to 1913 (7 years) was 1,935, while the average from 1914 to 1920 was 12,397.

As above stated, the Court of Land Registration was abolished on July 1, 1914. The total number of decrees of title issued from 1908 to 1913, inclusive (6 years), was 12,951, affecting 18,314 parcels, while the number of decrees of title issued during the years from 1915 to 1920, inclusive, was 82,821, affecting 93,729 parcels. In other words, for the second period, after the abolition of the Court of Land Registration there was an increase of 69,870 decrees, or 516 per cent increase, and 75,415 parcels, or 411 per cent increase.

## EDUCATION.

### LITERACY.

The literacy of the Filipino population over 10 years of age is 49.2 per cent, according to the Philippine census of 1918.

### PROGRESS OF PUBLIC SCHOOLS.

Number of pupils: The enrollment of pupils in the public schools below the University of the Philippines from the school year 1908–9 to 1920–21 is as follows:

1908–1913.

| Year | Enrollment. | Increase over previous year. | | Average yearly increase in 5 years. | |
|---|---|---|---|---|---|
| | | Number. | Per cent. | Number. | Per cent. |
| 1908–9 | 570,502 | 83,826 | 17. | | |
| 1909–10 | 587,317 | 16,815 | 2.5 | | |
| 1910–11 | 610,493 | 23,176 | 3.9 | | |
| 1911–12 | 529,665 | [1] 80,828 | [1] 13.2 | | |
| 1912–13 | 440,050 | [1] 89,615 | [1] 16.9 | [1] 9,325 | [1] 1.3 |

1914–1921.

| | | | | | |
|---|---|---|---|---|---|
| 1913–14 | 621,114 | 180,980 | 41 | | |
| 1914–15 | 621,114 | | | | |
| 1915–16 | 638,548 | 17,434 | 2.8 | | |
| 1916–17 | 675,997 | 37,450 | 5.8 | | |
| 1917–18 | 671,398 | [1] 4,599 | .67 | | |
| 1918–19 | 681,588 | 10,190 | 1.5 | | |
| 1919–20 | 791,628 | 110,036 | 16 | | |
| 1920–21 | 943,422 | 151,796 | 19 | 61,174 | 8.3 |

[1] Decrease

In 1908–9 the enrollment was 570,502, which decreased to 440,050 in 1912–13 and increased to 943,422 in 1920–21, or more than twice as large as in 1912–13. The great increase in enrollment in the public schools during the last five school years of Filipino autonomy (1916–17 to 1920–21), as compared with the five school years from 1908–9 to 1912–13 is seen from the above table. The average yearly decrease from 1908–9 to 1912–13, the last five years before Filipino autonomy was 9,325, or 1.3 per cent turned into average annual increase during the last five years of Philippine self-government (1916–17 to 1920–21) of 61,174, or 8.3 per cent.

The average enrollment each year during the five-year period (1908–9 to 1912–13) was 547,611, while the number was 752,606 for the five years from 1916–17 to 1920–21, or an increase of 37 per cent during the latter period.

Number of schools: The following table shows the number of public schools from 1909 to 1920:

*Number of schools.*

1909–1913.

| Year. | Primary. | Intermediate. | Secondary. | Total. | Increase over previous year. | | Average yearly increase | |
|---|---|---|---|---|---|---|---|---|
| | | | | | Number. | Per cent. | Number. | Per cent. |
| 1909 | 4,194 | 193 | 37 | 4,324 | 493 | 11 | | |
| 1910 | 4,295 | 198 | 38 | 4,431 | 107 | 2 | | |
| 1911 | 4,121 | 245 | 38 | 4,404 | [1] 27 | [1] .5 | [1] 181 | [1] 4.8 |
| 1912 | 3,364 | 283 | 38 | 3,685 | [1] 719 | [1] 16 | | |
| 1913 | 2,595 | 296 | 43 | 2,934 | [1] 751 | [1] 21 | | |

1914–1920.

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| 1914 | 3,913 | 278 | 44 | 4,235 | 1,301 | 40 | | |
| 1915 | 3,837 | 309 | 41 | 4,187 | [1] 48 | [1] 1 | | |
| 1916 | 4,143 | 351 | 44 | 4,538 | 351 | 8 | | |
| 1917 | 4,288 | 368 | 46 | 4,702 | 164 | 4 | 416 | 10.5 |
| 1918 | 4,276 | 423 | 48 | 4,747 | 45 | 1 | | |
| 1919 | 4,412 | 501 | 50 | 4,963 | 116 | 2 | | |
| 1920 | 5,280 | 614 | 50 | 5,944 | 981 | 20 | | |

[1] Decrease.

The number of schools rose from 2,934 in 1913 to 5,944 in 1920, or an increase of 102 per cent.

The average annual decrease of schools from 1909 to 1913 (five years preceding Filipino autonomy) was 181, or 4.8 per cent, while the average yearly increase from 1914 to 1920 (no figures being available for 1921) was 416.

Number of teachers: The number of teachers has also increased—as shown in the following table:

1909–1913.

| Year. | Number of Filipino teachers. | Number of American teachers. | Total. |
|---|---|---|---|
| 1909 | 8,774 | 825 | 9,599 |
| 1910 | 9,007 | 732 | 9,732 |
| 1911 | 9,086 | 683 | 9,769 |
| 1912 | 8,360 | 664 | 9,024 |
| 1913 | 7,671 | 658 | 8,329 |

1914–1920.

| | | | |
|---|---|---|---|
| 1914 | 9,462 | 612 | 10,074 |
| 1915 | 9,845 | 538 | 10,383 |
| 1916 | 10,963 | 506 | 11,469 |
| 1917 | 12,303 | 477 | 12,780 |
| 1918 | 13,227 | 406 | 13,633 |
| 1919 | 14,433 | 374 | 14,807 |
| 1920 | 17,575 | 341 | 17,916 |

It will be seen from the above table that the number of Filipino teachers rose from 7,671 in 1913 to 17,575 in 1920, which means an increase of 9,904, or 129 per cent. The number of American teachers dropped from 658 in 1913 to 341 in 1920.

Amount of money spent for schools: There has likewise been a constant increase in the amount spent in education. The following table shows the amount spent from 1907 to 1920:

*Expenditures for education (in thousands of pesos).*

1907–1913.

| Year. | Insular. | Provincial. | Municipal. | Voluntary contribution. | Total. | Increase over previous year. | | Average yearly increase in 7 years. | |
|---|---|---|---|---|---|---|---|---|---|
| | | | | | | Amount. | Per cent. | Amount. | Per cent. |
| 1907 | 3,112 | 217 | 1,508 | (1) | 4,837 | 151 | 3 | | |
| 1908 | 3,498 | 228 | 1,672 | (1) | 5,399 | 562 | 11 | | |
| 1909 | 3,924 | 285 | 2,134 | (1) | 6,343 | 944 | 17 | | |
| 1910 | 5,412 | 209 | 2,516 | (1) | 8,137 | 1,794 | 28 | | |
| 1911 | 3,998 | 208 | 2,325 | (1) | 6,715 | [2] 1,422 | [2] 17 | | |
| 1912 | 4,254 | 277 | 2,211 | 174 | 6,916 | 201 | 3 | | |
| 1913 | 4,471 | 386 | 2,456 | 199 | 7,512 | 797 | 12 | 6,551 | 8 |

1914–1921.

| | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| 1914 | 4,590 | 473 | 2,303 | 344 | 7,710 | 198 | 2.6 | | |
| 1915 | 4,905 | 443 | 2,165 | 375 | 7,888 | 178 | 2 | | |
| 1916 | 4,708 | 464 | 2,395 | 352 | 7,919 | 31 | .4 | | |
| 1917 | 5,177 | 431 | 3,615 | 479 | 9,702 | 1,783 | 23 | | |
| 1918 | 6,068 | 716 | 4,099 | 617 | 11,500 | 1,798 | 18 | | |
| 1919 | 10,188 | 468 | 3,716 | 683 | 14,955 | 3,455 | 31 | | |
| 1920 | 12,802 | 450 | 4,368 | 800 | 18,420 | 31,165 | 23 | 11,155 | 14 |

[1] No data available [2] Decrease.

It will be seen that the total amount spent for public education for seven years from 1907 to 1913 was ₱45,860,000, while the amount spent for seven years from 1914 to 1920 was ₱78,094,000, which means an increase of ₱32,234,000, or 70 per cent, over the first period. The average amount spent each year during the first period (1907–1913) was ₱6,551,400, while the average amount spent each year for the second period (1914–1920 Filipino autonomy) was ₱11,155,000.

The cost per student based on total expenditures and the average daily attendance for all schools in 1908 was ₱18.26; in 1914, ₱16.52, and in 1920, ₱28.97. The per capita cost of education was ₱0.50 in 1903, ₱0.59 in 1907, ₱0.79 in 1914, and ₱1.81 in 1920.

In 1918, under Filipino self-government, the Philippine Legislature in act No. 2782 voted ₱30,705,824 for the extension of free elementary instruction to be spent in five years, this amount being the largest ever set aside. The director of education in his 1920 report has the following to say on this measure of the legislature:

"Of the ₱30,705,824 carried in act 2782 for the extension of elementary education, there was available for expenditure during 1919 the sum of ₱735,000; during 1920, the sum of ₱3,919,000; and there will be available for expenditure during 1921 the sum of ₱6,305,400, during 1922 the sum of ₱8,710,440, and during 1923 the sum of ₱11,035,984.

"The ₱3,919,000 which became available for expenditure during 1920 was distributed as aid to the Provinces and to the municipalities for the opening of new elementary schools, for the maintenance of elementary schools already established, and for the opening of new classes in elementary schools already established. Nearly 65 per cent of this sum was spent for the opening of new schools and for the opening of new classes in old schools.

"Through the extension program it has been planned to double the enrollment in the public elementary schools, to effect larger increases in the salaries of municipal teachers, and to abolish the collection of tuition fees in intermediate schools—all of this to be done during the five-year period from January 1, 1919, to December 31, 1923.

"The inauguration of the extension program has given such great impetus to the growth of the public schools and has given such great encouragement to the people who are most vitally interested in the growth of these schools that, in spite of the fact that only about 15 per cent of the total sum appropriated in act 2782 was available for expenditure during 1919 and 1920 (the first two years of the five-year period mentioned above), surprising results have been attained, among the most important of which are: The opening of 1,713 new primary schools; the opening of 226 new intermediate schools; the employment of 6,302 additional primary and intermediate teachers; the abolition of the collection of tuition fees in intermediate schools; an increase in the annual enrollment in the primary and intermediate grades of 261,768 pupils; a large increase in the number of primary and intermediate school buildings; an increase of 52 per cent in the average monthly salary paid municipal teachers."

Permanent school buildings: The number of permanent school buildings constructed up to 1913 was 624, which number rose to 1,046 in 1920. In other words, during the seven years (1914–1920 of the Filipino autonomy 67 per cent more permanent buildings were erected than during the 12 years from 1902 to 1913.

Salaries of Filipino teachers: The following table shows the gradual increase in the salaries of municipal and insular Filipino teachers from 1909 to 1920:

*Salaries of Filipino teachers.*

1909–1913.

| Year. | Municipal teacher. | Insular teacher. |
|---|---|---|
| 1909 | ₱17.83 | ₱43.97 |
| 1910 | 18.29 | 44.66 |
| 1911 | 18.55 | 45.15 |
| 1912 | 19.93 | 49.88 |
| 1913 | 21.25 | 50.31 |
| Average yearly increase | .85 | 1.58 |

1914–1920.

| | | |
|---|---|---|
| 1914 | ₱21.34 | ₱50.77 |
| 1915 | 22.05 | 56.32 |
| 1916 | 22.88 | 55.88 |
| 1917 | 23.98 | 56.58 |
| 1918 | 25.72 | 59.75 |
| 1919 | 30.65 | 65.83 |
| 1920 | 37.86 | 71.76 |
| Average yearly increase | 2.75 | 3.49 |

It will be seen that the average yearly increase in four years, from 1909 to 1913, was ₱0.85 for municipal teachers and ₱1.58 for insular teachers, while the average yearly increase in six years, from 1914 to 1920, was ₱2.75 for municipal teachers and ₱3.49 for insular teachers. It will be observed also that while the increase from 1909 to 1913 was ₱3.42 for municipal and ₱6.34 for insular teachers, the raise from 1916 to 1920 was ₱14.98 for municipal and ₱15.88 for insular teachers.

Attainments of Filipino teachers: During Filipino autonomy the attainments of Filipino teachers were considerably improved, as shown in the following table:

*Percentages of intermediate graduates or better.*

| School year: | |
|---|---|
| 1909–10 | 25.16 |
| 1912–13 | 50.22 |
| 1916–17 | 85.80 |
| 1919–20 | 95.87 |

The above data are taken from the thirteenth and twenty-first annual reports of the director of education, on pages 48 and 14, respectively. They show that the qualities of our public-school teachers were improved nearly 100 per cent during Filipino autonomy.

Efficiency of teaching: Centralization, with authority vested in technical men, is in large measure responsible for the efficiency of the public-school system in the Philippines. Leading educators in the United States praise the Philippine system and are suggesting its adoption in the United States.

Teachers are trained both before and during their service. Educational training is given by the College of Education of the University of the Philippines, the Philippine Normal School, the normal schools in Albay, Cebu, Ilocos Norte, Iloilo, and Pangasinan, and normal courses in five provincial high schools.

As to the training of teachers while in the service, Dr. Luther B. Bewley, director of education, says in his annual report for 1921:

"Since the demand for trained teachers in our schools is so much greater than the supply, there is only one thing for us to do, and that is to employ each year large numbers of teachers without professional training, with the idea of giving them the necessary training in the service. We have been confronted with this problem so long that we have been able, after years of effort, to develop facilities for the training of teachers in the service that will compare favorably with the same facilities of most other school systems of the world.

"Among the facilities or agencies that we now have for the training of teachers in the service are vacation assemblies, summer schools, normal institutes, model classes, supervision, reading courses, teachers' meetings, and teacher pensionadoships. The teachers' vacation assembly in Baguio and the teachers' vacation assembly in Manila are always looked upon by public-school teachers all over the islands as two of the foremost of the educational events of the year.

THE UNIVERSITY OF THE PHILIPPINES.

Attendance: The rapid growth of the University of the Philippines is shown by the following table on attendance:

*Academic year attendance.*

| | | | |
|---|---|---|---|
| 1911–12 | 1,400 | 1917–18 | 3,289 |
| 1912–13 | 1,398 | 1918–19 | 3,336 |
| 1913–14 | 1,502 | 1919–20 | 3,441 |
| 1914–15 | 2,075 | 1920–21 | 3,878 |
| 1915–16 | 2,398 | 1921–22 | 4,718 |
| 1916–17 | 2,975 | | |

We believe there are few, if any, State universities in America that have grown so fast in such a short time as the University of the Philippines. In 10 years the attendance rose from 1,400 in 1911–12 to 4,718 in 1921–22, or an increase of 237 per cent.

Degrees granted: The following table shows the number of degrees granted by the University of the Philippines:

*Degrees granted by the University of the Philippines.*

| Degree. | 1911 | 1912 | 1913 | 1914 | 1915 | 1916 | 1917 |
|---|---|---|---|---|---|---|---|
| B. A. | 4 | 16 | 12 | 49 | 83 | 103 | 126 |
| Ph. B. | | | | | | | |
| B. S. in Chem. | | | | | | | |
| B. S. in Com. | | | | | | | |
| B. S. in Govt. | | | | | | | |
| B. S. in Lib. Sc. | | | | | | | |
| B. S. | | | | 3 | | 1 | |
| M. A. | | | 4 | | 2 | | 2 |
| M. S. | | | | | | 2 | 1 |
| Sc. D. | | 1 | | | | | |
| H. S. T. C. | | | | | 1 | 10 | 15 |
| B. S. in Ed. | | | | | | 2 | 6 |
| M. A. in Ed. | | | | | | | |
| B. Agr. | 2 | 4 | 5 | 11 | 19 | 9 | 11 |
| Master Farmer | | | | | | | 1 |
| B. S. in Agr. | 1 | 1 | 1 | 2 | 5 | 1 | 7 |
| M. S. in Agr. | | | 1 | | | 1 | 1 |
| C. E. | | | | | 2 | 1 | 5 |
| B. S. in Mech. Eng. | | | | | | | |
| M. S. in Mech. Eng. | | | | | | | |
| B. S. in C. E. | | | | | | 3 | 5 |
| M. S. in C. E. | | | | | | | 5 |
| D. V. M. | | | 5 | 2 | 4 | 5 | |
| LL. B. | | | 19 | 18 | 35 | 20 | 29 |
| LL. M. | | | | | | | |
| LL. D. | 1 | | 1 | 1 | | | 1 |
| M. D. | 3 | 9 | 8 | 9 | 16 | 5 | 22 |
| B. S. Jr. | | | | | | | |
| B. S. in Forestry | | | | | | | |
| Graduate in Pharmacy | | | | 8 | 4 | 19 | 12 |
| Pharmaceutical Chemist | | | | | | | |
| B. S. in Pharmacy | | | | | 6 | 4 | 4 |
| Dental Surgery | | | | | 2 | 5 | 2 |
| Doctor of Tropical Medicine | | | | | 2 | 5 | 2 |
| Doctor of Public Health | | | | | | | 1 |
| Total | 11 | 31 | 51 | 106 | 177 | 190 | 262 |

| Degree. | 1918 | 1919 | 1920 | 1921 | 1922 | Total. |
|---|---|---|---|---|---|---|
| B. A. | 208 | 162 | 226 | 3 | | 892 |
| Ph. B. | | | 3 | 3 | 4 | 10 |
| B. S. in Chem. | 1 | 2 | | 2 | 1 | 6 |
| B. S. in Com. | 3 | 9 | 6 | 15 | 28 | 61 |
| B. S. in Govt. | | | 1 | | 1 | 2 |
| B. S. in Lit. Sc. | | | | 3 | 1 | 4 |
| B. S. | | 2 | | 2 | 2 | 10 |
| M. A. | | 1 | 3 | | 2 | 14 |
| M. S. | 1 | 1 | 1 | 1 | 1 | 8 |
| Sc. D. | | | | | | 1 |
| H. S. T. C. | 29 | 36 | 62 | 61 | 35 | 249 |
| B. S. in Ed. | 9 | 13 | 19 | 30 | 15 | 94 |
| M. A. in Ed. | 1 | | | | | 1 |
| B. Agr. | 16 | 30 | 32 | 31 | 45 | 215 |
| Master Farmer | | | | | | 1 |
| B. S. in Agr. | 2 | 3 | 7 | 9 | 24 | 63 |
| M. S. in Agr. | 2 | | 4 | 2 | 1 | 12 |
| C. E. | | | | | | 8 |
| B. S. in Mech. Eng. | | | 1 | 5 | 7 | 13 |
| M. S. in Mech. Eng. | | | | | 1 | 1 |
| B. S. in C. E. | 3 | 5 | 4 | 15 | 15 | 50 |
| M. S. in C. E. | 1 | 2 | | 1 | 2 | 11 |
| D. V. M. | 7 | 3 | 2 | 8 | 14 | 50 |
| LL. B. | 29 | 23 | 19 | 17 | 32 | 241 |

*Degrees granted by the University of the Philippines*—Continued.

| Degree. | 1918 | 1919 | 1920 | 1921 | 1922 | Total. |
|---|---|---|---|---|---|---|
| LL. M | 2 | 2 | ..... | ..... | ..... | 4 |
| LL. D | ..... | ..... | ..... | ..... | ..... | 4 |
| M. D | 23 | 24 | 28 | 25 | 25 | 197 |
| B. S. Jr | ..... | ..... | ..... | 8 | ..... | 8 |
| B. S. in Forestry | ..... | ..... | ..... | 2 | ..... | 2 |
| Graduate in Pharmacy | 22 | 13 | 8 | ..... | ..... | 86 |
| Pharmaceutical Chemist | ..... | ..... | ..... | 24 | 28 | 52 |
| B. S. in Pharmacy | 1 | 3 | 3 | ..... | 5 | 26 |
| Dental Surgery | 2 | 1 | ..... | ..... | ..... | 12 |
| Doctor of Tropical Medicine | 2 | 1 | ..... | ..... | ..... | 12 |
| Doctor of Public Health | ..... | ..... | ..... | ..... | ..... | 1 |
| Total | 263 | 336 | 435 | 262 | 293 | 2,417 |

The two preceding tables show that considering the limited resources at its disposal, the University of the Philippines is meeting the demands upon it as satisfactorily as could be reasonably expected.

Faculty: The following table shows the membership of the faculty of the University of the Philippines:

| Rank. | Americans. | Filipinos. | Total. |
|---|---|---|---|
| Deans | 5 | 4 | 9 |
| Directors | 2 | 3 | 5 |
| Professors | 35 | 18 | 53 |
| Professorial lecturers | 9 | 13 | 22 |
| Associate professors | 11 | 8 | 19 |
| Assistant professors | 11 | 42 | 53 |
| Instructors | 4 | 95 | 99 |
| Lecturers | 19 | 25 | 44 |
| Total | 96 | 208 | 304 |

The foregoing table shows that there are 141 per cent as many Americans as Filipinos holding the highest ranks (professor and associate professor). The president of the university is an American. The university has always done its utmost to secure the services of American professors of high standing in the United States, but due to insufficient funds the university could not in many cases compete with the American universities. However, the American professors now in the university are, on the whole, highly capable, and their study of the local field in their respective lines has rendered them particularly useful as teachers and researchers.

SANITATION.

Organization: From 1909 to 1913 there were more Americans in the higher grades of the service. Up to 1913 the chiefs of hospitals were all Americans, with the exception of that of Butuan. Of 17 medical inspectors but 2 were Filipinos, the rest Americans. There were 9 junior medical inspectors, all Filipinos, and 27 district health officers, 5 of whom were Americans.

Till 1914 there were 11 Provinces organized into sanitary divisions, with a total of 54 divisions, 6 Provinces into municipal health districts, and 21 Provinces into boards of health.

At present (1921) all the Provinces, including those of the Department of Mindanao and Sulu, are organized into sanitary divisions, totaling 307 in all and embracing 639 municipalities, of which 46 sanitary divisions correspond to Mindanao and Sulu. Chart No. 1.

Up to 1914 there were only 91 physicians employed as municipal health officers and 205 sanitary inspectors.

At the beginning of 1920 there were 333 physicians employed by the Philippine Health Service, of which 219 physicians were municipal health officers and 503 sanitary inspectors and nurses, excluding those employed by the Provinces and municipalities.

Between 1909 and 1914 no health officer had any other means of transportation for inspection trips than the ordinary transportation peculiar to each Province.

At present 10 Provinces have automobiles for the exclusive use of the district health officers and their employees. These automobiles are sometimes used for transporting sick people to hospitals and are ready at all times for emergency calls and immediate investigation of suspected cases of dangerous communicable diseases.

Till 1914 the only source of information of morbidity and mortality in the Provinces was the statistics kept in the quarterly reports.

At present a daily telephone report of the number of deaths occurring during the previous 24 hours is checked with the normal rate for each town, and any increase is immediately investigated in order that the proper sanitary measures may be taken without delay. This is one of the boons brought about by the implantation of the automatic health control.

Laboratories: Up to 1914 Bulacan was the only Province which had an established laboratory. In 1920 there were 21 provincial laboratories, excluding those in Mindanao and Sulu. These laboratories are under the control of the district health officers.

Medical relief: There is about one physician to each 10,000 inhabitants in the Philippines, and it would be absurd to expect that such a small number could attend to a greater number of births and deaths. It can not, however, be denied that this number has been increasing every year, with the graduates coming from our two colleges proportionately with the number of inhabitants. Thus, for instance, in the Provinces in the year 1910 the number of decedents with medical attendance was 3.88 per cent of the total number of deaths, 4.91 per cent in 1914, 6.77 per cent in 1917, 6.47 per cent in 1918, 6.56 per cent in 1919, and 7.78 per cent in 1920. The increase, although slight, was steady during the years just mentioned.

In the city of Manila, where the proportion of practicing physicians to the population is larger, the number of deaths with medical attendance was, therefore, larger, being over 50 per cent of the total number of deaths for the last five years. The same thing may be said with regard to the proportion of births attended by physicians. In this connection mention ought to be made of the fact that a large number of births and deaths are reported as having had no medical attendance, although they may have really had, for the simple reason that many physicians are not inclined to extend a death certificate, unless they have given assistance to the very end, although they may have attended the deceased at the beginning of his ailment. The same is true in the Provinces to a more or less extent.

As a further proof that medical assistance, compared with that of recent years, has increased we may cite the large number of hospitals and dispensaries established not only in the different Provinces, but also in villages and barrios, to which the sick go for treatment. In 1914 the number of our dispensaries was 60. These dispensaries were increased to 784 in 1919, and to this number 155 more have to be added as having been established in 1920. With reference to hospitals we only had in 1914 two insular and six provincial. In 1919 the number increased to 9 insular (the Philippine General Hospital and the Southern Islands Hospital excluded), 8 in the Department of Mindanao and Sulu and three provincial hospitals. So far, we have only dealt with hospitals and dispensaries. With reference to the total number of persons who have attended the dispensaries and hospitals in the Provinces, we may say that their number has increased in proportion to the number of dispensaries established. The total number of patients treated in the hospitals or rural dispensaries for the last five years aggregate 1,621,650, distributed as follows: 158,709 in 1917, 500,052 in 1918, 332,555 in 1919, 349,768 in 1920, and 280,576 in 1921, which, compared with the number of patients treated in the few dispensaries in 1914, which was only 11,596, show a notable progress in the matter of medical assistance bestowed upon the community in recent years. With these figures and this information, we do not pretend to show that a large proportion of the Filipino people are at present enjoying adequate medical service, but we do want to demonstrate that in recent years a greater attention has been bestowed upon these activities, filling up the want noted in past years, by increasing the number of hospitals and dispensaries commensurate to the means at command of the Philippine Health Service.

Up to 1914 there were 60 public free dispensaries, in which 11,596 patients were treated. In 1919 there were 784 dispensaries, in which 228,923 patients were treated. During 1920, 155 more dispensaries were established in the Provinces.

Up to 1914 there were two insular and six provincial hospitals.

In 1920 there were nine insular hospitals, excluding the Philippine General Hospital and the Southern Islands Hospital, which are at present administered under the secretaryship of the Department of the Interior, eight hospitals in the Department of Mindanao and Sulu, and three provincial hospitals.

Infant welfare: Only one organization existed prior to 1909.

In 1915 infant-welfare work was inaugurated as a means to forestall the high infant mortality, and since then there have been established 615 institutions, including women's clubs, puericulture centers, maternity homes, gotas de leche, dispensaries, and baby contests.

Disposal of excreta: As late as 1909 very few private houses outside of the city of Manila had water-closets. The system in general use was the so-called surface type. At the end of 1919 there were 140,565 Antipolo closets, both public and private, and 5,169 septic tanks. Of the Antipolo closets, 1,798 were available for public use.

Water supplies: Only 100 artesian wells and 1 gravity water system (Manila) furnished safe drinking water in 1909.

At the end of 1919, the city of Manila included, there were 2,547 artesian wells and 51 gravity systems furnishing safe, potable water to a population of about 2,600,000.

Legislation: The most salient feature of the laws enacted by the legislature relative to public health during the period 1913–1921 is their constructive character.

In response to the growing activities of the health service the appropriation has been augmented from year to year, as may be gleaned from the following figures. They represent the insular, provincial, and municipal appropriations available for the Philippine health service, including the different sums allotted to fit from time to time by the emergency board:

*Philippine health service appropriations.*

| | | | |
|---|---|---|---|
| 1909 | ₱1,524,530.36 | 1916 | ₱1,303,488.77 |
| 1910 | 1,851,324.18 | 1917 | 1,253,656.08 |
| 1911 | 1,994,730.33 | 1918 | 2,014,230.80 |
| 1912 | 1,892,353.78 | 1919 | 2,827,536.00 |
| 1913 | 2,224,103.75 | 1920 | 3,453,828.00 |
| 1914 | 1,456,358.90 | 1921 | 3,053,828.00 |
| 1915 | 1,466,460.87 | | |

It should be noted, however, that prior to 1915 the Philippine General Hospital was under the administrative supervision of the director of health and its maintenance therefore included in the general appropriation of the bureau of health. Barring this item out, the appropriation for 1921 represents about three times that for 1913.

In 1915 the old bureau of health was reorganized, coming into existence as the Philippine health service.

The council of hygiene was created with the purpose of advising and assisting the director of health in the administration of the Philippine health service, and the procedure to secure funds for health purposes in the Provinces was provided for, thus placing it out of the whims of local politics.

Mortality and natality: The average death rate for the period of 1914–1919 was 28.62 per 1,000 population, while that of the previous six years (1908–1913) was 32.28, showing a decrease of over 4 per thousand, in spite of the epidemics of smallpox, influenza, and cholera during the former period.

In the Provinces the average mortality rate was 27 per 1,000 for the period of 1914–1919, and 26.19 for 1908–1913. There was an increase of less than one unit, due possibly to the occurrence of three extensive and serious epidemics that swept the islands during 1918 and 1919, viz, influenza, cholera, and smallpox, which diseases caused a combined mortality of about 107,787 during 1918 alone. Undoubtedly, a more complete death registration brought about by the improvement in the provincial health organization was partly to account for the frightful number of deaths.

The following comparative table represents the total number of deaths which occurred in the city of Manila and in the Provinces in accordance with the report submitted to the director of health. Comparing the total number of reported deaths during those last years, caused by said four diseases, it is evident that in all and in each of said diseases, mortality has notably diminished from 1918.

*Comparative table of deaths caused by preventable diseases in Manila and Provinces (Philippine Islands).*

| Years. | Total number of deaths. | | | |
|---|---|---|---|---|
| | Typhoid. | Malaria. | Beriberi. | Tuberculosis. |
| 1918 | 4,395 | 41,014 | 12,597 | 29,318 |
| 1919 | 3,810 | 37,956 | 12,387 | 29,653 |
| 1920 | 2,652 | 26,660 | 12,509 | 25,239 |

Infant mortality: In spite of repeated epidemics it is gratifying to say that the infant mortality has greatly decreased from 425.95 during the period of 1908–1913 to 329.48 for the period 1914–1919 in Manila, due chiefly to the efforts of the service with the cooperation of private institutions. In this connection it is worthy of note that the rate for 1920—213.02—was the lowest ever attained in Manila. The main factors that have influenced this remarkable decrease of infant mortality rate were the campaign against infantile beriberi, the enactment of a law for the preparation of tiqui-tiqui extract, the organization of public health nursing division, which has lately extended its activities to the Provinces, and the establishment of women's clubs, puericulture centers, maternity homes, etc. A further decrease in the future in the light of actual experience may confidently be expected.

In the Provinces the infant mortality rate has gone parallel with the curve of general mortality, for the reasons already given. The averages are 177.95 for the period of 1908–1913 and 186.28 for 1914–1918.

The natality in the Philippine Islands has run quite a puzzling curve, especially in Manila. Birth rates have been steadily decreasing, both in Manila and in the Provinces, during several years past. The average birth rate during the six-year period of 1914–1919 was 33.59 for Manila and 38.46 for the Provinces as against the average for the period 1908–1913 of 36.97 for Manila and 39.93 per 1,000 population for the Provinces.

We sincerely confess that no satisfactory reason could be given to explain this decrease in the natality in the Philippine Islands. In order to make a more thorough investigation as to the causes of this decrease a longer period of time would be necessary to have a comprehensive view of the matter. If we examine and compare the curves of rates for Manila and the Provinces, we have to admit the existence of a common factor that has influenced both. May it perhaps be explained by the effects of the World War?

Communicable diseases: In regard to communicable diseases, the service has not yet passed through the stage of epidemic eradication. Much work has already been done along this line from the American occupation to the present time, but it must be understood that in dealing with the control of communicable disease, many of which are endemic in the Philippine Islands, the time that has elapsed is so short as to expect to put them under complete control. Moreover, an important factor, which should not be lost sight of, in the control of these diseases is its constructive feature, and this, it should be said, has hardly been started, when waves of epidemic outbreaks again appear, keeping the activities of the service within the limit of more eradication and limiting its efforts to active epidemic campaign.

The eradication of epidemics is a problem depending upon many complex factors, which, although slowly, are nevertheless being steadily eliminated.

Plague has been completely eradicated. The last case of plague in human being was registered in 1914. The rat campaign is, however, being continued, and since 1915 not a single rat was found positive for plague bacilli

Smallpox and cholera had been under control for a good number of years, but due perhaps to the conditions brought about by the World War and influenced by the dreadful epidemics of influenza serious outbreaks of these diseases occurred during 1918 and 1919. Vaccinations against these diseases have since been performed in the whole Philippine Islands—3,523,749 vaccinations against smallpox and 200,619 vaccinations against cholera—with the gratifying result that but very few cases and deaths were registered in both Manila and the Provinces.

The typhoid fever problem has now entered the prosodemic stage—well determined contact infection—and the question of its complete eradication will largely depend upon the extension of hygienic education and the improvement in general sanitation. Typhoid vaccination has been pushed during the past year, making it compulsory for all contacts, food handlers, and food vendors. In connection with this campaign other measures, such as the finding of carriers, the improvement of water supply, the establishment of good sewage disposal have been given impetus. During 1920, 18,938 vaccinations against typhoid were performed.

Dysentery: Cases and deaths are decreasing in general, although there was a slight increase in Manila from 10 deaths to 11 per 10,000 population. Two types of dysentery are responsible for this number of cases and deaths, but the increase, according to a partial investigation, was due mostly to the bacillary type, the amebic being on the decrease, on account of the improvement achieved along sanitary lines in provincial towns.

Cases and deaths from diphtheria have been steadily decreasing. The campaign for searching for and isolating of carriers, started since 1914, has brought about this satisfactory result.

Leprosy is one of the diseases that has received more attention from the health authorities and the powers that be during recent years. Segregation has undoubtedly been instrumental in the relative decrease of the number of lepers found. The modern treatment of leprosy has been studied and tried with promising results, and on account of its importance will be discussed separately in this memorandum.

Influenza: The pendemic wave of influenza reached the islands at the end of the second quarter, 1918. This wave, however, lasted scarcely two months, to reappear and decimate the population during the last quarter of the year. This disease alone has doubled the general death rate for the year 1918 and contributed to a large extent to increasing the number of deaths from several diseases, especially respiratory.

Cases and deaths from tuberculosis have also gone up, especially after the influenza epidemic. But it is just to say that the service has not paid much attention to it, the campaign being largely in the hands of the Antituberculosis Society, an institution which is, in great part, supported by the government.

In general, the figures for these communicable diseases, with the exception of diphtheria, plague, and leprosy, have gone up. But this increase is merely apparent, as the same is mostly due to the improvement in reporting cases and deaths which resulted from the enforcement of regulations for compulsory notification.

Treatment of leprosy: A committee for the investigation and treatment of leprosy was created on May 3, 1920, consisting of the following members:

Two medical officers of this service, one of whom was appointed chairman.

One bacteriologist from the bureau of science.

One chemist from the bureau of science.

Three professors from the medical faculty of the University of the Philippines.

The preliminary report of this committee has been most encouraging. The legislature was requested to appropriate the sum of ₱600,000 in order to give adequate treatment for one year to 5,000 segregated lepers, but in view of the depleted state of the insular treasury it was reduced to ₱100,000.

It is interesting to cite at this juncture one of the conclusions of the committee on leprosy investigation in its preliminary report:

"In view of the * * * results obtained, it is certain that there are at hand new methods of treatment which in the short time that we have used them have caused remarkable alleviation of the symptoms of this disease, and which, if used systematically over longer periods, will probably produce permanent cures in a greater percentage of cases treated than any of the methods heretofore available.

LOCAL ADMINISTRATION.

There are five political units in the Philippines for the purpose of local administration, namely, Provinces (which are divided into regular and special), subprovinces, chartered cities, municipalities, and municipal districts. The regular Provinces are those governed by the general provincial law and are wholly self-supporting and enjoying complete representative government. The special Provinces are those organized by special acts and are neither wholly self-supporting nor enjoying entirely a representative government, their status being only temporary to become sooner or later regular Provinces. A subprovince is a political subdivision within a regular Province, directly administered by a subprovincial governor on account of its geographical situation. The chartered cities are those governed by special charters on account of their special conditions, like Manila and Baguio. The regular municipalities are those governed by the general municipal law; and the municipal districts are those political units which, for some reason or other can not maintain themselves as regular municipalities.

There are 37 regular Provinces and 2 special Provinces under the executive bureau, and 9 special Provinces under the bureau of non-Christian tribes, 2 subprovinces, 2 chartered cities, 889 municipalities, and about 400 municipal districts.

The regular Provinces were formerly governed by a provincial board composed of one elective governor and two appointive members, all of which are now elective. The special Provinces were formerly governed by a provincial board composed of one appointed provincial governor and two appointed members. Now, 7 out of 11 of our special Provinces elect their provincial governors and third members. The subprovinces are governed by the provincial board of the corresponding main Province; but, as stated above, are being administered through their own subprovincial governors. The government of the city of Manila is vested in a mayor appointed by the Governor General and a municipal board elected by the people of the city. The municipal board, which is the legislative body for the city, consists of 10 members, including the chairman. The government of the city of Baguio is vested in a mayor, a vice mayor, and three other members, two of them elected by the people. These five persons constitute the city council. There is also an advisory council composed of five Igorotes presided over by the mayor or other member of the city council, whose duty is to make suggestions and recommendations to the city council in matters of general interest. The Governor General appoints the mayor and vice mayor and one member of the city council, and all the members of the advisory council. The regular municipal government is vested in a president, a vice president, and a council, all elected by the people. The government of the municipal districts is also vested in a president, a vice president, and a council, all appointed by the provincial governor of the Province.

Practically all the officials and subordinate employees of these different kinds of our local governments, whether appointed or elected, are Filipinos, and practically all the responsible officials in our local governments are elected by the people. We can, therefore, safely say that the people or their authorized representatives govern our Provinces and municipalities.

Our provincial and municipal governments are acting under specific powers granted them by the legislature. They have also what we call a general welfare clause authority granted them by law, but they can only act under this authority with the supervision of the department of the interior.

The principal aim of the administration is to give our provincial and municipal governments as great a local autonomy as compatible with the existing laws. Formerly, Provinces, municipalities, and chartered cities were under the administrative supervision and control of the Governor General, but after the reorganization act all our local governments were transferred to the department of the interior, acting through the executive bureau or the bureau of non-Christian tribes, as the case may be. But neither the department of the interior nor the executive bureau intervenes by means of executive requirement, except in rare instances, as such policy has been found to work curtailment on the autonomy of our Provinces and municipalities. Accordingly, our Provinces and municipalities are not subject to intervention by the central government so long as they confine themselves within the Province of their legal powers. Acting within these powers, our Provinces and municipalities are self-governing communities, petty commonwealths. Neither the department of the interior nor the executive bureau intervenes on their own initiative in the acts, resolutions, etc., of the municipalities, and the executive bureau takes cognizance of questions involving such acts and resolutions only when appeal is taken pursuant to the provisions of the administrative code, in which case only the point of legality or illegality of an act or resolution concerned is decided. When a protest is filed by a person or persons affected, the bureau passes upon the protest and, if found to be well founded, makes the necessary and proper suggestion to the provincial board which invariably takes action accordingly. As a rule, the question of the convenience or wisdom of a measure is left primarily for the municipality to decide, and the central government does not

interfere unless there is a clear abuse of authority or wanton or capricious exercise thereof.

This is also true of administrative charges formulated against municipal officials. Although the executive bureau, with the approval of the secretary of the interior, is empowered to conduct special investigation of charges formulated against municipal officials, it has never made use of such power except in rare instances where the interest of justice and good government so require. The investigation and punishment of municipal officials are, thus, left entirely in the hands of their own immediate chiefs.

Comparing the number and result of administrative cases for 1909–1913 with those for 1914–1920, we give the following comparative tables:

1909–1913.

| Officials. | Number of cases. | Number officials found guilty. |
|---|---|---|
| Provincial | 5 | 5 |
| Municipal | 929 | 671 |
| Total | 934 | 676 |

1914–1920.

| | | |
|---|---|---|
| Provincial | 2 | 1 |
| Municipal | 660 | 419 |
| Total | 662 | 420 |

The above table shows that from the year 1909 to 1913, inclusive, five years, there were accused 5 provincial officials and 929 municipal officials, of whom all of the former and 671 of the latter were found guilty. On the other hand, from the years 1914 to 1920, inclusive (seven years), there were accused only 2 provincial officials and 660 municipal officials, of whom only 1 of the former and 419 of the latter were found guilty. This result is most gratifying. It shows a constant improvement in our municipal administration, a better realization on the part of our municipal officials of the responsibilities contracted by them with their constituents—the people whose sovereign will has exalted them to position and power.

It is gratifying to note that this policy of granting greater autonomy to our local Provinces and municipalities is productive of good results. Our provincial and municipal officials now more than ever appear to understand the responsibilities they have assumed and their administration has been characterized as a rule by initiative, prompt action, and devoted interest in the welfare of the community. Rarely have they adopted ordinances and measures which could not stand the test of propriety. Some of their acts have been found beyond the sphere of their powers, defective in form, but these cases were few, and whenever found to occur investigation showed that the error has been committed with the wholesome intention of serving public interest, not for any selfish or personal end.

The chief sources of revenue of Provinces and municipalities are the cedula tax, the percentage of the internal-revenue taxes accruing to them, the land tax, the fees for cattle registration, and the municipal licenses and rents and profits derived from the municipal utilities, privileges, and properties. The policy with reference to taxation is to permit Provinces and municipalities to increase local taxes, especially those proceeds intended for education, sanitation, and permanent public improvements.

One of the most significant and substantial results obtained from the extension of popular control over our local governments and the Filipinization and local autonomy policies observed during the past years is the remarkable improvement of the finances of our Provinces and municipalities notwithstanding the difficulties encountered due to the economic crisis of recent years. Some facts about this improvement of our local finances should be known: During the period of 1914–1920 a general revision of assessment of real properties was conducted in all Provinces in accordance with the law, and the result of this work is shown in the comparative statement marked as "Appendix A." In referring to this statement, we find an increase of 1,703,449 in the number of lots of taxable real property on December 31, 1920, as compared with the number of taxable property on September 30, 1913. This increase is about 100 per cent. Likewise the value of real properties subject to taxation for the periods ending on the dates above mentioned has increased, the increase valuation being ₱822,985,360, or about 280 per cent. The increase, of course, means increased revenue from the real property tax source for our local governments.

The collection of local taxes by provincial treasurers and their deputies has also shown a remarkable degree of improvement since the time of our autonomous government. In the exercise of their supervisory function the department of the interior and the executive bureau have been suggesting ordinances imposing taxes. Local governments in almost all cases have accepted our suggestion and the result is quite remarkable.

Attached hereto are two statements marked as Appendixes B and C, showing in a comparative way the revenue of our municipalities and Provinces during the periods 1909–1913 and 1914–1920. A summary of these statements is also attached and marked as Appendix D. From this summary it will be seen that the percentage of increase of the revenues of our provincial and municipal governments during the period 1914–1920, as compared with their revenues for the period 1909–1913 was 1,090 per cent, the average percentage of yearly increase being 155.5 per cent. This increase is stated somewhat in detail in the summary statement, thus making further discussion of this topic unnecessary.

Some concrete figures about the market collections in our Provinces and municipalities should also be known. During the years 1909–1913 the market collections of the Provinces under the executive bureau were ₱3,964,810.81, or an average per annum of ₱792,962.17, while during the period of 1914–1920 our market collections in the Provinces and municipalities reached the total of ₱7,940,370.62, or an average per annum of ₱1,154,732.78.

Notwithstanding the fact that the revenue collections in our Provinces and municipalities have been greatly and remarkably increased every year, the amount of money collected has proved to be insufficient to cover the financing of the whole program of intellectual and moral development and to meet other growing needs of these communities. To remove this difficulty it has been found necessary to give our Provinces and municipalities greater autonomy in the imposition of local taxes. In fact, there is already a bill submitted to our legislature in this respect, and we hope that the same will become law in an immediate future.

The program of improvements most heartily accepted by our local officials is the establishment of more schools and school buildings, market buildings, roads and bridges, artesian wells, waterwork systems, electric-light plants, municipal presidencias, provincial capitols, etc. This program is so extensive and so intense is the people's desire for its execution, and at the same time the funds in the government's treasury so insufficient, that it has been found necessary in almost all the Provinces of the archipelago either to solicit voluntary contributions from the people in money and other effects or materials, or to ask for loans from the central government, payable by installments.

Another fact which is worthy of mention here is the dissemination of English as the only recognized language in all official correspondence in our Provinces and municipalities. From the very beginning of American government in the islands the policy has been to make the English language the common and official language in the Philippines.

Such desire found expression in an act passed by the Philippine Commission in 1904 making the English language the official language of all courts and their records, beginning 1906 (this period, however, was extended by later acts of legislature), and in the executive order of the Governor General of August 8, 1912, requiring all the officials and employees of the government, except the courts, to use whenever possible the English language in writing their correspondence, and the provincial boards and municipal councils in their minutes and in their correspondence. There is, however, a proviso in said executive order to the effect that where it is not practicable to carry this policy into effect the offices concerned should inform the executive bureau, whose chief is empowered to modify the rule in such case. It is, indeed, very gratifying to note that from 1914 to 1920 only 28 requests for exceptions from the provincial boards and 54 from the municipal councils were made to the executive bureau, with the request that they be permitted to continue the use of the Spanish language in their minutes and in their official correspondence. It is no exaggeration to say that now almost all provincial boards and municipal councils have adopted and are now using the English language with success.

LABOR.

The bureau of labor has been established for the promotion of better relations between capital and labor. It urges legislation for the improvement of the condition of the laborers. It compiles data on labor conditions and is empowered to inspect shops, factories, and other industrial and commercial establishments which employ labor.

Another important work of the bureau of labor is to settle differences between employers and labor unions. The bureau acts as an arbitrator in questions affecting them in order to avoid strikes or to settle strikes which have been called by laborers. Under its auspices committees on conciliation and arbitration are often appointed. The decision of the committee in order to be binding must be approved by at least two members of the representatives of each party. The committee can also appoint an arbiter, whose decision shall be compulsory on both sides.

The bureau of labor is empowered through its attorney to bring suits gratuitously for poor laborers when their attempts at peaceful and amicable settlements prove futile. It also maintains employment agencies where those who need work may apply, and superintends the interprovincial migration of laborers.

The activities of the bureau before and after 1914 are shown in the comparative figures contained in the following table:

*Comparative statement of the important activities of the Bureau of Labor from the middle of the year 1909 (year of creation) up to 1981, inclusive.*

STRIKES AND OTHER INDUSTRIAL DISPUTES.

(1909–1913.)

| Year. | Strikes and other industrial disputes. | | Adjustment. | | Status. | | Causes of conflicts. | |
|---|---|---|---|---|---|---|---|---|
| | Number. | Workers involved. | With advantage to worker. | Against worker. | Unionist. | Non-unionist. | Wages. | All other causes. |
| 1909–1910 | 13 | 3,105 | 7 | 6 | 8 | 5 | 3 | 10 |
| 1911 | 5 | 222 | 5 | | 3 | 2 | 5 | |
| 1912 | 20 | 4,488 | 16 | 4 | 15 | 5 | 14 | 6 |
| 1913 | 11 | 2,880 | 4 | 7 | 8 | 3 | 8 | 3 |
| Total | 49 | 10,695 | 32 | 17 | 34 | 15 | 30 | 19 |

*Comparative statement of the important activities of the Bureau of Labor from the middle of the year 1909 (year of creation) up to 1921, inclusive*—Continued.

STRIKES AND OTHER INDUSTRIAL DISPUTES.

(1914–1921.)

| Year. | Strikes and other industrial disputes. | | Adjustment. | | Status. | | Causes of conflicts. | |
|---|---|---|---|---|---|---|---|---|
| | Number. | Workers involved. | With advantage to worker. | Against worker. | Unionist. | Non-unionist. | Wages. | All other causes. |
| 1914 | 10 | 1,017 | 4 | 6 | 6 | 4 | 6 | 4 |
| 1915 | 11 | 336 | 8 | 3 | 6 | 5 | 11 | ..... |
| 1916 | 17 | 4,485 | 7 | 10 | 7 | 10 | 13 | 4 |
| 1917 | 50 | 5,842 | 40 | 10 | 47 | 3 | 37 | 13 |
| 1918 | 84 | 16,289 | 62 | 22 | 83 | 1 | 50 | 34 |
| 1919 | 67 | 4,150 | 43 | 24 | 54 | 13 | 50 | 17 |
| 1920 | 68 | 11,139 | 51 | 17 | 46 | 22 | 48 | 20 |
| 1921 | 35 | 19,782 | 13 | 22 | 26 | 9 | 22 | 13 |
| Total | 342 | 63,040 | 228 | 114 | 275 | 67 | 237 | 105 |

*Conflicts between masters and servants, and employers and workpeople regarding the payment of wages, etc.*

(1909–1913.)

| Year. | Claims and complaints. | Number of claimants. | Causes. | | Adjustment. | | | Amount. | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | | | Wages. | All other causes. | In favor of worker. | Against worker. | Cancelled or dismissed. | Collected. | Not collected. | Total involved. |
| 1909–10 | 23 | 53 | 7 | 16 | 7 | 16 | ..... | ₱159.55 | ₱405.89 | ₱565.44 |
| 1911 | 37 | 138 | 34 | 3 | 17 | 14 | 6 | 511.03 | 6,206.70 | 6,717.73 |
| 1912 | 199 | 890 | 182 | 17 | 118 | 40 | 41 | 2,009.23 | 2,792.14 | 4,801.37 |
| 1913 | 299 | 800 | 292 | 7 | 215 | 23 | 61 | 7,918.96 | 7,168.20 | 15,087.16 |
| Total | 558 | 1,881 | 515 | 43 | 357 | 93 | 108 | 10,598.77 | 16,572.93 | 27,171.70 |

(1914–1921.)

| | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| 1914 | 753 | 1,264 | 725 | 28 | 374 | 42 | 337 | 6,931.09 | 8,817.93 | 15,749.02 |
| 1915 | 795 | 795 | 669 | 126 | 266 | 133 | 396 | 9,107.87 | 18,273.79 | 27,381.66 |
| 1916 | 527 | 940 | 458 | 69 | 273 | [2]254 | ..... | 6,662.44 | 24,517.22 | 31,179.66 |
| 1917 | 597 | 1,041 | 560 | 37 | 212 | 33 | 352 | 6,503.20 | 14,471.72 | 20,974.92 |
| 1918 | 327 | 337 | 276 | 51 | 95 | 52 | 180 | 2,494.58 | 25,981.28 | 28,475.86 |
| 1919 | [3]392 | 455 | 336 | 56 | 178 | [1]139 | ..... | 6,282.63 | 12,048.08 | 18,330.71 |
| 1920 | [2]478 | 619 | 326 | 66 | 247 | [1]145 | ..... | 23,626.04 | 12,048.85 | 35,674.89 |
| 1921 | [3]605 | 775 | 500 | 105 | 344 | [1]205 | ..... | 24,277.66 | 22,079.87 | 46,357.53 |
| Total | 4,474 | 6,226 | 3,850 | 538 | 1,989 | 1,003 | 1,265 | 85,885.51 | 138,238.74 | 224,124.25 |

[1] Dismissed included.
[2] 75 and 86 claims were pending in 1919 and 1920, respectively, but were subsequently acted upon in the year following.
[3] 56 claims were pending at the close of 1921.

*Labor accidents.*

(1909–1913.)

| Year. | Number of accidents. | Victims. | | | | Indemnified. | Not indemnified. | Amount collected as indemnity. |
|---|---|---|---|---|---|---|---|---|
| | | Degree of incapacitation. | | Fatal. | Total. | | | |
| | | Temporary. | Perpetual. | | | | | |
| 1909–10 | 123 | 105 | ..... | 18 | 123 | 13 | 110 | $1,821.17 |
| 1911 | 168 | 149 | 2 | 59 | 210 | 82 | 128 | 3,383.08 |
| 1912 | 170 | 147 | 12 | 56 | 215 | 161 | 54 | 5,238.23 |
| 1913 | 178 | 133 | 12 | 45 | 190 | 116 | 74 | 5,538.23 |
| Total | 639 | 534 | 26 | 178 | 738 | 372 | 366 | 15,980.71 |

(1914–1921.)

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| 1914 | 267 | 213 | 18 | 60 | 291 | 220 | 113 | 8,307.22 |
| 1915 | 323 | 283 | 12 | 56 | 351 | 209 | 100 | 9,817.92 |
| 1916 | 301 | 262 | 8 | 72 | 342 | 244 | 98 | 8,696.27 |
| 1917 | 349 | 279 | 30 | 58 | 367 | 285 | 82 | 6,713.41 |
| 1918 | 193 | 252 | 38 | 51 | 341 | 158 | 183 | 7,579.25 |
| 1919 | 393 | 385 | ..... | 42 | 427 | 250 | 143 | 8,743.76 |
| 1920 | 460 | 387 | 55 | 109 | 551 | 282 | 269 | 11,516.99 |
| 1921 | 306 | 246 | 17 | 111 | 374 | 250 | 124 | 18,284.08 |
| Total | 2,592 | 2,307 | 178 | 559 | 3,044 | 1,890 | 1,112 | 79,658.90 |

[1] These figures refer to cases of accidents. The cases of 31 victims were still pending for solution at the close of 1921.

*Number of home seekers and contracted laborers, including members of families, recruited by the bureau of labor since its creation up to December 31, 1921.*

1909–1913.

| | |
|---|---|
| Home seekers and contracted laborers, including members of families: | |
| 1909–1910 | 126 |
| 1911 | 3,390 |
| 1912 | 2,244 |
| 1913 | 5,799 |
| Total | 11,559 |
| 1914–1921. | |
| 1914 | 4,028 |
| 1915 | 1,085 |
| 1916 | 2,019 |
| 1917 | 4,442 |
| 1918 | 7,919 |
| 1919 | 3,011 |
| 1920 (this number includes home seekers indirectly recruited by the bureau of labor) | 16,281 |
| 1921 (recruitment for home seekers was suspended by the middle of June, 1921, due to the retrenchment policy of the government) | 3,168 |
| Total | 41,953 |

*Registration and placements of workers.*

1909–1913.

| Year. | Registered. | Placed. | Percentage. |
|---|---|---|---|
| 1909–1910 | 1,864 | 973 | 52.2 |
| 1911 | 2,204 | 1,334 | 60.5 |
| 1912 | 5,612 | 2,598 | 46.3 |
| 1913 | 5,631 | 2,501 | 44.4 |
| Total | 15,311 | 7,406 | 48.37 |
| 1914–1921. | | | |
| 1914 | 4,473 | 3,145 | 70.3 |
| 1915 | 3,076 | 2,971 | 96.6 |
| 1916 | 5,304 | 4,103 | 77.4 |
| 1917 | 7,056 | 5,385 | 76.3 |
| 1918 | 5,992 | 5,736 | 95.7 |
| 1919 | 3,834 | 3,403 | 88.8 |
| 1920 | 4,497 | 3,416 | 75.9 |
| 1921 | 3,765 | 3,028 | 80.4 |
| Total | 37,997 | 31,187 | 82.7 |

NOTE.—The above figures comprise the number of persons of different trades registered and placed by the agencies of the bureau of labor, with the exception of contracted laborers and home seekers. A detailed statement of the same appears in another table.

*Movement of Filipino laborers to and from the Territory of Hawaii.*

EMIGRANTS TO HAWAII.

| Year. | Total. | Men. | Women. | Minors. |
|---|---|---|---|---|
| 1915 | 2,150 | 1,777 | 180 | 193 |
| 1916 | 2,214 | 1,877 | 157 | 180 |
| 1917 | 2,598 | 2,191 | 178 | 229 |
| 1918 | 2,761 | 2,030 | 284 | 447 |
| 1919 | 3,797 | 3,181 | 319 | 297 |
| 1920 | 3,454 | 3,042 | 225 | 187 |
| 1921 | 6,814 | 5,748 | 628 | 438 |
| Total | 23,788 | 19,846 | 1,971 | 1,971 |

EMIGRANTS RETURNING TO THE PHILIPPINES.

| | | | | |
|---|---|---|---|---|
| 1915 | 347 | 260 | 40 | 47 |
| 1916 | 465 | 342 | 64 | 59 |
| 1917 | 733 | 568 | 72 | 93 |
| 1918 | 841 | 645 | 65 | 131 |
| 1919 | 948 | 677 | 104 | 167 |
| 1920 | 1,281 | 1,093 | 75 | 113 |
| 1921 | 2,705 | 1,953 | 249 | 503 |
| Total | 7,320 | 5,538 | 669 | 1,113 |

NOTE.—The data on emigrants corresponding to the period of time from 1909 to 1914 were not classified as to sex and class inasmuch as this activity came under the jurisdiction of the bureau of labor in 1915 by virtue of act 2486. The approximate number of emigrants to Hawaii was 19,039 in the above period of time. No data are available of the number of emigrants who have returned to the Philippines from 1909 to 1912. The number of emigrants who have returned to the islands from 1913 to 1914 is 159.

From the year 1914 to 1921 the bureau of labor has recruited and sent to different places of the archipelago 41,953 laborers and home seekers, and has given employment to 31,187 men and women of different trades. The effect of this campaign has been, of course, the dissemination in the mind of the laboring class of the necessity of moving from the congested places of the islands to thinly populated and uncultivated regions. This gives them an inducement to cultivate the soil and become small landowners.

In order to attain the best possible results in the campaign of the bureau relative to the intermigration of laborers, committees of propaganda have been organized in different points of these islands. These committees cooperate with recruiting agents in convincing the people of the benefits of intermigration, and encouraging them to stay in their own country rather than go abroad in the expectation of high wages.

Actually there are 1,868 committees of propaganda, with a membership of 11,612.

## WOMEN'S ACTIVITIES.

### A BIT OF HISTORY.

The first woman's organization of a nonsectarian character to gain considerable prestige and recognition in this country is the Woman's Club of Manila. It was organized in 1910 by prominent ladies of Manila at the initiative of Mrs. Carrie Chapman Catt. Since its organization this club has always been a cosmopolitan one, and its membership list has always contained the names of prominent ladies in the city—Americans, English, French, Filipino, and others.

Through its various committees the club succeeded in establishing four day nurseries in the city of Manila; in getting put up the flower market, formerly located at the foot of the Bridge of Spain, but now in the botanical gardens; in getting an industrial teacher for the insane women at San Lazaro, and a teacher for the women prisoners at Bilibid. The club also contributed much toward the success of the Liberty loan campaigns in the islands, and helped greatly in Red Cross work during the war.

### ORGANIZATION OF BRANCH CLUBS.

During the most critical moment of the World War, the Woman's Club of Manila, through its civic committee, conducted an island-wide campaign in home gardening and poultry raising. This was in the year 1916 and it marked the beginning of the organization of branch woman's clubs in different parts of the islands. At that time one or two women's organizations were in existence in some of the more progressive Provinces, but the interest of the women was only local.

For the purpose of giving proper instructions to the women about organizing clubs several interested members of the Woman's Club of Manila went out to the Provinces to lead the organization. The names of Mesdames Wrentmore, Levant Brown, Westerhouse, Pond, Kalaw, Apacible, Calderon, Agcaoili, Morente, Vamenta, Delgado, and the Misses Barreto, Fernandez, Almeda, Lopez, and Wrentmore (now Mrs. Francis B. Harrison), will always be remembered in connection with the arduous trips made to the Provinces to get the provincial women interested and to appeal to their patriotism. At that time the sole aim was to help win the war by working in the Philippines for a more stable supply of food products for local consumption. Incidentally, work in connection with the Liberty loan campaigns and the Red Cross drive were carried on as a part of the task of the women.

The provincial women responded splendidly to the appeal made to them. It was surprising to note how quickly clubs sprung up in towns where women never ventured out to do anything of the kind before.

In less than six months many woman's clubs were organized. By the end of the year 1918, 190 clubs were in good working order, reporting splendid work in home gardening and poultry and hog raising, and working harmoniously with the government officials in civic matters of interest to the country in general and their town in particular.

### THE CLUBS DECIDE TO FEDERATE.

Since 1918 the growth of the clubs in the Provinces has veen very steady and encouraging, until to-day there are 342 woman's clubs established from far-north Cagayan to southern Jolo. And the Filipino women by doing this have stepped out from their old shell of seclusion and taken up their responsibilities side by side with the men, and hand in hand with their sisters in the most progressive countries of the world.

In the year 1921, at the convention held in Manila, these clubs decided to federate, and we now have the National Federation of Woman's Clubs of the Philippines. The federation holds an annual convention at which delegates from the various woman's clubs in the islands come to attend. It is primarily a charitable organization, taking no part in religion or politics.

### EXPANSION OF CLUB WORK.

Since the close of the war, the work of the clubs has extended to a wider field of action. Food production continues to be one of its activities, for with better and a more varied diet there will be stronger mothers and, consequently, stronger babies and children. The principal activity, which appeals to the club women generally, is the work in connection with the infant mortality campaign. With the conveniences of the law recently passed providing for insular aid to all charitable organizations desiring to carry on permanent work in child-welfare work, the interest of the women has become more keen. Women's clubs are trying their best to raise funds for their work. The most progressive ones have started to do work of their own accord, and already dispensaries and health centers have been established in the bigger towns.

Besides these two activities, the clubs take up the problem of civic betterment in their localities. Schools and playgrounds have been established through the initiative of some clubs; streets and parks have been widened and made more attractive; and markets and other public conveniences have always received attention from interested club women.

### EDUCATIONAL WORK.

But the most salient result of club work in this country is the educational influence it is bearing upon the Filipino woman. It has broadened her views and scope of activity, and it has imbued her with a sense of civic consciousness which she can not overlook without feeling that she has shirked a duty and a responsibility. From the lectures given by prominent club members to their own people, especially to the women in the barrios, the weight of this influence can be clearly detected. Again, in the demonstrations held by the clubs on the first mother's day, celebrated in the islands last December, 1921, this influence was most marked.

This educational work is what many of the clubs are doing and what they will continue to do for some time to come, for its results can only be seen after a lapse of a few years. It is the ardent expectation of every club woman in the Philippines to work ultimately for a better standard of living, especially among the laboring class, in order to give their children a fair start in life by giving them a good home.

### PRESENT AND FUTURE PROGRAM OF WORK.

The clubs will continue to carry on the work they have started as enumerated in the foregoing paragraphs.

The present program of work, as outlined and discussed at the last convention, is as follows:

1. Infant mortality work—in correlation with the plans of the public welfare commissioner.
2. Sanitation and town improvement.
3. Food production.

These three activities are to be taken up by the various clubs in accordance with the prevailing conditions in their localities. It must be borne in mind that the clubs are not limited to these three activities alone, nor are they excluded from taking active part in other activities. The program calls for all of these three activities, but if it is not possible, at least any two, especially child-welfare work. This particular line of work will be carried out with the advice and help of the public welfare commissioner. Clubs which can not carry on a permanent activity of any kind along this line, such as a dispensary or a puericulture center, always make it a point to dwell on the educational side of the question by giving lectures and holding baby contests. The results in some instances are as good as any actual work done along this line.

In order to push on the work more systematically, it is the plan to organize the different municipal clubs in a Province into a provincial club. This will create harmony of work and cooperation in that particular Province. Then the provincial clubs will be grouped into different districts, each district to be under the direct supervision of an experienced club woman, who will make it her duty to inspect and supervise the work of the clubs in that particular district.

THE FILIPINO WOMAN CLUB.

The Filipino club woman works in a rather handicapped way. She has had no training in social-service work, neither has she profited from the experience of others, for club work is new to her and there have been no real woman clubs ahead of her time. She gets her training from actual experience and she makes the most of it. Yet she carries on her work in an easy, dignified, voluntary way and gives the best that she can, as if she has profited from the example of others and from long experience.

SOURCE OF HELP.

One encouraging feature of club work in this country is that it is attracting the sympathy of the government, a case which is not true, in a financial sense, in other countries. The clubs here work in coordination with the different branches of the government which have something to do with their activities. Such are the bureau of agriculture in the food-production campaign and the bureau of health in sanitation and town improvement. These two government institutions help the clubs by giving advice and suggestions and instructing their field employees to help the clubs as much as possible.

The financial aid of the government to deserving clubs is given through the public welfare commissioner's office. The public welfare commissioner is taking an unselfish interest in those clubs doing creditable work and always extends insular aid to them upon proper application to carry on activities dealing with child-welfare work.

WHAT PETITIONING HAS DONE.

A group of clubs in one of the Provinces made a petition, indorsed by the federation, requesting the Governor General to set aside a day to be known as mother's day in the Philippines. This petition was favorably acted upon, and the Governor General has proclaimed the first Monday of December of every year as mother's day in the Philippines.

The clubs are also petitioning their legislators to pass a law providing for the establishment of a proper juvenile court in the city. This petition has been presented for the third time at the last session of the legislature and favorably recommended by the Governor General in his message, but no action was taken on it. The clubs will continue to petition for it until they get it established.

Another petition which has created quite a stir among our legislators is the one asking for the complete abolition of cockpits in the islands, cockfighting being known as the national sport of the Filipino people. In its place athletic games are recommended as a better sport. This petition was headed by several of the representatives and senators and a bill was presented in both houses of the legislature. Both bills were killed after a deliberate discussion in both houses.

CONCLUSION.

There are at present 342 women's clubs in the Philippines in good working order. Added to these are a number of junior clubs, which have for members girls ranging from 12 to 18 years of age. From 18 up the women are admitted as regular members of women's clubs.

There are approximately 12,000 women enrolled as members in the various women's clubs. A good majority of them (about two-thirds) understand and speak English, and they conduct their meetings and write their communications in English. The rest use Spanish or the native dialect at their meetings and write their communications in Spanish.

Club work in the Philippines is still in its early stage, but it is growing fast. With the impetus given the club women they have succeeded in accomplishing the little that they could do for the betterment of their country. Outside help is, in a general way, not lacking. The women's clubs expect to achieve their present plan of activities and, incidentally, strive to work along some other line of activities that may demand their attention from time to time. The federation will continue to organize more clubs and extend its work all over the islands. It will also continue to work for better laws for women and children, and especially for working women.

PUBLIC WELFARE WORK.

CHARITIES IN THE PAST.

The present state of charity work in the Philippines had its historical beginning during the early part of Spanish occupation, when the Catholic Church first distributed alms to the poor. The large endowments of this church, together with the revenue from its vast estates and the contributions of individuals, enabled it to carry on all the charitable work it undertook. The funds thus collected were used for various purposes—support of church activities and religious orders; alms for the poor; doweries for poor Spanish girls, Filipino and Mestizo women; contributions to hospital and prison funds.

The church is still promoting and supporting the good enterprises it started and is inspiring the establishment of similar work all over the islands.

CHARITIES DURING THE EARLY PERIOD OF THE AMERICAN RÉGIME.

With the advent of the American régime, and the consequent separation of the church from the state, many new welfare organizations were established. In various parts of the islands the Protestant missions founded hospitals, schools, and asylums, which have become great factors in promoting modern welfare work. Other private organizations, such as the Anti-Tuberculosis Society, "La Liga Nacional Filipina para la Proteccion de la Primera Infancia," the "Gota de Leche," and the Woman's Club of Manila were created to work side by side with the religious organizations in solving the many pressing social problems that have developed with progress and civilization.

In the early days of the American occupation the government had so much reconstruction work to do that it had no time to devote to the promotion and support of charitable work. Welfare organizations were established, only to fail because of lack of funds. The government gave a few deserving institutions financial assistance, but fixed no rules and regulations regarding the expenditures of money thus allotted.

Once a stable government was established the legislature turned its attention to the improvement of social conditions. The development of modern social work in the Philippines has been slow but nevertheless progressive.

The Jones law, which created the new organic act of the Philippine Islands, curtailed many of the activities of the sectarian welfare institutions which received financial support from the Government by providing in part as follows:

"No public money or property shall ever be appropriated, applied, donated, or used, directly or indirectly, for the use, benefit, or support of any sect, church, denomination, sectarian institution, or system of religion, or for the use, benefit, or support of any priest, preacher, minister, or other religious teacher or dignitary as such."

The immediate effect was the creation of many nonreligious welfare organizations, several of which are now functioning in Manila and in various parts of the islands.

THE PUBLIC WELFARE BOARD.

Recognizing the need of coordinated work among the private and public welfare agencies, the legislature on February 5, 1915, created the public welfare board. This board acted as the government agency for controlling the disbursement of public charity funds to semiprivate institutions like the Anti-Tuberculosis Society, "Gota de Leche," and the Woman's Club.

On February 23, 1916, an act was passed by the legislature appropriating ₱1,000,000 for the protection of early infancy and the establishment of branches of the "Gota de Leche." Local organizations were granted aid from this fund as much as what they raised. It may be stated that at this period the government had definitely decided to undertake the campaign against infant mortality.

In 1917 the government established an orphanage for destitute and dependent children from all over the islands. The activity of the institution was further regulated by the enactment of act 2815. The orphanage since its foundation has been managed according to the most modern methods and principles.

On February 18, 1918, the public welfare board membership was reduced to five and its administrative control was placed under the department of the interior. The administration of the million-peso funds for the protection of early infancy and the establishment of maternity and child-welfare centers were also placed under the control of the secretary of the interior on March 22, 1920. Later these activities were all grouped together by act 2988, enacted February 24, 1921, into one office—the office of the public welfare commissioner—which started operation on May 1, 1921.

THE FUNCTION OF THE OFFICE OF THE PUBLIC WELFARE COMMISSIONER.

The functions of this office are clearly defined by various acts of the Philippine Legislature, from which the following parts are quoted:

"* * * to study, coordinate, and regulate as far as possible and practicable the efforts of all government agencies and influences interested in public welfare or social service work, and of such private agencies or organizations as receive government support for similar ends, to secure as far as possible a wise expenditure of all government funds appropriated for charity and all public welfare purposes; to promote, inspect, and regulate the organization of private institutions for charitable purposes, and to investigate social conditions in the Philippine Islands with a view to relief or other remedy where necessary."

In another act it says:

"The secretary of the interior, through the office of the public welfare commissioner, shall have authority and it shall be his duty to investigate, promote, coordinate, inspect, and regulate all work related with maternity, hygiene, and child welfare in the Philippine Islands, any provisions of existing laws to the contrary notwithstanding. And said secretary, through the public welfare commissioner, may establish and maintain maternity hospitals, puericultural institutions, dispensaries, hospitals, and other establishments for the care of children and for the instruction of the personnel which shall have charge of this work."

The aims of the office can be summarized as follows:

To promote all work directed toward the early reduction of infant mortality in the Philippines by employing adequate means for this purpose and for carrying out other activities intended to bring about the general welfare of the community, especially that which concerns children.

PLAN FOR THE REDUCTION OF INFANT MORTALITY IN THE PHILIPPINES.

The office of the public welfare commissioner has laid out definite plans for the reduction of infant mortality in the islands.

1. It plans to train an efficient corps of maternity and child-welfare workers, who will be ready to respond to calls from all parts of the islands:

(a) By giving instructions in case work to its medical and social service members of its staff in community organization, coordination of social forces, organizations, and management of medical and child-welfare centers.

(b) By imparting the same knowledge to cooperating physicians, nurses, midwives, and other child-welfare workers outside of the office.

(c) By supervising and advising existing maternity and child-welfare agencies or institutions, in order to make their work come up to a certain standard.

2. It plans to coordinate all child-welfare activities, like those of the Philippine health service, of the Philippines chapter, American Red Cross, of the Federation of Woman's Clubs, of the Antituberculosis Society, of hospitals and dispensaries, of the Liga Nacional Filipina para la Proteccion de la Primera Infancia, and of the Gota de Leche.

3. It plans to call the attention of the public to the need of child-welfare work in the islands and educate them in the method of combating infant mortality.

(a) By distributing literature and by holding public conferences.

(b) By encouraging the establishment of maternity and child-welfare centers by offering financial and technical assistance to deserving institutions or agencies.

4. It plans to make surveys and do research work in the field of child welfare in order to bring to light new problems and to formulate effective methods of solving them.

Following this program during scarcely three months (July 25, 1921) of its existence the office of the commissioner of public welfare has undertaken the work of training physicians and nurses who are to carry out the work planned, and who will act as advisers and demonstrators of child-welfare activities.

AID GIVEN TO PRIVATE CHARITABLE AND WELFARE ORGANIZATIONS.

This office renders financial and technical assistance to private organizations. Financial aid is given upon condition that the institution renders a satisfactory evidence that the administration is efficiently run and that certain amount of their funds are derived from private sources. They are also required to submit regularly statement of account of their income and expenditures, and their institutions are subject to inspection by representatives of the office of the Commissioner of Public Welfare to observe whether their activities are effectively and economically performed.

PERIODICALS AND LIBRARIES.

In 1918 there were 114 newspapers and reviews, of which 45 were newspapers and 69 reviews, distributed thus:

| | |
|---|---|
| In English | 28 |
| In Spanish | 27 |
| In native tongues | 24 |
| In other languages (2 Chinese and 1 Japanese) | 3 |
| Bilingual (English-Spanish) | 14 |
| Bilingual (English-Tagalog) | 2 |
| Trilingual (English-Spanish-Chinese) | 1 |
| Bilingual (Spanish and native tongue): 5 in Spanish and Visayan; 2 Spanish-Ilocano; 3 Spanish-Tagalog; 1 Spanish-Pangasinan; 1 Spanish-Bicol; 2 Spanish-Cagayan; 1 Spanish-Moro | 15 |
| Total | 114 |

Twenty-two newspapers and reviews in English and 18 in Spanish were published in Manila; 9 of the former (3 in English and 6 in Spanish) were dailies. The total circulation of publications amounted to 276,560 copies, which represents a rate of 1 copy for 34 inhabitants.

The following table gives an idea of the results of the census of 1903 compared with that of 1918:

| | 1903 | 1918 |
|---|---|---|
| English | 12 | 28 |
| Spanish | 24 | 27 |
| Dialect | 4 | 24 |
| Other languages | 1 | 3 |
| Bilingual (English-Spanish) | ..... | 14 |
| Bilingual (English-native tongue) | ..... | 2 |
| Trilingual (English-Spanish-Chinese) | ..... | 1 |
| Bilingual (Spanish-native tongue) | ..... | 15 |
| Total | 41 | 114 |
| Number of copies | 68,235 | 276,560 |
| Number of inhabitants per copy | 150 | 34 |

The census of 1903 apportioned one copy of some periodical to each 150 inhabitants and the census of 1918 one copy to each 34 inhabitants. This result is based on the supposition that all readers buy the periodicals read by them, which is not true in the Philippines. In a house inhabited by one, two, or more families every one reads the periodical of only one subscriber. Moreover, residents of a street or a small village read, one after the other, the only periodical bought in the locality. There is no barber shop, office, or store where there can not be found at least one or more periodicals at the disposal of the customers. Each is informed of the daily topics by those who read them, and groups of neighbors comment and debate on these topics. If the newspaper or magazine is written in the vernacular, the free reading circle is still greater. The number of copies issued by a publication does not indicate the number of its readers. Although the rate is 34 inhabitants per copy, there is, as a matter of fact, no Filipino, whether or not able to read, who is not informed of current events by the press or has, perhaps, had the benefit of a debate on current topics.

PUBLIC LIBRARIES.

By public libraries are meant those of the insular, provincial, and municipal governments, to which the public has more or less access. The following comparative table shows their existence in the years 1903 and 1918 and a specification of the number of volumes in native tongues, English, Spanish, and other languages:

| Year. | Number of libraries. | Number of volumes in native tongues. | Number of English volumes. | Number of Spanish volumes. | Number of volumes in other languages. | Total. |
|---|---|---|---|---|---|---|
| 1903 | 12 | 513 | 1,067 | 2,421 | 18 | 4,019 |
| 1918 | 360 | 4,330 | 472,275 | 67,522 | 32,015 | 576,142 |

The difference in the number of libraries shown by the two censuses is striking. In 1903 there were only 12 libraries in the entire archipelago. In Manila there was one, but it being a circulating library it was not even enumerated, and it was only at the end of 1907, when the American circulating library and the old museum library were combined, that 829 volumes consisting of books, pamphlets, and periodicals could be gathered. Act No. 2572, which provided for the reorganization of the libraries in Manila belonging to the government, and created by other acts, among them Act No. 1935, made it possible for the Philippine Library and Museum to report on December 31, 1918, approximately 354,719 volumes in Manila and 3,586 in Iloilo. This library was so well frequented that notwithstanding the exodus of many readers, on account of the war, its book circulation during 1918, exclusive of that of the legislative reference division, amounted to 114,498 volumes. There is but one public library, strictly speaking, which is the Philippine Library and Museum, but owing to a certain administrative autonomy enjoyed by some branches of the insular government, the libraries of the supreme court, the bureau of justice, the city fiscal's office, and the bureau of science had to be enumerated separately. The following is a tabulation of the data pertaining to the same:

| | Native tongues. | English. | Spanish. | Other languages. | Total. |
|---|---|---|---|---|---|
| Total | 2,793 | 378,390 | 61,282 | 30,641 | 473,106 |
| Philippine library and museum | 2,771 | 293,251 | 54,626 | 4,071 | 354,719 |
| Supreme court | ..... | 11,145 | 1,895 | 108 | 13,148 |
| Attorney general's office | ..... | 4,726 | 991 | ..... | 5,717 |
| Office of the fiscal for the city of Manila | ..... | 2,074 | 310 | 13 | 2,397 |
| Bureau of science | 22 | 67,194 | 3,460 | 26,449 | 97,125 |

The number of English volumes surpasses all others; next come Spanish volumes, and then volumes written in other languages. The number of volumes written in the native tongues is not even one-half of the number of those written in other languages. This is not the case, however, with the newspapers, of which the greatest number is published in Spanish and in the native tongues. The libraries of the supreme court, the attorney general, and the city fiscal's office do not contain a single volume written in the vernacular, and have very few books in other languages. English books make up the bulk of these libraries, and Spanish books occupy the second place, owing to the fact that some Spanish laws are still in force in the islands. A similar proportion exists in the Philippine Library and Museum, because of the good Spanish historical works. In the library of the bureau of science the volumes written in other languages are nine times the number of those written in Spanish, since legal and historical Spanish books are of little use in that bureau. There the Spanish books in number occupy only the fourth place; the first, second, and third places are taken by English, German, and French books, respectively. Of the five libraries enumerated in Manila, the Philippine Library and Museum is the most popular. During the year 1918, 93,805 books were read, of which 39,114 were works of fiction and 54,691 miscellaneous books.

SEMIPUBLIC LIBRARIES.

Semipublic libraries are the libraries of the bureau of education scattered throughout the islands, those of other branches of the insular government not enumerated above, and those of religious corporations and civic associations. Unlike the public libraries, the semipublic libraries, notwithstanding the fact that the great majority of the books of the bureau of education are books in English, show a greater number of Spanish volumes. This is due to the fact that in Manila alone, out of a total of 325,347 volumes belonging to 65 semipublic libraries, 55,315 volumes belong to religious and similar corporations. Further details about semipublic libraries will be found in the following table:

*Semipublic libraries.*

(Religious corporations.)

| | Number of libraries. | Philippine tongues. | English. | Spanish. | Other languages. | Total. |
|---|---|---|---|---|---|---|
| Total | 11 | 1,141 | 5,331 | 55,315 | 27,993 | 89,780 |
| Dominican fathers | 4 | 152 | 2,209 | 21,991 | 11,990 | 36,342 |
| Franciscan fathers | 1 | 8 | 2 | 8,091 | 2,180 | 10,281 |
| Recollect fathers | 1 | 54 | ..... | 2,216 | 2,640 | 4,910 |
| Jesuit fathers | 1 | 500 | 1,300 | 5,570 | 3,350 | 10,720 |
| Augustinian fathers | 1 | 267 | 708 | 7,227 | 6,524 | 14,726 |
| Paulist fathers | 1 | 50 | 250 | 3,000 | 584 | 3,884 |
| Benedictine fathers | 1 | 100 | 850 | 6,500 | 500 | 7,950 |
| College of Trebles | 1 | 10 | 12 | 720 | 225 | 967 |

The Provinces of Batangas, Bulacan, Cebu, Ilocos Sur, and Iloilo come after Manila in the number of Spanish books. English prevails, however, in 29 Provinces out of the 38 enumerated. The semipublic libraries, therefore, contain a greater number of books written in Spanish, but there is a wider distribution of English books.

ECONOMIC CONDITIONS.

The Philippine Islands are essentially an agricultural country. The basic element of our economics is, therefore, the natural resources of the islands. In this respect it is most important to the stability of our economic conditions that our agricultural land should be evenly divided among small landowners. Out of 2,000,000 farms in the Philippines 96 per cent are owned by the Filipinos. Eight million of them live on their farms with houses of their own, independent of any absentee landlord or foreign masters. Of the urban property 91 per cent, consisting of houses and lands, is owned by the Filipinos. Only 9 per cent is in the hands of foreigners.

Democracy thrives better where the citizens are owners of the lands and houses wherein they live and out of which they earn their living.

AGRICULTURE.

The approximate area of the Philippine Islands is 29,629,600 hectares, of which 4,563,723 are private land, 18,706,093 public forest, and 6,356,927 public lands available for home seekers. The area of private land under cultivation in 1920 was 3,276,942 hectares, as compared with 2,361,483 in 1913, or 38.7 per cent increase.

The value of the six leading products—rice, corn, sugar, hemp, coconut, and tobacco—during the last four years has been, in 1917, $122,000,000; 1918, $181,000,000; 1919, $229,300 000; and in 1920, $343,500,000.

While the Philippines will be for a long time an agricultural country, it is nevertheless true that modern industrialism and commerce are exercising a very strong influence and will eventually make of the Philippines an industrial and commercial as well as an agricultural country.

IMPORTS AND EXPORTS.

The chief imports of the Philippines are manufactured articles constituting 87 per cent, and exports are agricultural products, more or

less in raw form, constituting 67.5 per cent. The most important manufactured articles imported during the year 1921 were iron and steel goods valued at $22,055,000; cotton goods, $18,830,000; foodstuffs, including wheat flour, meat, and dairy products, etc., $21,750,000; automobiles and accessories, $4,830,000; mineral oils, $16,900,000. The importation of iron and steel and cotton goods has always been on the ascendant, invariably holding the premier position in the import trade. The two items alone constitute about 36 per cent of the total imports in 1921. With the exception of the year 1921, when the foreign trade of the Philippines was greatly affected by the wave of business depression the world over, the importation of other products has shown the same tendency. The most important exports were agricultural products, some of which were partly manufactured and others in raw form. Among these are sugar, valued at $25,000,000; manila hemp, $17,900,000; copra, $13,100,000; copra meal, $600,000; maguey, $670,000; and tobacco products, $8,230,000. Recently, however, because of the European war, the Philippines began to export manufactured articles such as coconut oil, which in 1921 was valued at $16,000,000, and embroideries, $5,300,000.

The values of imports, exports, and total trade of the Philippine Islands during the years 1917 to 1920, inclusive, were as follows:

| | 1917 | 1918 | 1919 | 1920 |
|---|---|---|---|---|
| Exports | $95,604,306 | $135,194,480 | $113,117,800 | $151,123,850 |
| Imports | 65,797,000 | 98,599,200 | 118,639,000 | 149,438,280 |
| Balance | 29,807,306 | 36,595,280 | (5,521,200) | 1,685,570 |

INDUSTRY.

The progress attained in the direction of introducing modern equipment and means for the carrying out of all lines of activities during the past few years, such as mechanical equipment for the newly established industries or factories and for agricultural development and transportation facilities, is unparalleled in the history of the country. The growth of the manufacturing establishments is attested by the increase in their number and the value of their products. As compared with 1903 the number of manufacturing establishments in 1918 increased 156 per cent and the value of products 754 per cent. The industries which received tremendous impulse during the period of our prosperity were coconut-oil factories, sugar, rice, and sawmills. Embroidery establishments, which practically did not exist previous to the European war, had a total output of $1,250,000 in 1918, the annual exports reaching as high as $7,810,000 in 1920. In addition to this there are to-day various industries which produce only sufficient quantities for local needs. There are also modern iron and steel foundry plants and boat-building establishments in existence, among which are the Atlantic, Gulf & Pacific Co., and the Earnshaws Slipways & Co.

FOREIGN SHIPPING.

The foreign trade of the Philippines since the beginning of American occupation has always been carried on vessels of foreign registry, British vessels securing the greatest portion up to 1917, and the United States vessels substituting British vessels after this year.

The total entrances from foreign ports in 1921 numbered 871 with a total tonnage of 2,646,455, as compared with 992 and 2,755,752, respectively, in 1920. The total clearances numbered 887 with a tonnage of 2,725,469, as compared with 995 and 2,771,214, respectively, during the preceding year. There are 20 vessels of Philippine registry, with a tonnage of 18,250, which plied between Philippine and foreign ports.

INTERISLAND SHIPPING.

There are at present 162 vessels, with a tonnage of 25,652, and 763 sailing vessels, with a tonnage of 26,657, engaged in the coastwise trade of the Philippines. There are, besides, 1,976 harbor crafts, with a tonnage of 40,220, in operation. For runs of average distance the vessels most generally used are those ranging from 200 to 500 tons net. The larger vessels are used on routes connecting Manila with the other large ports, while smaller vessels are used for shorter routes.

There are over 200 interisland ports in the Philippines, the most important of which are Aparri, San Fernando, Iba, Batangas, Calbayog, Catbalogan, Dumaguete, Gubat, Lucena, Sorsogon, Legaspi, Tacloban, Tagbilaran, etc., all of which are conveniently accessible from Manila.

The total entrances of the ports open to foreign shipping only numbered 16,734, with a tonnage of 2,541,288, as compared with 17,011 and 2,326,849, respectively, in 1920.

COMMERCIAL POSSIBILITIES.

With the increased agricultural production and the consequent increase in the wealth of the people it stands to reason that the commerce and industry of the country will witness a corresponding growth. The Philippines, because of the strategical location of its principal port in the trade routes of the Far East, can serve as a convenient distributing center of foreign merchandise in this section of the world.

In common with the other countries, the Philippines is passing through a financial and business depression which hitherto has been unknown in this country. Both the foreign and domestic trade suffered a tremendous slump, although it has not been as intense as that suffered by other countries. The Philippine foreign commerce decreased only 32 per cent, while that of the United States decreased about 48 per cent in 1921. Apparently, however, the peak of the depression has already been reached and passed over and the time is near when normal conditions shall again prevail. Now is, therefore, the most opportune time to lay plans for the revival and expansion of those activities, commercial and industrial, which have been greatly affected by the crisis, as well as for those undeveloped industries whose products are being extensively consumed in the country, but the raw material of which are produced in these islands and exported and manufactured abroad. The field, for example, in sugar refining is practically untouched. Fish, vegetable, and fruit canning are practically unknown; the production of these, not to speak of the greater production that would doubtless result through the development of the canning industry, would be sufficient to maintain in active operation several large canneries. The fishing industry, both pearl and food fishing, is still practically undeveloped, primitive methods being still generally used. There are several other activities which enterprising capital might profitably develop.

All in all, the opportunities, sounder business opportunities, are in prospect, and they are bound to draw enterprising capital to the islands. Large tracts of virgin lands are still untouched by the plow, wide stretches of grassy lands and hillsides are awaiting the tread of live stock and other animals, and in our mountains are treasured valuable minerals, such as gold, iron, silver, coal, and various precious stones, all awaiting the magic touch of enterprise and capital.

FINANCIAL STATUS OF THE GOVERNMENT.

Nothing has been so widely misunderstood as the supposed financial collapse of the Philippine government. The Philippine government to-day as a distinct institution is on as solid a financial basis as any government in the world. It is self-supporting, its taxation is adequate to its needs, the per capita tax of the people is low. In fact, the Wood-Forbes report states that "the Filipinos bear a smaller burden of taxation than the natives of Great Britain, United States, Japan, Argentina, and Brazil."

In spite of the economic crisis, in spite of the financial troubles common the world over, in spite of the reductions in revenues suffered during last year, the present year 1922 was presented with an aggregate surplus of approximately $7,000,000 in the central and provincial treasuries of the Philippine Islands. Both the central and local governments are on a good, sound financial basis. The following financial statement is self-explanatory:

*Financial statement of the insular government.*

| | 1918 | 1919 | 1920 |
|---|---|---|---|
| Revenue from taxation | ₱44,559,229.56 | ₱45,229,969.10 | ₱53,144,505.72 |
| Incidental revenue | 3,163,181.53 | 3,706,882.42 | 4,977,793.60 |
| Earnings and other credits | 20,888,353.84 | 30,417,127.55 | 40,822,639.41 |
| Credit adjustments | 79,340.20 | 332,944.13 | 459,972.80 |
| Income | 68,690,105.13 | 79,686,923.20 | 99,404,912.53 |
| Surplus at the beginning of the year | 24,404,683.03 | 85,598,744.53 | 28,543,078.35 |
| Total budget credits | 93,094,788.16 | 115,285,667.73 | 127,947,990.88 |
| Expenditure during the year | 57,496,043.63 | 86,742,589.38 | 84,010,278.54 |
| Surplus at the end of the year | 35,598,744.53 | 28,543,078.35 | 43,937,712.34 |

The auditor's accounts for 1921 are not yet closed.

*Budget of the government of the Philippine Islands for the fiscal year 1923.*

RECAPITULATION.

| | 1922 (estimated). | 1921 (estimated). | 1920 (actual). |
|---|---|---|---|
| Income | ₱63,051,435.00 | ₱96,683,797.12 | ₱76,723,421.65 |
| Revenue from taxation | 42,867,320.00 | 47,235,557.12 | 53,144,505.72 |
| Incidental revenue | 2,120,000.00 | 2,316,620.00 | 4,977,793.60 |
| Earnings and other credits | 18,064,115.00 | 47,131,620.00 | 18,601,121.33 |
| Current surplus at the beginning of the year | 11,964,152.00 | 27,576,552.49 | 24,397,265.14 |
| Total available for expenditures | 75,015,587.00 | 124,260,349.61 | 101,120,686.79 |
| Expenditures | 72,538,593.00 | 97,557,329.75 | 73,544,134.30 |
| Expense of revenue collection | 1,564,726.00 | 1,708,824.18 | 1,623,709.82 |
| Operating expense of commercial and industrial units | 8,981,853.00 | 9,561,198.99 | 9,362,919.02 |
| Public debt | 5,189,878.00 | 3,713,774.47 | 2,510,007.47 |
| General administration | 4,995,090.00 | 5,089,962.89 | 4,952,990.59 |
| Protective service | 9,284,643.00 | 9,853,790.78 | 9,663,514.65 |
| Social improvement | 8,818,029.00 | 8,883,188.07 | 8,927,541.70 |
| Economic development | 8,740,857.00 | 9,936,029.50 | 9,483,122.35 |
| Aid to local governments | 17,883,667.00 | 13,169,246.00 | 13,446,137.63 |
| Retirement gratuities, act 2589 | 500,000.00 | 600,000.00 | 632,598.53 |
| Emergency service | 2,000,000.00 | 446,512.37 | 443,435.48 |
| Outlays and investments | 4,579,850.00 | 34,603,802.00 | 11,849,057.06 |
| Current surplus at the end of the year | 2,476,994.00 | 26,703,019.86 | 27,576,552.49 |
| Deduct | | 14,738,867.86 | |
| Appropriation balances for public works | | 9,738,867.21 | |
| Cadastral accounts receivable | | 5,000,000.65 | |
| Current unappropriated surplus at the end of the year | | 11,964,152.00 | |

PHILIPPINE DEBT.

The public indebtedness of the Philippine government has been contracted in pursuance of special acts of the Philippine Commission or, since its creation, of the Philippine Legislature. Such legislation has been under the authority of acts of Congress, which from time to time fixed the limit indebtedness of the Philippine government or have authorized the contracting of indebtedness for specific purposes within amounts fixed.

By an act of Congress approved July 1, 1902, and act 1034 of the Philippine Commission, the Philippine government issued $7,000,000 of bonds to purchase the friar lands.

By an act of Congress approved February 6, 1905, and acts 1301, 1444, and 1915 of the Philippine Commission and Legislature, the Philippine government contracted between 1905 and 1909 an indebtedness of $5,000,000 for public works.

The total indebtedness of the Philippine government, therefore, on the passage of the organic act approved August 29, 1916, was $12,000,000, including the $7,000,000 indebtedness for the purchase of the friar lands.

By the organic act referred to the limit of the public debt of the Philippine government, exclusive of the friar-land bonds, was fixed at $15,000,000.

Thereafter, by act 2615, the Philippine government issued $4,000,000 of bonds for the purchase of the Manila Railroad Co., and by act 2908 issued in 1920 $6,000,000 of bonds for the improvement of the port of Manila. With the issuance of these $6,000,000 of bonds the limit of the public debt as fixed by the organic act was reached and there was outstanding, including the $7,000,000 of friar-land bonds, a total indebtedness of $22,000,000.

Congress, by the act of July 21, 1921, amended the organic act by increasing the limit of indebtedness to $30,000,000, exclusive of the friar-land bonds.

Under authority of an act of the Philippine Legislature there was thereafter issued $10,000,000 of irrigation bonds, and the Philippine Legislature has now authorized, by act 2999, the issuance of $5,000,000 to protect the financial interests of the government. So that the limit of indebtedness as fixed by the act of July 21, 1921, has now been reached, and the total bonded indebtedness of the Philippine government outstanding is $30,000,000, plus the $7,000,000 of friar-land bonds.

By an act of Congress approved May 31, 1922, the limit of indebtedness of the Philippine government has been fixed at 10 per cent of the aggregate tax valuation of its real property. On the basis of the last assessment, this would fix the limit of indebtedness of the central government at about $74,000,000.

The urgent necessity of increasing the limit at this time arises from the fact that the Philippine government is not in a position to maintain the parity of its currency with the gold standard fixed by law. The Philippine government had, on October 31, 1921, on deposit with the Philippine National Bank $26,251,607.75, which it is unable to withdraw from the bank or apply to the purposes for which that fund was acquired. How much of this will ultimately be recovered or the dates of recovery can not at this time be stated with certainty. The deposits with the bank on October 31, 1920, were $45,220,039.35. Of this amount $11,457,890 were invested in stock of the bank with a view of strengthening its position. This would mean that in one year the government had withdrawn from the bank $7,510,451.59. The conclusion should not, however, be drawn that a similar amount would be recovered in the next year, for the reason that in the past year a considerable amount in private deposits has been withdrawn from the bank, on the one hand, and, on the other hand, the bank increased in circulation by $6,700,000.

The situation, then, is that the Philippine government has on deposit with the Philippine National Bank $26,000,000. This includes a large part of the currency reserve fund which is used to maintain the parity of the Philippine currency with the gold standard. It includes a part of the proceeds of bond sales for public works and other funds of the Philippine government, including the funds for general purposes. If this money were at this time available the immediate necessity of contracting further indebtedness would not appear. This deposit, however, is not in any way available to the government. The amount which the government recovered in the past year it will probably not be able to recover in the present year.

The government, therefore, is confronted with the necessity of immediately reducing its expenses below its revenues, which it has attempted to do but which it was unable to do in the radical manner that would be necessary if, in addition to operating the government, the trust funds of the government were to be placed in a legal position from these savings. The government, therefore, finds itself in the necessity if it is to perform the duty of maintaining the parity of its currency with the standard fixed by law, and if it is to carry on the absolutely necessary public works, of increasing its indebtedness.

### GOVERNMENT IN BUSINESS.

Economic progress in the Philippine Islands and the pressure of public opinion compelled the Philippine government to organize and engage in certain lines of business of national importance that private initiative and capital had failed to develop. There are now four government-owned enterprises in addition to those which have been always under government direction since the American administration in the Philippine Islands: The Philippine National Bank, the Manila Railroad, the National Coal Co., and the National Development Co.

### PHILIPPINE NATIONAL BANK.

There were in 1915 five banking institutions handling the Philippine government's deposits at a low rate of interest. These banks made little or no investment in the islands. They dealt almost exclusively with export and import trade. American and Philippine business men in other lines and the farmers practically had no access to them. The Philippine National Bank, much to the displeasure of competitive institutions already in the field, was organized. From a modest beginning the bank grew rapidly during prosperous times. But the depression following the war caught the bank unprepared for such emergencies. Naturally the people of the Philippine Islands deeply regret that the institution could not escape the effects of world-wide financial disturbance.

There stands out in bold relief, however, the constructive service the bank has rendered the community, notably the financing of Liberty loans, the handling of the sale of alien property, the financial assistance extended in time of extreme needs to two banks doing business in the Philippine Islands, the financing of sugar centrals and farmers, and the extension of banking facilities to merchants and manufacturers. The Philippine people have always regarded the bank as a necessary means for the economic development of the islands, and therefore they desire to increase or at least maintain the institution to carry out the purposes for which it was originally organized. As to the present condition of the bank, the Wood-Forbes mission report says "* * * the affairs of the bank are in a fair way to be put on a sound footing."

### MANILA RAILROAD.

Government ownership of railroads is a rule in all the neighboring countries of the Philippines with the exception of China, which is now trying to get back the concessions granted to foreign capital. However, the principal motive that impelled the Philippine government to buy the Manila Railroad from the English owners was that the company, in spite of the facilities extended by the government, could no longer operate profitably the line. This failure imposed a heavy burden on the taxpayers in the way of payment for interest on railroad bonds guaranteed by the government from the early days of American administration.

From 1914 to 1916 the aggregate net deficit of the company was about $600,000. Under government management the following results have been obtained: The gain in 1917 was $400,000; in 1918 $130,000; in 1919 $190,000; in 1920 $12,000, and in 1921 $148,000, and the government has not been called upon to pay the bond interest.

### NATIONAL COAL CO.

During the war the coal shortage was one of the great problems the government had to solve. The Philippine Islands are rich in coal fields, but no private capital was invested in their exploitation. The Philippine Legislature therefore chartered the National Coal Co. and supplied it with a capital of $1,700,000. The company is now ready to furnish at least the coal needed by the government, which requires about 120,000 tons, heretofore imported from foreign countries.

### NATIONAL DEVELOPMENT CO.

The company was organized for the purpose of financing isolated enterprises that the government may desire to establish for the general welfare of the country.

### ELECTIONS.

The elections in the Philippines have always been an interesting and veritable school of political education. Although, strictly speaking, extensive suffrage was implanted in the Philippines only since American occupation, the Filipino people have shown during this short period constant and convincing proof of political capacity. The paramount issue in the election of 1907, which inaugurated the Philippine Assembly, was the ultimate status of the Philippines. The question to be decided was whether, upon the surrender of the Filipinos in arms and the establishment of peace under a more liberal and democratic rule, the Filipino people should still aspire and work for their independence. There were two tendencies at that time; one was the annexation to the United States, or at the most a remote independence, and the other was the immediate independence of the islands. The result of the elections proved that those who advocated immediate independence formed an immense majority of the people, although not yet the entire people. The same issue was presented to the people at all subsequent elections, and every time the advocates of immediate independence gained ground, until, finding that public opinion was against them, the members of the party which advocated annexation or remote independence had to dissolve their party and aligned themselves with those who advocated immediate independence. The old annexationists, or federalists, were highly educated men of the greatest prestige, but the people laid aside their personal qualities, for they knew that the elections were being held to decide issue and principles, not personalities.

Once the question of principles is settled the people have always shown practical sense in electing experienced or highly educated people to posts in the national legislature. When the first Philippine Assembly was convened in 1907, it was noticeable that the choice of the people fell upon those who had previously distinguished themselves as provincial governors and those who because of their academic training could best undertake the legislative work. This is the reason why among members of the lower house there has always been a large proportion of people with academic training or pursuing semipublic activities, such as practicing lawyers and newspaper men. When the elective senate was established six years ago, the people again manifested that sound practical sense by sending to the higher house in preference to others those who had acquired previous legislative experience in the Philippine Assembly. In this way the task of legislation has been given to men of ability and experience. Both in political campaigns and in the deliberation of the legislature popular public opinion always distinguished demagogic from statesmanly conduct. The people have always repudiated the destructive factors, with the result, noted by friends and foes alike, that our legislature has at all times exemplified a sound and judicious sense. As a former Governor General has said, in the Philippine Legislature "graft, jobbery, logrolling, cheap politics, selfish localism, cynical opportunism, and hypocrisy have been practically unknown." A spirit of tolerance has characterized election campaigns. Order has been kept in the heat of political struggles. While in other countries the army has often been resorted to for the maintenance of peace, in the Philippines the mere presence of local and insular police has always been sufficient to insure public tranquillity. After the last elections in 1919 Acting Governor General Yeater, who had personally followed the various movements of the campaign, gave out the following statement:

"By taking the election as a whole, I consider it entirely creditable to the Philippine people, and I believe that no shortcomings or improper conduct in receiving and delivering the votes will exceed those ordinarily committed in other free countries."

We do not, however, mean to insinuate that elections in the Philippines have been conducted as angels would conduct such elections. As in other parts, frauds and other electoral abuses have been committed, but the opposition party and the press got busy denouncing them and the government at once undertook an energetic campaign for clean elections, prosecuted the culprits, and later on revised the present electoral law.

Our electoral law was approved in 1907 by the former Philippine Commission, composed mostly of Americans. It was later thought that election frauds were committed partly because of the defects of the law, such as the relatively light penalty given to violators, and also because election officers could easily be converted into political instruments of the party in power. The revision of the electoral law has been made with the aid of the opposition, and is intended to remedy in so far as possible the deficiencies found in the law and in actual practice. The government is at present using all means necessary to secure clean elections and to enforce the provisions of the electoral law in a way agreeable to all political parties.

The total number of electors registered in the election of June 3, 1919, was 717,295 and the votes cast was 672,125, which is a very fine percentage even when compared to the interest in elections shown in other countries. In the elections of 1912, 248,154 voters registered, of which 235,789 voted. Of the number of voters registered in 1919 407,346 possessed educational qualifications, while only 81,916 were educationally qualified in 1912. It should be noted that the Philippine voters must have either property or educational qualifications, so that these figures show the progress of the people in political matters and in education in general during the last few years.

The minority party has always accepted the decision of the majority, unless it thinks that the election has been vitiated by some illegal act, in which case it takes the matter up with the courts for decision. We have never followed the practice of revolutionary countries where defeated minorities take the law into their own hands or use violence against the triumphant party, or utilize every other means to hinder the working of the government. The following figures speak for themselves:

| | 1907 | 1909 | 1912 | 1916 | 1919 |
|---|---|---|---|---|---|
| Protests registered | 178 | 142 | 451 | 520 | 467 |
| Protests dismissed | 89 | 51 | 210 | 341 | 195 |
| Elections annulled | 26 | 17 | 25 | 30 | 24 |

In interpreting the foregoing figures it should be noted that there are nearly 900 municipalities in the Philippines, and that every municipality elects at every general election a senator, a representative, a governor, two members of the provincial board, a municipal president, a municipal vice president, and from 7 to 18 councilors, depending upon the class of the municipality. Either one of those offices can be made the subject of an electoral protest. The number of protests registered, the number of protests dismissed, and, above all, the number of elections annulled will show beyond the peradventure of a doubt that the elections in the Philippines have been up to the present a regular and sane agency of representative democracy.

THE NON-CHRISTIAN PEOPLE.

The non-Christian inhabitants (Mohammedans and Pagans) of the Philippine Islands are distributed in the nine special organized Provinces under the jurisdiction of the so-called bureau of non-Christian tribes, namely, Agusan, Bukidnon, Cotabato, Davao, Lanao, Sulu, and Zamboanga, of the former department of Mindanao and Sulu, and the Mountain Province and Nueva Vizcaya of northern Luzon. The following table shows the area in square kilometers of each of the nine Provinces:

| | Square kilometers. |
|---|---|
| Agusan | 11,121 |
| Bukidnon | 10,026 |
| Cotabato | 24,916 |
| Davao | 19,389 |
| Lanao | 6,317 |
| Mountain Province | 13,971 |
| Nueva Vizcaya | 9,143 |
| Sulu | 2,802 |
| Zamboanga | 16,532 |

The following table shows the present approximate population of Christian and non-Christian peoples as estimated by the governors of the nine Provinces:

| Province. | Christian. | Mohammedan. | Pagan. | Total. | Percentage of non-Christian. |
|---|---|---|---|---|---|
| Agusan | 41,592 | ..... | 7,446 | 49,038 | 15.19 |
| Bukidnon | 1,200 | 4,807 | 35,700 | 41,707 | 97.12 |
| Cotabato | 21,391 | 136,414 | 11,386 | 169,191 | 87.36 |
| Davao | 68,979 | 5,000 | 45,325 | 119,304 | 42.18 |

Although the non-Christian inhabitants of the Philippines are to be found not only in Mindanao and Sulu but also in northern Luzon, the Moros of Mindanao and Sulu form the great majority of them and present the greatest problem for the government. We shall therefore deal mostly with the non-Christian peoples of Mindanao and Sulu. The government of Mindanao and Sulu from 1903 to 1913 was under the control of the military authorities. In 1914 it was turned over to the civil authorities. During the military period the so-called Moro Province was organized, which comprised practically what is to-day known as Mindanao and Sulu. The most important work of the military period was the pacification of the Provinces and the recognition of American sovereignty. This was the first step before the development of agriculture, industry, commerce, education, and shipping could be begun. In 1911 a general disarmament was ordered among the Moros, and this order met some resistance in Sulu and Lanao. Hence punitive expeditions by military and constabulary authorities had to be undertaken and skirmishes and battles like those at Mount Dajo and Mount Bagsak were fought. The work of the military authorities to bring about peace can not be underestimated. They prepared the way for the work of reconstruction, which fell upon the civil authorities in 1914 up to the present time. It would be, however, misleading to say that the military authorities limited their work to the establishment of peace alone. In reality they initiated some of the great activities of government, which were later on continued in gigantic proportion, especially public works and public education. They established public dispensaries even in the most remote parts of the Province. They built roads to connect distant places.

The first task of the civil authorities in 1914 was to establish a departmental government, with almost a free hand in dealing with local affairs. It was subdivided into subprovinces for the purpose of local administration. Later on the department was abolished and the subprovinces were declared Provinces. They were placed, like the regular Provinces, under the direct supervision of the department of the interior through the bureau of non-Christian tribes. Up to very recently all the provincial governors were appointed by the Governor General, and, together with the secretary-treasurer and a third member elected by the councilors of the municipalities, they form the provincial council of each Province. All the appointed provincial governors except one are Filipinos. In the election just held four of the seven Provinces of Mindanao and Sulu elected their provincial governors. The representatives and senators representing the non-Christian parts of the Philippines are also Filipinos. Of these one senator and three representatives profess the Mohammedan religion.

The civil government thus established completed the work of bringing about peace which was initiated by the military authorities. In 1913 the Sultan of Sulu, who had theretofore enjoyed religious and civil prerogatives, renounced his prerogatives in favor of the government of the Philippine Islands. Peace and order have been firmly established. The campaign of education and assimilation was begun. Wherever the good offices of the civil government could not have the desired effect the firm hand of the law reached out to enforce order and capture recalcitrants. From January 1, 1914, to December 31, 1916, the civil government captured 1,024 firearms. The year 1916 may be considered as a historic one in the annals of Mindanao and Sulu, for it marks the complete elimination of all outlaws and the extension of government control to all Mohammedan territory. In 1917 practically every soldier of the Federal army, except a small detachment in Zamboanga, was taken away, and yet the local police was able to maintain order and peace. The progress brought about since the civil administration is indeed great. It would take a big volume to enumerate in detail. For this work the Christian Filipinos have given money and men so as to civilize their non-Christian brothers and bring them up to the level of their Christian brothers. Hundreds of thousands of money taken from the Christian pockets have been yearly sent to Mindanao and Sulu. On the other hand, the non-Christian people have shown their appreciation of the benefits that are being extended to them by their Christian brothers. At the present time the relations between Christian and non-Christian are most cordial. National sentiment in that part of the Philippines is almost as strong as in the Christian Provinces.

We shall cite a few figures showing the progress realized in the non-Christian part of Mindanao and Sulu since control was given to the Christian Filipinos. Under the designation of "Public instruction" the following table shows the number of schools in operation by year, number of teachers, and the enrollment from 1914 to 1921.

| Year. | Number of schools in operation. | Number of teachers. | Enrollment. |
|---|---|---|---|
| 1914 | 157 | 311 | 14,800 |
| 1915 | 180 | 373 | 16,019 |
| 1916 | (1) | (1) | (1) |
| 1917 | 292 | 613 | 25,167 |
| 1918 | 372 | 772 | 32,438 |
| 1919 | 468 | 1,049 | 41,179 |
| 1920 | 606 | 1,261 | 53,095 |
| 1921 | 690 | 1,452 | 61,187 |

[1] No data available.

The following comparative table shows the progress of the schools in Mindanao-Sulu covering the period from the year 1913 to 1921. Attention is invited to the fact that enrollment in 1913 almost entirely represented Christians, while the great increase noted in 1921 represents Mohammedan and pagan children:

| Province. | Annual enrollment. | | Number of schools. | | Number of teachers. | |
|---|---|---|---|---|---|---|
| | March, 1913. | December, 1921. | March, 1913. | December, 1921. | March, 1913. | December, 1921. |
| Agusan | 3,461 | 8,432 | 34 | 89 | 52 | 188 |
| Bukidnon | 1,488 | 7,162 | 23 | 82 | 31 | 151 |
| Cotabato | 425 | 9,667 | 5 | 5 | 11 | 250 |
| Davao | 2,079 | 7,820 | 20 | 130 | 31 | 194 |
| Lanao | 1,104 | 7,004 | 9 | 70 | 14 | 174 |
| Sulu | 1,044 | 9,342 | 10 | 69 | 14 | 198 |
| Zamboanga | 2,916 | 11,730 | 28 | 116 | 46 | 297 |
| Total | 12,617 | 61,187 | 129 | 690 | 199 | 1,452 |

An important phase of the work of public instruction in Mindanao-Sulu is the compulsory school attendance for boys and girls which has been initiated some time ago. For the first time the old Mohammedan headmen and panditas have openly pronounced themselves in opposition to the attendance of their children in government schools, considering this measure as a violation of the agreement into which the government has entered with them with respect to their religion, habits and customs. Through the tact of school authorities and cooperation of provincial and municipal and other interested authorities, those difficulties had been solved to the extent of bringing about entirely satisfactory results. The table given above speaks more eloquently than words can in this respect.

In agriculture special attention has been paid to the cultivation of food products. Agricultural colonies have been established in Cotabato so as to unite Christian and Mohammedan Filipinos and to increase the production of rice and other food products.

The following comparative table shows in a comprehensive form the typical activities of the colonies as to the production of food supply;

| | 1915 | 1917 | 1919 | 1920 | 1921 |
|---|---|---|---|---|---|
| Total area under cultivation (Ha) | 2,616 | 2,563 | 2,262.2 | 2,269.12 | 2,073.05 |
| Palay planted (Ha) | 1,616 | 1,037 | 509 | 533.83 | 531.35 |
| Corn planted (Ha) | 1,134 | 898 | 1,173.1 | 1,312.96 | 1,181.84 |
| Coconuts planted | 13,232 | 7,003 | 4,231 | 6,441 | 21,190 |
| Palay harvested (Cavan) | 20,715 | 11,439 | 2,626.28 | 1,035.5 | 3,787.20 |
| Corn harvested (Cavan) | 8,417 | 6,924 | 6,449.36 | 14,298.22 | 10,856.36 |
| Peanuts planted (Ha) | 30 | 15 | 11.3 | 31.35 | 14.90 |
| Camotes planted (Ha) | 57 | 22 | 42.16 | 48.33 | 17.22 |
| Number of colonists including men, women, and children | 5,044 | 5,402 | 5,632.00 | 5,632.00 | 6,012.00 |

It will be noted from the above that the number of hectares cultivated for the crops has decreased. This difference is due to the disappointment brought about by the failure to realize bigger harvests caused by floods and locusts. On the other hand, there is a notable increase in the output for rice and corn.

Another important result worthy of being stated is the success attained in the partial relief of densely populated Provinces like Cebu and Ilocos Provinces. The sparsely populated and potentially wealthy Province of Cotabato, where the colonists are located, the surplus population of those Provinces have found Cotabato to be an excellent place, where they may realize their ambitions for ownership of land and more ample rewards for their labor.

In the branch of permanent improvements and public works we can say that good roads and trails, potable water supplies, port improvements and landing facilities, construction of telephones, and construction of public buildings have received special attention. The following table shows the strides made in this regard, notwithstanding the inadequacy of local revenues and insufficient insular aid:

| Year. | First class. | Second class. | Third class. | Trails. | Telephones. |
|---|---|---|---|---|---|
| | *Kilometers.* | *Kilometers.* | *Kilometers.* | *Kilometers.* | *Kilometers.* |
| 1914 | None. | 90 | 199 | 2,400 | [1] |
| 1915 | 65.9 | 114.9 | 285.2 | 2,437 | [1] |
| 1916 | 94.9 | 87.2 | 340.3 | 2,515 | 567 |
| 1917 | [1] | [1] | [1] | [1] | [1] |
| 1918 | 118.8 | 184.5 | 2,327.7 | 1,898.3 | [1] |
| 1919 | 143.5 | 234.7 | 209.5 | 2,075.7 | 1,381.6 |
| 1920 | 143.5 | 190 | 220 | 2,000 | 1,381.6 |
| 1921 | 154 | 141.4 | 257.2 | 1,442.7 | 1,381.6 |

[1] No data available.

In the health service "there has been made the most gratifying advance by the establishment of new hospitals and field dispensary stations, the former under the immediate charge of qualified physicians and surgeons and the latter in charge of graduate nurses or practicantes. Government hospitals are now in operation at the provincial capitals of Agusan, Cotabate, Davao, Mountain Province, Lanao, Sulu, and Zamboanga. Dispensaries in public schools at points where no field dispensaries are located, the teachers are instructed in the use of and supplied with medicines, supplies, etc., which may safely be intrusted to them for use in relieving ailments, physical ills, and injuries, which, in the absence of skilled medical and surgical assistance, they should undertake to relieve. While Mohammedans and pagans were at first suspicious and unwilling to enter hospitals for medical or surgical treatment, this attitude has rapidly changed to one of popular acceptance and appreciation of hospital facilities, even to the surprising degree that women of good families now seek for admission. In this connection it may be stated that medical officers, trained nurses, and practicantes have gone to the most remote places and localities in the performance of their duties, and ordinarily without guards or companions. Dispensaries have been and are being established, conducted successfully by graduate nurses and practicantes at many points away from Army garrisons or constabulary stations. In no instance has the public health personnel been subjected to violence, or even threats, from the people among whom they work. Mohammedan and pagan communities have voluntarily contributed labor and materials of local production for the establishment of dispensary stations.

The importance and value of the work of the public health personnel during the past few years can not be exaggerated when viewed not only from the standpoint of medical and surgical relief but from all other significant points, and especially that of the establishment of amicable contact and control by the government over the Mohammedan and pagan communities.

To combat and so far as possible eradicate the prevalence of water-borne diseases, such as dysentery, typhoid, malaria, etc., special attention has been directed to the improvement of water supplies.

There were in 1914, 47 dispensaries in operation, 55 in 1915, 86 in 1916, 108 in 1917, 88 in 1918, and 103 in 1919, 1920, and 1921.

### A BRIEF CRITICAL STUDY OF THE LAWS PASSED BY THE PHILIPPINE LEGISLATURE SINCE ITS ESTABLISHMENT IN 1907.

The Philippine Legislature began its life with the inauguration of the Philippine Assembly on October 16, 1907. Hitherto, all legislative powers in the Philippines were in the hands of the Philippine Commission, the members of which were appointed by the President of the United States with the consent of the American Senate. With the inauguration of the Philippine Assembly the Philippine Commission became the upper house and the Philippine Assembly the lower house of the Philippine Legislature. The legislature was given complete legislative powers over the parts of the Philippines inhabited by the Christian peoples. The other parts of the Philippines, or those inhabited by the Moros and other non-Christian peoples, remained under the exclusive legislative control of the Philippine Commission until 1916, when, with the passage of the Jones law, the Philippine Legislature secured control over all Philippine territories.

In the study of the laws passed by the Philippine Legislature the writer has, for convenience, divided the 14 years of legislative life into three periods. The first period extends from October 16, 1907, to October 16, 1913. During this time there were still a majority of Americans in the upper house, while the Philippine Assembly was entirely in the hands of the Filipinos. The second period extends from October 16, 1913, to October 16, 1916. During this time the Filipinos had already a majority in the upper house, or Philippine Commission; hence they had a decisive voice in legislation. The members of the Philippine Commission, however, continued to be appointed by the President of the United States and were not elected by the people. The third period comprises all the time since the enactment of the Jones law, from October 16, 1916, to October, 1921. Legislation at this period has been in the hands of an elected Philippine Legislature, composed of the senate and house of representatives.

For the purposes of classifying the laws the following topics have been used: (1) Public instruction; (2) development of agriculture and natural resources; (3) promotion of commerce and industry; (4) public health; (5) charity and public welfare; (6) finance (dealing with appropriations for the support of the government or matters connected with bonds); (7) administration (dealing with reforms and changes in the administration of the government); (8) private law (dealing generally with amendments to the civil code, penal code, etc.); (9) judicial reforms (including reforms of judicial proceedings); (10) labor; (11) franchises (charters given to private persons and corporations); (12) mercantile regulations (dealing with regulations of corporations, firms, etc.); (13) public works and improvements; (14) miscellaneous laws.

The following table shows the laws passed during the three periods of legislation, classified under the foregoing topics:

*Table of laws passed by the Philippine Legislature since October 16, 1907, to March, 1921.*

| Period. | Public instruction. | Agriculture and natural resources. | Commerce and industry. | Public health. | Charity and public welfare. | Finance. | Administration. | Private law. | Judicial reforms. | Franchises. | Labor. | Mercantile regulations. | Public works. | Miscellaneous. | Total. |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| First period | 61 | 38 | 13 | 20 | 13 | 58 | 175 | 13 | 26 | 18 | 5 | 14 | 21 | 49 | 524 |
| Second period | 22 | 36 | 16 | 18 | 4 | 45 | 116 | 6 | 18 | 21 | 5 | 8 | 22 | 24 | 363 |
| Third period | 14 | 27 | 12 | 17 | 6 | 46 | 78 | 6 | 13 | 41 | ..... | 9 | 8 | 27 | 304 |
| General total | 97 | 101 | 41 | 55 | 23 | 149 | 371 | 25 | 57 | 80 | 10 | 31 | 51 | 100 | 1,191 |

#### FIRST PERIOD.

(October 16, 1907–October 16, 1913.)

Public instruction: The first period is notable for the support that the legislature has given to education. The first act passed by the Philippine Legislature is an educational measure of the highest import. It provided for an appropriation of ₱1,000,000 for the construction of schools in the barrios. It was during this period also that the University of the Philippines was founded (Act 1870). (Other educational measures were: Act No. 1813, authorizing the Governor General to convey, under certain conditions and restrictions, insular property to Provinces and municipalities of the Philippines to be used for public-school purposes; Act No. 1829, providing for popular civico-educational lectures in the municipalities, and principally in the barrios of the Philippines; Act No. 1849, providing for the establishment of a public library to be known as "The Philippine Public Library," making suitable appropriations therefor; Act No. 1857, authorizing the creation of special classes of superior instruction for municipal teachers and appropriating the sum of ₱50,000 for the purpose; Act No. 1858, amending section 40 of Act No. 82 and providing for special training for teaching; Act No. 1866, appropriating the sum of ₱75,000 for salaries of teachers in barrios schools when established under certain conditions; Act No. 1871, making available for expenditure during the fiscal year 1909 and thereafter the balance remaining from funds appropriated by Act No. 1632 for examinations for scholarships in the Philippine Medical School; Act No. 1907, providing for the appropriation of the sum of ₱2,000 out of the insular funds to assist the municipality of Imus, Province of Cavite, in the construction of a building for an intermediate school; Act No. 1914, amending Act No. 1801, entitled "An act providing for an appropriation of ₱1,000,000 for the construction of barrio schools," by reducing the required school attendance and providing that buildings shall be erected under rules and regulations prescribed by the secretary of public instruction; Act No. 1918, amending Act No. 74, by making women eligible as members of the local school board and providing that two positions at least shall be held by women; Act No. 1924, extending the benefits of Act No. 1857 to male and female teachers of municipalities and townships inhabited by Christian tribes in Mindoro and Palawan and in the subclasses for training in nursing in the Philippine Normal School, and appropriating the sum of ₱20,000 for such purpose; Act No. 1935, providing for the consolidation of all libraries belonging to any branch of the Philippine insular government for the creation of the Philippine Library, and for the maintenance and regulation of the same; Act No. 1938, authorizing the appointment of certain high-school students as government pupils while pursuing a course of training for teaching, and authorizing expenditures for such pupils from funds designated by section 26 of Act No. 1761, as amended.)

Development of agriculture and natural resources: Notable among the acts passed during this period for the development of agriculture and natural resources are: Act 1865, establishing an agricultural bank and appropriating the sum of ₱1,000,000 for its capital; act 1827, appropriating the sum of ₱100,000 to be expended in the discretion of the bureau of agriculture, under the supervision of the secretary of the interior for the purpose of combating and exterminating cattle diseases in the islands; act 2226, establishing agricultural stations; and act 2229 for the improvement of the cultivation of tobacco.

Promotion of commerce and industries: No great legislation has been enacted for commerce and industry. The last two periods paid greater attention to this subject. One interesting law that was passed was act 1838 granting a prize of ₱15,000 to the inventor of an incombustible roof to substitute nipa and creating a technical board to pass upon the conditions of the invention. Act 2216 created a commission to secure, organize, and make an exhibit of Philippine products, manufactures, arts, ethnology, and education at the Panama-Pacific International Exposition.

Public health: The problem of infant mortality has always puzzled the mind of our legislators, and so an act (2116) was passed creating a committee to investigate the causes of excessive infant mortality in the Philippine Islands and the measures to be adopted to decrease it.

Charity and public welfare: From the beginning the government has always been obliged to set aside yearly funds to succor sufferers from calamities like typhoon. Act 2199 was among the first of such laws passed by the Philippine Legislature.

Miscellaneous acts: Among the miscellaneous acts are those which tend to honor the memory of Filipino heroes and patriots. This tendency has become noticeable ever since the participation of the Fili-

pinos in the legislature. Thus, during this first period act 2262 was passed appropriating ₱50,000 for the José Rizal School Building in Calamba.

SECOND PERIOD.

(From October 16, 1913, to October 16, 1916.)

Help to non-Christian peoples: The second period comprises the time when the Filipinos controlled a majority of the Philippine Commission. Philippine autonomy properly began at this time. This period is noted for the tremendous help that the legislature gave to the non-Christian tribes. Act 2531 passed by the Philippine Legislature under date of October 26, 1915, gave great impetus to educational work in the non-Christian Provinces. This act appropriated the sum of ₱1,000,000 for expenses of the bureau of education necessary for the construction, establishment, organization, and operation of additional free insular primary schools in the territory inhabited by Mohammedans or other non-Christian Filipinos, and to make the necessary provisions for normal training of teachers for said primary schools. This fund was allotted in proportion to the school population and was used for the purchase of sites, construction of buildings, purchase of equipment, and for current expenses, such as salaries and supplies. Other laws passed for the promotion of the non-Christian peoples and the establishment of friendly relations between Christians and Mohammedans are acts 2396, 2406, 2413, 2417, 2522, 2539, 2545, 2658, 2662, and 2664.

Agriculture: This period has produced several notable laws designed to solve our perplexing agricultural problems. Foremost among these measures is act 2508, which created the rural credit associations in the municipalities for the purpose of financing individual agriculturists, especially the small farmers. Heretofore the farmers had all been at the mercy of the local usurers, as the city banks loaned money only to the big farmers.

The administration of rural credit associations, however, has not been an easy matter. So far many of the local associations have not been able to collect sufficient capital to start the work. They have to secure the assistance of the Philippine National Bank. In spite of this difficulty, the growth of rural credit associations in the Philippines has been tremendous. The first rural credit association was created on October 19, 1916. There were, in 1920, over 500 associations distributed throughout the Islands.

Other acts of interest to agriculture are act 2573 providing for the mutual insurance of work animals, act 2583 directing the provincial governments to establish and maintain agricultural nurseries, and act 2497 setting aside a fund to be devoted to the improvement of breeds of work animals.

Commerce and industry: This period has produced some important laws dealing with commerce and industry. One of them was the infant industry act (No. 2596) designed to promote and encourage the agricultural, commercial, and industrial interests of the Philippines. The Government would guarantee a certain amount of interest for a period of years to all infant industries satisfying the conditions of the act, act 2598 established a coconut product board to encourage improvement of coconut products.

During this period also was passed the law which provides for Government grading of fiber (act 2426), which has been the subject of so much comment recently. Another law of constructive tendencies is act 2429 which revised the insurance laws and local insurance business in the Philippines. Heretofore the insurance companies, mostly foreign owned, engaged in business under the laws of their mother country, to the detriment of the Filipino people.

Finance and taxation: The greatest achievement of this period in finance was the establishment of the Philippine National Bank (act 2612). Before its establishment, Filipino business men and manufacturers could not compete with their rivals for lack of credit. The big farmers of the Philippines were also in need of a bank where they could get money for the development of their big farms. The growth of the capital and resources of the National Bank from 1916 to the present shows the tremendous amount of business that the bank is doing.

In the field of progressive taxation the Philippines made an advance with the enactment of act 2601 to tax inheritances and legacies.

Public instruction: This period has not been as rich in legislation for public instruction as the first one. An act worthy of note, however, on this subject is act 2482 authorizing the provincial and municipal governments to set aside funds for pensionados to study in the University of the Philippines.

Labor: The Philippines have not very many labor problems at this time. The only big labor question that we have had was the exodus of laborers to Hawaii which often results in great hardships for laborers. Upon finding Hawaii unsatisfactory they would want to come back, but could not for lack of means. They also complained of bad treatment by recruiting agencies. To remedy this evil, act 2486 was passed requiring labor recruiting officers to deposit a certain sum of money before they can begin business and to provide adequately for the safe return of laborers to the Philippines at the expiration of their contract.

THIRD PERIOD.

(From October 16, 1916, to March, 1921.)

This period presents very many important laws worthy of thorough study. Unusual times called for unusual measures. America's entry in Europe, the economic consequences of the war, the unprecedented prosperity in 1917, 1918, and 1919 all contributed to the enactment of bold measures, social, economic, and political.

Public instruction: It had long been found by experts on education that our school facilities could not adequately meet the demand of all the children for education. It is true that the Philippine Legislature had been liberal in the appropriation acts and other special laws. We have noticed that the first law passed by the Philippine Legislature was an act appropriating ₱1,000,000 for the establishment of schools in the barrios. To further the cause of education the Philippine Legislature, by act 2782, appropriated ₱30,000,000 to defray the expenses of a five-year school program calculated to accommodate in the schools all Filipino children who may desire to attend them. This is a monumental act which elicited the praise of friends and foes alike of Philippine autonomy.

The charter of the University of the Philippines was amended, giving the alumni and faculty members representation in the board of regents (act 2759).

Agriculture and natural resources—The government development companies: The movement, began during the second period of our legislation, of allowing the government to venture in economic activities which for lack of private capital had hitherto remained dormant, was continued. The government was committed in favor of the policy of nationalizing and controlling industries when public welfare demanded such a step.

This is the main purpose in establishing the five development companies. The greatest development company established by the government is that created by act 2849, called the National Development Co., with an authorized capital of ₱50,000,000. It is empowered to engage in any commercial, industrial, or agricultural enterprise necessary to the economic development of the country and its public welfare. The stock of the company is controlled, as in other government companies, by a committee of three, composed of the Governor General, the president of the senate, and the speaker of the house of representatives. Other development companies which have been established by law, some of which have not yet begun to function, are the National Cement Co. (2855), the National Coal Co. (2705), the National Iron Co. (2862), and the National Petroleum Co. (2814).

At the time when increased food production was necessary act 2723 was passed. Under this act the secretary of agriculture and natural resources was to determine, after consulting the opinion of the municipal council concerned, what agricultural food products were most adaptable to each community; then all efforts to stimulate the production of that food product would be exerted. An appropriation of ₱500,000 was made for this purpose. The following year further appropriation for this purpose was made.

Another act that is worthy of mentioning, indicative of the trend of the government to help agriculture, is act 2696, which appropriated ₱35,000 for the purchase and installation of two machines which would develop the maguey industry.

Commerce and industry: This period saw the creation of a separate bureau for the development of commerce and industry by act 2728. This is the bureau of commerce and industry. This period also marked an attempt, though not a fruitful one, to establish a merchant marine. Act 2754 authorized the secretary of commerce and communications, with the concurrence of the Governor General, the president of senate, and the speaker of the house of representatives, to organize a merchant marine which will engage in the transportation of products from and into the Philippines. The government is actually engaged in trade in those portions of the country inhabited by non-Christian peoples. Act 2660 deals with the development of trading stations in the Department of Mindanao and Sulu to facilitate the intercourse and exchange of merchandise between the Moros and Christians.

Public health: Aside from the annual appropriation for public health, other measures have been passed for the improvement of sanitary conditions. Act 2695 provides for the isolation of prisoners infected with tuberculosis; act 2653 appropriated ₱39,000 for hospitals in the Department of Mindanao and Sulu to combat diseases; acts 2740 and 2744 appropriated money for the manufacture of "tiki-tiki" and for its gratuitous distribution among the indigent classes as a means of combating infantile beriberi.

Charity and public welfare: It has been found convenient for the government to supervise the work of charity and public welfare. The public welfare board was first created by act 2510 as amended by act 2745. Act 2988, however, abolished it, and established in its stead a commissioner of public welfare with much enlarged powers. An office is maintained in Manila for the conduct of business for the investigation of social conditions and for the dessemination of valuable sociological information. Social centers and other agencies are to be established and maintained throughout the islands. The money appropriated by the legislature for the protection of infants is distributed by this office.

Act 2761 appropriated ₱50,000 for medicine to be distributed free of charge at public dispensaries. Following the former practice, the legislature appropriated by act 2854, ₱300,000 for the relief of the poor sufferers from fires, typhoons, earthquakes, and other public calamities.

Finance: Act 2894 grants authority to Provinces, municipalities, and chartered cities to incur indebtedness and issue bonds for public improvements under certain conditions. The recent measures petitioning the increase of the bonded indebtedness of the Philippine government have already been answered by Congress by allowing such an increase. Act 2931 provides for the issuance of bonds by the government of the Philippines in such sum as Congress may authorize for the establishment of irrigation systems in the Philippine Islands.

Administration—the reorganization act: The most important administrative measure passed since 1907 was act 2666, which reorganized our executive departments. This is taken up fully in Chapter III.

Another administrative change worthy of mention was made by act 2878, which abolished the government of the Department of Mindanao and Sulu as a special political division. At present there are only two kinds of Provinces—regular Provinces and special Provinces. All the non-Christian Provinces are under the same category. This works for unification of administration. Formerly the Department of Mindanao and Sulu formed one separate, self-governing entity and the special Provinces of Luzon formed another type of administrative unit.

Private law: The first attempt at establishing divorce in the Philippines was made by act 2716. It provides, however, that before a divorce can be obtained one of the parties must have been found guilty of adultery by a competent tribunal.

Judicial reforms: The most noteworthy act under this heading is that which reorganized the courts of first instance and provides for an automatic exchange of places by lot between the judges of the courts of first instance belonging to the same rank. Every five years the judges are to be convened and those of the same class are to exchange places (act 2941). Another act postponed the exclusive use of English as the sole official language of the courts until 1930 (act 2830).

Labor: At this period the Philippines were beginning to have their labor troubles, and act 2865 authorized the Governor General to appoint a committee to investigate controversies between the owners and tenants of large estates.

Mercantile regulations: One law passed during this period which has been objected to by foreign communities like the Chinese is act 2972, which would prohibit the writing of account books in Chinese and which imposes penalty for its violation.

Public works: Public works are taken up in the annual appropriations for public works, but a law worthy of note is act 2940, providing for the issuing of bonds by the government of the Philippines in the amount of $10,000,000 for the purpose of providing funds for public works.

The militia: Act 2715, providing for the establishment of the Philippine militia, was passed in 1917. Its initial purpose was to help the United States during the Great War.

The militia is divided into two classes: First, the regularly enlisted militia, known as the national guard; and, second, the reserve militia,

composed of those who were not in active service. The Governor General is the commander in chief of all the militia. There is a militia commission established to advise him as to the permanent organization, equipment, and government of the national guard and the reserve militia. The militia commission is composed of the secretary of the interior, the president of both houses of the Philippine Legislature or their representatives, the secretary of finance, the secretary of justice, and two other members appointed by the Governor General.

Franchises: It will be worthy of note that franchises have multiplied during this period, a fact which shows great economic activity. During this time 41 franchises have been granted by the legislature. There were only 18 in the first period and 21 in the second period.

Memorials and recognitions of merit: It is proper to create a separate subheading for those acts of the Philippine Legislature which honored the memory of people who have rendered service to the Filipino people or gave recognition to those who are still living but who are illustrious by the magnitude of the work that they have done. Act No. 2795 appropriated ₱60,000 for the erection of a mausoleum to perpetuate the memory of the late Hon. William Atkinson Jones, the author of the Jones law. Act 2810 authorized the creation of a commission to take charge of the preliminary work for the celebration of the fourth centennial of the discovery of the Philippines by Magellan. Act 2918 authorized the payment of special remuneration to Frank W. Carpenter for his work in Mindanao and Sulu. Similarly, life pensions were given to Gen. Emilio Aguinaldo, former president of the Philippine Republic, and the late Cayetano Arellano, chief justice of the supreme court. (Acts 2922 and 2909, respectively.)

National ideals: Act 2928 is replete with memories of the past, for it revived the old flag of the Republic and made it an official flag of the government of the Philippines. Act 2933 provides for a standing appropriation of ₱1,000,000 every year for the commission of independence.

CONCLUSION.

It may have erred in attempting a great many things; it may be blamed for its experiments with government control and supervision, but when it comes down to the real issue as to whether it has served the country with the highest ideals of service and public welfare, our legislature can well bear the scrutiny of the most hostile critics. It has produced a record of which any legislative body of the world can be proud.

## APPENDIX.

INSTRUCTIONS OF THE COMMISSION OF INDEPENDENCE TO THE PHILIPPINE PARLIAMENTARY MISSION.

Gentlemen, in compliance with a resolution of the Philippine Legislature, the commission of independence is sending you to the United States to continue the work already begun for independence and to obtain from the people and Government of the United States the immediate recognition of the absolute and complete independence of our country. A resolution to this effect has been approved by the commission of independence, and is attached hereto.

The mission shall bring before the President and Congress of the United States this just demand of the Filipino people. The sacred promise made by the American people to grant us our independence as soon as a stable government could be established in our country should be without delay complied with. The Filipino people have not only demonstrated their capacity to establish a stable government but, in fact, such a government has already been established and has been functioning for a long time. Knowing as we do America's love for liberty and justice, and her respect for her given word, we are confident that our voice will no longer be ignored.

It is not our purpose, neither is it the purpose of the Filipino people, to obtain independence by halves or independence which is not consecrated to the principle that the Filipino people shall be free to solve their domestic questions and determine their external relations.

The necessity of discussing what guaranties should be established to insure the stability of the existence of an independent Philippine government seems to have vanished as a result of changes in international relations and the salutary effects of the disarmament conference, especially the ratification of the so-called four-power treaty relative to the problems of the Pacific.

Neither is it any longer necessary to dwell upon the progress of our country under the administration of Filipinos in accordance with the government authorized by the Jones law, because this progress has been in a great measure recognized in the report of the special mission sent to these islands last March by President Harding. There are reasons, however, why we should question certain parts of the report of that special mission, especially those which refer to the stability of the present Philippine government. The second independence mission should be fully informed of the effects the extensive publicity given to that report has made upon American public opinion in general and upon their Government officials. It shall be the special care of the mission in the event that public opinion in America has been unfavorably impressed by the report to give out truthful and actual facts and describe the actual conditions in the islands as well as the satisfactory results obtained under the present government, together with the bright prospects which the future holds for the establishment of a government completely and absolutely independent.

This second mission may consider itself fully authorized to organize and reorganize itself in the form that it may deem convenient, and, taking into account unforeseen difficulties and unfavorable circumstances, it is also authorized to detail, if it so deems convenient after the immediate work of the mission is accomplished, a portion of the delegation to remain in America to organize new publicity agencies or to extend those already in existence.

The independence commission is aware of the enormous and various difficulties which will probably confront the work of the second mission to the United States. It is also aware of the complexity of the problem the mission has to solve and the circumstances it will have to contend with in order to obtain positive results. The commission hopes and is confident that the second mission will know how to meet whatever difficulties may arise and will be equal to the occasion, sparing no efforts or time to achieve success. But if after having exhausted all the means within its power and command it fails to attain the object for which it has been sent or if in the course of its negotiations new aspects or questions present themselves which the mission does not deem within its province to solve and decide, it shall make a report and recommendation to this commission in order that new or additional instructions may be sent.

The declaration of purposes and the instructions to the first Philippine mission of 1919 shall be taken as the principal guide for the work of the second mission. In complying, however, with those instructions as well as with the present the second mission shall consider itself authorized freely to act without embarrassment and in consonance with the spirit rather than the letter of said instructions and declaration of purposes, since the primordial object which actuates us in this great campaign is to secure the absolute, complete, and immediate independence of the Philippines.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Page 18, after line 12, insert:

"NAVAL ESTABLISHMENT.

"Scrapping of naval vessels: For necessary expenses in connection with the care and preservation of ships whose construction has been suspended pending the taking effect of the treaty limiting naval armament, and for expenses of handling, preserving, and inventorying material on hand or in course of fabrication for said vessels, including charges for freight, mileage, telegraph and telephone tolls, and clerical and technical services, and toward payment of bills of subcontractors for material already completed for the vessels, $5,000,000, to be available until expended."

Mr. MADDEN. Mr. Speaker, I move to recede and concur with an amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment No. 28: That the House recede from its disagreement to the amendment of the Senate No. 28, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Naval Establishment, scrapping of naval vessels: For necessary expenses in connection with the care and preservation of ships whose construction has been suspended pending the taking effect of the treaty limiting naval armament, and for expenses of handling, preserving, and inventorying material on hand or in course of fabrication for said vessels, and toward payment of bills of subcontractors for material already completed for the vessels, fiscal year 1923, $5,000,000."

The SPEAKER. The question is on the motion of the gentleman from Illinois to recede and concur in the Senate amendment with an amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 31: Page 20, after line 7, insert:

"DEPARTMENT OF STATE.

"To the duly qualified guardian of Leonore M. Sorsby, minor daughter of William B. Sorsby, late envoy extraordinary and minister plenipotentiary of the United States to Bolivia, the sum of $4,200 as reimbursement for extraordinary expenses incurred for medical attendance, nurses, hospital treatment and transportation to the United States following a stroke of paralysis suffered by said William B. Sorsby at his post of duty, La Paz, Bolivia, from which he remained wholly disabled until his death."

Mr. MADDEN. Mr. Speaker, I move that the House further insist on its disagreement to the Senate amendment.

The motion was agreed to.

Mr. MADDEN. I yield to the gentleman from Tennessee [Mr. DAVIS].

Mr. DAVIS of Tennessee. Mr. Speaker, I ask unanimous consent to extend my remarks on the development of Muscle Shoals.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee? [After a pause.] The Chair hears none.

The extension of remarks referred to are here printed in full as follows:

Mr. DAVIS of Tennessee. Mr. Speaker and gentlemen of the House, there is certainly no measure pending in this Congress as to which there is more general interest and for proper disposition of which there is more widespread demand than the question of the development of Muscle Shoals. While the Congress has appropriated $7,500,000 for the resumption of work at Muscle Shoals, yet it is generally known that this did not constitute any solution of the problem; in fact, it was a mere subterfuge. No question is settled until it is settled right, and the people of this country will not be satisfied until this question is settled right. The demand by the people for action is inseparably connected with the acceptance of the Ford offer. The Members of the House will soon leave to spend the recess in their respective districts. The President has requested them in substance to convert their constituents to the ship-subsidy program. It is not necessary to convert them to the question of acceptance of the Ford offer for Muscle Shoals. I sincerely hope that the Members who are not already so disposed will receive sufficient inspiration from their constituents that when they return from their vacation they will be ready to promptly take up the question and pass a bill providing for the acceptance of the Ford offer.

The last Congress refused to appropriate $10,000,000 for the continuation of the construction of the Wilson Dam at Muscle Shoals. The chief argument then made by those opposing the appropriation was that the Government had wasted the immense amount of money spent on that investment and to make this appropriation would be sending good money after bad, as

the plant was worthless. When the present administration came into power the friends of Muscle Shoals began to importune Secretary of War Weeks to recommend that Congress make an appropriation to continue the work. He indicated that he would make such a recommendation if a responsible person or concern could be found who would be willing to lease and operate the property in the event it should be completed. Thereafter some of the advocates of the development of Muscle Shoals interested Henry Ford in the proposition, with the result that he submitted a definite bid therefor nearly a year ago.

A few weeks after Mr. Ford submitted his bid I was in Nashville, Tenn., and was interviewed by a representative of the Nashville Banner, my interview appearing in that paper under the headlines "DAVIS favors Ford's offer" on September 1, 1921. In that interview I stated in part:

All the friends of the Muscle Shoals project are very much in favor of an acceptance of Henry Ford's offer. His proposition is entirely fair and preserves the original purpose, insuring the development and operation of the plant for the production of nitrate for fertilizer in peace and of nitrate for explosives in case of future war. Henry Ford's genius, resourcefulness, and proven administrative ability would be invaluable assets. There is not the slightest probability of any other responsible bid being received that will approach the Ford offer. The Government could not operate the plant as successfully and cheaply as would Ford. And yet Secretary Weeks will not accept the Ford proposition if he can avoid it.

I then detailed the character and sources of opposition which would be encountered, mentioning the Fertilizer Trust and other powerful private interests, the sectional prejudice, the personal and political hostility to Mr. Ford, and explained that the present administration was apparently opposed to the completion or operation of the Muscle Shoals plant or the acceptance of Ford's offer.

Then I continued:

However, it is to be hoped that public sentiment will finally force Secretary Weeks to accept the Ford offer.

In addition to the valiant service being rendered by other friends of the Muscle Shoals project the national farm organizations, which are very strong in the West and Northwest, are hard at work in an effort to induce the acceptance of the Ford offer, and they will doubtless bring to bear a powerful influence.

The correctness of my diagnosis and prophecy has been fully demonstrated by subsequent events.

The Ford offer completely refutes the previous arguments of the enemies of Muscle Shoals that the completion and operation of the plant was not feasible and would simply involve a large additional waste of money, without any benefits in return. However, impelled by prejudice, the inspiration of competitive interests, or by other reasons, the opponents of Muscle Shoals have taken up position after position against the acceptance of the Ford offer, only to be driven from each untenable position.

Again, I was asked by a newspaper representative for a statement on the situation, which I gave for the press on December 5, 1921. In that statement I said in part:

The public sentiment in favor of an acceptance of Ford's offer is so strong that it can not be ignored, so that the Secretary of War will be compelled sooner or later to take some action thereon. However much I should like to be able to view it otherwise, yet I predict that he will "pass the buck" to Congress either with only a colorless recommendation or without any recommendation, but in either event accompanied by arguments against the acceptance of the Ford offer. I fear that the project will still be in the hands of its enemies, speaking from the standpoint of majorities. Even if the pressure of public sentiment, led by the national farm organizations, should result in sufficient support from the Northwest and the West to force the proposition through the present House, I very much fear public sentiment would not be sufficient to prevent it from being pigeonholed in the Senate.

Secretary Weeks did exactly what I predicted. On February 1, 1922, he referred the Muscle Shoals matter to Congress without any specific recommendation as to what action should be taken, except that he recommended that if the Ford offer should be accepted it should be amended in certain vital respects. Those recommendations have since furnished a basis for the chief opposition to the Ford offer, those opposed to the acceptance of the Ford offer eagerly seizing upon them as a pretext for their opposition.

The whole question was referred to the Military Affairs Committee of the House and the Committee on Agriculture of the Senate. The Military Affairs Committee conducted exhaustive hearings, and after many months of careful, patient study has filed three reports; the majority report recommends the acceptance of the Ford offer with a single reservation; one minority report, signed by eight members of the committee, recommends the acceptance of the Ford offer without any reservation; another minority report, signed by five members of the committee, expresses opposition to the acceptance of the Ford offer. The acting chairman of the committee, in accordance with the wishes of a majority of the committee, introduced a bill in accord with the majority report of the committee, and a rule was promptly asked for the consideration of such bill. However, those controlling the policies of the House have withheld their approval of a rule which would permit the consideration of this bill by the House, and it is quite evident that the House will soon adjourn for a six weeks' recess without taking any action on this very important matter.

When Henry Ford made a proposition involving not exceeding an 8 per cent profit in the operation of the plants for the production of fertilizer and the development of other industries, and in the event of war to produce nitrates for explosives for the Government without profit, it eliminated any bona fide bid from competitive interests because they were unwilling to take over and operate a project of this magnitude without an opportunity to profiteer upon the people in time of peace and upon their Government in time of war. Mr. Ford's offer was originally made nearly a year ago, since which offers have been made by the Alabama Power Co. and a few others, but no member of either committee or of either branch of Congress has claimed that any offer except Mr. Ford's was even worthy of serious consideration. As a matter of fact, Ford's offer has made possible the saving of the tremendously valuable Muscle Shoals plants. Credit is due him for making possible the completion of Muscle Shoals. If the value of the property had not been forcibly demonstrated by a substantial bid from such a responsible source, the entire project would have been junked by those now in authority, in accordance with their original purpose.

During his visit to Washington in connection with the matter Mr. Ford told some of us members of the Tennessee delegation that he had made what he considered a very fair offer, not with a view of making money, but with a view of rendering a public service, as he could easily find more remunerative fields than that involved in a maximum 8 per cent profit basis. The masses of the people have faith in the ability and patriotism of Henry Ford. They believe that his purpose is to render a great public service, and they fully believe that he could and would if his offer for Muscle Shoals should be accepted. Although Mr. Ford made a proposition which all unprejudiced men believe to be generously fair, and although it is considered that he has made the only proposition worthy of consideration, yet the powers that be insist that he has not made a liberal enough offer for the lease and operation of the plants, which the same parties at first contended were absolutely worthless.

It is of interest to friends of Muscle Shoals, and it should have some influence upon even its opponents, that to the financial, organizing, and administrative ability of Henry Ford is added the patriotic and friendly cooperation of Thomas A. Edison, with his chemical and inventive genius. After surveying the Muscle Shoals plants Mr. Edison stated:

Mr. Ford's proposition is essentially sound and financially just.

Those seeking to prevent acceptance of the Ford offer say that Henry Ford is a "dreamer," and so he is. The character of his "dreaming" was so aptly described in an editorial which appeared in the Nashville Tennessean of June 21, 1922, that I shall quote it, as follows:

He has dreamed big things in the past and they have come to pass, and there is no reason to doubt that his dreams for the future will come to pass if he is permitted to aid them with the common sense and the business acumen with which he is possessed.

Twenty years ago Henry Ford dreamed of a horseless carriage, and to-day his automobile is known from one end of the world to the other. This was a practical dream, yet there were those who laughed at him.

He dreamed of a great industrial city, and he has built one and more out of the profits of his first dream. He has given employment to thousands. He has spread prosperity and sunshine over a great part of our country, from which he has drawn the raw materials and the parts that go to make the finished product which bears his name.

He has dreamed of an easier life for the farmer and of greater returns for the labor that goes into the production of crops, and he has given the farmer a tractor to ease his toil and to increase his profits.

He dreamed of a railroad that could be operated without loss and at the same time give to the public cheap and efficient service, and he has brought that condition about.

He dreams now of a great water-power development on the Tennessee River which will put to use a war project that so-called captains of industry were about to abandon. One of the results of the realization of that dream will be added prosperity for the farmer. Another will be the improvement of a great river, so that cheap transportation may be had. Another will be the building of a great industrial center which will hum with activity and give employment to thousands and carry prosperity to them and their families. Another will be the maintenance of the great war project intact, so that in event we go to war again Uncle Sam will have ready at hand the tools that he will need so urgently.

This is Henry Ford's dream, and it is a dream that will come true if partisanship and the grip of the special interests can be smashed.

The farmers of the country are deeply concerned over this matter. They have a right to be. They are tired and sick of paying such exorbitant and unjust tribute to the Fertilizer Trust. They want Henry Ford to have this plant because they know that there is a vast difference between Muscle Shoals

developed and operated by Henry Ford and Muscle Shoals exploited by the Alabama Power Co., or any similar concern. The American Farm Bureau Federation, which made an exhaustive investigation of this subject, addressed letters to all Members of Congress June 22, 1922, urging the acceptance of the Ford offer, and concluding as follows:

We have stated before and we state again that, in view of the known facts, the reasonable expectation, if the Ford offer is accepted, is that fertilizers can be produced at Muscle Shoals and delivered to the farmer for about one-half what he would otherwise pay for them, and this can be done under the Ford plan by methods that are already in commercially successful operation in this country.

The farmers are naturally intolerant of this unseemly and inexcusable delay. This proposition has been before the public for nearly a year; it has been thoroughly investigated and considered by the Congress and the people. The farmers can not understand why their interests and the interests of the public generally should be longer ignored at the behest of certain private interests. Composing a large per cent of our citizenship, bearing a large part of our tax burdens, direct and indirect, and producing the food for the Nation, the farmers of this country are entitled to some consideration. Furthermore, as I have often stated, what is to the interest of the farmers is to the interest of the whole people. They are the great producers of the wealth of the Nation. When they are prosperous the Nation is prosperous, and vice versa. The more abundantly and economically the farmers can produce the more cheaply they can sell and the more cheaply the consumers can buy. Consequently every man, woman, and child in the Republic is vitally interested in the production of cheaper fertilizer. Has this ceased to be "a government of the people, by the people, and for the people"? Has it become a government of special privilege, by special privilege, and for special privilege?

I voice the sentiments of 100 per cent of the people of the district which I have the honor to represent, and I believe I represent the views of practically 100 per cent of the people of Tennessee, in urging upon Congress the immediate acceptance of Henry Ford's offer for Muscle Shoals. I sincerely hope that the present Congress, without further delay, will accept that offer. If it does not, I predict that the people will elect representatives to the next Congress who will accept the Ford offer, provided the offer is still open. However, it is the apparent purpose of those opposing this proposition to delay the matter until Mr. Ford withdraws his offer in disgust, and that is a danger incident to delay.

Mr. MADDEN. I yield one minute to the gentleman from Michigan.

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan? [After a pause.] The Chair hears none.

Mr. CRAMTON. Mr. Speaker, amendment No. 19, added to this deficiency bill by the Senate, among other new items for the General Land Office, Department of the Interior, provides:

Registers and receivers: For salaries and commissions of registers of district land offices and receivers of public moneys at district land offices, at not exceeding $3,000 per annum each, fiscal year 1923, $45,850; for clerk hire, rent, and other incidental expenses of the district land offices, including the expenses of depositing public money, fiscal year 1923, $40,000; in all, $85,850.

This item is the immediate sequel of the action of the House two days ago in passing Senate bill 3425, restoring certain unnecessary offices abolished very recently in the Interior Department appropriation bill.

There have been in the country the past year 94 district land offices, many of which served useful purposes in times past, but are no longer necessary. The appropriation bill provided for closing of 19 of these July 1, and consolidated the offices of register and receiver in 21 others. By reason of such action it was possible to cut the appropriations for the district land offices $128,000, and most of the 19 offices abolished were being maintained in violation of the law of 1840.

But such real practice of economy was too much for many who love to talk economy. The clans gathered and organized and combined assault was made so successfully that Senate bill 3425 was passed through the House Wednesday in form providing for restoration of 10 of these offices, namely: Bellefourche, in the State of South Dakota; Waterville, in the State of Washington; Dickinson, in the State of North Dakota; Del Norte and Sterling, in the State of Colorado; Clayton and Fort Sumner, in the State of New Mexico; Harrison and Camden, in the State of Arkansas; and Alliance, in the State of Nebraska.

During the debate on this bill in the House naturally the real facts of the case became much obscured by smoke screens of erroneous statements made in behalf of the bill, both as to the necessity for continuance of these offices and the cost thereof. Advocates of continuing numerous sinecures were equally careless of the real facts concerning either branch of the argument.

The amendment above quoted must come as a shock to any real believers in administrative economy who were led to support Senate bill 3425 through belief that the cost of continuing these offices would be less than claimed by myself and others.

The gentleman from South Dakota [Mr. WILLIAMSON] has been most active in seeking the return of Bellefourche and two other offices in his State. Attacking the claim of those in charge of the Interior Department bill that a saving of $128,000 had been accomplished by the closing of offices and consolidation of officers in the public land service in that bill said (RECORD, p. 9622):

It has been said that the saving will be $128,000 a year if the offices in this bill are discontinued. As a matter of fact, the saving would not be over $35,000 or $40,000. The statement shows that the total operating expenses are only $80,407.76; then, how can there be a saving of $128,000?

The gentleman was sure the saving from closing 19 offices and consolidating offices in 21 more would be "not over $35,000 or $40,000." But the event proves how little he understood the facts, for the land office speedily called for $85,850 to reopen only 10 of the 19 offices closed.

Later the gentleman from Wyoming [Mr. MONDELL], the distinguished leader of the Republican majority and generally desirous of being known as a real believer in economy, came to bat with his expert testimony as a real son of the Golden West. Said he:

Let us see what the situation is in regard to the land offices. How much do we save by abolishing a land office? Well, we save the rent, which may be from $50 to $100 a month—I think never more than $100 in these country towns—let us put it at $100. That is $1,200. Then you save the light and fuel. It may be that in those items you save $300 more. That makes $1,500, and that is all we save to a certainty when we abolish a land office. You may save something more, but there is no certainty that we save another penny.

Closing one land office would save $1,500, closing 10 would save $15,000, and "you may save something more, but there is no certainty that we save another penny."

Closing 10 offices would save only $15,000, said our great floor leader, but opening the same 10 costs $85,850 next day, says the Commissioner of the General Land Office, Hon. William Spry, former Governor of Utah.

So economists who followed the western clans, listening to WILLIAMSON and MONDELL, must now awake to the facts.

Amendment 19 of the Senate was prepared by the General Land Office and was the estimate of that service of the amount necessary to continue the 10 district land offices, $85,850. The conferees cut the amount for clerks $10,000, but the item remains at $75,850 to continue 10 land offices whose total receipts will not next year greatly exceed that amount and several of which would have been closed years ago if the Interior Department had not ignored the plain law of 1840.

### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Craven, its Chief Clerk, 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 House of Representatives to the bill (S. 831) to amend the proviso in paragraph 10 of section 9 of the Federal reserve act amended by the act of June 21, 1917, amending the Federal reserve act.

### EXTENSION OF REMARKS.

Mr. BENHAM. Mr. Speaker, I ask unanimous consent to extend my remarks by quoting a letter on the duties of women's statesmanship.

The SPEAKER. The gentleman from Indiana asks unanimous consent to extend his remarks by quoting a letter on the duties of women's statesmanship. Is there objection?

Mr. WALSH. Whose letter is it, may I ask the gentleman? Who wrote the letter?

Mr. BENHAM. A lady whose name I do not remember, from my State.

Mr. MADDEN. I think we should get on with this conference report, and I object.

### THIRD DEFICIENCY APPROPRIATION BILL—CONFERENCE REPORT.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 38, page 24, after line 6, insert:
"Immigration Service Hospital, Ellis Island, N. Y.: The appropriation 'Pay of personnel and maintenance of hospitals, 1922,' carried under the Public Health Service in the Treasury Department appropriation act for the fiscal year 1923, is also made available to enable the Public Health Service to operate the hospital of the Immigration Service at Ellis Island, N. Y., on the basis of the same items of expense shared by each service during the fiscal year 1922. The

Immigration Service shall reimburse the Public Health Service on the basis of per capita rates fixed by the Secretary of the Treasury and the sums received by the Public Health Service from this source shall be covered into the Treasury as miscellaneous receipts."

Mr. MADDEN. Mr. Speaker, I move to recede and concur with an amendment.

The Clerk read as follows:

Mr. MADDEN moves to recede from the House disagreement to amendment No. 38 and concur in the same with an amendment as follows: Preceding the matter inserted by said amendment insert the following center heading: "Public Service."

The question was taken, and the motion to recede and concur with an amendment was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 39, page 25, insert:

"FEDERAL FARM LOAN BUREAU.

"Salaries and expenses, Federal Farm Loan Board (reimbursable): For salaries of four reviewing appraisers at not to exceed $5,000 each per annum, and the traveling expenses of such reviewing appraisers, fiscal year 1923, in all, $35,000: *Provided*, That on the 1st day of January, 1923, and the 30th day of June, 1923, the Federal Farm Loan Board shall assess the salaries and expenses of the positions hereby provided for, and paid during the preceding half year, against the several Federal land banks and joint stock land banks in proportion to the gross assets of such banks at such times, and the funds collected by such assessments shall be covered into the Treasury as miscellaneous receipts."

Mr. MADDEN. I yield a minute to the gentleman from South Dakota [Mr. WILLIAMSON].

Mr. WILLIAMSON. Mr. Speaker, I desire to say in answer to the gentleman from Michigan [Mr. CRAMTON] that no one claimed upon the floor of the House that we would save money by continuing these land offices. What we did state was that the Government realized over $70,000 net revenue from these offices after paying all expenses.

During the debate upon the land office bill it was repeatedly asserted that the saving which would be realized in the event that the bill was defeated would be $128,000, in defiance of the fact that for the fiscal year of 1921, upon which the figures were based, the total cost of maintaining the 10 offices which the bill sought to restore was only $80,407.76. The income for the same period was $151,618.39, leaving a net gain to the Government of $71,210.63.

Every dollar of the money appropriated for the continuation of these offices will be rebated to the Government from the fees collected by these same offices during the next fiscal year. Not only that but they will return a handsome surplus over and above all expenses.

Even if abolished the work which will now be attended to in these offices would have to be done in some other office and the expense of doing it could not be avoided. It is absurd to claim that the total expense of maintenance would be saved. What little might be saved by the Government in their abolition would be paid many times over by the pioneer settlers in the added expense they would be called upon to bear by having to transact their business at points often hundreds of miles farther from their land. No country could ever be developed but for the pioneers, and the Government should not remove from them the conveniences these land offices afford, especially in view of the fact that they pay more in fees than the total cost of maintenance.

If the gentleman from Michigan [Mr. CRAMTON] would devote his time to seeking practical means of cutting down the overhead where it is not needed and eliminating useless employees here in Washington and elsewhere, he would be performing a real service for his country. In place of this he has been devoting his undoubted talents in an attempt to cut expense where to save a few thousands of dollars is to impose many thousands upon the backs of those whose burdens are already in many cases beyond their capacity to bear. As long as the settlers who are benefited by a land office pay all the expenses of maintenance and more, they should have the office. There is no more sense or justice in depriving these people of their land offices than there is in depriving them of their post offices and rural mail facilities.

I desire permission to revise and extend my remarks.

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

Mr. GARNER. Will the gentleman from Illinois yield?

Mr. MADDEN. I move to recede and concur.

Mr. GARNER. I would like to ask the gentleman from Illinois to explain this.

Mr. MADDEN. I will be glad to explain it. A great many additional land banks have been organized and joint-stock banks and the Land Bank Board has for a long time insisted that they needed more careful supervision than they have been able to give, and they have on more than one occasion recommended additional examiners and appraisers, and they some time since requested legislation which would enable them to make assessments upon banks throughout the country for all expenses of the Land Bank Board here. It was thought by everybody, I think, interested in the land banks that this would not be a good time to impose any additional burden upon them by permitting the Land Bank Board here to make assessments on the land banks for the expenses of the board. This does not go to the extent that the original proposal went. Now they come and ask for a few additional appraisers because of the great need for more stringent supervision than they have been able to give to the workings of the banks and the increasing number of associations and land banks, and they have the authority to make the examinations, of course, but they have not had the adequate force, and they also have the authority under the law to levy the costs of those examinations against the banks that are examined, but this amendment simply provides under the act which reads as follows:

Land bank appraisers shall receive such compensation as the Federal Farm Loan Board shall fix and shall be paid by the Federal land banks and joint stock land banks, which they serve in such proportion and in such manner as the Federal Farm Loan Board shall order.

Now, what the Farm Loan Board wants is authority to appoint a few additional appraisers.

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

Mr. MADDEN. Yes.

Mr. BEGG. Are you talking about examiners of the banks or appraisers of the land? They are decidedly different propositions.

Mr. MADDEN. Both examiners and appraisers. These particular people are appraisers. However, they are short of both.

Mr. BEGG. That is a decidedly different proposition.

Mr. MADDEN. I say they are short of both.

Mr. BEGG. Which is it that the amendment provides for—appraisers or inspectors?

Mr. MADDEN. Appraisers.

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

Mr. MADDEN. Yes.

Mr. KINCHELOE. This amendment means that these four reviewing appraisers are going to go over the work of the regular appraiser and scrutinize that and see if he has done his duty or not?

Mr. MADDEN. Yes; and to see whether the security taken is adequate.

Mr. KINCHELOE. Why not work with these four reviewers, instead of with the original appraiser?

Mr. MADDEN. We can not do that.

Mr. KINCHELOE. This provides for only four.

Mr. MADDEN. I want to say that I have never yet, in all my experience in the House, come in contact with a board that understands its work as well as does this Farm Loan Board. I think they are really worth while. They have done a wonderful work. They are watchful not only of the interests of the farmers but also of the interests of the Government.

Mr. KINCHELOE. This is enough to do the work of seeing whether those loans are good?

Mr. MADDEN. Yes.

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

Mr. MADDEN. Yes.

Mr. ASWELL. The criticism that has been made is that the overhead expenses were too heavy. Is that it?

Mr. MADDEN. The overhead expenses of the organizations have nothing to do with the Farm Loan Board.

Mr. ASWELL. That is the contention that is made?

Mr. MADDEN. I think the overhead expenses of the Farm Loan Board are the lowest that we have.

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

Mr. MADDEN. Yes.

Mr. GARNER. I do not have any doubt but that the statement of the gentleman which he has just made is correct, but this Farm Loan Board will drift into the position that other boards and commissions have gotten into. In that Farm Loan Board you are losing the older men and bringing in new men, and the overhead charges are paid by the farmer.

Mr. MADDEN. Those are paid by the Government of the United States, except these particular positions.

Mr. GARNER. This is to be reimbursed by the farmers, is it not?

Mr. MADDEN. No. The Farm Loan Board expenses are paid out of the Treasury of the United States, and paid by you and by me and by everybody else in the United States except the farmer, save as the farmer is a part of the whole people.

Mr. GARNER. How many more of these farm agents or examiners will you need next year and the next year after that?

Mr. MADDEN. It depends entirely on the expansion of the service. If this service expands you will need more. If it contracts you will need less.

Mr. Speaker, I ask for a vote.

The SPEAKER. The question is on agreeing to the motion to recede and concur.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Senate amendment No. 42: Page 26, after line 17, insert: "The Secretary of the Treasury and the General Accounting Office are hereby authorized and directed to credit in the accounts of the Treasurer of the United States certain items of unavailable funds in the sum of $15,956, now carried in the accounts of the office of the Assistant Treasurer of the United States at Boston, Mass., and in the general accounts of the Treasurer of the United States as unavailable funds and representing a shortage found upon the discontinuance on October 25, 1920, of the subtreasury at Boston, Mass., in the amount of money belonging to the United States while in the custody of said assistant treasurer, the loss of said money having occurred through no fault or negligence on the part of said assistant treasurer, as set forth in Senate Document No. 400, Sixty-sixth Congress, third session, and for this purpose the sum of $15,956 is hereby appropriated."

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

Mr. CROWTHER rose.

Mr. MADDEN. I am going to move to disagree to that.

Mr. GARNER. I know.

Mr. MADDEN. I will yield first to the gentleman from New York [Mr. CROWTHER].

Mr. CROWTHER. Mr. Speaker, I realize that in the closing hours there will be no disposition to listen to many speeches. I ask unanimous consent that I may extend my remarks in the RECORD on the Fordney-McCumber tariff bill.

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks on the tariff bill. Is there objection?

There was no objection.

The extension of remarks referred to are here printed in full as follows:

Mr. CROWTHER. Mr. Speaker, the tariff is a national issue as well as a local issue for the reason that national prosperity is absolutely dependent upon local prosperity. Every city and town fights for its industries, for the wage-earning citizens are the backbone of an industrial community.

You can not have industries unless you have a market for their output, and you can not have a market if you permit it to be flooded with products made in other countries on a cheaper wage scale.

But the tariff is closer to each of us than a local issue—it is an individual issue. With every wage earner it is a question whether he wants his earnings placed on a level with the earnings for the same labor abroad. With the capitalist it is a question whether he wants his investment destroyed by unequal competition in our markets with the foreign producer. With the American farmer it is a question whether he wants to harvest crops and raise cattle whose selling price is fixed by the farmers of Canada or of other countries.

Regardless of politics and the vicious attacks of the importers the above is a fair and honest statement of just what tariff means to an American wage earner.

If you want fair wages and a fair opportunity to sell in the American market, then you must favor protection and must insist upon a tariff that will make up the difference between your costs and the foreign costs.

If you are not interested in wages and are willing to sell your products below cost, whether from farm or factory, then only free trade or an ineffective tariff "for revenue only" is what you want.

DEMOCRATS BLAME FARMERS FOR TARIFF BILL.

After offering every possible excuse for delaying the tariff bill the Democrats have finally decided that they will place the blame upon the farmers of this country by a declaration that the proposed duties on agricultural commodities will cause a tremendous advance in the cost of living.

When the emergency bill was under consideration the Democrats cried out that we were not helping the farmer, and that the duties imposed in that measure would not add one cent to the value of the farmers' crops.

Now they reverse their position and declare that the present bill, carrying exactly the same average in duties, will so increase the value of the farmers' products that the cost of living will be materially advanced.

The truth of the matter is that the emergency tariff was of material benefit to the farmers by improving their market for wheat, corn, dairy products, and hogs, and was instrumental in stabilizing the wool market and raised the price of cattle, which helped the stockmen of the West.

During the entire period since this act became law there has been no advance in the cost of living; in fact, there has been a slight reduction.

FARMERS TO HAVE ADEQUATE PROTECTION.

The Fordney-McCumber bill is the first tariff measure containing adequate rates for the protection of agricultural commodities.

The American farmer has been plodding along trying to compete with every country in the world with practically no protection whatever on his own products, taking what he could get at a market price that was set by Canada or Denmark or London, and having to purchase machinery and implements that had the benefit of a reasonable rate in the tariff bill.

It is high time that such benefit as accrues from a protective tariff should be extended to him, and this is the manifest purpose of the pending bill.

The American farmer has just passed through two years of experience which proves conclusively that he can not prosper when American workingmen are idle. Internationalists and free traders attempt to persuade the farmer that his prosperity is dependent on foreign markets. This viewpoint is ridiculous in view of the fact that the American farmer sold more of his crops abroad in 1921 than in any previous year in the history of the United States, and yet the prices he received for his crops in 1921 were the lowest in the history of American agriculture. This effectually disposes of the claim that foreign markets made the American farmer prosperous.

The real reason for the low prices of farm products in 1921 is that during that year there were more American workmen walking the streets without money to buy food products than ever before in the history of this country.

The American consumer, whose buying power is measured by the contents of his pay envelope, is not benefited by any policy which reduces the contents or stops it altogether. If he is destroyed as a producer, he is also destroyed as a consumer.

The American farmer is not benefited by any policy which destroys the pay envelope of American men and women who depend on industrial activity for their living.

SOUND REPUBLICAN DOCTRINE.

The sole issue involved in the present tariff controversy is whether or not this Nation is going to adopt an economic policy that will build up American industries which give employment to millions of men and women, who in turn buy the products of American farms, sustain public utilities, build up and develop American communities, or is this Nation to adopt an economic policy which benefits only a few thousand importing interests which are willing to betray and ruin American industry, American labor, and American agriculture, because by so doing they reap for themselves enormous profits?

America is the richest sales market in the world. It is the one place upon which the eyes and hopes of every manufacturer, foreign or domestic, are centered. Here the competition is sharpest and even a small advantage is eagerly sought. The importer wants a low tariff so that he can sell for less than the domestic manufacturers' cost levels; the domestic manufacturer wants a tariff high enough to permit him to pay American wages and at the same time be at no disadvantage in the American market.

The question then is whether it is better to have American manufacturers paying American wages to produce American goods for sale in the American market, or to permit foreign manufacturers paying foreign wages to produce foreign goods for sale in the American market.

The Fordney-McCumber bill now under debate in the Senate is so written that the products of American labor shall have at least an equal opportunity with foreign products in the American market; where there is doubt the decision is in favor of the American wage earner.

Let me call your attention to the fact that we have reenacted a restrictive immigration law to keep out the cheap labor of Europe and Asia, and many of the people who clamored loudest for that law seem to be quite willing to allow the goods they produce to flood our country and be sold in our stores while American workmen walk the streets.

The inconsistency of this attitude is clearly apparent, and all thoughtful Americans will agree that if we are to keep out the cheap labor we need a restrictive importation law to keep out the product of the cheap labor.

TARIFFS IN OTHER COUNTRIES.

Great Britain, her dominions and colonies, lead the world in raising tariffs since the war. Preaching lower tariffs to America, the British Empire has erected a protective tariff wall throughout her world-wide possessions, and even in mandated

territories, which protect her home markets and industries and discriminate against American products.

While she has been doing this she has also been flooding the United States with propaganda against the American Congress writing a protective tariff law for American industries.

Switzerland, Czechoslovakia, Yugoslavia, Austria, Italy, Belgium, Ecuador, Poland, Finland, Mexico, Peru, Denmark, Spain, Bulgaria, Sweden, and Hungary have all enacted tariffs with rates ranging from five to two hundred times those of pre-war times.

Those heedless and uninformed Americans who have been giving aid and comfort to the importers and international bankers by howling that this was no time to write a tariff bill had better sit up and take notice.

CALAMITY HOWLERS AND POOR PROPHETS.

Free-trade Democrats in the Senate are assailing the pending tariff bill with prophecies that it will add to the cost of living. That is an old, old story with free traders.

For nearly a century they have been reiterating that statement, saying it over and over again, until it has worn so deep a groove in the Democratic platform that no Democrat can see over the sides of it.

All they have said in debate on the present bill was uttered in precisely the same language by their Democratic predecessors of years ago. The record shows that they have denounced every protective-tariff law before its enactment.

Never do these same Democrats justify their argument by taking the figures of a protective-tariff period to prove that protection has ever added a penny to the cost of living. They do not do it because the results do not prove their case.

Democrats always talk fiercely regarding the disastrous results of a tariff bill that protects home industries, but you can never get a word out of them as to the beneficial influence such measures have had on the prosperity of America.

The reason is because of the wide discrepancy between prophecy and results. Every Democratic free-trade law ever enacted has soon or later forced industrial depression and panic. Every protective-tariff law has encouraged industrial expansion and has created prosperity.

AMERICAN VALUATION.

Only by applying the principle of American valuation at the customhouse can Uncle Sam be assured of an honest return in the matter of collecting duties on foreign products. For many years we have realized that the foreign valuation was wrong in principle and un-American in practice, for to ascertain whether the value reported by the importer is a correct and fair value the appraiser must depend on foreign information, and that can only be procured voluntarily. Our Government can only compel information within our own borders.

Foreign-valuation duties are levied upon the usual wholesale foreign market value. The only sources, therefore, of knowledge are foreign sources, over which our Government has no jurisdiction. Under regulations the foreign invoice is considered to be confidential and comes under the observation of the appraising officer only. If an interested American should have personal knowledge of foreign values, he has no way of knowing whether competing foreign goods are paying duty upon their true value, and if inquiry is made the officer claims the price must be kept secret and not divulged under any circumstances.

When our officials attempt to secure facts in foreign countries they are often misled and more often denied the information, and in some cases are threatened with arrest unless they discontinue the investigations and leave town. The result is that our officials are insulted and disgraced and are unable to secure the information that is necessary in order that the Government shall not be defrauded of its just rights in duty payments.

If the law can be based on American valuation, the Government can secure true values and have the full assistance and cooperation of American manufacturers who come in daily contact with competitive trade prices, and who will gladly render such assistance and any information they possess.

To allow the importer to pay duties on foreign valuation, which is frequently a fraudulent value on the invoice, is just as ridiculous a proposition as for a city to establish a tax rate and allow the individual to say what the value of his property is and ignore the board of assessors.

A few moments careful consideration of the above facts will serve to apprise you of the reasons why the internationalists and the importers are so strongly for the foreign valuation as against the sane and practical method of American valuation.

NO FOREIGN TARIFF MEDDLING.

Republicans are determined to pass the Fordney-McCumber bill because they believe it is essential to the prosperity of the United States. Under the Dingley tariff law this country prospered as no other country ever prospered, and the Dingley bill was the highest tariff law ever enacted in the United States.

During the campaign of 1920 the importance of a high tariff was emphasized, and the House of Representatives responded promptly to the demand and passed the pending bill on July 21, 1921. Every conceivable method of delaying the bill has been resorted to by the free traders, internationalists, importers, and the propagandists of foreign countries since it went from the House to the Senate, but we can rest assured that the Senate Republicans will not permit the importers, or the agents of either England, France, Spain, or any other country, to dictate the rates in an American protective-tariff measure.

DEMOCRATIC FILIBUSTERING.

The filibustering on the part of Democratic Senators is particularly obnoxious at this time when the entire country is awaiting a return to normalcy through the enactment of wise tariff legislation. The Democrats are evidently not concerned about the cost to the country of protracted legislative uncertainty. Since Republicans are in power these Democrats believe they can fasten responsibility upon them for inaction and thus make Democratic votes on election day.

It is all buncombe to say, in defense, that Democrats have been seeking to perfect the tariff bill by amendments. They have made no such effort. Many Democratic Senators have voted for the highest rates in the bill when industries in their own States have been concerned. Not one serious effort has been definitely made by them to amend the bill.

ONLY PURPOSE IS TO DELAY.

They have denounced it as iniquitous; they have characterized it as a new burden on the American consumer; they have indulged in all manner of generalization against it; but the record does not reveal a single constructive suggestion from Democratic Senators designed to "perfect" the bill.

Their purpose is to delay, not to perfect; to postpone enactment so long that voters will be confused on election day as to the real effect of the bill. They hope they can filibuster until September.

They will not get very far by the pursuit of such tactics, for the men and women of America are possessed of well-balanced minds, keen intuition, and sound common sense, and the seductive voice of the Democratic siren will not cause real Republicans to waver in their faith.

WILL REQUIRE YEARS TO REPAIR DAMAGE TO NATION.

The Republican Party, in its national platform of 1920, did not promise the people a quick return to normal conditions as the result of Republican return to power. There was a too serious realization of the magnitude of the problems to be solved to permit the making of such a pledge.

Never in all history did a political party come to such a heritage of difficulty as that which confronted the Harding administration upon its inauguration.

The interest alone upon the vast national debt, in part a monument to Democratic extravagance and inefficiency, was of itself equal to the entire national expenditures under the last year of Republican national control under Taft. Other fixed charges growing out of the war were as much more. With extravagance running riot, incapacity enthroned in the civil service of the Nation, and with the whole governmental establishment permeated with the spirit of reckless waste, the job of cleaning up the Augean stable was one demanding the strength and persistence of a Hercules.

OPPOSITION PARTY HINDERS EFFORTS FOR RECONSTRUCTION.

While the Republican Party has been steadily engaged in the work of clearing up the débris of this Democratic wreck the politicians of the opposition have stood along the side lines jeering the workers and wherever possible have resisted the progress of the work the party in power was trying to accomplish. Despite these obstacles remarkable progress has been made in the tremendous task of reconstruction.

Congress and the Executive have done their full part. No one will claim that the work has been completed. No reasonable person will expect or demand that it should be completed in so short a time. It will take a quarter of a century to repair some of the damage done to the Nation during the past few years. The critics who believe that the Nation can be made as good as new in a few months are unreasonable in their demands.

PRESIDENT AND CONGRESS WORKING TOGETHER.

Definite and constructive steps are being taken in an orderly manner by President Harding and the Republican majority in Congress toward working out a comprehensive national program that will put an end to the ruinous waste, extravagance, and inefficiency in the conduct of public affairs that characterized the Wilson administration and restore conditions of justice, equal opportunity, and prosperity to the American people.

Mr. GARNER. Now will the gentleman yield?

Mr. MADDEN. Yes.

Mr. GARNER. The gentleman from Illinois a moment ago, in a reply to a statement I made that the farmers would pay the expenses of this $35,000 for four additional appraisers, said the Government would pay it. The gentleman from Tennessee [Mr. BYRNS] and the gentleman from South Carolina [Mr. BYRNES] and the gentleman from Georgia tell me that the farmers do pay this, and this is four additional jobs that you are creating at $5,000 a year for which the farmers will have to pay.

Mr. MADDEN. The gentleman misunderstood me.

Mr. GARNER. The gentleman from Illinois said that these expenses were to be paid by the Government.

Mr. MADDEN. If the gentleman understood me I did not understand him. What I did say was this, that this $35,000 would be paid by assessments against the banks, but that the cost of operating the Federal Farm Loan Board, the payment of the salaries of the Farm Loan Board members and of their forces, is to be met out of the Treasury of the United States.

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

Mr. MADDEN. Yes.

Mr. GARNER. Then these four jobs, created in this amendment at $5,000 a year, with $15,000 traveling expenses, are paid for by the farmer?

Mr. MADDEN. Not at all.

Mr. GARNER. Who are they paid by?

Mr. MADDEN. By the banks, out of their profits.

Mr. GARNER. Who pays the expenses of the banks?

Mr. MADDEN. This is paid out of the profits of the banks.

Mr. GARNER. The farmer gets the benefit. But I merely wanted the RECORD to show that on the eve of adjournment you are creating four jobs at $5,000 a year each, with $15,000 expenses, which the farmer has to pay.

Mr. MADDEN. I think this is the best job we have done during the session. [Applause.]

Mr. GARNER. That may be, but the farmer pays for the job.

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

Mr. MADDEN. Yes; I yield to the gentleman from Wyoming.

Mr. MONDELL. I am a little bit surprised at the statement of the gentleman from Texas [Mr. GARNER]. Getting on toward dog days, I suppose gentlemen are expected to indulge in demagogy of one sort or another. The farmer who receives the benefit of farm loans pays a certain amount of interest.

Mr. GARNER. Will the gentleman yield?

Mr. MONDELL. And the interest that has been fixed, in view of the large amount of business done, the large volume of business, leaves something of a profit to the farm loan banks, and out of that profit to the farm loan banks it is proposed to pay a few employees whose business it will be to expedite the allowance of loans.

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

Mr. MONDELL. I will if I have the time.

Mr. GARNER. As I understand the gentleman's idea of demagogy, it is that every time a Democrat calls a Republican to account it is demagogy. [Laughter.]

Mr. MADDEN. The gentleman could not base that idea on my statement.

Mr. GARNER. I did not question the gentleman's statement, but I believe the gentleman did not know.

Mr. MONDELL. What "the gentleman from Wyoming" meant and said was that it is demagogy to say that the farmer pays for something that he does not pay for.

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

Mr. MADDEN. Yes; I yield.

Mr. WINGO. I know the gentleman from Wyoming does not want to leave a misleading statement in the RECORD. I know he does not know any better, but I am sure the chairman of the committee does.

The SPEAKER. The time of the gentleman has expired. [Laughter.]

Mr. WINGO. Will the gentleman give me five minutes, then?

Mr. MADDEN. I yield to the gentleman one minute.

Mr. WINGO. Make it two.

Mr. MADDEN. I yield to the gentleman two minutes.

Mr. WINGO. I am not going to enter into this controversy, except to call the attention of the gentleman from Wyoming to a provision of law of which he is apparently ignorant; that is, if we are to credit him with sincerity in his last statement. Out of the profits of the bank the stockholders are paid dividends, and the only stockholders of the bank are the farmers who borrow, because a farmer in order to secure a loan must subscribe to a specified amount of stock of the bank. Then the bank declares dividends to the farmer out of the profits, and that reduces his annual payments and interest, and anything that absorbs the profits of the bank comes out of the amount that is paid to the farmer.

Mr. MONDELL. And the gentleman from Arkansas also wants to delay these loans to the farmer.

Mr. WINGO. Oh, no; I do not want to delay them.

Mr. MADDEN. I move to further insist on the disagreement of the House to the Senate amendment.

The SPEAKER. The gentleman from Illinois moves that the House further insist on its disagreement to this amendment.

The question being taken, the motion was agreed to.

ANNUAL FINANCIAL STATEMENT.

Mr. MADDEN. Mr. Speaker, it is usual at the end of a session of Congress for the chairman of the Committee on Appropriations and the ranking minority member of the committee to make a financial statement. It will take about two weeks to get this statement ready in order to have it in complete form. I ask unanimous consent that the gentleman from Tennessee [Mr. BYRNS] and myself may be permitted to make this statement and print it in the RECORD on the 12th of July after the House recesses.

The SPEAKER pro tempore (Mr. WALSH). The gentleman from Illinois asks unanimous consent that the gentleman from Tennessee and himself may extend their remarks in the RECORD by printing a financial statement on the 12th of July. Is there objection?

There was no objection.

The statement referred to is here printed in full as follows:

Mr. MADDEN. The Republican Party came into power in the Congress on March 4, 1919, as a result of the elections of the fall of 1918. The new Congress was summoned into extra session by President Wilson on May 19, 1919. President Harding took office on March 4, 1921, as a result of the elections of the fall of 1920. The financial record made by the Republican Congress from May, 1919, to March, 1921, and by the Republican administration in full control since March, 1921, is not surpassed by any period in the history of the country. The desire of the American people for a reduction in public expenditures and a return to a normal state of affairs in Government and business, as expressed in the elections of 1918 and 1920, has been met with by a record that is responsive and gratifying.

REDUCTIONS IN ESTIMATES AND APPROPRIATIONS, FISCAL YEARS 1920, 1921, AND 1922.

Upon assembling in extra session in May, 1919, the new Republican Congress was confronted with the task of passing before the commencement of the new fiscal year on July 1, 1919, eight of the largest of the supply bills which the Democratic Congress had failed to enact into law before it went out of power. Those bills at the time of their failure were all pending in the Senate. The amounts carried in them at the time of their failure aggregated $3,767,975,974.73. The total of the same eight bills after their reenactment was $2,828,283,432.76. The first legislative action of the new Congress resulted in the passage of these bills before the fiscal year began and in the decrease of the appropriations proposed by the Democratic Congress for the fiscal year 1920 by $939,692,541.97.

The estimates for the fiscal years ending June 30, 1921, and 1922, respectively, and deficiency estimates for prior years, were prepared by the Wilson administration and submitted to the Republican Congress. The reductions made by the Congress in those estimates aggregate slightly more than $2,950,000,000.

The total reductions which the Republican Congress effected in the amounts proposed to it by the Democratic administration for the fiscal years 1920, 1921, and 1922, reach $3,890,000,000, a sum which exceeds by nearly $150,000,000 the total of the appropriations just made for the fiscal year ending June 30, 1923.

In addition to the reductions effected in the estimates of the Democratic administration and the bills of the Democratic Congress, the Republican Congress, in connection with the preparation of the appropriation bills for the fiscal years 1920, 1921, and 1922 also brought about the repeal of appropriations totaling $1,140,000,000.

The reductions made by the Republican Congress in the appropriations for the fiscal years 1920, 1921, and 1922 are reflected in the following table:

| | |
|---|---|
| Appropriations, fiscal year 1920 | $6,454,596,649.56 |
| Appropriations, fiscal year 1921 | 4,780,829,510.35 |
| Appropriations, fiscal year 1922 | 4,066,316,366.74 |

These reductions are important to keep in mind because of the direct bearing and influence they have had on the reductions in expenditures for these fiscal years, which will be referred to later.

EXECUTIVE PROCEDURE UNDER THE BUDGET.

The veto by President Wilson of the Budget bill, sent to him by the Republican Sixty-sixth Congress, postponed until after the advent of the present administration the enactment of that important legislation. The new law was signed by President Harding on June 10, 1921. Its operation has covered the period of one full year of expenditure, that of the fiscal year which closed on June 30, 1922, and the preparation of the Budget for the fiscal year 1923, which has just begun.

The accomplishments under the new system have exceeded the expectations of its most ardent advocates and have converted many who were inclined to be skeptical.

Four outstanding principles of the system justify its establishment, namely: (1) The placing upon the President of the responsibility for the submission of coordinated expenditure and revenue proposals to Congress; (2) the business control required to be exercised by him over expenditures after the appropriations have been made, and the coordination of administrative procedure; (3) the centralization of the jurisdiction over the making of appropriations in a single committee in each the Senate and House of Representatives; and (4) the establishment of a centralized and independent audit of expenditures.

To President Harding and his first Director of the Budget, General Dawes, are due great credit for the successful inauguration of the executive phase of the system. Governments, like individuals, have habits, and the habits of incoordinate and uneconomical expenditure of public funds of long standing have been hard to break. The interest taken by the President in reforming administrative methods and producing economies in the everyday functioning of the Government are deserving of the highest commendation. The operations of the fiscal year just closed speak more fully than words of praise of the success of the President in holding down expenditures. In August, 1921, shortly after the beginning of the fiscal year 1922, the spending departments of the Government estimated that the withdrawal of funds from the Treasury during that fiscal year would aggregate $4,554,000,000. The fiscal year closed on June 30 last. The total actual expenditures chargeable against ordinary receipts amounted to $3,795,302,499.84, or nearly $759,000,000 less than the amount it was estimated would be expended when the year commenced.

The interest taken by the President in public expenditures has been an inspiration to administrative officials. He has called meetings of the business organization of the Government, consisting of all executive officers, and has inspired them with his enthusiasm of purpose to bring the cost of the Government back to normal and to place its methods upon a thoroughgoing business basis.

The first complete report furnished by the Director of the Bureau of the Budget to the President was made to him on May 8, 1922. Ordinarily such a report would not have been made until the close of the fiscal year on June 30. It was called forth at this early date in order to comply with the terms of a resolution introduced in the House (H. Res. 285, 67th Cong.) which requested the President to submit to Congress detailed information concerning the economies declared to have been effected through the operation of the Bureau of the Budget. The President, without being formally requested by the House so to do by the passage of the resolution, directed General Dawes to comply as fully as possible with its terms. The letter of the President to the Budget Director outlines so clearly the character of the report to be made that I shall quote it here:

MARCH 6, 1922.

Gen. CHARLES G. DAWES,
*Director Bureau of the Budget, Washington, D. C.*

MY DEAR GENERAL DAWES: I am in receipt of yours of this morning in reply to my note inclosing to you the inquiry of Chairman MADDEN of the House Committee on Appropriations. In view of what you have said concerning the request for a report upon savings in governmental expenditures, this letter is to authorize you to make the requested report to the Appropriations Committee. I trust that you, in your compliance with the request for detailed information, as outlined in the proposed House Resolution 285, will convey such a statement of facts bearing thereon as may insure a consideration of the entire situation, thus obviating possible misconceptions which might arise from any partial or incomplete statement.

In view of the importance of having both Congress and the public understand clearly the operations of the Budget Bureau, I desire you to give, wherever details are possible, not only a statement of such helpful savings as have been estimated, but, in addition thereto, the estimate of the bureau of the indirect savings which have been made possible by the inauguration of the new method of conducting routine business of Government. You should enumerate the probable lessening of the amount in actual cash expenditures for the fiscal year ending June 30, 1922, as compared with the cash expenditures of the year ending June 30, 1921.

You should detail such transactions as have been consummated under Executive and departmental initiative, under the Budget system, which have made unnecessary many requests for additional funds for expenditures during the current fiscal year, and have resulted in savings measurable in cash, based upon consideration of the transactions themselves.

You should give an estimate of the indirect savings, which are made apparent by the consideration of numerous transactions, which, though in the aggregate are large, are difficult to estimate in cash. These indirect savings, which I have in mind, will include, for example—

(a) The savings incident to a corrected system of purchasing which has been established in the Government, by which competition by the departments and the overlapping and acquiring of unnecessary surplus is avoided.

(b) A better disposition under a unified system, of surplus supplies held by the Government.

(c) More economical interdepartmental use generally of governmental facilities and supplies arising from the inauguration of a system of coordination created by Executive order.

I will be glad if you will make this information available to the House of Congress at the earliest convenient day. You will take such time, however, as is necessary to acquire definite information and make the fullest possible report.

Ordinarily we might well await the completion of the current fiscal year, of which less than four months remain, to acquire definite results of the operation of the first and most difficult year of the Budget system. There is such unusual interest, however, in the reduced cost of Government that I am content to make this further imposition on your time in order to give to Congress and to the public the fullest possible revelation of reduced expenditures, because of my belief in its helpful effects upon a nation eager to reach its normal stride again.

Very truly yours,

WARREN G. HARDING.

The report was forwarded on May 8, 1922, and is entitled "Report of the Director of the Bureau of the Budget on the subject of economies and savings in governmental business." It is a unique document in the archives of the Nation. A superabundance of reports have been made in the past detailing the expenditure of public money, suggesting the expenditure of public money, or suggesting methods of conserving public money, but never before has a report so replete with detail of executive economies been furnished.

It amply sets forth the accomplishments of the executive branch of the Government under the leadership of a President who has taken the initiative for economy and better business methods and has won the enthusiastic cooperation of his administrative officials. Time will not permit here a detailed reiteration of the economies and savings enumerated therein. They aggregate in excess of $250,000,000.

The complete report of the Director of the Bureau of the Budget for the first year of operation was issued on July 1, 1922. I commend the reading of it to all interested in the improvement of Government methods and the conservation of public funds. It contains a splendid statement of the corrective methods applied in reforming the procedure in transacting the ordinary routine of governmental business.

Those who are inclined to be critical of the Budget system must bear in mind that a procedure that has been growing by unsystematic accretion for 145 years is not easily changed. Such a transition must of necessity be evolutionary and not revolutionary. A splendid start has been made. Patience, study, and experience are required to develop the perfection all hope it may attain. The system must be fostered and encouraged. It must be perfected by the criticisms of students from within and without public life. The first year of its operation is a brilliant testimonial of its efficacy and augurs well for the future.

The President's selection of General Lord as Director of the Bureau of the Budget to succeed General Dawes is admirable. General Lord's experience as clerk of the Ways and Means Committee of the House and as Chief of Finance of the War Department particularly fits him for the position.

CONGRESSIONAL PROCEDURE UNDER THE BUDGET.

The reformation in congressional procedure to accord with the establishment of the Executive Budget Bureau has produced results equally satisfactory.

A single Committee on Appropriations has been established in the House of Representatives to handle all appropriating measures in lieu of the eight separate committees heretofore exercising that power. In the Senate a similar change has been made and all appropriating measures are considered there by a single committee instead of by a number of separate committees. The cooperation of the Senate under the new plan at this session has been of great assistance in bringing down the total of appropriations.

The appropriation bills have been reorganized and reformed. The old bills, 12 in number, have either been abolished or revamped. They were illogical, unscientific, and confusing. The appropriations for a single department were often found in many different bills. The War Department formed the best illustration of this diffusion of appropriations among bills, its funds being found in no less than five different measures. The new bills, 11 in number, are arranged according to departments and other units of organization. All of the appropriations for a given department are to be found in one bill or segregated as a part of a bill. For example, all of the appropriations for

the War Department, formerly in five bills, are now carried in one bill segregated to show the amounts for the military activities and nonmilitary activities controlled by that department. Many of the forms of the old bills had been in use for appropriating purposes for nearly 100 years. Their passing destroys many a landmark in legislative history.

The new arrangement is concise, frank, and businesslike. It deserves and has received the commendation of all who have examined in detail the reformation that has been wrought.

For the convenience of those who desire further to examine and compare the old and new bills, I shall insert at this point a table giving a list of the former bills and the new bills with notes explaining how the reconstruction has been made:

| FORMER BILLS. | NEW BILLS. |
|---|---|
| 1. Agricultural. | 1. Agricultural Department. |
| 2. Army. | 2. Commerce and Labor Departments. |
| 3. Diplomatic and consular. | 3. District of Columbia. |
| 4. District of Columbia. | 4. Executive Office and independent offices, commissions, etc. |
| 5. Fortification. | 5. Interior Department. |
| 6. Indian. | 6. Legislative branch. |
| 7. Legislative, executive, and judicial. | 7. Navy Department. |
| 8. Navy. | 8. Post Office Department. |
| 9. Pension. | 9. State and Justice Departments. |
| 10. Post Office. | 10. Treasury Department. |
| 11. River and harbor. | 11. War Department. |
| 12. Sundry civil. | 12. Deficiency. |
| 13. Deficiency. | |

The new bills are composed of items for each department or establishment heretofore distributed in several bills, as follows:

1. Agricultural: Items for that department formerly in the Agricultural and sundry civil bills.

2. Commerce and Labor: Items for those departments formerly in the sundry civil and legislative, executive, and judicial bills.

3. District of Columbia: Items formerly carried in the District of Columbia bill and all other items in the sundry civil and legislative, executive, and judicial bills chargeable in part against the revenues of the District of Columbia.

4. Executive Office and independent offices: Items formerly carried for these purposes in the sundry civil and legislative, executive, and judicial bills.

5. Interior Department: Items for this department formerly carried in the sundry civil, legislative, executive, and judicial, and pension bills.

6. Legislative branch: Items for the Senate, House, joint congressional committees and commissions, Capitol police, legislative drafting service, Architect of the Capitol, Library of Congress, Botanic Garden, and Government Printing Office (exclusive of printing and binding for the executive departments), formerly in sundry civil and legislative, executive, and judicial bills.

7. Navy: Items for the Navy formerly carried in the Navy bill and for the Navy Department proper, formerly in the legislative, executive, and judicial bill.

8. Post Office: Items formerly carried in the Post Office bill and for the Post Office Department proper, formerly in the legislative, executive, and judicial and sundry civil bills.

9. State and Justice: Items for those departments and the courts formerly carried in the sundry civil, legislative, executive, and judicial, and diplomatic and consular bills.

10. Treasury: Items for the Treasury Department formerly in the sundry civil and legislative, executive, and judicial bills.

11. War: Items for the War Department formerly in the Army, fortification, legislative, executive, and judicial, river and harbor, and sundry civil bills. The bill is divided into two titles, namely, one title for the military activities and expenses directly related thereto and the other for the nonmilitary activities.

The submission of estimates of appropriations in the Budget, according to the new arrangement and the reorganization of the appropriating power in Congress, in addition to the reduction effected thereby in appropriations, has accomplished two desirable results: The House of Representatives at this session considered and passed all of the 11 regular annual appropriation bills by the 19th of April, 1922. This is the best record that has been made in the past 16 years at a long session of Congress and is five weeks earlier than the average record of a long session for the past 20 years. All of the bills were finally enacted and approved by the beginning of the fiscal year. This is a most creditable showing when we consider the reorganizations and readjustments incident to placing in operation a new financial system.

The change in the rules of the Senate and House to give effect to the Budget system has minimized an evil long extant in connection with the passage of appropriation bills. I refer to the practice of including in such bills of substantive legislation that had little or no connection with the direct purpose of the bill. The appropriation bills at this session are particularly free from so-called legislative "riders" that have no connection with the reduction of appropriations or the abolition of offices. It has been possible to consider the appropriations from the standpoint of the financial problems involved in them without having their passage delayed and confused by the consideration of legislative proposals that should be dealt with as separate measures. The Committee on Appropriations in its work of preparing appropriations has endeavored conscientiously to adhere to the policy of refusing to consider extraneous legislation and to avoid trenching upon the jurisdiction of the committees of the House whose duty it is to frame legislation.

In following this policy the committee has made it a point to cooperate with the legislative committees when confronted with legislative proposals inserted by the Senate and desires to acknowledge the fine spirit displayed by those committees in working out several unavoidable legislative matters. Too great stress can not be laid upon the importance of keeping the appropriation bills and the Budget estimates free from legislative encumbrances that have no place there.

The work of reorganizing the Committee on Appropriations of the House to conform to the new arrangement has been a difficult but a pleasant task. The results which the committee has attained could only be reached by the utmost loyalty and industry on the part of its entire membership and the splendid manner in which the House has received the reports which the committee has presented. The duties of the chairman are difficult. It is not pleasant to deny and oppose. Everyone generally wants Government appropriations reduced, yet in the specific the reduction is wanted on the project in which some one else is interested. Stiff resistance has been necessary to accomplish the results I have set forth in this statement. Those results have been reached by the intelligent and industrious efforts of the entire membership of the committee with the approval of the House, and I wish publicly to extend my gratitude for that cooperation and assistance.

REDUCTION OF APPROPRIATIONS.

The appropriations for the fiscal year 1923, made at the session just closed, aggregate $3,747,035,382.64. Compared to appropriations for the immediately preceding fiscal years they display a great decrease. They are less than the appropriations for the fiscal year 1921 by the sum of $1,033,794,127.71, and are less than the appropriations for the fiscal year 1922 ($4,066,316,366.74) by $319,280,984.10. I shall append to my statement a comparative table showing by departments and establishments the appropriations for the fiscal years 1922 and 1923. (See Table I.)

The largest of the reductions for 1923 under 1922 has been effected in the Military (Army) and Naval Establishments.

The appropriations for the Military Establishment, exclusive of permanents, for the fiscal year 1922 aggregate $350,707,538.35. The comparable appropriations for the fiscal year 1923 are $256,411,169.67—a reduction of $94,296,368.68. The appropriations for 1923 provide for a strength of 12,000 officers and 125,000 enlisted men. The following comparative figures on the basis of military appropriations and officer and enlisted personnel, beginning with the fiscal year 1920, when a Republican Congress started making the appropriations, shows gratifying reductions:

| Military appropriations. | Amount. | Number of officers. | Number of men. |
|---|---|---|---|
| Fiscal year 1920 | $794,621,564 | 25,914 | 268,222 |
| Fiscal year 1921 | 421,530,690 | 14,091 | 210,442 |
| Fiscal year 1922 | 350,707,538 | 14,000 | 150,009 |
| Fiscal year 1923 | 256,411,169 | 12,000 | 125,009 |

The reductions in naval appropriations are even more gratifying than those in the Military Establishment. The total naval appropriations, exclusive of permanents, for 1922 are $413,180,960.87. Those for 1923 are $294,336,577, a reduction of $118,844,383.87. This result is directly due to the conclusions reached by the Conference on the Limitation of Armament. The initiative of President Harding in calling the conference and the success of its deliberations under the presiding direction of Secretary Hughes have made possible great economies in naval budgets of the world, and in future years will relieve humanity from the burden of providing billions of dollars of taxation to defray the cost of naval armaments.

The following table shows the naval appropriations and personnel for the fiscal years 1920 to 1923, inclusive:

| Naval appropriations: | Enlisted personnel. |
|---|---|
| Fiscal year 1920, $623,673,230 | 193,000 |
| Fiscal year 1921, $497,900,053 | 120,000 |
| Fiscal year 1922, $413,180,960 | 106,000 |
| Fiscal year 1923, $294,336,577 | 86,000 |

The combined military and naval appropriations for 1922 are $763,888,499.22. The combined amounts for the two services for 1923 are $550,747,746.67. The combined reduction for 1923 under 1922 is $213,140,752.55.

The appropriations for the Shipping Board for the fiscal year 1923 aggregate $100,459,000. The appropriations for the fiscal year 1922 are $73,959,000. While the amount for 1923 shows an apparent increase of $26,500,000, it must be recalled that included in the 1923 appropriations is the sum of $50,000,000 for the payment of back claims for construction and requisition of vessels incurred during and immediately following the war

period. These are inherited obligations and must be paid. With this sum eliminated, the Shipping Board appropriations show a reduction of $23,500,000.

Special appropriations have been made for a number of extraordinary purposes for the next fiscal year. The sum of $1,240,000 is carried to enable the Children's Bureau to administer the act providing for the welfare and hygiene of maternity and infancy. An appropriation of $500,000 has been specially granted to the Department of Justice to enable the Attorney General to institute a vigorous prosecution of the perpetrators of war frauds against the Government. An appropriation of $12,000,000, and authority to obligate to the extent of $5,000,000 additional, has been allowed to the Veterans' Bureau to secure more adequate hospital facilities for veterans of the World War suffering from tuberculosis and nervous diseases. The sum of $50,000,000 has been authorized for the construction of roads for the year 1923, with special direction to the Secretary of Agriculture to apportion that amount among the States and to approve projects under his apportionment. A further authorization of $71,500,000 has been made for the year 1924 and $81,500,000 for the year 1925. Additional funds have been granted to the Department of Commerce to permit of the extension of the splendid work being done by the Bureau of Foreign and Domestic Commerce in assisting American industries to find and develop foreign markets for our products.

For the information of those who may desire to visualize by large groups the principal objects of appropriation for the fiscal years 1922 and 1923 in comparative array, I shall insert the following table:

*General classification of appropriations for 1922 and 1923, arranged to show the principal large objects of appropriation.*

| | 1922 | 1923 |
|---|---|---|
| Interest on the public debt | $975,000,000.00 | $975,000,000.00 |
| Sinking fund and other funds for reduction in the principal of the public debt | 387,942,200.00 | 369,338,800.00 |
| Veterans' Bureau, compensation, hospitalization, and vocational training | 408,166,732.00 | 418,083,843.45 |
| Pensions, all wars prior to the World War | 265,000,000.00 | 252,000,000.00 |
| Post Office Department | 579,976,851.00 | 565,064,786.50 |
| Military activities of the War Department (Army) | [1] 352,879,838.35 | [1] 257,676,169.67 |
| Navy | [1] 426,378,656.87 | [1] 297,770,249.00 |
| Shipping Board | 73,959,000.00 | 100,459,000.00 |
| Increased compensation ($240 per annum) | 35,000,000.00 | 38,735,173.00 |
| Roads | 70,000,000.00 | 10,000,000.00 |
| All other purposes, including the Congress, the Judiciary, the executive departments, independent bureaus, and the District of Columbia | 492,013,088.52 | 462,927,361.02 |
| | 4,066,316,366.74 | 3,747,035,382.64 |

[1] Include amounts under permanent and indefinite appropriations.

The Congress, expressing its will through the Committees on Appropriations of the Senate and House, has made a vigorous and successful effort to stamp out the practice of supplying deficiency appropriations not warranted by law. The stringent provisions of the antideficiency act of 1906 must be lived up to. No greater menace to a careful balancing of the budget exists than the belief on the part of administrative officers that they may use their funds ad libitum and expect Congress to ratify their willful disregard of the law by supplying additional moneys.

The criticism has been made that the appropriations made in deficiency acts during the past year are abnormally large and are due to reductions made in the estimates in previous years. An analysis of the deficiency appropriations shows that the allegation is unfounded and reveals the fact that what may properly be termed deficiencies on a percentage basis are normal compared to those carried in years prior to the war. The total of appropriations carried in deficiency acts for the fiscal year 1922 and prior years amounts to $332,760,884.55. The following table gives a detailed classification of these amounts by purposes of appropriations:

| | | |
|---|---|---|
| Total for 1922 and prior years | | $332,760,884.55 |
| Less Postal Service payable from postal revenues | | 8,003,431.14 |
| | | 324,757,453.41 |
| Veterans' Bureau, medical and hospital service and vocational training | 158,993,112.00 | |
| Shipping Board, losses in operations | 48,500,000.00 | |
| Refunding internal revenue taxes erroneously collected (income and profits taxes) | 78,647,500.00 | |
| Amounts to carry out new laws or treaties effective after the regular annual appropriations had been made | 11,980,532.11 | |
| Judgments, court awards, and claims allowed by the General Accounting Office | 13,498,323.81 | |
| All other amounts, the bulk of which may properly be termed "deficiencies" | 13,137,985.49 | |
| Total | 324,757,453.41 | |

BUDGET ESTIMATES REDUCED.

The total of the Budget estimates submitted by the President in December, 1921, for the fiscal year 1923 amount to $3,809,224,159.53. The supplemental Budget estimates for that fiscal year submitted by him from time to time during the session aggregated $110,334,269.97. The aggregate of the estimates for the year 1923 considered by the Congress amounted to $3,919,558,429.50. Against this sum the Congress has appropriated $3,747,035,382.64. The net reduction in the Budget estimates for 1923 is $172,523,046.86. I shall incorporate as a part of my remarks a comparison of Budget estimates with the appropriations for the fiscal year 1923. (See Table II.)

The largest single reduction in these estimates is the cut of $136,044,818.13 in the Naval Establishment. It should be stated, however, that the naval figures were prepared and submitted to Congress prior to the conclusions reached by the Conference on the Limitation of Armament.

The reduction in the estimates for military activities of the War Department amounts to $54,365,449.02. This difference is accountable almost wholly by the difference in the size of the Army requested by the Executive and the size which Congress has provided. The Budget estimates called for 13,000 officers and 150,000 men, and the appropriations provide for 12,000 officers and 125,000 men.

Two large items have been added in the appropriations by Congress which are not supported by Budget estimates. The amount for river and harbor maintenance was increased above the Budget estimate by $15,180,401, and an appropriation of $7,500,000 was made for continuing work already begun by the Government at Muscle Shoals, Ala. The amount for the additional compensation—$240 per annum—while showing as an increase in the Budget estimates is only technically such. It has since its inception in 1918 been initiated by the Congress, and the executive departments have not included it in their budgets.

The supplemental and deficiency Budget estimates submitted to Congress from July 20, 1921, to June 30, 1922, for the fiscal year 1922 and prior years amount to $472,410,129.96. The amount of the supplemental and deficiency appropriations for the fiscal year 1922 and prior fiscal years carried in the four deficiency acts under which these estimates were considered amount to $332,760,884.55. The reduction made by the Congress in these estimates is $139,649,245.41. (See Table III.)

The total of reductions in the 1923 Budget estimates of $172,523,046.86 added to the foregoing reduction of $139,649,245.41 makes a combined reduction of $312,172,292.27, or a decrease of approximately 7 per cent in the total amount requested.

The reductions effected by Congress in the Budget estimates can not in anywise be construed as a reflection upon the Budget system. When we consider the tremendous decreases made by Congress in the estimates of appropriations submitted by the prior Democratic administration there is ample cause for congratulation upon the narrowed margin at this session between executive proposal and congressional grant. We must remember, too, that the Budget estimates just passed upon by Congress were prepared in the first few months after the creation of the Budget Bureau.

It must be kept in mind in connection with the consideration by Congress of the Budget estimates and the supplemental and deficiency Budget estimates that it has been the policy of the Committee on Appropriations to regard them as a maximum proposal, the total of which should not be exceeded. This policy the committee has adhered to. The responsibility for the appropriation of public money under the Constitution rests with the Congress. It can not surrender that duty and maintain its representative capacity and the accompanying duty of answering to its constituencies.

REDUCTIONS IN ACTUAL EXPENDITURES AND PUBLIC DEBT.

The reductions in actual expenditures of the Government are the best evidence of the return to a normal state of Government finances. The expenditures for the fiscal year 1919, which was the fiscal year in which the armistice was signed, covering the ordinary expenses of the Government and excluding public-debt retirements, were $18,514,879,955.03. The expenditures for the fiscal years 1920, 1921, and 1922 (exclusive of public-debt expenditures chargeable to ordinary receipts), on a comparable basis, are as follows:

| | |
|---|---|
| Fiscal year 1920 | $6,403,343,841.21 |
| Fiscal year 1921 | 5,115,927,689.30 |
| Fiscal year 1922 | 3,372,607,899.84 |

These figures show a reduction for 1922 under 1920 of $3,030,735,941.37. They show a reduction for 1922 under 1921 of $1,743,319,789.46.

The fiscal year just closed, which is the first full fiscal year of Government business under the operation of the Budget system and the first full fiscal year since President Harding has been in office, has been most successful. The ordinary

receipts for the year amounted to $4,109,104,150.94. The total expenditures, including public-debt items, chargeable against ordinary receipts were $3,795,302,499.84.

The surplus for the year is $313,801,651.10 against an estimated deficit last December for the same period of $24,468,703. The total gross debt of the Government on June 30, 1921, the beginning of the fiscal year just closed, was $23,977,450,552.54. The total gross debt on June 30, 1922, one year later, was $22,963,381,708.31. The reduction in the debt during the year amounts to $1,014,068,844.23.

The total gross debt of the United States on May 31, 1919, was $25,916,874,096.83. The total gross debt on June 30, 1922, as heretofore stated, was $22,963,381,708.31. The reduction during this period amounts to $2,953,492,388.52.

REDUCTIONS IN TAXES.

The reductions in appropriations and consequent reductions in expenditures during the past few years have made possible a most gratifying reduction in taxes. The amount of the reduction for the calendar year 1921 is approximately $80,000,000, and the relief to taxpayers for the calendar year 1922 is estimated to be not less than $850,000,000.

REDUCTION IN NUMBER OF GOVERNMENT EMPLOYEES.

The total number of Government employees in the classified civil service, both in and outside of the District of Columbia, aggregated 691,116 on July 31, 1920, the beginning of the first fiscal year for which the Republican Congress made appropriations. That number was reduced to 597,482 on July 31, 1921, and further reduced to 568,390 on December 31, 1921, which is the latest date for which figures are available. The total decrease from July 31, 1920, to December 31, 1921, is 122,726.

CENTRALIZED AUDIT OF EXPENDITURES.

The Budget act approved June 10, 1921, provided for the abolition of the six separate auditing bureaus in the Treasury Department and created in their place the General Accounting Office, a separate and independent unit of Government organization to centralize all auditing work and to prescribe forms for the keeping of Government accounts. To secure independence of action the Comptroller General is appointed for a term of 15 years, is ineligible for reappointment, and may be removed at any time by joint resolution of Congress after notice and hearing, when in the judgment of Congress he has become permanently incapacitated, or has been inefficient, or guilty of neglect of duty, or of malfeasance in office, or of any felony or conduct involving moral turpitude, and for no other cause or in no other manner, except by impeachment.

Commencing on July 1, 1922, the accounts of all departments and establishments of the Government will be kept in accordance with a new classification of objects of expenditure, as prescribed by the General Accounting Office, for the purpose of obtaining uniformity in administrative appropriation and fund accounting and in the analysis of governmental expenditures for the information of the President, the Congress, and such agencies of the Government as are required to deal with expenditures.

PRELIMINARY ESTIMATES OF EXPENDITURES FOR 1923.

The preliminary estimates of expenditures for the fiscal year 1923 as submitted by the spending departments aggregate $3,771,000,000, while the preliminary estimates of receipts total $3,073,000,000, an indicated deficit of $697,000,000. This figure would be more impressive if the record of the fiscal year 1922 were not so freshly in mind. The preliminary estimates of expenditure for that year aggregated $759,000,000 more than the amounts that had actually been expended when the year closed. I feel certain that the President, supported by the administrative officers, will be able materially to reduce this anticipated deficit. It must be remembered in this connection that the fiscal year just closed showed a surplus of over $300,000,000. It should also be remembered in connection with the estimated expenditures for next year that there is included $330,000,000 for reduction in the principal of the public debt to be paid from ordinary receipts and $284,000,000 on account of past railroad debts, which should be deducted in arriving at any estimated figure of deficit attributable to the ordinary running expenses of the Government. These two figures alone are nearly equivalent to the estimated deficit. The meeting of all administrative officials of the Government at the call of the President on July 11 last to consider the financial problems of the fiscal year 1923 will have a most beneficial result, and when the year shall have ended its record will be as gratifying as that of 1922.

NORMAL BASIS REACHED.

The expressed policy of the Republican Party with respect to Government finances has been a return to normal conditions. Captious comparisons of the appropriations for the fiscal year 1923 with appropriations for years just prior to the war are frequently attempted in depreciation of the splendid record made by the Republican Party in lowering the expenses of government. When these charges are brought forward it should be remembered that the bulk of the 1923 appropriations consists of items not in existence in the years immediately preceding the war or so largely increased because of the war as to be incomparable with pre-war years. A complete comparison of the present post-war year with any pre-war year is manifestly unfair unless all of the changed economic and political factors are adapted to each period. Nowhere in the United States or abroad are living costs or other economic conditions what they were prior to the war. They never will be in the near future. It is unreasonable to insist that the Government expenses can be brought down precisely to the figures of a period in the past.

The real test has been met for comparative purposes if present appropriations are as low as can be consistently made, considering the changed economic and political situation of the country as compared with its situation in the pre-war year. This has been done most satisfactorily. Any comparison of 1923 with a pre-war year must take into consideration these facts arising from war conditions: The interest on the public debt has increased from $23,000,000 annually to $975,000,000; the sinking fund and other public-debt retirement funds have increased from $60,000,000 to $369,000,000; appropriations for pensions have increased from $158,000,000 to $252,000,000; appropriations for the Veterans' Bureau to provide compensation, vocational training, and medical and hospital relief to veterans of the World War amount to $418,000,000, against nothing before the war; the appropriation of $100,000,000 for the Shipping Board is directly due to the war and the chaotic situation in shipping affairs taken over by the present administration on March 4, 1921; the appropriations for the Postal Service have necessarily increased from $324,000,000 to $565,000,000; the entire Internal Revenue Service prior to the war cost about $4,000,000, as against $60,000,000 for the next year, including prohibition enforcement.

The Army, while reduced to a pre-war basis of personnel, requires increased appropriations on account of increased pay, transportation, and costs of food and other supplies as compared with the pre-war period. The Navy appropriations are somewhat larger than the pre-war figures, due to the enlarged size of the fleet and consequent increase in the personnel.

The Republican Party has made good in its policy of retrenchment and financial reform. It has established an effective Budget system. It promised a reduction in the cost of government and a reduction in taxation. Both have been effected. The public debt has also been reduced. While other nations are struggling with overwhelming public debts that in some cases are as great or greater than their national wealth and are crying for relief from the taxes caused by deficits in their budgets, the United States has reduced taxation, achieved a surplus in the fiscal year just closed, and is effecting a gradual reduction in the public debt out of current receipts. Such a record is deserving of and will receive the approbation of the American people.

**TABLE I.—Comparison of Appropriations, Fiscal Years 1922 and 1923.**

[Amounts carried for each of these fiscal years in the regular annual appropriation acts, deficiency appropriation acts, special acts, and amounts estimated under permanent and indefinite appropriations.]

| Department or establishment. | Appropriations, fiscal year 1922. | Appropriations, fiscal year 1923. | Decrease (—) or increase (+) 1923 compared with 1922. |
|---|---|---|---|
| Legislative (Congress): | | | |
| Regular annual | $18,247,247.06 | $12,788,324.95 | [1] —$5,458,922.11 |
| Permanent and indefinite | 800.00 | 800.00 | |
| Total | 18,248,047.06 | 12,789,124.95 | —5,458,922.11 |

[1] This decrease is due largely to the transfer of appropriations for printing and binding to the various departmental bills for 1923. Departmental appropriations for printing and binding for the fiscal year 1922 are carried under "Legislative."

TABLE I.—*Comparison of Appropriations, Fiscal Years 1922 and 1923*—Continued.

| Department or establishment. | Appropriations, fiscal year 1922. | Appropriations, fiscal year 1923. | Decrease (−) or increase (+) 1923 compared with 1922. |
|---|---|---|---|
| Executive office and independent offices: | | | |
| Regular annual— | | | |
| Shipping Board | $73,959,000.00 | [1] $100,459,000.00 | +$26,500,000.00 |
| Veterans' Bureau [2] | 408,166,732.00 | 418,063,843.45 | +9,897,111.45 |
| Executive and other independent offices | 16,721,325.00 | [3] 18,115,928.00 | +1,394,603.00 |
| Total | 498,847,057.00 | 536,638,771.45 | +37,791,714.45 |
| Permanent and indefinite | 5,523,000.00 | 6,017,000.00 | +494,000.00 |
| Total | 504,370,057.00 | 542,655,771.45 | +38,285,714.45 |
| State Department: | | | |
| Regular annual | [4] 16,741,346.09 | 10,443,488.16 | −6,297,857.93 |
| Permanent and indefinite | 106,000.00 | 106,000.00 | |
| Total | 16,847,346.09 | 10,549,488.16 | −6,297,857.93 |
| Treasury Department: | | | |
| Regular annual | 145,352,179.63 | 118,835,308.81 | −26,516,870.84 |
| Permanent and indefinite | 1,394,609,200.00 | 1,375,396,910.63 | −19,212,289.37 |
| Total | 1,539,961,379.65 | 1,494,232,219.44 | −45,729,160.21 |
| War Department: | | | |
| Military activities— | | | |
| Regular annual | 350,707,538.35 | 256,411,169.67 | −94,296,368.68 |
| Permanent and indefinite | 2,172,300.00 | 1,265,000.00 | −907,300.00 |
| Total, military activities | 352,879,838.35 | 257,676,169.67 | −95,203,668.68 |
| Nonmilitary activities— | | | |
| Regular annual | 42,638,010.66 | [5] 68,753,323.00 | +26,115,312.34 |
| Permanent and indefinite | 8,324,600.00 | 6,521,300.00 | −1,803,300.00 |
| Total nonmilitary activities | 50,962,610.66 | 75,274,623.00 | +24,312,012.34 |
| Total, War Department: | | | |
| Regular annual | 393,345,549.01 | 325,164,492.67 | −68,181,056.34 |
| Permanent and indefinite | 10,496,900.00 | 7,786,300.00 | −2,710,600.00 |
| | 403,842,449.01 | 332,950,792.67 | −70,891,656.34 |
| Navy Department: | | | |
| Regular annual | 413,180,960.87 | 294,336,577.00 | −118,844,383.87 |
| Permanent and indefinite | 13,197,696.00 | 3,433,672.00 | −9,764,024.00 |
| Total | 426,378,656.87 | 297,770,249.00 | −128,608,407.87 |
| Interior Department: | | | |
| Regular annual— | | | |
| Pensions | 265,000,000.00 | 252,000,000.00 | −13,000,000.00 |
| Interior Department proper | 49,559,305.13 | 45,565,108.67 | −3,994,195.46 |
| Total | 314,559,305.13 | 297,565,108.67 | −16,994,196.46 |
| Permanent and indefinite | 30,573,500.00 | 27,562,900.00 | −3,010,600.00 |
| Total | 345,132,805.13 | 325,128,008.67 | −20,004,796.46 |
| Post Office Department (payable from postal revenues), regular annual (only) | 579,976,851.00 | 565,064,786.50 | −14,912,064.50 |
| Agricultural Department: | | | |
| Regular annual | [6] 39,527,434.00 | 36,929,173.00 | −2,598,261.00 |
| Roads, construction of | [7] 80,000,000.00 | [7] 10,000,000.00 | −70,000,000.00 |
| Permanent and indefinite | 11,750,000.00 | 12,250,000.00 | +500,000.00 |
| Total | 131,277,434.00 | 59,179,173.00 | −72,098,261.00 |
| Commerce, Department of: | | | |
| Regular annual | 17,394,859.00 | 18,743,245.00 | +1,348,386.00 |
| Permanent and indefinite | 3,000.00 | 3,000.00 | |
| Total | 17,397,859.00 | 18,746,245.00 | +1,348,386.00 |
| Labor, Department of, regular annual (only) | 5,798,196.50 | [8] 6,916,920.00 | +1,118,723.50 |
| Department of Justice, and the judiciary: | | | |
| Regular annual | 16,938,667.67 | 17,851,221.00 | +912,553.33 |
| Permanent and indefinite | [9] 175,500.00 | | −175,500.00 |
| Total | 17,114,167.67 | 17,851,221.00 | +737,053.33 |
| District of Columbia: | | | |
| Regular annual | 23,463,675.72 | 22,841,609.80 | −622,065.92 |
| Permanent and indefinite | 1,380,600.00 | 1,624,600.00 | +244,000.00 |
| Total | 24,844,275.72 | 24,466,209.80 | −378,065.92 |

[1] $50,000,000 of this sum is for the payment of construction and other claims.
[2] The appropriations for the Veterans' Bureau include for hospital construction $18,600,000 for 1922 and $12,000,000 for 1923.
[3] This sum includes $1,500,000 for the purchase of land in the District of Columbia on which are situated temporary Government office buildings.
[4] This sum includes $5,000,000 for treaty payment to Colombia and $1,000,000 for Government building and exhibits at the exposition at Rio de Janeiro.
[5] This sum includes an increase of $27,815,661 for rivers and harbors over amount appropriated for 1922 and $7,500,000 for Muscle Shoals development for which no appropriation was made for 1922.
[6] This sum includes $2,000,000 and $1,500,000, respectively, for seed-grain loans to farmers of the drought stricken areas of the Northwest for the crops of 1921 and 1922.
[7] These amounts were appropriated in the Federal highway act of Nov. 9, 1921. For 1923 the Secretary of Agriculture is authorized to apportion the sum of $50,000,000 among the several States and to approve projects under such apportionments. The Post Office appropriation act which authorized the foregoing $50,000,000 also authorized the sum of $71,500,000 for the fiscal year 1924 and $81,500,000 for the fiscal year 1925.
[8] This sum includes $1,240,000 to carry out the provisions of the act relating to the welfare and hygiene of maternity and infancy.
[9] Appropriations for this purpose are changed from a permanent basis for 1922 to an annual basis for 1923 and are included in the regular annual act

TABLE I.—*Comparison of Appropriations, Fiscal Years 1922 and 1923*— Continued.

| Department or establishment. | Appropriations, fiscal year 1922. | Appropriations, fiscal year 1923. | Decrease (—) or increase (+) 1923 compared with 1922. |
|---|---|---|---|
| Increased compensation ($240 per annum) | $35,000,000.00 | $38,735,173.00 | [1] +$3,735,173.00 |
| Miscellaneous (unclassified) | 126,842.04 | | —126,842.04 |
| Grand total: | | | |
| Regular annual | 2,563,373,328.70 | 2,274,119,027.01 | —289,254,301.69 |
| Permanent and indefinite | 1,467,816,196.00 | 1,434,181,182.63 | —33,635,013.37 |
| Increased compensation | 35,000,000.00 | 38,735,173.00 | +3,735,173.00 |
| Miscellaneous (unclassified) | 126,842.04 | | —126,842.04 |
| **Grand total** | **4,066,316,366.74** | **3,747,035,382.64** | **—319,280,984.10** |
| Less Post Office (payable from postal revenues) | 579,976,851.00 | 565,064,786.50 | —14,912,064.50 |
| Total, exclusive of Post Office | 3,486,339,515.74 | 3,181,970,596.14 | —304,368,919.60 |

[1] The appropriation for 1922 for additional compensation was an indefinite amount and was estimated in the Budget at $35,000,000. Recent figures of expenditures show the actual cost for 1922 will be approximately $41,800,000. The specific appropriation of $38,735,173 for 1923 is therefore $3,064,827 under the estimated expenditures for 1922.

**TABLE II.—Comparison of Estimates and Appropriations, Fiscal Year 1923.**

Amounts carried for fiscal year 1923 in regular annual appropriation acts, deficiency appropriation acts, special acts, and amounts estimated under permanent and indefinite appropriations.]

| Department or establishment. | Budget estimates submitted Dec. 5, 1921. | Supplemental Budget estimates submitted Dec. 5, 1921, to June 30, 1922. | Total Budget estimates fiscal year 1923. | Appropriations, 1923, regular annual and permanent and indefinite. | Increase (+) or decrease (—) appropriations compared with estimates. |
|---|---|---|---|---|---|
| Legislative (Congress): | | | | | |
| Regular annual | $17,232,655.95 | $5,000.00 | [1] $17,237,655.95 | $12,788,324.95 | [1] —$4,449,331.00 |
| Permanent and indefinite | 800.00 | | 800.00 | 800.00 | |
| Total | 17,233,455.95 | 5,000.00 | 17,238,455.95 | 12,789,124.95 | —4,449,331.00 |
| Executive office and independent offices: | | | | | |
| Regular annual— | | | | | |
| Shipping Board | 50,501,500.00 | 50,000,000.00 | 100,501,500.00 | 100,459,000.00 | —42,500.00 |
| Veterans' Bureau | 385,921,702.00 | 37,117,142.95 | 423,038,844.95 | 418,063,843.45 | —4,975,001.50 |
| Executive and other independent offices | 17,077,481.00 | 663,670.00 | 17,741,151.00 | [2] 18,115,928.00 | +374,777.00 |
| Total | 453,500,683.00 | 87,780,812.95 | 541,281,495.95 | 536,638,771.45 | —4,642,724.50 |
| Permanent and indefinite | 6,017,000.00 | | 6,017,000.00 | 6,017,000.00 | |
| Total | 459,517,683.00 | 87,780,812.95 | 547,298,495.95 | 542,655,771.45 | —4,642,724.50 |
| State Department: | | | | | |
| Regular annual | 10,474,901.16 | 321,072.00 | 10,795,973.16 | 10,443,488.16 | —352,485.00 |
| Permanent and indefinite | 105,000.00 | | 105,000.00 | 105,000.00 | |
| Total | 10,580,901.16 | 321,072.00 | 10,901,973.16 | 10,549,488.16 | —352,485.00 |
| Treasury Department: | | | | | |
| Regular annual | 130,607,787.19 | 1,298,570.00 | 131,906,357.19 | 118,835,308.81 | —13,071,048.38 |
| Permanent and indefinite | 1,375,396,910.63 | | 1,375,396,910.63 | 1,375,396,910.63 | |
| Total | 1,506,004,697.82 | 1,298,570.00 | 1,507,303,267.82 | 1,494,232,219.44 | —13,071,048.38 |
| War Department: | | | | | |
| Military activities— | | | | | |
| Regular annual | 309,373,709.47 | 1,402,909.22 | 310,776,618.69 | 256,411,169.67 | —54,365,449.02 |
| Permanent and indefinite | 1,265,000.00 | | 1,265,000.00 | 1,265,000.00 | |
| Total, military activities | 310,638,709.47 | 1,402,909.22 | 312,041,618.69 | 257,676,169.67 | —54,365,449.02 |
| Nonmilitary activities— | | | | | |
| Regular annual | 46,512,408.00 | 1,816,000.00 | 48,328,408.00 | 68,753,323.00 | [3] +20,424,915.00 |
| Permanent and indefinite | 6,521,300.00 | | 6,521,300.00 | 6,521,300.00 | |
| Total, nonmilitary activities | 53,033,708.00 | 1,816,000.00 | 54,849,708.00 | 75,274,623.00 | +20,424,915.00 |
| Total, War Department— | | | | | |
| Regular annual | 355,886,117.47 | 3,218,909.22 | 359,105,026.69 | 325,164,492.67 | —33,940,534.02 |
| Permanent and indefinite | 7,786,300.00 | | 7,786,300.00 | 7,786,300.00 | |
| Total | 363,672,417.47 | 3,218,909.22 | 366,891,326.69 | 332,950,792.67 | —33,940,534.02 |
| Navy Department: | | | | | |
| Regular annual | [4] 422,518,695.13 | 7,862,700.00 | 430,381,395.13 | 294,336,577.00 | —136,044,818.13 |
| Permanent and indefinite | 3,433,672.00 | | 3,433,672.00 | 3,433,672.00 | |
| Total | 425,952,367.13 | 7,862,700.00 | 433,815,067.13 | 297,770,249.00 | —136,044,818.13 |
| Interior Department— | | | | | |
| Regular annual— | | | | | |
| Pensions | 252,000,000.00 | | 252,000,000.00 | 252,000,000.00 | |
| Interior Department proper | 46,218,432.00 | 668,049.30 | 46,886,481.30 | 45,565,108.67 | —1,321,372.63 |
| Permanent and indefinite | 27,562,900.00 | | 27,562,900.00 | 27,562,900.00 | |
| Total | 325,781,332.00 | 668,049.30 | 326,449,381.30 | 325,128,008.67 | —1,321,372.63 |
| Post Office Department (payable from postal revenues), regular annual (only) | 579,650,066.00 | 4,274,347.00 | 583,924,413.00 | 565,064,786.50 | —18,859,626.50 |
| Agricultural Department: | | | | | |
| Regular annual | 34,610,668.00 | 1,153,200.00 | 35,763,868.00 | 36,929,173.00 | [5] +1,165,305.00 |
| Roads, construction of | | | | 10,000,000.00 | [6] +10,000,000.00 |
| Permanent and indefinite | 12,250,000.00 | | 12,250,000.00 | 12,250,000.00 | |
| Total | 46,860,668.00 | 1,153,200.00 | 48,013,868.00 | 59,179,173.00 | +11,165,305.00 |

[1] Estimates for the legislative include printing and binding allotments for the various departments as submitted under the Government Printing Office. In preparing appropriation bills these sums were distributed to the various departmental bills. This reduction, therefore, is due in the main to this transfer.

[2] This sum includes $1,500,000 for the purchase of land for temporary office buildings and was not estimated in the Budget.

[3] This net increase is due to the appropriation of $15,180,401 for rivers and harbors in excess of the estimates submitted by the Budget, and the appropriation of $7,500,000 for Muscle Shoals development not included in the Budget.

[4] The Navy estimates were prepared and submitted to Congress prior to the conclusion of the Conference on Limitation of Armament.

[5] This net increase is due to the appropriation of $360,000 for congressional seed distribution and $100,000 for eradication of citrus canker not included in the Budget. The sum of $800,000 for printing and binding was estimated under legislative. (See note 3.)

[6] This sum was appropriated for forest roads and trails in the Federal highway act of November 9, 1921, and was not estimated in the Budget.

**TABLE II.—Comparison of Estimates and Appropriations, Fiscal Year 1923**—Continued.

| Department or establishment. | Budget estimates submitted Dec. 5, 1921 | Supplemental Budget estimates submitted Dec. 5, 1921, to June 30, 1922. | Total Budget estimates fiscal year 1923 | Appropriations, 1923, regular annual and permanent and indefinite. | Increase (+) or decrease (−) appropriations compared with estimates |
|---|---|---|---|---|---|
| Commerce, Department of: | | | | | |
| Regular annual | $20,672,328.25 | $673,169.50 | $21,345,495.75 | $18,743,245.00 | −$2,602,250.75 |
| Permanent and indefinite | 3,000.00 | | 3,000.00 | 3,000.00 | |
| Total | 20,675,328.25 | 673,169.50 | 21,348,495.75 | 18,746,245.00 | −2,602,250.75 |
| Labor, Department of, regular annual (only) | 6,564,632.00 | 1,240,000.00 | 7,804,632.00 | 6,916,920.00 | −887,712.00 |
| Department of Justice and Judiciary, regular annual (only) | 18,219,146.00 | 539,000.00 | 18,758,146.00 | 17,851,221.00 | −906,925.00 |
| District of Columbia: | | | | | |
| Regular annual | 26,886,866.75 | 1,299,440.00 | 28,186,306.75 | 22,841,609.80 | −5,344,696.95 |
| Permanent and indefinite | 1,624,600.00 | | 1,624,600.00 | 1,624,600.00 | |
| Total | 28,511,466.75 | 1,299,440.00 | 29,810,906.75 | 24,466,209.80 | −5,344,696.95 |
| Increased compensation ($240 per annum) | | | | 38,735,173.00 | [5] +38,735,173.00 |
| Grand total: | | | | | |
| Regular annual | 2,375,042,976.90 | 110,334,269.97 | 2,485,377,246.87 | 2,274,119,027.01 | −211,258,219.86 |
| Permanent and indefinite | 1,434,181,182.63 | | 1,434,181,182.63 | 1,434,181,182.63 | |
| Increased compensation | | | | 38,735,173.00 | +38,735,173.00 |
| **Grand total** | **3,809,224,159.53** | **110,334,269.97** | **3,919,558,429.50** | **3,747,035,382.64** | **−172,523,046.86** |
| Less Post Office (payable from postal revenues) | 579,650,066.00 | 4,274,347.00 | 583,924,413.00 | 565,064,786.50 | −18,859,626.50 |
| Total, exclusive of Post Office | 3,229,574,093.53 | 106,059,922.97 | 3,335,634,016.50 | 3,181,970,596.14 | −153,663,420.36 |

[5] This sum was not estimated in the Budget.

**TABLE III.—Comparison of Budget estimates and appropriations, supplemental and deficiency, fiscal year 1922 and prior fiscal years.**

(Amounts considered and appropriated in deficiency appropriation acts approved Aug. 24, 1921, Dec. 15, 1921, Mar. 20, 1922, and July 1, 1922.)

| | |
|---|---|
| Supplemental and deficiency Budget estimates submitted to Congress from July 20, 1921, to June 30, 1922, for the fiscal year 1922 and prior fiscal years | $472,410,129.96 |
| Supplemental and deficiency appropriations for the fiscal year 1922 and prior fiscal years carried in the deficiency acts enumerated above | 332,760,884.55 |
| Reduction in estimates for the fiscal year 1922 and prior fiscal years | 139,649,245.41 |

**TABLE IV.—Recapitulation of comparisons of Budget estimates and appropriations.**

| | |
|---|---|
| Net reduction in Budget estimates for the fiscal year 1923 as per Table II | 172,523,046.86 |
| Reduction in Budget estimates for the fiscal year 1922 and prior fiscal years as per Table III | 139,649,245.41 |
| Total net reduction | 312,172,292.27 |

The statement referred to is here printed in full as follows:

Mr. BYRNS of Tennessee. Mr. Speaker, the question uppermost in the mind of the average tax-paying citizen of to-day is what is it costing to run the Government and has the heavy burden of expenditures for the routine operations of the Government, which was necessarily imposed during and immediately following the war, been reduced to that extent which he had the right to expect for the fiscal year 1923—the fourth since the war came to a close. The passage of the regular annual appropriation bills for the fiscal year 1923 makes it possible to arrive at a more definite conclusion, although it should be emphasized here that the sums carried in these bills by no means represent the entire amount which will be appropriated for 1923. There will undoubtedly be deficiency appropriations during the year as has been the case in all previous years, despite the assertion made at the beginning of each year that none were contemplated. Then, too, Congress will levy additional charges on the Treasury during the year in the creation of new activities or the enlargement of those already in existence, unless this Congress adopts a radically different policy from that which it has followed since it first came into existence on March 4, 1921.

The total appropriations for 1923 up to this time, including regular, permanent, indefinite, and miscellaneous, are $3,747,035,382.64. The total appropriations for 1922, including regular, permanent, indefinite, miscellaneous, and deficiencies, were $4,066,316,366.74. However, nearly $1,500,000,000 of each of these two sums represents permanent and indefinite appropriations, which includes interest on the public debt, and so forth, and which Congress is not called upon to appropriate each fiscal year. In order, therefore, to get a picture as to just what sums Congress has appropriated, only the regular annual, miscellaneous, and deficiency appropriations should be considered.

The only true test by which it can be determined whether Congress has reduced appropriations and been really economical is by a comparison of its appropriations with those made in previous years for similar purposes. This test should be applied to the appropriations made by this Congress for the fiscal year 1923 and as carried in the regular annual supply bills with the appropriations made by the Congress in the regular annual supply bills for 1922. It would be manifestly unfair to compare the approriations which have been made at the beginning of July for the fiscal year 1923 with the apropriations which were made for 1922 at the beginning of that fiscal year and including all of the appropriations by way of deficiencies and special acts made during the entire year, for it is certain that there will be deficiencies and special acts passed during the present fiscal year 1923, which has just begun, and which will increase the 1923 appropriation. Measured by this test it will be found that there has been appropriated for the fiscal year 1923, $95,872,535.37 more than was appropriated for the fiscal year 1922 at the same period of the two fiscal years. The following table illustrates this fact very clearly, but in this connection it should be explained that since 1922 the titles of the appropriation bills have been changed and appropriations are now made under the heads of departments and Government establishments, but the results are the same:

*1922—Regular annual supply bills.*

| | |
|---|---|
| Sundry civil | $384,196,480.41 |
| Post Office | 574,057,552.00 |
| Agriculture | 36,404,259.00 |
| Army | 328,013,529.80 |
| Fortifications | 8,038,017.00 |
| Navy | 410,673,289.23 |
| Diplomatic and Consular | 9,326,550.79 |
| District of Columbia | 19,412,412.99 |
| Indian | 9,761,554.67 |
| Legislative, executive, and judicial | 110,348,018.75 |
| Pension | 265,500,000.00 |
| Rivers and harbors | 15,250,000.00 |
| Increased compensation | 35,000,000.00 |
| Grand total | 2,206,981,664.64 |

*1923—Regular annual supply bills.*

| | |
|---|---|
| Executive and independent offices | $536,638,771.45 |
| Post Office | 565,064,786.50 |
| Agriculture | 36,929,173.00 |
| War Department | 325,164,492.67 |
| Navy | 294,336,577.00 |
| State Department | 10,443,488.16 |
| District of Columbia | 22,841,609.80 |
| Interior Department | 297,565,108.67 |
| Legislative (Congress) | 12,788,324.95 |
| Treasury Department | 118,835,308.81 |
| Commerce Department | 18,743,245.00 |
| Labor Department | 6,916,920.00 |
| Department of Justice | 17,851,221.00 |
| Increased compensation | 38,735,173.00 |
| Grand total | 2,302,854,200.01 |

It should be stated that the Navy bill for 1923 carries, in addition to the direct appropriation, the authority to use unexpended balances amounting to $54,000,000 and that at least $60,000,000 must be appropriated under an act already passed for scrapping some of the ships of the Navy. This will make a total of $408,336,577 for the Navy for the year 1923. In addition to this, the other bills for 1923 carry appropriations for unexpended balances amounting to $28,677,550.24, which does not appear in the figures given in the table.

The administration's own figures as to expenditures for 1922 and 1923 show that it is expected to expend only $24,302,499.84 less in 1923 than was expended in 1922. The expenditures for 1922 amounted to $3,795,302,499.84, while the estimated expenditures for 1923 are $3,771,000,000. This is a startling admission, in view of the oft-repeated claims made by General Dawes, the head of the Budget Bureau, and widely heralded to the country, that he has put into effect business methods which would bring about reductions and economy. It conclusively shows that his repeated boasts of savings of hundreds of millions of dollars were mere paper savings, unsupported by fact and that the "Budget savings" propaganda with which he flooded the country was purely visionary and ethereal.

The figures given as to appropriations and the admission of the administration as to its expenditures for 1923 show a lamentable failure on the part of the Republican Congress and the administration to reduce and retrench the expenditures of the Government. The promises of yesterday were completely forgotten in the performances of to-day. This is further emphasized by the fact that the country is one year further removed from the war and the costs of supplies are less, and there should have been a very much larger reduction in ordinary course. At this rate how long will it take the Government to get back to anything like pre-war expenditures?

It will be informative to compare the regular annual deficiency and miscellaneous appropriations made for the entire year of 1922 with the regular annual appropriations for 1923 and the additional deficiency and miscellaneous appropriations which with reasonable certainty will be made during 1923. It furnishes further and positive proof that there has been no reduction in expenditures. The total appropriations for 1923 up to this time, the very beginning of the fiscal year amounts to $2,302,854,200.01. The total of these appropriations for the entire year of 1922, excluding permanent annuals and including deficiencies of over $200,000,000 granted during the year, and also the various additional appropriations made by Congress during the year, amounts to $2,598,500,170.72. The figures in detail are as follows:

*Amounts carried for fiscal years 1922 and 1923 in the regular annual appropriation acts, deficiency appropriation acts, and special acts.*

| Department or establishment. | Appropriations for year 1922, including deficiencies and special acts. | Appropriation for year 1923, future deficiency and special acts to be added. |
|---|---|---|
| Legislative (Congress) | $18,247,247.06 | $12,788,324.95 |
| Executive Office and independent offices | 498,847,057.00 | 536,638,771.45 |
| State Department | 16,741,346.09 | 10,443,488.16 |
| Treasury Department | 145,352,179.65 | 118,835,308.81 |
| War Department: | | |
| Military activities | 350,707,538.35 | 256,411,169.67 |
| Nonmilitary activities | 42,638,010.66 | 68,753,323.00 |
| Navy Department | 413,180,960.87 | 294,336,577.00 |
| Interior Department | 314,559,305.13 | 297,565,108.67 |
| Post Office Department | 579,976,851.00 | 565,064,786.50 |
| Agricultural Department | 39,527,434.00 | 36,929,173.00 |
| Commerce Department | 17,394,839.20 | 18,743,245.00 |
| Labor Department | 5,798,196.50 | 6,916,920.00 |
| Department of Justice | 16,938,667.67 | 17,851,221.00 |
| District of Columbia | 23,463,675.72 | 22,841,609.80 |
| Increased compensation or civilian bonus | 35,000,000.00 | 38,735,173.00 |
| Miscellaneous (unclassified) | 126,842.04 | |
| Roads | 80,000,000.00 | 10,000,000.00 |
| Grand total | 2,598,500,170.74 | 2,312,854,200.01 |

On the face of these figures there would appear to be a reduction in these particular appropriations of $285,645,970.71, and if we exclude the reduction in the road's funds the cut becomes only $215,645,970.71. But it must be borne in mind that the year 1922 has closed, and the figures given represent the total appropriations made for that year, including deficiencies and any and all special acts of Congress, whereas the fiscal year of 1923 has just begun. The figures given for 1922 include over $200,000,000 by way of deficiencies for that year, and it is only fair to figure on a similar amount being hereafter appropriated for 1923. There has been a law passed directing the scrapping of some of the ships of the Navy and an appropriation must be made this year for that purpose. The minimum amount which has been estimated is $60,000,000, but the chairman of the naval subcommittee on appropriations, who is one of the very best informed among the Members of Congress on naval matters, has stated that it will probably cost from $70,000,000 to $75,000,000. In order to be entirely conservative the minimum figures will be used. It appears practically certain that the ship subsidy bill will be passed either during this session or at the December session of Congress, and Mr. Lasker and its warmest advocates admit that at the lowest estimate $15,000,000 will be paid in voyage subsidies during the first year of its operation and $30,000,000 annually thereafter; and in addition there will be enormous tax exemptions to shippers and shipowners and various other aids which will constitute a charge on the Treasury. Although it has been conclusively demonstrated by actual citation of figures in the minority report filed that it will cost $75,000,000 or more annually, nevertheless I will waive the plain fact and use the figures given by Mr. Lasker for the first year's voyage subsidies alone. The House has passed the soldiers' bonus bill, and there seems to be no question but that the Senate will pass it at this session. It is admitted by everyone that the law will require an appropriation of at least $77,000,000 during the first year of its operation. The House has authorized a loan to Liberia of $5,000,000, which will undoubtedly be concurred in by the Senate. A most conservative estimate of the amount which will be needed for highways this year, in addition to what is now on hand, is $10,000,000. Several times that sum will probably be needed, for $80,000,000 was appropriated in 1922. These sums aggregate $367,000,000, which with reasonable certainty can be figured as additional appropriations which will be needed for 1923, and which, when added to the regular annual appropriations for 1923, make the sum of $2,679,854,200.01, or $81,354,029.29 more than the total appropriations for 1922, exclusive of the permanent and indefinite appropriations for each year, which amounts to nearly $1,500,000,000, and if we exclude from comparison the roads' appropriations this excess becomes $141,354,029.29.

And let me again say this does not take into account the possible passage this year of many bills now pending and which are being strongly pressed, some of them having a favorable report from the committees having jurisdiction, such as the $350,000,000 for western drainage projects, $14,000,000 for the purchase of the Cape Cod Canal, and so forth. It should also be noted that the appropriation acts for 1923 carry authorizations for the use of unexpended balances amounting to $74,677,550.24, which do not appear in the figures above set forth. It should also be stated that the figures given for 1922 include $5,000,000 for the Colombian treaty, $1,000,000 for the Brazil Exposition, and $3,500,000 for seed purchases in certain of the Northwest States. Then, too, the figures for 1923 carry $500,000 which was appropriated during the last year for the prosecution of war profiteers and which was also made available for use in the year 1923. These sums total $10,000,000, which should be taken into consideration in favor of the 1922 appropriations in any comparison that may be made between the appropriations made for that year and the year 1923.

It should also be noted that in the table above set forth the principal reductions are $68,000,000 in the War Department, $128,000,000 in the Navy Department, $70,000,000 for the improvement of highways, and $13,000,000 for the payment of Civil War pensions, which was brought about by the reduction of the number of pensioners on account of death. This makes a reduction in the appropriation for these four activities of $279,000,000, which in itself practically wipes out the difference in the appropriations as given and for which, I submit, Congress can claim no credit for economy. If the reduction in amount for the construction of good roads should serve to impede or delay the improvement of our highways, such action will be subject to criticism. The figures given as to the naval appropriations are misleading, in that the naval bill carries an authorization for the use of unexpended balances amounting to $54,000,000, which makes the total sum actually provided $348,000,000 in round numbers. Adding the $60,000,000 for scrapping the Navy, it will appear that $408,000,000 is being provided for the Navy this year.

The same is true as to the Army bill, for it appropriates the total amount of this bill for military activities $259,000,000, in round numbers. Thus, it will appear that after the disarmament conference, which was expected to reduce Army and Navy expenses, this Congress is providing $411,000,000 for the Navy for 1923, when before the war and in 1914 there was appropriated $141,450,643; in 1915, $146,493,177; in 1916, $149,763,000; and in 1917, when the big war naval program was under way, $315,888,060. This Congress is providing $259,000,000 for purely military activities of the War Department for 1923, when before

the war and in 1914 there was appropriated $100,584,130.38; in 1915, $107,644,812.04; in 1916, $109,089,226.14; and in 1917, during a part of which the country was actually engaged in the war, the appropriation was $294,569,123.67.

PRESENT APPROPRIATIONS COMPARED WITH 1916.

It is manifestly inaccurate and preposterous to claim economy and savings because present expenditures are less than they were during the years following the close of the war. The wake of war left hang-overs and large expenditures for which it was necessary to make provision, and when these were disposed of further appropriations were no longer necessary, and neither Congress nor the administration can take credit for these reductions. A Democratic Congress in the third session of the Sixty-fifth Congress, by an act passed February 25, 1919, repealed appropriations amounting to $7,191,196,991.68 and authorizations amounting to $8,221,429,294.70, or a total of $15,412,226,286.38, from the naval and military grants made during the war. This action of a Democratic Congress made it possible for reductions in expenditures to be made by taking away the large surplus sums to the credit of the War and Navy Departments and preventing further operations under the authorizations. It is as consistent for a Democratic administration and Congress to claim credit for the saving of this immense sum of $15,000,000,000 as it is for a Republican administration and Congress to claim credit for reductions growing out of the cessation of war activities.

It has become a habit of the Republican leaders to compare the expenditures of 1922 with those made in 1921, which were something like $1,600,000,000 more than in 1922. The excess of unexpended balances to the extent of $1,700,000, which makes expenditures in 1921 over those in 1922 were, in the War Department, $712,594,513.32; in the Navy Department, $192,041,835.58; in the Shipping Board, $56,795,268.26; in the Railroad Administration, $786,711,669.98; in the Grain Corporation, $83,353,411.42; in the Sugar Equalization Board, $13,605,520. This totals $1,845,102,218.56. It is clearly manifest that these excess expenditures were on account of the war, and that no administration or Congress is entitled to credit because they were not continued in 1922. It actually shows that there was expended for other activities in 1922 more than was expended in 1921.

If there exists an honest purpose to make comparisons of appropriations, the proper basis is to compare the appropriations for 1923 with the appropriations for 1916, which was the last full fiscal year before the war and which were made by a Democratic Congress and under a Democratic administration. The appropriations for the fiscal year 1923, up to this time, amount to $3,747,435,382.64. The appropriations for the entire fiscal year 1916 amounted to $1,115,004,194.55, or $2,632,031,188.09 less than for 1923. It is proper, of course, to deduct the interest on the war debt, which amounts to nearly $1,000,000,000, but this still leaves a difference of more than $1,600,000,000. Conceding the necessity of providing for certain activities growing out of the war and the growth of Government activities in ordinary course it is obviously patent that this Congress and the administration have not made that progress toward pre-war expenditures which the people were promised and had the right to expect.

1922 SURPLUS AND 1923 DEFICIT.

The Republican Party has not kept the Government on a "pay-as-you-go" basis. It is true that a paper surplus was shown June 30, the close of the fiscal year 1922, but Secretary of the Treasury Mellon in his letter of April 14, 1922, made it very clear that this surplus would only be made possible by the transfer of over $200,000,000 in governmental obligations from 1922 to 1923 which, while enabling the administration to avoid a deficit on June 30, 1922, increased the overwhelming deficit which faces the Treasury on June 30, 1923. In December, 1921, the President in a message to Congress announced that there would be a deficit of over $24,000,000 on June 30, 1922, and one of more than $167,000,000 on June 30, 1923. At that time certain railroad expenditures by the Government were estimated among the expenditures for 1922, and none for such purpose for 1923. But in April, 1922, it appeared that the December, 1921, estimate of a 1922 deficit would be increased from $24,000,000 to over $200,000,000. To have Congress come into session in December and work for economy for seven months, to have the Director of the Budget saving $100,000,000 on paper every few months, and then have the deficit for the first year of the Harding administration increased by such a stupendous sum could never be satisfactorily explained in the coming congressional elections. It was then that a change was made.

On April 14, 1922, the Secretary of the Treasury revised his estimates of receipts and expenditures for the fiscal years 1922 and 1923. The railroad expenditures for 1922 were eliminated and $200,000,000 was transferred over to the column of expenditures for 1923. More than $87,000,000 has been covered into the Treasury as miscellaneous receipts derived from sales of surplus war material during 1922. The statement of the Treasury shows a surplus of $313,000,000 which is attributed to increase in custom receipts, miscellaneous receipts, including Panama Canal tolls, and to the fact that expenditures for 1922 were "almost $200,000,000 less than the estimate given last December." It has already been shown how this "reduction" of expenditures was brought about.

Meanwhile, by reason of this transfer the December, 1921, estimated deficit for 1923 of $167,000,000 had climbed to $484,000,000 in April, 1922, which included $125,000,000 of interest on war-savings certificates. I predicted at that time that it would be not less than $758,000,000 based on estimated receipts and expenditures which seemed certain. Since then the Treasury has again revised its figures and it is now stated that the 1923 deficit will be $697,200,000, the estimated receipts for 1923 being $3,073,800,000 and the expenditures $3,771,000,000. It should be noted that in arriving at the estimate of expenditures no account was taken of the amount which will be required by the passage of the soldiers' bonus or the possibility of the passage of special acts requiring additional expenditures by the Government. When these are considered it may be reasonably expected that the deficit for 1923 will reach $900,000,000, and possibly more, unless the receipts shall be greater than now anticipated, or Congress shows greater economy and there is a more rigid reduction of expenditures by the administrative departments.

REDUCTION OF PUBLIC DEBT.

It is announced that the public debt was reduced in 1922 in the sum of $1,014,000,000. It is stated that this reduction was accomplished through retirements on account of the sinking fund and other public debt expenditures chargeable to ordinary receipts, through the use of surplus current funds in the Treasury and the application of the surplus of $313,000,000 above mentioned. The peak of the public debt was reached in August, 1919, when it was $26,596,701,648.01. Between that date and June 30, 1920, it was reduced under a Democratic administration in the sum of $2,297,380,180.94. During the fiscal year 1921, which was partly under a Democratic administration and partly under a Republican administration, the debt was reduced in the sum of $321,870,914.53. Including the reduction during the fiscal year 1922 the public debt has been reduced in the sum of $3,633,319,939.70 and now amounts to $22,963,381,708.31.

BUDGET ESTIMATES.

The estimates for the regular annual appropriations for 1923 submitted by the President amounted to $2,485,377,246.87. Congress appropriated $2,312,854,200.01, but there was included in this sum $73,275,574 which was not included in the Budget estimates. It will thus be seen that Congress reduced the Budget estimates for 1923 in the sum of $245,798,620.86. The supplemental and deficiency estimates submitted to Congress during the fiscal year 1922 amounted to $472,410,129.96. Congress appropriated $332,760,884.55, making a net reduction of $139,649,245.41. Thus it appears that the estimates for regular and deficiency appropriations submitted by the President with the aid of the Budget Bureau during the first year of its existence has been reduced by Congress in the sum of $385,447,866.86, or 13 per cent of the amount asked, excluding the permanent appropriations not subject to reduction. In other words, if Congress had accepted the estimates as submitted by the President and the Director of the Budget, there would have been appropriated over one-third of a billion dollars more than was actually appropriated. Comment is unnecessary. The Budget law is a good law, but its administration since its enactment has not justified the fulsome claims for savings and economy with which the public has been so frequently regaled through the public press. These figures show that if permitted the Budget Bureau, acting under the personal supervision of the President, would have proved a most expensive proposition to the taxpayers.

The Budget law, which was passed June 10, 1921, established a general accounting office, with the Comptroller General as its head, at a salary of $10,000, and an assistant at a salary of $7,500. The office has a large clerical force, requiring an appropriation of nearly $2,500,000 annually. In addition to auditing Government expenditures, the Comptroller General was charged under the law with submitting to Congress reports upon the administrative examinations of accounts and claims in the various departments and the departmental inspection of the offices and accounts of fiscal officers. He was also required to specially report to Congress every expenditure or contract made in violation of law. Congress has

been in session practically the entire time since the creation of this office, but no report of any kind has been made as required by law. It may be said that the only times the Comptroller General has appeared before Congress or its committees was when he sought increased appropriations for his office.

REORGANIZATION OF THE DEPARTMENTS.

The Republican Congress on December 17, 1920, created a Joint Committee on Reorganization composed of Members of the Senate and House. It was made the duty of this committee to make a survey of all the departments and establishments of the Government and report as to what unnecessary bureaus could be abolished and what bureaus could be consolidated. Shortly after President Harding came into office Congress did the unprecedented thing of authorizing the President to appoint a civilian at an annual salary of $7,500 to be the chairman of the congressional committee. He promptly filled the place.

It was proclaimed that this committee would save millions of dollars to the Government in the abolishment and consolidation of Government bureaus, and these statements were widely published over the country for many months. The committee has been in existence for over 18 months and the salary of the chairman and other expenses have been regularly paid. Only a few weeks ago the distinguished gentleman from Virginia [Mr. MOORE], a member of the committee, vigorously complained and criticized its inaction, and stated that the chairman had not called the committee together since his appointment. Certain it is that the committee has made no report and not one single bureau has been abolished or consolidated.

CIVIL-SERVICE EMPLOYEES.

It is estimated that there were 550,000 civil-service employees of the Government June 30, 1922, of whom 72,253 were in Washington, as compared with 439,798 in 1916, of whom only 39,259 were in Washington. On November 11, 1918, when the war closed, the total was 917,760. Under the last administration this total was reduced to 691,116 on July 31, 1920, and to 640,175 on December 31, 1920, and to 597,482 on July 31, 1921. Under the present administration the total was reduced to 568,390 on December 31, 1921, but there has been a reduction of only about 18,000 during the past six months, and the number in Washington is nearly double what it was in 1916. It may well be asked why it is necessary four years after the war to retain in Government employ 111,000 more civil-service employees than were employed in 1916. Congress has during the past fiscal year added additional employees to the Government pay rolls in providing 201 additional clerks in the Pension Office, 250 in the general accounting office, 600 additional positions in the office of the Internal Revenue Commissioner, and 828 employees under the Prohibition Commissioner, and a number of employees under other special acts, thus adding several millions of dollars to the annual pay roll of the Government.

LOAN OF TENTS, ETC., TO AMERICAN LEGION.

Mr. DUPRÉ. Mr. Speaker, I ask unanimous consent for the present consideration of H. J. Res. 353, authorizing the Secretary of War to loan certain tents, cots, chairs, and so forth, to the executive committee of the Louisiana Department of the American Legion for use at the national convention of the American Legion, to be held at New Orleans, La., in October, 1922.

The SPEAKER. The gentleman from Louisiana asks unanimous consent for the present consideration of a joint resolution the title of which the Clerk will report.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

There was no objection.

The SPEAKER. The Clerk will report the joint resolution.

The joint resolution was read as follows:

*Resolved, etc.*, That the Secretary of War be, and is hereby, authorized to loan, at his discretion, to the executive committee of the Louisiana Department of the American Legion, for use in connection with the national convention of the American Legion, to be held in New Orleans, La., October 16 to 20, 1922, such tents, with necessary poles, ridges, and pins, cots, chairs, or camp stools, etc., as may be required at said convention: *Provided*, That no expense shall be caused the United States Government by the delivery and return of said property, the same to be delivered to said committee designated at such time prior to the holding of said convention as may be agreed upon by the Secretary of War and T. Semmes Walmsley, chairman of said executive committee: *And provided further*, That the Secretary of War shall, before delivering suca property, take from said T. Semmes Walmsley a good and sufficient bond for the safe return of said property in good order and condition, and the whole without expense to the United States.

The SPEAKER. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

On motion of Mr. DUPRÉ a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

BRIDGE ACROSS MISSOURI RIVER, SALINE COUNTY, MO.

Mr. FAUST. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 12121) granting the consent of Congress to the county court of Saline County, in the State of Missouri, to construct a bridge across the Missouri River.

The SPEAKER. The gentleman from Missouri asks unanimous consent for the present consideration of a bill which the Clerk will report.

The Clerk read the title of the bill.

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

Mr. GARNER. Mr. Speaker, has this bill been reported by the committee?

Mr. FAUST. It has.

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

There was no objection.

The SPEAKER. The Clerk will report the bill.

The bill was read, as follows:

*Be it enacted, etc.*, That the consent of Congress is hereby granted to the county court of Saline County, in the State of Missouri, to construct, maintain, and operate a bridge and approaches thereto across the Missouri River at a point suitable to the interests of navigation, at or near the city of Miami, in the county of Saline and State of Missouri, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

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

The SPEAKER. The question is on the engrossment and third reading of the bill.

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

On motion of Mr. FAUST, a motion to reconsider the vote by which the bill was passed was laid on the table.

BRIDGE ACROSS MISSOURI RIVER, LAFAYETTE COUNTY, MO.

Mr. FAUST. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 12120) granting the consent of Congress to the county court of Lafayette County, in the State of Missouri, to construct a bridge across the Missouri River.

The SPEAKER. The gentleman from Missouri asks unanimous consent for the present consideration of a bill, which the Clerk will report.

The Clerk read the title of the bill.

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

There was no objection.

The SPEAKER. The Clerk will report the bill.

The bill was read, as follows:

*Be it enacted, etc.*, That the consent of Congress is hereby granted to the County Court of Lafayette County, in the State of Missouri, to construct, maintain, and operate a bridge and approaches thereto across the Missouri River at a point suitable to the interests of navigation, at or near the town of Waverly, in the county of Lafayette and State of Missouri, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

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

The SPEAKER. The question is on the engrossment and third reading of the bill.

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

On motion of Mr. FAUST, a motion to reconsider the vote by which the bill was passed was laid on the table.

THE SCRAPPING BILL.

Mr. BUTLER. Mr. Speaker, I ask unanimous consent of the House to take from the Speaker's table the bill (H. R. 11214), known as the scrapping bill, and agree to the Senate amendment.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to take from the Speaker's table and consider the amendment to the bill, of which the Clerk will read the title.

The Clerk read as follows: H. R. 11214, to authorize the President to scrap certain vessels in conformity with the provisions of the treaty for the limitation of naval armament, and for other purposes.

The Clerk read the Senate amendment.

Mr. BUTLER. Mr. Speaker, with the exception of section 4, this amendment does no more than to change the phraseology

of the bill that passed the House on the 17th day of May. Section 4 provides for the increase of two battleships and six scout cruisers. The appropriation for the completion of those ships has already been made by the House and included in the last naval appropriation bill. The unexpended balances are authorized to be used for this purpose, and all the money that is necessary has been appropriated. It became necessary for congressional action in order that the limit of cost might be raised. When the scrapping bill was here we struck out the provision in order that it might wait until Congress had a chance to pass on the question. The Appropriation Committee examined the subject with great care and included a sufficient fund to complete the battleships and the six scout cruisers.

Mr. WALSH. Will the gentleman yield?

Mr. BUTLER. Yes.

Mr. WALSH. What was the occasion of increasing the limit of cost?

Mr. BUTLER. The ships were authorized to be completed in 1917, and it is the increase in wages and the cost of material that increases the cost of the ships.

Mr. WALSH. Were not these two authorized in the 1916 program?

Mr. BUTLER. Yes. Mr. Speaker, I made a mistake in answering the gentleman from Massachusetts. They were provided for in 1916. The additional cost is made necessary by the increased cost in wages and material.

Mr. KINCHELOE. Will the gentleman yield?

Mr. BUTLER. Yes.

Mr. KINCHELOE. In view of the fact that no other nation that had representatives in the disarmament conference has ratified the treaty, and nobody knows when they will, I was wondering whether the President will begin to scrap these vessels before they have ratified the treaty.

Mr. BUTLER. I understand—I have no authority beyond what I have heard incidentally—that we will not scrap anything until the treaty is ratified.

Mr. KINCHELOE. That is what I wanted to know.

Mr. MONDELL. Japan has ratified the treaty.

Mr. BUTLER. I understand Japan has ratified the treaty.

Mr. KINCHELOE. I do not think that the President would undertake to scrap the vessels before the treaty had been ratified; but this gives him the power to do it.

Mr. BUTLER. Yes; but I do not believe he would do it.

Mr. CONNALLY of Texas. Will the gentleman yield?

Mr. BUTLER. Yes.

Mr. CONNALLY of Texas. Does the gentleman state that Japan has ratified the disarmament treaty?

Mr. BUTLER. Japan, I understand, ratified the treaty. I heard yesterday that the Diet, or whatever the name of the parliamentary body is, had agreed to it and sent it to the proper authority for approval.

Mr. WINGO. Did the gentleman get that from Japan or from the gentleman from Massachusetts [Mr. ROGERS]? [Laughter.]

Mr. BUTLER. I got it from the daily newspapers.

Mr. CONNALLY of Texas. Will the gentleman state whether there has been any official notification of this action by the Government of Japan?

Mr. BUTLER. I do not know; I am not told those things. I would tell the gentleman in a minute if I knew it. I do not believe the President would proceed to scrap these vessels without having official information that the treaty had been ratified. Mr. Speaker, I move to agree to the Senate amendment.

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

The question was taken, and the Senate amendment was agreed to.

The title was amended.

On motion of Mr. BUTLER, a motion to reconsider the vote whereby the Senate amendment was agreed to was laid on the table.

BRIDGE ACROSS RED RIVER AT GRAND ECORE, LA.

Mr. ASWELL. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 12092) granting the consent of Congress to the Louisiana Development Co. to construct a bridge across the Red River at or near Grand Ecore, La.

The SPEAKER. The gentleman from Louisiana asks unanimous consent for the present consideration of the bill H. R. 12092. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That the consent of Congress is hereby granted to the Louisiana Development Co., and its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across Red River at a point suitable to the interests of navigation at or near Grand Ecore, in the parish of Natchitoches, State of Louisiana, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

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

The SPEAKER. The question is on the engrossment and third reading of the bill.

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

On motion of Mr. ASWELL, a motion to reconsider the vote whereby the bill was passed 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 the following resolution:

House Concurrent Resolution 36.

*Resolved by the House of Representatives (the Senate concurring)*, That there shall be printed as a House document 1,500 copies of the Journal of the Fifty-sixth National Encampment of the Grand Army of the Republic for the year 1922, not to exceed $1,700 in cost, with illustrations, 1,000 copies of which shall be for the use of the House and 500 copies for the use of the Senate.

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. 12090) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1922, and prior fiscal years, supplemental appropriations for the fiscal year ending June 30, 1923, and for other purposes, and had agreed to the amendments of the House of Representatives to the amendments of the Senate numbered 28 and 38 to said bill and had receded from its amendments numbered 31 and 42 to said bill.

The message also announced that the Senate had passed without amendments bills of the following titles:

H. R. 12121. An act granting the consent of Congress to the county court of Saline County, in the State of Missouri, to construct a bridge across the Missouri River;

H. R. 12092. An act granting the consent of Congress to the Louisiana Development Co. to construct a bridge across the Red River at or near Grand Ecore, La.;

H. R. 12120. An act granting the consent of Congress to the county court of Lafayette County, in the State of Missouri, to construct a bridge across the Missouri River;

H. R. 8767. An act for the relief of F. E. Taylor and B. C. Boom.

The message also announced that the Senate had passed with amendments the bill (H. R. 11298) amending existing law which authorizes the construction of a public building at Paris, Tex., so as to authorize and empower the Secretary of the Treasury to acquire a new site for same by exchanging therefor land and property now owned by the United States Government in said city, and to authorize the erection on said new site, when acquired, of a public building suitable for post-office purposes, and for other purposes, in which the concurrence of the House of Representatives was requested.

THE TARIFF.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. FORDNEY] be allowed to address the House for 20 minutes. [Applause.]

The SPEAKER. Is there objection?

Mr. GARNER. Mr. Speaker, reserving the right to object, I do not know what subject the gentleman may desire to discuss, but I desire to have 20 minutes also reserved for this side, in which we may discuss general matters, which the gentleman from Tennessee [Mr. BYRNS] may distribute as he desires.

Mr. MONDELL. That is entirely satisfactory. May I suggest that it will be some little time before we can adjourn, as we must wait until the Senate returns the deficiency appropriation bill. I therefore think there is no reason why he should not talk for 40 minutes, if the gentleman desires.

The SPEAKER. It is quite essential that a quorum should remain.

Mr. MONDELL. Certainly.

The SPEAKER. Is there objection?

There was no objection.

Mr. FORDNEY. Mr. Speaker, my object in addressing the House to-day is to present to the House several articles of importation which I have with me and to give to the House figures showing the import value set out in the invoice and all other costs of landing the goods in this country, the amount of duty added, and then to show the spread or margin between the landed cost of those goods in this country and the prices at which they are sold at retail. In addition thereto I shall give the names of the firms from which those goods have been pur-

chased. I do this because at this time this subject is most interesting not only to Members of the House but to the people of the country. Gentlemen will remember that when the tariff bill passed the House a long time ago, in July of last year, it carried a provision which is a very radical change from existing law, in that it imposed the duty to be collected by our Government on the wholesale selling value of the goods in this country instead of on the invoiced value in the country of exportation. A propaganda is now being extensively carried on—by importers chiefly—misrepresenting in the grossest manner the effect of the rates set out in the new tariff bill if enacted into law. I have here in my possession a letter just received from our very dear friend, Congressman TILSON, of Connecticut, who is now in Europe. He purchased and sent to me a number of articles, which I have here—a dozen razors, about a dozen pocketknives, and a dozen pairs of scissors.

Mr. KELLER. In what part of Europe is he?

Mr. FORDNEY. These goods were purchased by Mr. TILSON in Germany. The letter is dated Coblenz, Germany, May 22. He gives the exact price that he paid retail for the goods in Germany. His letter is as follows:

INTERALLIED RHINELAND HIGH COMMISSION,
*Coblenz, May 22, 1922.*

Hon. JOSEPH W. FORDNEY,
*Chairman Ways and Means Committee,*
*House of Representatives, Washington, D. C.*

MY DEAR MR. CHAIRMAN: I have purchased at retail prices in first-class stores an assortment of pocket knives, razors, and scissors, and am inclosing herewith a memorandum showing the price of each. You will find the articles tagged and numbered, with numbers corresponding to those on the memorandum. There are numerous cheaper articles than those I have purchased, but such stuff is well-nigh worthless and probably does not come into competition with American articles.

I visited the Pittsburgh region of Germany, which is around Dusseldorf, Essen, Solingen, etc. I made a careful inquiry as to the wages paid skilled mechanics in the metal trades. Solingen is a typical manufacturing city, devoted largely to manufactures of metal. I found that the wages paid highly skilled mechanics range from 950 to 1,000 marks per week. On the last day I was in Solingen our dollar was worth just 300 marks. I found that mechanics in the metal and other trades receive 17 or 18 marks per hour.

If Mr. Charles F. Rockwell is in Washington, please call his attention to the samples I have sent you, and when you are through with them either send the samples to my office or hold them until I return to Washington.

With best wishes, I am,
Very sincerely yours,
JOHN Q. TILSON.

I shall not attempt to open up all of them, but I show here a pair of scissors. My secretary a few days ago in this city purchased a pair of scissors that are of a size between the two pairs I have in my hand. She paid $2.50 for them. They were made in Germany, where the scissors I received from Mr. TILSON were made. Mr. TILSON paid for the smaller pair of scissors at retail in Germany 17 cents, and for the larger pair 20 cents. The scissors which my secretary purchased are not comparable to either pair, but they are in size between the two that I exhibit from Mr. TILSON, and, as before stated, last week she paid for them in this city $2.50.

Mr. RAKER. Were they made by the same firm?

Mr. FORDNEY. I think they were made by the same firm.

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

Mr. FORDNEY. Yes.

Mr. MONTAGUE. Is it the gentleman's contention, therefore, that to increase the duty on the scissors will decrease their price in the American market?

Mr. FORDNEY. I do not quite understand.

Mr. MONTAGUE. Is it the gentleman's contention or view that by increasing the duty on scissors that go into the American market you will lessen the price of scissors?

Mr. FORDNEY. My contention and my whole argument today is this: That to impose the duty upon the American instead of the foreign valuation will produce more just revenue to this Government than under the old system.

Mr. MONTAGUE. Then the gentleman's argument relates entirely to the system of valuation.

Mr. FORDNEY. Yes. I am speaking entirely in relation to the advantage of the American valuation plan as provided by the House in the new tariff bill and which the Senate has seen fit to reject for the time being. I have here a large number of razors, a dozen.

Mr. WINGO. Mr. Speaker, before the gentleman leaves the subject of scissors, will he yield to me?

Mr. FORDNEY. Yes; though I shall have to have a little more time if I am to answer all of the questions.

Mr. WINGO. It is a fact, is it not, that the American manufacturers of scissors are successfully competing in the foreign market? The American manufacturers are selling scissors in China in competition with manufacturers of other countries, are they not?

Mr. FORDNEY. No; I do not think anything of the kind has ever been done, now or at any other time. I know it is said that we are selling goods cheaper abroad than in this country, but I deny that statement. There is no principal country in the world that does not have an antidumping clause which prevents importers from selling goods cheaper in foreign countries than at home.

Mr. POU. I would like to ask the gentleman a question before he gets away from that point. Will the gentleman be kind enough to state what the duty would be on the scissors, for instance, providing American valuation was adopted as against the foreign valuation?

Mr. FORDNEY. If the duty were added, my friend, it would be exactly the amount of duty and nothing else, but in ninety-nine cases out of one hundred time has proved that is not the case.

Mr. POU. The gentleman has not answered——

Mr. FORDNEY. I will give one illustration that will answer the gentleman. In 1892, when the Dingley tariff law was passed, a high rate of duty was placed upon tin, and your party went about this country selling tin at a fabulous price, claiming the duty was the cause of it when, as a fact, that very law brought about the production of tin in this country and at a lower price than tin was ever bought by the American people under any circumstances. I decline to yield just now; I will after while.

Mr. POU. But the gentleman misconstrues my question entirely. The only thing I want to do, and I was seeking information, I was not intending to embarrass the gentleman——

Mr. FORDNEY. I thank the gentleman.

Mr. POU. I wanted to know if the gentleman can state what the duty would be under the terms of foreign valuation and what the duty would be under American valuation?

Mr. FORDNEY. No; I do not have the table here, but that cuts little or no figure, for this reason: That goods imported into this country are undervalued, and I say to you we want to stop that undervaluation by the adoption of the American valuation for the collection of the duty. [Applause.] It is not the purpose of the committee to raise the amount of duty to be collected by adopting the American valuation plan, but to prevent undervaluation. These razors sent to me by Mr. TILSON range all the way from 14 to 35 cents each. They are high-grade razors. So much for the razors.

Mr. KELLEY of Michigan. What would they be worth in the United States?

Mr. FORDNEY. From 75 cents to $4, depending upon the seller's estimate of the ability to pay. I went down town to purchase a Panama hat, an imported article. The merchant asked me $15 for it, but he finally came down to $10, and I purchased the hat. When I came up here, I found a colleague of mine had purchased one like it for $7.50 from the very same merchant.

Mr. BEGG. Who was the merchant; why does not the gentleman tell that?

Mr. FORDNEY. Now, gentlemen, here is a magnifying glass, an imported article made in Germany. The foreign cost, 76 cents; the charges for landing it in this country were 26 cents. Rate of duty, 30 per cent ad valorem, 22 cents; landed cost in the United States, $1.24. Then, here is a receipt from Shonenig & Co., New York, who sold it at retail for $12. The margin between the foreign cost and the selling price is 1,480 per cent, and the margin between the landed cost in this country, all charges added, and the selling price is 869 per cent.

Here is another article, a dental mirror. Foreign value, 4.62 cents; charges for landing, 0.46 cent. The duty, 30 per cent, or 1.38 cents. Landed cost in the United States, duty paid, and all other costs, 6.46 cents. Retailed at 35 cents. The spread between the foreign cost and the selling price is 660 per cent and as between the landed cost in this country and the selling price 442 per cent.

Here is a table clock, made in Germany. Foreign cost, 33 cents; landed charges, 1.4 cents; duty, 30 per cent, or 9.9 cents; landed cost in the United States, 44.3 cents; retail price, $1.98. The spread between the foreign cost and the selling price is 500 per cent and between the landed cost here, duty paid, and the selling price, 347 per cent, purchased at the Pennsylvania Drug Co., in New York.

Here is a padlock. If I could put one on some fellows at a certain point of their anatomy I would stop a lot of this hot air. [Laughter.] This was made in Germany. Foreign cost, 19.6 cents; charges for landing, 2.3 cents; duty rate, 20 per cent, or 3.9 cents; landed costs in the United States, 25.8 cents; and the selling value in this country, $1. The margin between the foreign cost and the selling price here, 410 per cent, and as between the landed cost and selling price, 288 per cent. Purchased of Louis Rice, hardware and cutlery, 272 Bowery, New York City.

Here is an egg cutter, made in Germany. Foreign cost, 6.4 cents. The landing charges, 0.64 cent; duty, 20 per cent, or 1.28 cents; landed cost in the United States, 8.52 cents; and the retail price, 49 cents. The margin between the foreign value and the selling price is 665 per cent and between the landed cost and selling price here 486 per cent. Purchased of the Metropolitan Hardware Co., of New York, with sales slip attached.

I have here a razor hone, made in Yugoslavia. Foreign cost, 18.7 cents; charges for landing, 2.1 cents; rate of duty, free; landed costs, 20.8 cents; and selling price, $1. The spread between the foreign cost and the selling price is 435 per cent and between the landed cost and selling price here 380 per cent. Purchased of Sperry & Alexander Co., 72 Chamber Street, New York.

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

Mr. FORDNEY. Yes, sir; briefly, if you please.

Mr. OLIVER. Once before I recall the gentleman from Michigan submitted to the House some very interesting and rather startling figures showing the wide spread between the purchase price in foreign countries and the selling price here. The figures of the gentleman were sharply challenged by the gentleman from Illinois [Mr. MANN].

Mr. FORDNEY. And later on I answered Mr. MANN's statements.

Mr. OLIVER. And the report of the challenge——

Mr. FORDNEY. Wait a minute, please. I answered the gentleman from Illinois later on and placed in the RECORD conclusive evidence of the correctness of my former statement and pointed out that my beloved friend MANN had been misled by the statement of the fellow who furnished him the information, and I furnished the proof of the correctness of my first statement, and that proof was inserted by me in the RECORD.

Mr. OLIVER. The gentleman from Illinois never accepted, so far as the RECORD shows, the correctness of the gentleman's last statement.

Mr. FORDNEY. He never denied it. Silence is consent. I take that for granted. Knowing that one is right, the gentleman from Illinois will always accept the truth when it is furnished to him in evidence.

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

Mr. FORDNEY. Certainly.

Mr. MANN. This is the first time I have heard the gentleman attempt to answer the statements which were accurate and made by me. [Laughter.]

Mr. FORDNEY. I never stated at any time that you had misstated the facts. I stated that you had been imposed upon by the men who furnished you the information. You are my friend, my beloved friend. I have had no quarrel with you at all. I quarrel only with the men who furnished you with the misinformation.

Mr. MANN. I want to state that my statement was accurate.

Mr. FORDNEY. You say your statement was correct. I say the information furnished you by John G. Shedd was not correct, and I have furnished to the House positive proof to that effect. I wish to go on, if the gentleman will permit.

I have a pair of kid gloves here, made in Germany. The foreign price was 38.9 cents; charges for landing, 2.1 cents; duty, 16.6 cents. Landed cost in the United States, 57.6 cents. Retailed at $2. The spread between the foreign cost and the selling value in this country, or the selling price, was 414 per cent, and the spread between the landed cost in the United States and the selling value here was 244 per cent. Purchased from the Reid Corset Shop, 1077 Broadway, Brooklyn, N. Y.

The SPEAKER pro tempore (Mr. DOWELL). The time of the gentleman from Michigan has expired.

Mr. COOPER of Wisconsin. Mr. Speaker, will the gentleman yield for a question?

Mr. FORDNEY. Mr. Speaker, I ask unanimous consent to proceed for 20 minutes. I do not believe that I can finish with the questions asked otherwise. I ask unanimous consent for 20 minutes additional time.

The SPEAKER pro tempore. The gentleman from Michigan asks unanimous consent to proceed for 20 minutes. Is there objection?

There was no objection.

The SPEAKER pro tempore. Does the gentleman yield to the gentleman from Wisconsin?

Mr. FORDNEY. I yield.

Mr. COOPER of Wisconsin. I understand the gentleman from Michigan was giving what is called "the landed cost" in the United States?

Mr. FORDNEY. Yes. That is the foreign cost, with packing charges, discount, allowances, and insurance, whatever the charges may be to land the goods in this country, duty paid.

Mr. COOPER of Wisconsin. That is what the importer will pay?

Mr. FORDNEY. Yes.

Mr. COOPER of Wisconsin. Then the retail cost is what it will sell for here at retail?

Mr. FORDNEY. I am giving costs in the country of origin and the landed value here, with duty added, and then the selling value, and showing the spread between the two.

Here is an article of great importance. Here is a woolen blanket, sold as an all-wool blanket, made in Czechoslovakia. The foreign or invoice value is $19.40. The landing charges were 97 cents. The duty was 25 per cent ad valorem and 45 cents per pound, or $6.65. The landed cost in the United States, duty and all other charges paid, was $27.02. It retailed—and I have the receipt for that price here—at $65. That is a spread between the foreign cost and the selling price here of 235 per cent. The spread between the landed value, duty and all other charges paid, and the selling value in this country is 140 per cent. Purchased of James McCutcheon & Co., of New York.

Here is an article that I do not know just how to describe [holding up a lady's nightgown], but I will do the best I can and leave it to you to judge what it is. It may be a gown, or it may not be. I suppose you gentlemen would like it better if there were something in it. I heard the story of one gentleman who returned to his hotel the other day and found a gown like this in a closet in his room, which had been placed there during his absence. [Laughter.] He called to the porter and said, "Porter, take this away; fill it and bring it back." [Laughter.] That article was made in Belgium, and the foreign or invoice value was $13.34; landing charges, 35 cents; duty, 60 per cent, or $8; landed cost in the United States, duty and all other charges paid, $21.69. The price at which it was sold to us—and here is the bill—is $60. It is well worth the money, boys, if filled. [Laughter.]

Mr. McLAUGHLIN of Michigan. Mr. Speaker, will the gentleman yield.

Mr. FORDNEY. Just a minute. The margin between the foreign cost, the export cost, and the retail price was 349 per cent, and the spread between the landed cost in this country and the price at which it was sold was 176 per cent.

Now I yield to the gentleman from Michigan.

Mr. McLAUGHLIN of Michigan. You speak of the selling price in Belgium. Was that the retail price?

Mr. FORDNEY. That is the invoice value—supposed to be the wholesale value. I imagine that the invoice always aims to show the wholesale selling price.

Here is a toy called the "little basket worker," a sewing set made in Germany. Foreign value, 3.3 cents; landed charges, 2.9 cents, amounting to nearly as much as the price paid for it in Germany. The duty was 35 per cent, or 1.1 cents. The landed cost in the United States was 7.3 cents, and it retailed for 50 cents. The spread between the foreign value and the selling price in this country was 1,415 per cent, and between the landed cost, all charges paid, duty included, and the selling price 585 per cent. Purchased from Gimbel Bros., of New York. They do not do business with a gimlet; they bore with a big auger.

Mr. KELLEY of Michigan. Mr. Speaker, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. KELLEY of Michigan. What would be a fair profit, considering the wholesale and retail prices of such articles as you are considering?

Mr. FORDNEY. I believe generally 10 per cent to 15 or 20 per cent is a fabulous profit on such goods. From the difference between the landed value and the price at which the goods are sold, however, must be deducted the cost of selling. I am talking about profits. That is the real question, if I understood the gentleman. In many cases the cost of selling—the overhead charge—is as much as 30 or 35 per cent of the amount received for the article. I am speaking of the profits.

Mr. KELLEY of Michigan. I judge from the gentleman's argument that he is seeking to convey the fact that these prices are exorbitant. I wondered what would be a fair margin or spread, as the gentleman speaks of it, between the wholesale price and the retail price.

Mr. FORDNEY. I am informed that 2 per cent on the goods sold in the wholesale grocery business is a fair margin of profit. Two per cent on goods turned over many times during the year of course means a good profit at the end of the year on money invested. Now, I have here a violin. This will interest the gentleman from Ohio particularly. This violin was made in Czechoslovakia, and the foreign cost or invoice value was $1.15; the charges for landing, 17 cents; the duty, 35 per cent,

or 40 cents; landed cost in the United States, $1.72. Retail selling price, $6. The margin between the foreign cost and the price at which it was sold was 421 per cent, and between the landed cost, all charges paid, and the selling value, 250 per cent. This violin was purchased from Oscar Schmidt (Inc.), musical instruments, 87 Ferry Street, Jersey City, N. J.

Mr. STEPHENS. Did the gentleman get the bow with it?

Mr. FORDNEY. No. I am informed by a gentleman to-day that in Columbus, Ohio, there was a factory which made in one year during the war 60,000 violins which were sold by them at $3 each. That is, the cost of production was $3. That factory is out of business now, so I am informed, and the music stores in Columbus, Ohio, are filled with German-made violins because of the cheaper price of the foreign-made article.

Mr. BEGG. Will the gentleman yield for one question?

Mr. FORDNEY. Yes.

Mr. BEGG. The gentleman is not stating the jobbers' handling cost on that violin and the other articles. Of course, there must be a jobbers' expense and a jobbers' profit.

Mr. FORDNEY. I am unable to give that.

Mr. BEGG. That comes out of this exorbitant profit.

Mr. FORDNEY. I am informed that most of these articles were sold at retail by the importer.

Mr. TINCHER. He is a jobber, then.

Mr. FORDNEY. Yes; here is a cotton scrub cloth made in Germany, costing 4¼ cents, landing cost seventy-two one-thousandths of a cent, duty 25 per cent, or 1.19 cents. The scrub cloth was sold for 26 cents. The spread between the foreign value and the selling price here is 447 per cent and between the landed cost, everything paid, and the selling price, 290 per cent. I have the sales slip here attached. This was purchased from R. H. Macy & Co., of New York.

Mr. CROWTHER. Will the gentleman yield for a statement there?

Mr. FORDNEY. Yes.

Mr. CROWTHER. I want to say that before the depreciation of foreign money, which in a sense accounts for some of these low prices, the Japanese sent into this country better made violins at a less price than those made in Germany and Italy, but the Japanese have been put out of business and we are getting German and Italian made violins instead of Japanese instruments.

Mr. FORDNEY. Here are some hemstitched linen towels; foreign value per dozen $3.52, charges for landing 12 cents, rate of duty 35 per cent, or $1.23, landed cost in the United States $4.87 a dozen. These towels retailed at $24 a dozen.

Mr. SEARS. Will my colleague yield?

Mr. FORDNEY. I am going to ask gentlemen to bear with me for a few minutes without interrupting me. The firm from which this towel was purchased at that price, James McCutcheon & Co., Thirty-fourth Street and Fifth Avenue, New York City, sent out a letter which they had printed as an advertisement in the newspapers, which letter I want to read to you:

NEW YORK.

*To the public:*

The Senate committee has reported to the Senate the new tariff bill. This bill would raise the duties on linens from 30 and 40 per cent to 50 and 60 per cent, or, in other words, would almost double them. This will, of course, mean that the prices of these goods will have to be advanced.

By way of illustration, a towel 18 by 32 inches, which now sells at $6 per dozen, would have to sell at $7.25 or $7.50 a dozen under the new tariff. Handkerchiefs which to-day are selling around $3.85 a dozen would have to sell for about $4.50 a dozen.

If this change was going to protect the American workingman and American manufacturer, we would have nothing to say. But it does not, for the simple reason that, except for the lower-end huck towels and crashes there is practically no linen manufactured in the United States. More than 98 per cent of the linen you use comes from abroad.

We have been making strenuous efforts in the last year and a half to reduce the prices of all of our goods, and are most distressed at the thought of having to advance them at a time like this. If you agree with us that such a change in the tariff on linens is unwise and that prices should not be forced up, won't you write to your Senators and Representatives in Congress and protest against this uncalled for advance in rates?

Yours very truly, JAMES MCCUTCHEON & CO.

Listen to this letter and think of the crocodile tears! They have a spread of about 400 per cent, and on some things much more, and yet they must raise their price under this "nefarious" tariff law! Custom officials advise me that the increase of duty, on the type of towel referred to in the advertisements, will amount to 69 cents. Whereas they say in the advertisement they will raise the retail price $1.50 or 81 cents more than the duty.

Here is a shotgun of high-grade workmanship.

Mr. TIMBERLAKE. Is it loaded?

Mr. FORDNEY. No. If it was, I would point it in the right direction. It is on the same pattern as the new rifle used by the United States Army. The foreign invoice value is 90 cents, and landed here the price is $1.80. Will a duty calculated on the foreign value protect the manufacturer in this country? Why, gentlemen, you could not get an American laboring man, skilled mechanic, to make the stock for 90 cents.

This gun sold for $15. The spread between the foreign cost and the sales price was 1,566 per cent and between the landed cost and the sales price 733 per cent.

Here is a necklace the foreign invoice value of which is $12.25. The landing cost in the United States, $18.26. Retail price, $150. The difference between the foreign price and the selling price is 1,118 per cent. No doubt this necklace was greatly undervalued. There is 755 per cent between the landing value and the selling price.

Here are some more linen goods. I am sorry that I do not have time to go through them all.

But here is a matter that interests me; here is a rule made in Saginaw, Mich., my home town. I have been through the factory. They employ in normal times 2,800 people. They are now running with 400 people. Before the war they built a factory in Germany and made the rule in Germany, but when the war came Germany took the factory away from them. The Germans are now making this rule in that American-built factory in Germany. Here is the rule made in my home town. Here is the similar rule made in Germany, which was invoiced for $1.08 per dozen. It costs $2.10 a dozen to make them at Saginaw, Mich. Do you want American labor to be turned out? If so, permit these goods to come in on the present rate of duty, or any rate of duty on the foreign value. Our factories will remain closed and our men will look somewhere else for employment.

I have about 300 of these items that I would like to exhibit. I have arranged so that any man who wishes a number of these samples to take into the campaign and show exactly what these people are doing, these people who are carrying on the propaganda against the American valuation, and by calling on Senator GOODING in the Senate he will furnish them. There is not an argument on earth that will go as far as showing the people by demonstration exactly what these things are to our working people that are imported into the country from the outside world. [Applause.]

With the advent of every tariff debate many prophets crop up and breathe forth predictions that woe and despair will come to our people as a result of a protective tariff law.

To compare the flow of oratory of to-day coming from our Democratic friends in the Senate and House with that of the past, on the Dingley and the Payne tariff bills, is most amusing.

It is a fact indisputable that this country industrially was more prosperous under the Dingley and Payne tariff laws than during the other period of equal length in our history, and these laws remained on our statute books longer than did any other tariff law in our history.

Under the two laws named, new industries were developed and old ones took on new life. Farm mortgages were reduced and paid off as never before, and the Nation reached the maximum of its prosperity.

The inflated prosperity that existed during the late war was not natural nor was it good for the country.

During the discussion of the great tariff bills referred to the Democratic prophets, then as now, prophesied dire disaster to the Republican Party. They misrepresented the merits of the bills then, as they are misrepresenting this bill, to the people.

Let me quote some of the predictions made by the Democrats during the first session of the Fifty-fifth Congress. I quote from the CONGRESSIONAL RECORD, page 1420. Senator Vest, disclaiming to be a prophet, however, made the following remarks:

I plead, of course, to deaf ears so far as this Chamber is concerned, and I have not the gift of special prophecy; but I tell my friends on the other side continue this thing and you will repeat history as it occurred after the act of 1890. There is an instinct of fair play and right in the American people which will not tolerate this sort of illogical, indefensible, and outrageous taxation. If any Senator can tell me why, with the existing conditions, this duty upon tin plate should be increased I shall be more astonished than I have ever been, even in my political career.

On page 1971 Senator Caffery, of Louisiana, also expressed his awful fears:

Sir, the Republican Party went to defeat under the high tariff of 1890. That was but a skirmish compared to the battle that is to be in 1900. Then will come the Waterloo of Republicanism. The Napoleon of the tariff can then meditate on the ingratitude of the Republic and the blindness of them who fail to see the blessings of paying somebody else a part of their money to make them rich.

Sir, the industries that have flourished in the United States are those grounded on natural advantages. Our wheat and cotton and corn never needed and can not prosper under a tariff. It is so of the leading manufacturing industries—iron, cotton, wool, and wood.

Also, Senator Allen, on page 1980:

Mr. President, I want to see the bill pass. I want to see it pass as speedily as possible. In my judgment it will be the gigantic failure of the age. It will fall short of producing revenue. Although its purpose is as I said, I want to see the great body of honest American citizens who believe there is something in the tariff issue to learn by bitter experience, if they can not learn otherwise, that the tariff is a delusion and a snare. * * *

I do not know what course I shall pursue then, but I believe, and I believe the American people are becoming daily convinced, that the bill will be a failure the moment it is adopted.

How far afield the Senator was is now known to all, for no greater prosperity ever existed than that we enjoyed under the Dingley tariff law.

On page 2376, Senator Bate, of Tennessee, foresaw the life-blood of labor being sucked out by the enactment of such a law:

It will be an indirect and constant drain upon the great body of consumers. * * * It would increase poverty where it now exists and multiply wealth where it now abounds. It will suck the life-blood of labor and make of it a pale and sickly dependent. It will encourage capital to combine and build up those modern curses, trusts and monopolies. It will multiply tramps and millionaires.

Senator Chilton, on page 2811, feared for the reaction upon the Republican Party forcing the "fraud schedule" upon the agriculturists of the country:

We now come to Schedule G, entitled "Agricultural products and provisions." This should more properly be styled the "fraud schedule," because, while designed on its face to benefit the farmer, it really does him no good whatever and in some paragraphs actually adds to his burdens.

* * * Teach the farmer the truth; teach him to bare his arm against protection at every point; teach the farmer that he can never gain a fair share in this protection robbery; teach him to fight it to-day, to-morrow, and next year; teach him to make war against the first schedule, the second schedule, the fourteenth schedule—all the schedules; teach him to muster with that party which will move manfully toward ultimate free trade in this country; and when you do that we can write another such platform as the Democratic Party wrote in 1856 and we can win another such victory as was won under Buchanan as our candidate for President. That is what we want in this country.

And, on page 2817, realized that the bill could not be what it ought to be because there had been no conference with the Democratic members of the Finance Committee, and therefore disaster would follow:

Congressman Dockery, of Missouri, on page 2734, having possibly had conference in the school of the prophets with Senator Caffery, shared with him in the sincere belief that the Republican Party was not only facing its Waterloo, but a Sedan and Pultowa:

"McKinleyism" and "Dingleyism" are both extreme illustrations of the vicious policy of paternalism. The McKinley Act in the campaigns following its enactment led the Republican Party to disaster. The Dingley Act, in the campaigns to come, will prove still more disastrous to that party.

It was Waterloo for the Republican Party in 1890 and 1892. It will be Waterloo, Sedan, and Pultowa, all in one, in 1897 and 1898.

These prophets were not only concerned and saw disaster following in the train of the passage of this nefarious bill, but some of them saw and gave voice to what they saw, namely, absolute disaster to our export trade.

On page 2015 Senator Morgan has great fear that we were making war upon the commerce of the world:

We are making war upon the commerce of the world for the purpose of dividing out amongst politicians and political retinues in the United States those benefits which come from political action in a recent presidential election. We are fastening down upon the commerce of the world burdens which it can not stand, which will necessarily cripple our commercial relations with foreign nations, and there is not a nation in the world to-day, from Mexico to Turkey, which does not understand that the tariff bill which we are now enacting is a war upon the commerce of the world.

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* * * Let it come, but when we are destroying our own people and their happiness and prosperity by the exaggeration and outrages of the tariff, do not let us aim our shafts at a country like Japan, which has done so much to try to assist in her civilization and her rise and progress amongst the nations of the earth.

On page 1601 Senator Mills, of Texas, evidently a believer in the hereafter, gave warning, as follows:

Do you think there is no hereafter, gentlemen? Wait until the swallows homeward fly. There is a tribunal whose doors are always open, and we will invite you to meet us there. If the people of the United States indorse your doctrine and the policy that you write on the statute books to-day, they are not fit for self-government. Nor will they do it, either. They will bring you to an account, and the places that know some of you to-day will know you no more hereafter forever.

Senator Jones, of Arkansas, on page 1915, had also grave fears that the party would not fulfill its promise of prosperity:

You can not make the people rich by taxing them, and you can not make them prosperous by making them pay higher prices for what they have to buy without giving them increased facilities for doing so.

Let them try this bill, if the friends of the measure of high protection are sufficiently strong in this body to put it upon the statute books, but when it has become the law of the land the promised prosperity fails to come, as I am sure it will fail to come, then the question will be asked at once of these gentlemen, "You promised us prosperity by the passage of the tariff bill, and what do you propose to do now? How do you propose to give us prosperity now?" The people will be doubtful in their belief of what is promised them because of the failure at this time.

Senator Bate, on page 2373, feared greatly that the tariff would paralyze the industries of other nations:

At the same time we are considering here in Congress the most effectual tariff system that shall paralyze the industries of other nations, deny them access to our markets, and shut off 75,000,000 of consumers from the production of other nations.

Senator Clay, on page 1529, doubting as some do at the present time that the tariff was an issue in the late campaign, said:

Pass this bill and place it upon our statute books and its advocates and those who reap its benefits will come back with renewed energy and demand more protection. This bill will not give relief to the people. I deny that it was the real issue of the last campaign.

These views of a protective tariff are the most extraordinary anti-American expressions one could invent. The real purpose of a protective tariff is to encourage production at home and to preserve our own markets for our own products.

Congressman Hunter, of Illinois, on page 93 foresaw in detail every possible ill that might be enumerated on the passage of this measure:

It lays the burdens of taxation more heavily upon the farmer and the laborer now than ever before.

It limits the exchange of the farmer's surplus product and reduces the price.

It has no reference to raising the necessary revenue to support the Government.

It enhances the value of the protected article to the home consumer and limits the field of labor.

It compels every laboring man in the country to give more of his earnings for the protected goods and leaves labor on the free list.

It violates every principle of honesty and integrity.

Its life is drawn from the polluted blood of avarice.

It is robbery under the forms of law.

It closes the doors of the factories and turns men, women, and children into the street to starve and to die in order to influence and secure legislative favors.

On the contrary, gentlemen, the farmer was benefited in two ways by the passage of the Dingley and the Payne tariff laws. These bills resulted in the lowering of the prices paid by the farmer for manufactured articles, affecting by keen competition at home, resulting in increased production and by increased employment for our own people, giving them increased purchasing power. As 92 per cent of all our agricultural and manufactured products are consumed in the United States, increased demand and increased consumption followed, and all our people were consequently benefited.

The facts are that high tariff laws came, and remained on the statute books for 16 years, during which time our people, both rich and poor, enjoyed great prosperity. These tariff laws did not, as Mr. Hunter said they would, "leave labor on the free list." The sole purpose of a protective tariff is to enable the employer to pay the American scale of wages and to compete in our own country with like products made abroad by cheap labor.

German laborers, skilled mechanics, to-day receive 45 cents per day and give 11 or 12 hours for a day's work, while the same class of work in the United States brings from $3 to $4 per day for 8 hours' work. Give the American employer of labor a wage scale of 45 cents per day and he can compete with the world and ask no protection. Who is there among us that will advocate the German wage scale for the American laboring people. Shame on the man who would even suggest it. [Applause.]

Mr. GARNER. Mr. Speaker, I ask unanimous consent to proceed for 25 minutes, and 5 minutes of that I want to yield to the gentleman from Alabama [Mr. OLIVER].

The SPEAKER. The gentleman from Tennessee has 20 minutes.

Mr. GARNER. I ask unanimous consent that the gentleman from Alabama have five minutes.

The SPEAKER. The gentleman asks unanimous consent that the gentleman from Alabama [Mr. OLIVER] have five minutes. Is there objection?

There was no objection.

Mr. BYRNS of Tennessee. I yield 20 minutes to the gentleman from Texas [Mr. GARNER].

[Mr. GARNER addressed the House. See Appendix.]

Mr. OLIVER. Mr. Speaker, the Members of the House on both sides of the aisle have a deep affection for the gentleman from Michigan, "Uncle JOE" FORDNEY. Yet we recognize that he is so obsessed with the idea of a high protective tariff that he not infrequently accepts and treats as true much inaccurate and unreliable information. As a result many of his statements and conclusions, when checked, are found to be erroneous, because they are based on wrong information. This was clearly demonstrated some months ago in a speech made by the gentleman from Illinois [Mr. MANN], who is always very careful to see that any information which he submits to the House is

accurate. It is not often that the gentleman from Illinois [Mr. MANN] makes a tariff speech, but in the speech referred to, which will be found on page 1423 of the RECORD, he submitted direct, first-hand information to show that statements previously made by the gentleman from Michigan [Mr. FORDNEY], and strange to say similar in kind to the statements which the gentleman from Michigan has to-day made, were wholly inaccurate, unreliable, and misleading. I beg to quote a few excerpts from Mr. MANN's speech, showing the inaccuracy of previous statements made by the gentleman from Michigan [Mr. FORDNEY] and which are very apropos to the statements which he makes to-day. On January 19, in discussing the inaccuracy of statements made by the gentleman from Michigan [Mr. FORDNEY], Mr. MANN said:

It was unfortunate, however, that the facts as given by the gentleman from Michigan do not comport with the actual facts.

* * * * * * * *

The only difficulty about it (referring to Mr. FORDNEY's statement) is that it has nothing to do with the facts in the case.

* * * * * * * *

I have always found, myself, that it was a very wise thing in making a statement of facts to be sure of the facts, and when I predicate an opinion upon facts I like to know the facts.

I happened to be present when the gentleman from Michigan [Mr. FORDNEY] made his first statement, and was much surprised at the character of some of the information he submitted. Later, I was present when the gentleman from Illinois [Mr. MANN], challenging the correctness of the statements by the gentleman from Michigan [Mr. FORDNEY], submitted in support of his challenge affidavits and statements from men whose veracity he vouched for and who had personal knowledge of the facts. In other words, the gentleman from Illinois [Mr. MANN], in support of his statement and conclusions, submitted direct, primary evidence, while, on the other hand, the evidence submitted by the gentleman from Michigan [Mr. FORDNEY] was in the main, if not wholly, hearsay. [Applause.]

Members of the House who heard the speech of the gentleman from Illinois [Mr. MANN] were forced to conclude that the gentleman from Michigan [Mr. FORDNEY] had, by reason of erroneous information, been honestly led into making many inaccurate statements to the House.

It is unfortunate for the gentleman from Michigan [Mr. FORDNEY] that the House now remembers how inaccurate some of his former statements were, as shown by the gentleman from Illinois [Mr. MANN], and it is but natural that to-day the House should have serious misgivings as to the correctness of the statements just made by the gentleman from Michigan [Mr. FORDNEY], especially since his statements to-day are again largely based on hearsay information.

I was greatly surprised to hear the gentleman from Michigan urge Members on the majority side of the aisle to accept as true the hearsay information which he submits, and to go to the country with it as the basis of an appeal to the people for their support of a high protective tariff.

Mr. FORDNEY. Will the gentleman yield?

Mr. OLIVER. Not just now. When the gentleman from Michigan was urging the majority Members to thus make use of the statements and conclusions which he announced, he must have forgotten that information of a like kind, submitted by him a few months ago, was challenged, and successfully so, by no less a distinguished Republican than the gentleman from Illinois [Mr. MANN].

As further proof that my friend, the gentleman from Michigan [Mr. FORDNEY], not infrequently falls into error I need only remind the Members of the House what they witnessed a few minutes ago when the attention of the gentleman from Michigan [Mr. FORDNEY] was called to the correcting facts submitted by the gentleman from Illinois [Mr. MANN]. It seemed that the gentleman from Michigan [Mr. FORDNEY] honestly thought, and so stated to the House, that the gentleman from Illinois [Mr. MANN], after making the speech to which I have referred, later admitted that the statements and facts submitted by the gentleman from Michigan [Mr. FORDNEY] were correct.

Mr. FORDNEY. Will the gentleman yield?

Mr. OLIVER. In a few moments. It so happened that when the gentleman from Michigan [Mr. FORDNEY] made this surprising announcement to the House the gentleman from Illinois [Mr. MANN] very promptly rose to his feet and informed the gentleman from Michigan [Mr. FORDNEY], in a forceful yet courteous way, that he was wrong in the assurance thus volunteered to the House, and that the figures and statements which he, Mr. MANN, submitted in his speech of January 19 last were not only accurate and correct but that no one, so far as he knew, had ever answered his speech on that subject.

In order that there can be no mistake as to what the position of the gentleman from Illinois [Mr. MANN] now is, I wish to remind the House of what occurred just a few minutes ago, as shown by the stenographer's notes:

Mr. OLIVER. Will the gentleman yield for a question?
Mr. FORDNEY. Yes, sir; briefly, if you please.
Mr. OLIVER. Once before I recall the gentleman from Michigan submitted to the House some very interesting and rather startling figures showing the wide spread between the purchase price in foreign countries and the selling price here. The figures of the gentleman were sharply challenged by the gentleman from Illinois [Mr. MANN].
Mr. FORDNEY. And later on I answered Mr. MANN's statements.
Mr. OLIVER. And the report of the challenge——
Mr. FORDNEY. Wait a minute, please. I answered the gentleman from Illinois later on and placed in the RECORD conclusive evidence of the correctness of my former statement and pointed out that my beloved friend MANN had been misled by the statement of the fellow who furnished him the information, and I furnished the proof of the correctness of my first statement, and that proof was inserted by me in the RECORD.
Mr. OLIVER. The gentleman from Illinois never accepted, so far as the RECORD shows, the correctness of the gentleman's last statement.
Mr. FORDNEY. He never denied it. Silence is consent, I take that for granted. Knowing that one is right, the gentleman from Illinois will always accept the truth when it is furnished to him in evidence.
Mr. MANN. Mr. Speaker, will the gentleman yield?
Mr. FORDNEY. Certainly.
Mr. MANN. This is the first time I have heard the gentleman attempt to answer the statements which were accurate and made by me. [Laughter.]
Mr. FORDNEY. I never stated at any time that you had misstated the facts. I stated that you had been imposed upon by the men who furnished you the information. You are my friend, my beloved friend. I have had no quarrel with you at all. I quarrel only with the men who furnished you with the misinformation.
Mr. MANN. I want to state that my statement was accurate.

Let me again repeat that the difference between the gentleman from Michigan [Mr. FORDNEY] and the gentleman from Illinois [Mr. MANN] is accounted for in a perfectly natural way, namely, the evidence submitted by the gentleman from Illinois [Mr. MANN] is legal evidence, such as courts accept, while the information submitted to the House by the gentleman from Michigan [Mr. FORDNEY], on the former occasion, as well as to-day, is hearsay and would not be accepted as evidence by any court.

The SPEAKER. The time of the gentleman has expired.

Mr. McDUFFIE. I ask unanimous consent that the gentleman from Alabama have five minutes more.

The SPEAKER. The gentleman from Alabama asks unanimous consent that his colleague [Mr. OLIVER] have five minutes more. Is there objection?

There was no objection.

Mr. FORDNEY. I do not think the gentleman wishes to misquote me. I would not misquote him.

Mr. OLIVER. No, indeed.

Mr. FORDNEY. The gentleman says the information that I have is hearsay and wholly incorrect. The evidence I furnished was copies of the invoices of the imports and the sales slips for the purchases of the articles purchased that had been imported, and the invoice was conclusive evidence. Why does the gentleman say it was hearsay?

Mr. OLIVER. Sufficient answer to say that the gentleman from Illinois [Mr. MANN] alone furnished the original, first-hand information on the subject then under discussion. One need only read the speech of the gentleman from Illinois [Mr. MANN] to be convinced.

Mr. FORDNEY. Statements, not affidavits.

Mr. OLIVER. The statements submitted by the gentleman from Illinois [Mr. MANN] to contradict the statements made by the gentleman from Michigan [Mr. FORDNEY] were by parties who had personal knowledge of the matters referred to, and the business standing and veracity of the parties making the statements was fully vouched for by Mr. MANN. Read again your speech, then read the speech of Mr. MANN, and you can but reach the conclusion that much of the information on which you base your statement was pure hearsay and clearly shown to be unreliable by Mr. MANN.

Now, you are making again to-day statements and conclusions based not on what you know but on information supplied by some one else, and doubtless the party supplying you with the information took it from some one else. Confessedly, you know nothing either of the purchase or sale prices of the articles just exhibited, but information on this subject seems to have been sent you by the gentleman from Connecticut [Mr. TILSON]. If he was here, doubtless he would say that he did not make the purchases or witness the sales. Certainly he could not ask this intelligent body of men to believe that the gun which you have just exhibited to the House cost only 90 cents in Germany. The profert of the gun furnishes ample avidence for an intelligent person to deny the correctness of the information you submit. Some one has simply again imposed on the credulity of the gentleman from Michigan [Mr. FORDNEY].

Mr. FORDNEY. Will the gentleman yield?

Mr. OLIVER. Yes.

Mr. FORDNEY. I read a letter from Mr. TILSON in which he said he purchased these articles in Germany. You discredit my statement. I would not do that to you. I am too kind, too generous, too honest to undertake to do it.

Mr. OLIVER. I am sorry that the gentleman understood that I would discredit any positive statement he might make on his own personal information.

Mr. FORDNEY. I read Mr. TILSON's letter.

Mr. OLIVER. Well, Mr. TILSON will doubtless come back before this Congress adjourns, and, mark my prediction, he will never corroborate what the gentleman from Michigan [Mr. FORDNEY] understands to be the purchase price in Germany of the gun he exhibited to the House, namely, 90 cents.

This but emphasizes what I said of the gentleman from Michigan at the outset, that he is so obsessed with the idea of writing a high protective tariff for all articles that the House must be slow to accept the correctness of his statements and conclusions when based on information supplied him by others.

The Senate has found that they can not accept the recommendations of the gentleman from Michigan, and as a result more than 2,000 amendments to the tariff bill as reported by the gentleman from Michigan [Mr. FORDNEY] will be offered by the Senate committee, a majority of whom are Republicans. The gentleman from Michigan [Mr. FORDNEY] is also reminded that the Republican press have condemned the bill that he sponsored and passed through the House under a rule forbidding amendments except when offered by the majority members of the Ways and Means Committee and providing only limited debate.

I do not charge that the gentleman from Michigan [Mr. FORDNEY] would deliberately mislead the House, but he is such an enthusiast for a high protective tariff that we find him oftentimes in error, due, I think, to his too ready acceptance, without careful investigation, of information sent to him. [Applause.]

Mr. FORDNEY. I want to say that I did not say Mr. TILSON bought this gun or had anything to do with it.

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

AMENDING PROVISO IN PARAGRAPH 10, SECTION 9, OF THE FEDERAL RESERVE ACT—CONFERENCE REPORT.

Mr. McFADDEN. Mr. Speaker, I call up the conference report on the bill (S. 831) to amend the proviso in paragraph 10 of section 9 of the Federal reserve act, amended by the act of June 21, 1917, amending the Federal reserve act.

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 House to the bill (S. 831) to amend the proviso in paragraph 10 of section 9 of the Federal reserve act, amended by the act of June 21, 1917, amending the Federal reserve act, 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 amendment numbered 4.

That the Senate recede from its disagreement to the amendments of the House numbered 1, 2, and 3, and agree to the same.

LOUIS T. McFADDEN,
PORTER H. DALE,
*Managers on the part of the House.*
GEORGE P. McLEAN,
WALTER E. EDGE,
CARTER GLASS,
*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 amendments of the House to the bill (S. 831) to amend the proviso in paragraph 10 of section 9 of the Federal reserve act amended by the act of June 21, 1917, amending the Federal reserve act, submit the following written statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate agrees to the first three amendments of the House.

The House recedes from its amendment No. 4, which added to the bill, on page 2, line 4, after "association," the words "but the discount of bills of exchange drawn against actually existing values and the discount of commercial or business paper actually owned by the person negotiating the same shall not be considered as borrowed money within the meaning of this section."

The language used in this amendment is a repetition of the existing language in the act, and if so repeated might be construed as a limitation upon rights of State banks and trust companies under this authorization, the purpose of this amendment being to place State banks and trust companies who become members of the Federal reserve system in the same position as are the national banks as regards the rediscounting provisions of the Federal reserve act.

LOUIS T. McFADDEN,
PORTER H. DALE,
*Managers on the part of the House.*

Mr. McFADDEN. Mr. Speaker, the language which the conferees permitted to be stricken out is a part of the existing law, and we were convinced that it was unnecessary, and if it remained in it might prove a limitation rather than give it the necessary relief that we were trying to give. The purpose of the bill is to place the State banks and trust companies, members of the Federal reserve system, in the same position that the Federal banks are in in the matter of rediscount.

Mr. WINGO. Will the gentleman yield?

Mr. McFADDEN. Yes.

Mr. WINGO. I understand section 4 is the one, and it is the view of the House conferees and the attorney for the Federal Reserve Board that the language which constitutes the last line of the Senate bill is sufficient, and the attorney for the Federal Reserve Board is fearful that if we adopt the language of the House, bills of exchange drawn in good faith against the actual existing value and discounted paper actually owned by the person negotiating the same would by the rule of construction exclude the third provision now in the law in reference to national member banks.

That is the provision which would take out of the category of borrowed money paper which is made up of notes secured by shipping documents and warehouse receipts, and so forth.

Mr. McFADDEN. The gentleman is correct.

Mr. WINGO. In other words, it is the contention of the House conferees that it is better to take the language saying they would be on the same footing, and that they would be as if they were national banks, than to undertake to set up the first, second, and third exceptions now in the 10 per cent limitation statute.

Mr. McFADDEN. Yes; because it might prove a limitation. There are several amendments to the act that cover that situation. We want to give a blanket authority which places beyond all question these banks and trust companies that are members of the system in exactly the same position that member national banks are.

Mr. WINGO. So that the record may be clear upon the matter, the House conferees intend, and it is the intention of the Congress and the Federal Reserve Board holds that if this conference report is adopted State bank members will have the same privilege with reference to the discount of notes secured by shipping documents, warehouse receipts, and such other documents that member national banks now have.

Mr. McFADDEN. Yes. The same position as national banks are in.

Mr. Speaker, I move the adoption of the conference report.

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

The conference report was agreed to.

On motion of Mr. McFADDEN, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

ACHIEVEMENTS OF THE CONGRESS.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. MONDELL. Mr. Speaker, I have been greatly interested in the tariff discussion that has been going on, and am inclined to make a few observations on the subject. There may be some difference of opinion as to what goods manufactured in Germany or elsewhere in Europe are costing at this time, but there can be no difference of opinion as to the fact that Germany is sending us a vast quantity and an infinitely varied line of manufactured materials and articles at prices far, far below what they can be made for in America, paying prevailing American wages. All there is to the question is simply whether or no we propose to close the mills and factories of America and supply the American market with German goods. I do not think we do. The gentleman from Texas says that we should not pass a tariff bill at this time because it is difficult to deter-

mine with exactness the difference in cost of production at home and abroad. It is difficult at any time to determine with exactness the difference in production costs. It is particularly difficult to do it at this time, but in view of the admitted wide difference in cost, it is more important now than ever before in American history that we draft a tariff bill meeting those costs so nearly as we may be able to determine them at this time. That is what we propose to do. The gentleman from Texas thinks he sees in the offing a movement for free trade in America. This very day Democratic candidates, men standing approved in the party, are voting for every schedule and every amendment of schedule offered on the Republican side. This very day there is greater support of the protective principle among men calling themselves Democrats than at any time in the history of the Republic.

The gentleman from Texas is sadly out of tune with the times and sadly mistaken as to the drift and trend of sentiment at the present time. [Applause on the Republican side.]

The great majority of the American people, including many of those who call themselves Democrats, have reached the conclusion that there must be substantial protective tariff schedules in the country or American wages must be reduced and American living standards lowered. Let me say to my Texas friend that the trend is not toward free trade. It is stronger than ever in American history in favor of saving the American market for the American worker. [Applause on the Republican side.]

What I really rose to say, Mr. Speaker, was that no Congress ever sat under this Dome that was more faithful, diligent, painstaking, earnest, more intelligent or sounder in its judgments and decisions than the present Congress. Never in the same length of time has so much important legislation been considered in committee and in the halls of the two branches of the National Legislature. Never in the history of this House has there been so close a study and painstaking an application to the work of the people in the matter of legislation and appropriations. Never has a Congress maintained a finer record for economy for expenditures than has this Congress, and gentlemen may go home to their constituents assured that their record and the record of the Congress of which they are Members will be approved by the overwhelming majority of the American people. [Applause on the Republican side.]

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

Mr. MONDELL. Yes.

Mr. GARNER. Would the gentleman mind putting in his statement the number of roll calls we have had on account of no quorum, although the Republicans are in a very great majority? If the gentleman has not the figures, I can give them to him.

Mr. MONDELL. I am perfectly willing to do that, and along with that I should like to include a statement of what occurred at the time when an honored leader on the Democratic side found himself compelled to amend the rules so that the Members of Congress should not be paid except when they were in attendance on the House.

Mr. GARNER. That might be necessary.

Mr. MONDELL. It was with an overwhelming Democratic majority it became necessary at a time when there were great problems before the country needing solution, so the gentleman told us, for the Democratic side to fine their Members for nonattendance, to dock their pay to keep them here. We have never thought of doing that, or found it necessary. On this side we have gentlemen of independent thought, and sometimes not entirely pleased with the way things go, they temporarily insist upon exercising their right to demand the presence of a quorum.

It interferes with and delays business a little, but after all we move along, and as the condition of affairs at this hour evidences eventually all that ought to be done, and all we have hoped to accomplish is accomplished. We have been delayed a bit at times, but we have completed our work. [Applause.]

Mr. Speaker, the House of Representatives, after having been in practically continuous session for seven months, is about to take a short recess while the Senate further debates the tariff bill. As a matter of fact, except for a recess of the House of a little more than a month last August and September and an interval of a week between the special and regular sessions in November, the Congress has been in session continuously since the 11th of April, 1921, a period of approximately 15 months.

This, as a record of continuous session, has few parallels in American legislative history. It is true that there is no especial virtue in long and continual sessions, except as they are productive of beneficial results. These sessions have met the test of beneficial service and afford a striking illustration of the multiplicity and the difficulty of the problems with which Congress has had to deal and of the determination of the Congress to spare neither time nor effort in the solution of these problems.

At a time like this it is proper and seemly that we shall review the work of the Congress and call attention to the problems that have been met and solved, to those that are on the way to solution, and to the volume and character of the work that has been performed. Before I proceed, however, to the commendatory review I propose to make of the work of the Congress I am constrained to refer to the fact that, as usual, the Congress has been criticized and assailed by a considerable number of people and from wide and curiously diversified standpoints of view and opinion.

### CRITICISM OF THE CONGRESS.

This is, of course, not unusual or, in fact, to be wondered at. Congress lays the taxes; Congress enacts the laws; and as no one enjoys paying taxes, and as there always is a minority hostile to, or critical of, practically every law that is enacted, the combined complaints and criticisms, notwithstanding the fact that they represent infinitely diverse and conflicting viewpoints, taken together form so considerable a chorus that, judged by its volume, no Congress ever has been popular and in all probability none ever will be.

If there were an exception, it would be likely to be found in the case of a war Congress responding to the national patriotic impulse favorable to the marshaling of the Nation and its resources in the national defense; but recent history reminds us that even such a Congress has no assurance of popularity.

Criticism and the badgering of the Congress is and has long been a popular pastime. Those who have a grouch and for one reason or another are not disposed to take it out on individuals, turn with relief and satisfaction to the opportunity afforded of slamming the Congress by and large and as a whole. This does not preclude those indulging in such pastime from apologizing, if the occasion requires, to one or the other of the two bodies of Congress, or to any individual Member of either who may take exceptions to the criticism.

### CONGRESS AN ALLURING FIELD FOR THE CRITICS.

The Congress collectively affords the most alluring of all fields for criticism to those who may have been denied by the popular will a place within one of the other of its two Houses; to those who, disappointed because the Congress has declined to accept their views or accede to their demands, find it much easier to damn the Congress than to defend their own position; to those who, quite regardless of the facts, criticize the Congress for purely partisan reasons; to those who, immured in editorial sanctums, out of an entire lack of national viewpoint and complete isolation from the pulse of national sentiment, consciously or unconsciously reflect the selfish and provincial sentiment which filters through the editorial keyhole.

Fortunately, after all, the country will judge the Congress by what it does rather than by what is said about it, and in that reflection the Members of this House can return to their constituencies with a record of wise and helpful legislation which should and will win their approval.

The Congress that most fearlessly performs its duty is most likely to arouse selfish criticism. It is a regrettable fact in human affairs that the best legislation frequently arouses the most selfish and partisan opposition; every curtailment of appropriations creates dissatisfaction; every refusal to be swayed by selfish pressure increases the number of those who criticize. A legislative body that proceeds in the even tenor of its way, carrying out what its majority believes to be a wise and useful program of legislation, endeavoring to hold the public expenditures within the public income, declining to be led into nonessential expenditure when the condition of the Public Treasury does not warrant, and at the same time meeting courageously every real and essential obligation, is certain to incite criticism in divers and sundry interested quarters. Such a legislative body will, however, receive the support of that great body of the people who have no selfish interests to serve.

### TO STAND ON THE RECORD.

I realize that our mere assertion of merit would have little more weight and influence with the American people than has much of the criticism to which I have referred. But we shall not depend upon assertions; we shall be glad to stand on the record, which proves conclusively that the Congress has been diligent, that it has to its credit much wise and constructive legislation, a remarkable history of economy and, in the case of the House of Representatives, a record of careful, painstaking consideration of the greatest volume of legislative proposals ever passed upon by an American legislative body in the same period of time.

It goes without saying that this volume of important business, this fine record of economy, could not have been the result

of any mere haphazard, undirected effort, no matter how earnest or unselfish. The work of this House has been carried on in cooperation with President Harding, along the lines of a program based upon the pledges and promises of our party in national platform; in pursuance of an unalterable determination to promote economy and reduce expenditure; with a view of curing the unfortunate conditions which developed in the aftermath of war and of solving the problems and meeting the obligations the war placed upon us; of seeing to it that they who were injured in the national service should receive the most liberal support the Nation was capable of rendering; that those who returned sound and well should secure the preferences and the aid to which their services and sacrifices entitled them; that in legislation and appropriations we should move steadily toward a return to the normal conditions of peace, progress, and prosperity.

Before I go to the detail of the work of the Congress, may I read a paragraph of a speech which I delivered in the House on November 23 last, at the close of the special session of the Congress? It is as follows:

Judged either by the volume of the business transacted or the highly important character of the questions and problems considered and passed upon, this six months' session, so far at least as the House of Representatives is concerned, may be properly classed as one of the most diligent and important sessions in the history of the American Congress. [Applause.] In no Congress in our history has better progress been made in the consideration of the important questions of taxation and revenue. In no Congress has the House of Representatives in the same period of time considered and passed so much legislation of commanding importance. [Applause.]

What I then said with regard to the work of the first session can be truthfully said of the entire work of the Congress, particularly of the House of Representatives, up to this time.

To the record then made has been added the splendid record of economy in appropriations under the first estimates under the Budget, and the additional helpful legislation which has been enacted into law, or which has been considered by the House during the period in which the Senate was ratifying the treaties negotiated at the Conference on Limitation of Armament, and has been considering the tariff bill.

VOLUME OF BUSINESS.

This Congress has, up to this time, placed upon the statute books 398 separate laws, of which 311 are public and 87 are private, including claims. This is at the rate of 1¼ laws per legislative day for the entire session. In addition, the House of Representatives has considered and passed 276 bills, of which 128 are public bills and 148 are private, including claims. In addition to these, 17 Senate bills have passed the House but have not reached the state of final agreement between the two Houses. This makes an average of 2¼ bills considered by the House of Representatives each legislative day of the Congress.

As I have frequently remarked in discussing the work of the House, the worthiness or capacity of a legislative body can by no means be wholly judged from the volume of its labors, but when conditions are such as to necessitate legislation along many lines to cure existing conditions, the volume of a legislative body's enactments, considered in connection with the quality of its work, forms the basis on which intelligent judgments may be formed, and a most superficial examination of the character of the legislation which the House has considered and enacted affords convincing proof of the fact that this Congress, and this House particularly, has not only been extraordinarily diligent but it has been sound, intelligent, and enlightened in its judgment.

WORK OF THE SPECIAL SESSION.

The President convened the Congress in extraordinary session primarily for the purpose of revising the tariff and tax laws and inaugurating a budget system. This work was undertaken promptly and vigorously.

THE TAX REVISION—LIFTING THE BURDENS.

The tax revision could not, in the nature of things, have satisfied everybody, nor was it possible, under the conditions of the Public Treasury, and in view of the obligations and increased demands growing out of or resulting from the war, to reduce the tax burden to the extent that the Congress would have been glad to have reduced it. It must, however, be admitted by all that so far as the revision went it proceeded along sound and sane lines. There was an actual lifting rather than a shifting of the tax burden. There was not only an honest but a successful attempt to relieve fairly and equitably, so far as was possible under the circumstances, the tax burdens of all classes of the people. It reduced the burden for the calendar year 1921 in the sum of approximately $80,000,000 and, according to the latest estimates of the Treasury, relieves the tax burden for the present calendar year not less than $850,000,000.

BURDEN LIFTED EQUITABLY.

The Federal taxgatherer no longer collects taxes on ice-cream cones, soda water, pills and lotions, or parcel post, nor exacts tribute on transportation or on the purchase of wearing apparel. The man of moderate means, and particularly such a man with a family, has had his income-tax burdens appreciably lightened. Those classes of taxation which were most successfully passed on to the consuming public, or which most hampered and retarded business transactions and discouraged or prevented the growth and development of productive enterprise, like the excess-profits tax and the higher brackets of the surtax, no longer exercise their deterrent effects upon business and development. In the nature of things this was not a finality in tax revision, for, as we get away from the war burdens and escape the inevitable expenditures of the war's aftermath, we shall be able to still further lighten the burden of direct Federal levies and relieve the people and the industry of the country from the handicap that heavy taxation inevitably entails.

THE FORDNEY TARIFF.

The House passed the Fordney tariff bill, providing a general revision of tariff schedules, on July 21, 1921, more than 11 months ago. We entertain the hope that this measure, now before the Senate, will have been finally passed upon by that body and ready for consideration by a committee of conference by the close of the period of our recess. The progress of the tariff bill thus far serves to strengthen the opinion we formed at the time of the wise and beneficial character of this legislation as it passed the House. In view of the tremendous importance to the American people of the settlement of the question of tariff duties, we have every confidence of a speedy adjustment of the differences between the two Houses when the measure shall come to be considered in conference.

THE BUDGET.

The hopes entertained by those who for many years labored for a budget system, of those on both sides of this Chamber who efficiently served in the enactment of budget legislation, has been abundantly justified by our experience under the Budget thus far. Not only has the Budget Bureau, under the efficient management of its first director, in harmony with the views of the Chief Executive, asserted a most helpful and beneficial influence over the estimates presented to the Congress, but the director, with the constant and unfailing support of the President, has exerted a mighty influence for economy over the departments and bureaus and independent establisnments of the Government, resulting in the saving of many millions of dollars out of appropriations made before the Budget was established. The Congress, and particularly the House of Representatives, which, after all, is the final arbiter, trimmed the appropriations below even the reduced estimates of the Budget. To a considerable extent this was made possible by the cooperation of the executive departments and by reason of the reductions in the Naval Establishment made possible by the Conference on the Limitation of Armament.

APPROPRIATIONS FOR THE FISCAL YEAR 1923.

The most important work of the present session has been that of making up, considering, and passing the annual appropriation bills for the fiscal year beginning July 1 next. This work was undertaken and carried on for the first time under the Budget system and in connection with the consideration of estimates presented by the Director of the Budget. The annual appropriation bills were also for the first time considered and passed under a new arrangement of the supply bills in harmony with the Budget and the perfected organization of the enlarged Committee on Appropriations. The chairman of the Committee on Appropriations, the gentleman from Illinois [Mr. MADDEN], will, as soon as the checking up of the business of the fiscal year will permit, place in the RECORD a detailed statement of estimates and appropriations, of income and expenditures, and in view of that complete and accurate statement so soon to be made I shall content myself with a few figures illustrating the splendid work that has been accomplished, the remarkable progress that has been made in bringing the affairs of the country to a business basis, in improving the conditions of the National Treasury, and in scaling down public expenditures.

REDUCTION IN GOVERNMENT EXPENDITURES.

Owing to the fact that the last session of the Democratic Sixty-fifth Congress failed in the passage of eight of the great appropriation bills, it became necessary for President Wilson to call the Republican Sixty-sixth Congress in extraordinary session on May 19, 1919. That Congress effected a saving to the American people in the sum of $940,000,000 by reducing the appropriation bills which had been left over from the former

Congress by that amount below the sum they carried when last considered by the former Congress. The good work of economy then taken up has been continued steadily ever since.

The last fiscal year for which the regular annual appropriations were all made by a Democratic Congress and spent by a Democratic administration was the fiscal year ending June 30, 1919. The total expenditures of the Government for that year were $18,514,879,955.

The first fiscal year in which the Republican Congress had control of the appropriations—though not of the expenditures—the fiscal year ending June 30, 1920, the Federal expenditures were $6,403,343,841. For the fiscal year ending June 30, 1921, the Republican Congress made the appropriations, but for eight months of the year the Democratic administration controlled the outlay, and the total expenditures for that year were $5,115,927,689.

The first fiscal year in which the Republican Congress and a Republican administration has had charge of both appropriations and expenditures is the fiscal year just closing, and the Treasury officials estimate the expenditures of the year, chargeable against ordinary receipts, at $3,800,000,000. The estimated receipts for the fiscal year are $4,100,000,000, leaving a surplus of approximately $300,000,000 of ordinary receipts over ordinary expenditures. We have, therefore, in the first year of the Republican administration balanced the Budget with a surplus of $300,000,000.

DEBT REDUCTION.

Not only have we brought about these steady reductions of expenditure and in this first year of President Harding's administration created a surplus of $300,000,000, but we have also reduced the public debt by approximately a billion dollars; $425,000,000 of this reduction has been accomplished by the retirement of obligations through the sinking fund and other debt expenditures chargeable to ordinary receipts. Approximately $300,000,000 of surplus current funds have been used in debt retirement.

It is true that a part of the reduction of the national debt has been accomplished through a reduction in the balance of the general fund, but, on the other hand, a very considerable portion of current funds have been used in loans by the War Finance Corporation, and advances to meet war obligations such as those of the Shipping Board, the Railroad Administration, and other Government agencies.

Critics of the good work of the Congress and of the administration will endeavor to minimize the extent of the reductions and economies that have been accomplished, but the fact remains that at the end of the first year of the Harding administration the interest-bearing public debt will be approximately a billion dollars less than at the beginning, and notwithstanding this great reduction the Treasury will show a balance of approximately $300,000,000 of receipts above expenditures.

APPROPRIATIONS.

As I have heretofore stated, the chairman of the Committee on Appropriations will, as soon as it is possible to do so after the close of the fiscal year, present a detailed statement of appropriations for the coming fiscal year together with a comparison of appropriations for the prior years. The statement that will thus be presented will show that the appropriations for the coming fiscal year have been very substantially reduced below the appropriations for the present fiscal year, including the deficiencies made necessary to take care of certain war-inherited burdens, such as those of the Shipping Board, and the increased expenditure of the Veterans' Bureau. In the matter of appropriations for the public defense a most gratifying reduction has been made in a sum of approximately $215,000,000; a reduction of $125,000,000 for the Navy and a reduction of $90,000,000 for the Army. These gratifying savings are made possible by the economies practiced by the administration and by the splendid work performed by the President's Conference on the Limitation of Armament.

LEGISLATION OF THE CONGRESS.

I have referred to the tax revision, the general tariff bill, and the act for the establishment of the Budget, and I shall only take the time of the House further to refer briefly to a few of the more important measures considered by the House which have been enacted into law. They are as follows:

THE PEACE RESOLUTION.

The peace resolution declared the end of a state of war, the existence of which was proclaimed by the war declaration. It placed us in a position of official peace with Germany and Austria, and paved the way for the negotiations since entered into for the reestablishment of normal peace relations with our late enemies.

EMERGENCY TARIFF.

The act for an emergency tariff on agricultural products, which was promptly passed and has been extended until such time as the permanent tariff shall take effect, checked the threatened flooding of our markets at a time when the reaction from war prices had brought many of the agricultural products of the country to a price far below the cost of production.

The legislation has had a continuous steadying effect, helpful to the producer and beneficial in its effect upon the general business of the country. Since the enactment of this legislation there has been a widely helpful upward trend in the prices, not only of the agricultural products directly affected by the legislation but of a variety of other farm products as well, affording the producer a fair return for his effort and outlay without appreciably affecting the prices paid by the consumer.

It may be truthfully said that this act, together with the loans made to agriculturists and stock raisers under the amended War Finance Corporation act, have been the salvation of the great basic industries of agriculture and the benefits rendered them have been reflected in improved business conditions generally.

VETERANS' BUREAU ACT.

The act establishing a Veterans' Bureau and consolidating all of the agencies charged with care and responsibility on behalf of the ex-service men, was the fulfillment of a national obligation to provide an organization which, so far as it was possible to do so, should cure the delays which had been complained of in meeting our obligations to our national defenders. The bureau is now functioning with increasing efficiency and notwithstanding the enormous burden placed upon it, looking after the welfare of the more than 300,000 men who are under its care or have applied for its benefits, is continually reducing the cases and the causes of complaint among those whom it serves. The bureau will this calendar year pay to the veterans of the World War and expend for their benefit the stupendous sum of approximately $425,000,000.

HOSPITALS, VETERANS' BUREAU.

Continuing its policy of making every needed provision for the care and comfort of the sick and disabled veterans of the World War, Congress passed the act of April 20, 1922, which authorized appropriations in the sum of $17,000,000 in aiding the Director of the Veterans' Bureau to provide for the construction of additional facilities and to furnish medical, surgical, and hospital services and supplies for persons who served in the World War, Spanish-American War, the Philippine insurrection, and the Boxer rebellion. These funds are in addition to the $18,000,000 provided for similar purposes near the close of the Sixty-sixth Congress, and it is believed that with the sums now made available abundant hospital facilities will be provided for all of the veterans who may seek them.

THE FOREIGN DEBT REFUNDING ACT.

This Congress has had no more important question before it than that of providing for a commission to treat with our foreign debtors and to arrange with them as to the terms of payment of the principal and interest of the foreign debt, amounting to more than $11,000,000,000, which they owe us. Had the former administration proceeded in full conformity with the law, these obligations would have all been funded and time and terms of payment agreed upon, and nothing further would have been necessary. While the Secretaries of the Treasury of the Wilson administration may not have acted contrary to law, they certainly did not carry out the directions and provisions of the law in full, and, on the contrary, did enter into an agreement with our foreign debtors whereby all interest payments were delayed for a period of three years, and the only obligations taken were mere I O U's, with no definite stipulation as to conditions of payment.

In this state of affairs it became necessary to legislate a grant of authority for the handling of this tremendously important matter, involving not only the vast sum of more than $11,000,000,000 but affecting our relations with Armenia, Austria, Belgium, Cuba, Czechoslovakia, Esthonia, Finland, France, Great Britain, Greece, Hungary, Italy, Latvia, Liberia, Lithuania, Poland, Rumania, Russia, and Serbia, all of whom owe us sums ranging from a few thousand dollars to hundreds of millions of dollars.

The legislation creates a commission of five members, with the Secretary of the Treasury as chairman, the others to be appointed by the President, who, subject to the approval of the President, are authorized to refund or convert and extend the time of payment of the principal or interest, or both, of the obligations of foreign Governments owing to the United States.

This is one of the most important pieces of legislation which has been passed by the House.

APPROPRIATION FOR THE INVESTIGATION AND PROSECUTION OF WAR FRAUDS.

The enormous operations of the Government during the war afforded abundant opportunity for fraud, and investigations made by the War Investigating Committees of the Sixty-sixth Congress made it very evident that many had taken advantage of the opportunities to defraud the Government, and that there had been much carelessness in the settlement of war claims. The investigation of these matters by the War Department and the Department of Justice, the auditing of accounts, and the examination of records has proven a slow and tedious proceeding, particularly in view of the fact that records were in many cases poorly kept and in some cases had been removed. While very excellent progress has been made it became evident that increased appropriations were necessary if this work were to be carried on thoroughly and with promptness and dispatch. The Congress therefore provided an additional appropriation of $500,000 to be expended in the discretion of the Attorney General for the investigation and prosecution of war frauds.

FEDERAL HIGHWAY ACTS.

The Federal highway act, which became a law November 9 as an amendment to the Federal aid act, carried out the President's recommendations with regard to needed and essential changes in the Federal road aid act, particularly with a view to centralizing authority in the States and insuring the upkeep of Federal aid roads. The act made an appropriation of $75.000,000 for Federal aid in road building for the fiscal year ending June 30, 1922, and of $5,000,000 for forest roads and trails for the same fiscal year, and $10,000,000 for the same purposes for the fiscal year ending June 30, 1923. This was a measure of the highest importance. It provided much needed amendments to the Federal road aid act, insured the continuance of Federal aid and participation in road building throughout the country.

On the 1st of May, 1922, the House passed a bill further amending the Federal highway act and authorizing highway appropriations in the sum of $65,000,000 for the fiscal year ending June 30, 1923; $75,000.000 for the fiscal year ending June 30, 1924; also authorizing appropriations for forest roads and trails in the sum of $6,500.000 for the fiscal year 1924. The Senate did not, however, consider this bill, but placed provisions for highway appropriations on the Post Office appropriation bill. For these provisions the House substituted its bill of May 1, and in conference appropriations for highways were authorized in the sum of $50,000,000 for the fiscal year ending June 30, 1923; $65,000,000 for 1924; and $75,000,000 for 1925; $6,500,000 was also authorized for forest roads and trails for each of the fiscal years 1924 and 1925. The Federal highway act was amended in several important particulars in the interest of economy and proper maintenance, and cooperation by the Federal Government was limited to $16,250 per mile, exclusive of bridges, for the year 1923 and $15,000 per mile thereafter.

THE STOCKMEN AND FARMERS WAR FINANCE ACT.

The act amending the legislation creating the War Finance Corporation to provide relief for producers of and dealers in agricultural products has had a highly beneficial effect upon the industries which it directly aids and upon the entire country. It may be said without exaggeration that this legislation has been the salvation of the live-stock industry of the West. It has preserved from bankruptcy industries essential to the prosperity of the entire Nation. Under this act more than $309,000,000 has been loaned to the farmers, the stock growers, and the agricultural producers of the Nation on a sound business basis, as evidenced by the fact that more than $45,000,000 of the original loans have been repaid and that the corporation presents every evidence of soundness in its operation. The recent extension of this act for one year assures the country of its benefits until permanent provision can be made for farm and live-stock credits.

MATERNITY AND INFANCY ACT.

The Republican platform declared "the supreme duty of the Nation is the conservation of human resources through an enlightened measure of social and industrial justice." The President, having in mind this party declaration of national duty, in his message to Congress at the beginning of the session, said:

I assume that the maternity bill, already strongly approved, will be enacted promptly, thus adding to our manifestation of human interest.

There was considerable difference of opinion with regard to this measure in the Congress and in the country, both as to the policy it invoked and with regard to its provisions. The newly enfranchised women voters, so far as their views were expressed, were almost unanimously favorable to the measure. It appealed to the conscience and sympathy of all as a measure asserting national leadership for the purpose of stimulating the States and communities in the tremendously important work of the protection of maternity and infancy. The act provides for cooperation between the National Government and the several States and authorizes an appropriation of approximately $1,500,000 for the current fiscal year, which may be increased in the sum of $1,000,000 a year for five years.

The measure as reported by the committee and passed by the House differed quite materially from the bill as it passed the Senate, and the bill as thus amended was promptly adopted by the Senate. The enactment of this measure is not only creditable to the Congress as "adding to our manifestation of human interest," as stated by the President in his message, but as a prompt fulfillment of our platform pledges. Both parties in the last campaign made promises to the new voters, the better half of mankind newly invited into participation in government. Those promises have been kept, at least partially, and so far as they were definitely made in platforms and in presidential statements by the passage of this act under which we encourage the States and cooperate with them in the highly important, splendid, and humanitarian work of the protection of maternity and infancy.

IMMIGRATION RESTRICTION ACT.

The immigration restriction act provides in a practical and workable way for the staying of the great volume of the tide of immigration threatened as an aftereffect of the war. While America regrets even partially to close her gates against those who in good faith and with good intentions seek our shores, this measure was necessary as a means of preventing a flood tide of immigration, not all of a desirable character, and beyond our capacity to speedily assimilate.

The gates of free America have always swung open for the oppressed of all lands, for those seeking to better their conditions, and we desire to keep them open, provided, however, that we shall not allow this flood to come more rapidly than we can assimilate the newcomers to the ideas and ideals of true Americanism, the principles of liberty under laws. For the time being we have restricted the coming immigrants, welcoming as many as we believe to be safe for America, and we stand ready again to widen the door of opportunity when we may be able thoroughly to Americanize a larger number of well-intentioned people who may seek a home among us.

RECOGNITION OF AGRICULTURE IN FEDERAL RESERVE ACT.

The Federal reserve act provides that the President, in making appointment of members of the Federal Reserve Board, shall have due regard to a fair representation of the financial, industrial, and commercial interests of the country. Inasmuch as agriculture is the basic industry of the country, failure to recognize this as one of the industries entitled to representation on the board seemed an extraordinary oversight. The act approved June 3, 1922, remedies this situation by providing that in the appointment of members of the Federal Reserve Board the "President shall have due regard to a fair representation of the financial, agricultural, industrial, and commercial" interests of the country. The act also increases the appointive membership of the board to six, and otherwise amends the Federal reserve act.

THE PACKERS ACT.

The so-called packers act, to regulate interstate and foreign commerce in live stock and dairy products, poultry, and eggs, is a wise, sound, and sensible measure. The enactment of this legislation was a distinct triumph, one of the most notable achievements of the Congress, for it gave the country the benefit of sound legislation affecting the meat-packing and allied and associated industries and activities after previous Congresses had struggled in vain with these questions, largely because of the radical, experimental character of the legislation that had been urged. Nothwithstanding the fact that the legislation as enacted was severely criticized by those who had been vainly seeking radical legislation, it has worked so well and been so highly beneficial that it has compelled the indorsement of those who were at one time its severest critics.

ANTIGAMBLING IN GRAIN FUTURES ACT.

The bill for regulating transactions in grain for future delivery, which became a law August 21, 1921, was held unconstitutional by the Supreme Court of the United States on the 15th of May, 1922, as to section 4, the court holding against the provision for the regulation of exchanges by taxation. On June 1 of this year a bill was introduced with a view of meeting the objections of the Supreme Court and yet so regulating the transactions of grain exchanges as to eliminate purely speculative and gambling operations. This bill was taken up by the House and passed on June 26. The legislation as to

some of its features, at least, has been vigorously opposed, but it is believed that its enactment, while making possible all legitimate transactions, will prevent those gambling operations which frequently disastrously affect the prices of grain and foodstuffs.

ASSOCIATION OF PRODUCERS OF AGRICULTURAL PRODUCTS.

This measure is intended to authorize producers of agricultural products to form associations for the purpose of collectively preparing and marketing their products. Associations for this purpose have become very common in many of the States, but the States can not confer any right upon their organizations to engage in interstate or foreign commerce. While this measure confers on farmers certain privileges it can not properly be said to be class legislation. Business corporations have under existing legislation all the powers and privileges conferred on farm organizations by this legislation. The organizations authorized are under the supervision of the Secretary of Agriculture, and it is believed that through the operations of organizations of this kind it may be possible to eliminate unnecessary middlemen, to improve conditions of marketing, and, while assuring the producer a reasonable price, protect the consumer against the high prices which he has frequently paid for products for which the producer received little.

IRRIGATION DISTRICTS; FARM LOANS ON RECLAMATION PROJECTS.

We have long needed a Federal law providing for the organization of irrigation districts on projects under the national reclamation law in order to make it possible for the Federal authorities to deal with the settlers and water users collectively instead of individually. This is now made possible by the act of May 15, 1922. This act also provides for the conditions under which farm loans can be made on lands on reclamation projects, thus meeting a long-felt want on the part of settlers on such projects.

THE ANTINARCOTICS ACT.

It has become increasingly evident that drastic legislation is essential to the control of the growing evil of the use of narcotics. The act providing for a Federal Narcotic Control Board, making it unlawful to import narcotics, except such as are necessary for medicinal and other legitimate purposes, fixing heavy penalties for violation of the provisions of the act, will, it is believed, have a helpful and beneficial effect in reducing the importation and use of narcotics.

THE NAVAL SCRAPPING ACT.

The entire world has sung the praises of the great accomplishment of the Conference on the Limitation of Armaments in putting an end to the mad rush of competitive naval expansion and construction. Its effect is reflected in the reduction of the personnel of our Navy and a decrease of one hundred and twenty-five millions in naval appropriations. The so-called naval scrapping bill gave legislative effect to the provisions of the treaty on the limitation of naval armament. It authorized the President to take the steps necessary to make the terms of the treaty effective by scrapping a portion of the ships now under construction, which are not to be completed, and authorized the conversion of two of them into great airplane carriers.

READJUSTMENT OF PAY; ARMY, NAVY, ETC.

Temporary increases in pay which had been granted to certain men of the Army, Navy, and Marine Corps expired July 1, 1922. It therefore became necessary to make some provision to meet this situation, and the act of June 10, 1922, readjusted the pay and allowances of the commissioned and enlisted personnel of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service. These readjustments were in accordance with the report made by a joint commission of the two Houses, the Members of which gave careful and painstaking consideration to the involved and confusing provisions of law relative to the pay of these establishments and recommended a measure, which is believed to be fair and equitable and which reduces somewhat the aggregate pay of the services.

EMPLOYEES IN PATENT OFFICE; INCREASED PAY.

The act of February 18, 1922, provided needed and essential amendments to the patent laws. It provided for a reclassification and granted a substantial increase in the pay of the employees of the office. This legislation was urged with very great vigor by the patent attorneys of the country and others familiar with the situation, and has cured a condition with regard to which there was much complaint.

MONTHLY PAYMENTS OF PENSIONS.

Civil War pensioners have for some time petitioned the Congress that their pensions be paid monthly instead of quarterly and Congress has responded by making provisions to that effect. This increase in the frequency of payment is very much appreciated, particularly by those pensioners who have little or no means other than their pension. The change has resulted in a considerably increased cost, but this is justified in view of the benefits conferred on the pensioners.

AID FOR STARVING RUSSIA.

The country responded enthusiastically to the action of the Congress in making an appropriation of $20,000,000 out of the funds of the United States Grain Corporation to purchase corn, seed grain, and preserved milk for the relief of the starving people of Russia. In the administration of this law the Secretary of Commerce secured the cooperation of the authorities in Russia by a very substantial, supplemental contribution and in the furnishing of transportation, so that the American relief was even vastly more effective and helpful than it otherwise would have been. This contribution undoubtedly saved the lives of great numbers of people, stayed the spread of pestilence, and aided in the restoration of vast areas, particularly in the Volga Valley.

Congress by the act of January 20, 1922, also authorized the President to transfer medical and hospital supplies from the War Department for the relief of the distressed people of Russia.

THE ANTIBEER ACT.

The so-called Volstead antibeer bill became necessary as a result of an eleventh-hour decision by Attorney General Palmer the day before the close of the Wilson administration. While there has been much sharp difference of opinion with regard to the provisions of the measure, it is believed that the bill is a fair compromise, maintaining the national faith in the enforcement of the prohibition act, while guarding against the possibilities of abuses of power and authority.

FUNDS FOR FARM LOAN BOARD.

The bill making provision for an additional Treasury deposit of $25,000,000 for the Farm Loan Board makes available for that important farm loan agency a total working capital of $50,000,000, and places the Farm Loan Board and banks for the first time since their organization in position to function continuously in the making of loans to the farmers of the Nation.

FACILITATING EXPORTS.

The amendment to the Edge bill, providing for the promotion of export trade by facilitating the organization of corporations, was intended to and has very greatly aided, assisted, and facilitated the organization and the operation of those useful agencies.

TELEPHONE ACT.

The bill providing for a much-needed consolidation of independent telephone companies rendered possible the reorganization whereby the losses through unwise duplication have been eliminated or greatly reduced, under which more satisfactory systems and more favorable rates should be secured.

CABLE ACT.

The bill under which the President is authorized to provide for the orderly and controlled landing of submarine cables remedied a situation which had greatly embarrassed the former administration and established a policy under which proper national control of these important agencies of communication is established.

COLORADO RIVER BILL.

The bill providing for an agreement among the Western States for the disposition and apportionment of the waters of the Colorado River is an important measure, marking a new and beneficial policy in the settlement of the vexed questions arising out of the use of the waters of interstate streams for the purpose of irrigation. The famous Kansas-Colorado case is the most important of the suits that have been before the courts testing the question of the relative rights of the various States in the arid region where irrigation is practiced to the waters of an interstate stream. It is much better, where it is possible, to have an adjustment and settlement of these questions in advance of the appropriation and use of the waters than to wait until rival claims have been established, and then settle the vexed questions, frequently at great loss to those who have expended money in irrigation enterprises.

AMENDMENT OF WAR MINERALS RELIEF ACT.

The act for the relief of those who had responded to the call of the Government departments for the production of war minerals and who were subject to losses by the sudden termination of the war was so narrowly construed by the commission authorized to adjudicate claims under it that it became necessary to broaden somewhat the provisions of the act, or, rather, to enact in more definite language what was the intention of Congress in the first instance. The passage of this act will relieve many worthy claimants of small means who responded patriotically to

the request of the Government for the production of war minerals.

APPROPRIATIONS TO MEET CROP FAILURES IN THE NORTHWEST.

The act of March 20, 1922, made an appropriation of $1,500,000 for the purpose of purchasing seed grain to be supplied to the farmers in certain areas of the Northwest where there had been successive crop failures and where the new settlers were likely to be compelled to leave their homes unless given some aid. There was a limit of $300 on the loan that might be made to any one farmer under this act. This appropriation has unquestionably been of very great benefit and will undoubtedly prevent what would have been a quite general temporary abandonment of considerable regions in the Northwest.

AUSTRIAN RELIEF.

By the act of April 6, 1922, the Secretary of the Treasury is authorized to extend for a period not to exceed 25 years the time of payment of the principal and interest of the debt incurred by Austria for the purchase of flour from the United States Grain Corporation.

HOMESTEAD RIGHTS FOR EX-SERVICE MEN.

The act of April 7, 1922, provided that veterans of the World War who, because of physical disabilities due to service, were unable to return to their homesteads might make final proof without further residence or improvements and receive a patent for their land.

Public Resolution 36 grants preferred rights of homestead entry for 90 days to ex-service men in case of the opening of lands, which can only be defeated by valid prior settlement rights, and the act of April 6, 1922, provides that the time during which an honorably discharged soldier of the World War shall be receiving treatment for injuries received or disabilities incurred in the line of duty shall be deducted from the time of residence required on a homestead.

ECONOMY IN PUBLIC PRINTING.

Public Resolution No. 57, which became a law on May 11, 1922, ended waste in Federal printing, and fixed the status of desirable Government publications, saving millions of dollars annually.

ADDITIONAL DISTRICT JUDGES IN CERTAIN DISTRICTS.

The very great and increasing business of the Federal courts, due to the growth in the country and its business and to new legislation, particularly the national prohibition act, necessitates a large increase in the number of Federal district judges. After a long and careful study of the situation in both the House and Senate and earnest consideration in conference, the conferees agreed on a provision for 24 judges assigned to the districts where they seem to be most needed.

ACT PROVIDING FOR INTERCHANGEABLE MILEAGE BOOKS.

There has long been a demand for interchangeable mileage books, and an act making provision for such a book passed the Senate in January. The act as amended in the House provides for interchangeable mileage or scrip coupon tickets good for passenger carriage upon the passenger trains on roads subject to the interstate commerce act. This measure has passed both Houses and now goes to conference.

BILLS WHICH HAVE PASSED THE HOUSE.

In addition to the bills which have become laws the House has enacted 276 bills, of which 128 were public and 148 were private. It would be impossible in the course of a speech of any reasonable length to even give the titles of all of these measures. Many of them are measures of primary importance and their preparation and consideration involved an earnest and faithful effort on the part of the House and its committees. I shall refer only to a few of them by title:

The tariff bill.

Adjusted compensation for soldiers, sailors, and marines of the World War. The bonus.

Bill providing for the reclassification of civil-service employees.

The antilynching bill.

The railroad refunding bill.

A bill providing for independent naturalization for married women.

The river and harbor authorization bill.

The blue-sky securities bill.

Bill to prevent corrupt trade practices.

Bill for the revision and codification of the Federal statutes.

The omnibus Panama Canal Zone bill.

Bill prohibiting interstate trade in filled milk.

Bill providing for standard measures for fruits and vegetables.

Bill to prevent the manufacture of adulterated and misbranded food and drugs.

Bill for the promotion of trade with China.

The Fairfield bill amending the civil service retirement act.

Bill allowing soldiers' widows credit for their husbands' service on homestead entries.

Bill for the incorporation of the Grand Army of the Republic.

THE UNFINISHED WORK OF THE CONGRESS.

It may be said of a Congress, as of a housewife, that its work is never done. If Congress were to remain in session continuously its calendars would never be cleared and there would be no end to the proposals of legislation presented to it. This Congress, notwithstanding the importance and magnitude of the work it has performed, has its unfinished problems of importance. First among these is, of course, the tariff, upon which the Senate is now busily engaged, and the soldiers' bonus, which is to have the right of way in the Senate when the tariff shall have been disposed of. In addition to these are the many measures, some of which I have briefly referred to, which have been considered in the House and will be before the Senate when it shall have completed consideration of the major measures to which I have just referred.

THE SHIPPING BILL.

The most important measure which has been considered by a House committee, and which now awaits action by the House, is the shipping bill. In the early history of the Republic we were the possessors of as fine a merchant fleet as sailed the seas, and our brigs and clipper ships carried our flag to the ends of the earth. At one time and another legislation to aid in the reestablishment of a first-class American merchant marine has occupied the attention of the Congress, but always the question was, "What shall we do to build and equip a merchant fleet?" The question now before us is an entirely different one. It is, "What shall we do with the fleet we have already builded at a cost of three and a half billions of the people's money?" Shall that vast expenditure be a total loss, or shall we out of it, and through it, reestablish American shipping on a generous scale and restore our merchant flag to its rightful place in the shipping business of the seven seas. A measure aimed to accomplish this highly useful and patriotic purpose has been reported, and in the no distant future it will be our duty, as representatives of the American people, to give earnest and unbiased consideration to the solution of the problems which our war-built ships and our national need for shipping present to us.

THE FINANCING OF AGRICULTURE.

This Congress has done much for agriculture. It has, in fact, a remarkable record in the aid of this basic industry, but one thing remains to be done; agriculture needs credit facilities which are not fully supplied by present commercial institutions. The War Finance Corporation has temporarily afforded most helpful aid and assistance to certain branches and pursuits of agriculture, but it has not covered the entire field, and it is necessarily a temporary expedient. The Joint Committee on Agricultural Inquiry, the officers of the War Finance Corporation, and many others, have been giving these matters careful consideration; bills have been introduced, and it is hoped that in the no distant future an agreement may be reached and action taken on these important questions.

A CONGRESS AND ADMINISTRATION OF ACCOMPLISHMENT.

With the falling of the gavel on the adjournment of the House, pending the passage of the tariff bill by the Senate, the Members will have for the first time in nearly a year an opportunity to visit their constituencies. Fortunately they can make report of a record of legislation and administration in every way creditable.

The interest-bearing national debt has been reduced by a billion dollars. Through economy in appropriation and expenditure we have balanced the national Budget and present a surplus of receipts over expenditures of approximately $300,000,000. In appropriations for the coming fiscal year we have adhered to and improved upon our record of economy and have made a saving over the current year of approximately $215,000,000 in appropriations for the war establishments.

We have reduced the annual burden of taxation in the sum of nearly a billion of dollars and the burden has been lifted fairly and equitably.

We have well under way and nearing completion a general revision of the tariff schedules for the protection of American labor and industry, and in the meantime we have provided by an emergency measure for the protection of the staples of agriculture.

We have legislated wisely and judiciously along many lines and the beneficial results of the work of the Congress and of the administration are being felt in the revival of industry, the

wiping out of unemployment, and in a gradual but steadily progressive return to normal conditions.

The record is one of which we may well be proud, and which will, I am confident, meet with the approval of our constituencies.

POST-OFFICE BUILDING, PARIS, TEX.

Mr. LANHAM. Mr. Speaker, I ask to take from the Speaker's table the bill H. R. 11298 and concur in the Senate amendment.

The SPEAKER. The Clerk will report the bill by title.

The Clerk read as follows:

H. R. 11298. An act amending the existing law which authorizes the construction of a public building at Paris, Tex., so as to authorize and empower the Secretary of the Treasury to acquire a new site for same by exchanging therefor land and property now owned by the United States Government in said city, and to authorize the erection on said new site, when acquired, of a public building suitable for post-office purposes, and for other purposes.

The Senate amendment was read.

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

The Senate amendment was agreed to.

ENROLLED BILLS SIGNED.

Mr. RICKETTS, 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. 9527. An act to amend section 5136, Revised Statutes of the United States, relating to corporate powers of associations, so as to provide succession thereof for a period of 99 years, or until dissolved, and to apply said section as so amended to all national banking associations;

H. R. 11228. An act making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1923, and for other purposes;

H. R. 11244. An act authorizing the construction of a bridge across White River, in the State of Arkansas;

H. R. 12120. An act granting the consent of Congress to the county court of Lafayette County, in the State of Missouri, to construct a bridge across the Missouri River;

H. R. 12092. An act granting the consent of Congress to the Louisiana Development Co. to construct a bridge across the Red River at or near Grand Ecore, La.;

H. R. 12121. An act granting the consent of Congress to the county court of Saline County, in the State of Missouri, to construct a bridge across the Missouri River;

H. R. 12090. An act making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1922, and prior fiscal years, supplemental appropriations for the fiscal year ending June 30, 1923, and for other purposes;

H. R. 11588. An act to amend an act entitled "An act to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers, sailors, and marines";

H. R. 11214. An act authorizing the President to scrap certain vessels in conformity with the provisions of the treaty limiting naval armament, and for other purposes;

H. R. 11298. An act amending existing law which authorizes the construction of a public building at Paris, Tex., so as to authorize and empower the Secretary of the Treasury to acquire a new site for same by exchanging therefor land and property now owned by the United States Government in said city, and to authorize the erection on said new site, when acquired, of a public building suitable for post-office purposes, and for other purposes;

H. J. Res. 353. Joint resolution authorizing the Secretary of War to loan certain tents, cots, chairs, etc., to the executive committee of the Louisiana Department of the American Legion for use at the national convention of the American Legion to be held at New Orleans, La., in October, 1922; and

H. R. 8767. An act for the relief of F. E. Taylor and B. C. Broom.

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

S. 1033. An act regulating the issuance of checks, drafts, and orders for the payment of money within the District of Columbia;

S. 3425. An act to continue certain land offices, and for other purposes;

S. 3396. An act creating the positions of Second Assistant Secretary and private secretary in the Department of Labor; and

S. 831. An act to amend the proviso in paragraph 10 of section 9 of the Federal reserve act amended by the act of June 21, 1917, amending the Federal reserve act.

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RICKETTS, from the Committee on Enrolled Bills, reported that on June 28 they had presented to the President of the United States for his approval the following bills and joint resolutions;

H. J. Res. 297. Joint resolution requesting the President of the United States to call a conference of maritime nations with a view to the adoption of effective means for the prevention of pollution of navigable waters by oil-burning and oil-carrying steamers by the dumping into such waters of oil waste, fuel oil, oil sludge, oil slop, tar residue, and water ballast;

H. R. 10101. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1923, and for other purposes;

H. R. 6110. An act amending section 97 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911;

H. R. 11362. An act declaring Tchula Lake, Holmes County, Miss., to be a nonnavigable stream;

H. R. 11128. An act to authorize the construction of a bridge over the Rio Grande between the cities of Del Rio, Tex., and Las Vacas, Mexico;

H. R. 11634. An act granting the consent of Congress to the county of Norman and the town and village of Halstad, in said county, in the State of Minnesota, and in the county of Traill and the town of Herberg, in said county, in the State of North Dakota, to construct a bridge across the Red River of the North on the boundary line between said States;

H. R. 10770. An act to legalize a bridge across the south arm of Pokegama Lake in Itasca County, State of Minnesota;

H. R. 10871. An act making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1923, and for other purposes;

H. J. Res. 337. Joint resolution granting consent of Congress and authority to the Port of New York Authority to execute the comprehensive plans approved by the States of New York and New Jersey by chapter 43, Laws of New York, 1922, and chapter 9, Laws of New Jersey, 1922;

H. R. 11450. An act to provide for the printing and distribution of the Supreme Court Reports, and amending sections 225, 226, 227, and 228 of the Judicial Code;

H. R. 12073. An act to provide additional compensation for certain civilian employees of the Governments of the United States and the District of Columbia during the fiscal year ending June 30, 1923;

H. R. 11393. An act to abolish the office of Superintendent of the Library Building and Grounds and to transfer the duties thereof to the Architect of the Capitol and the Librarian of Congress;

H. J. Res. 344. Joint resolution to authorize the Secretary of the Treasury to detail four persons paid from the appropriation for the collection of customs;

H. R. 11228. An act making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1923, and for other purposes; and

H. R. 9527. An act to amend section 5136, Revised Statutes of the United States, relating to corporate powers of associations, so as to provide succession thereof for a period of 99 years, or until dissolved, and to apply said section as so amended to all national banking associations.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Craven, its Chief Clerk, announced that the Senate had passed without amendment joint resolution of the following title:

H. J. Res. 353. Joint resolution authorizing the Secretary of War to loan certain tents, cots, chairs, etc., to the executive committee of the Louisiana Department of the American Legion for use at the national convention of the American Legion, to be held at New Orleans, La., in October, 1922.

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

H. R. 2694. An act for the relief of Seth J. Harris, Jimmie Lou Martin, Mary Holloman, and William Henry Coleman.

The message also announced that the Senate had passed bills and joint resolution of the following titles, in which the concurrence of the House of Representatives was requested:

S. 3157. An act for the relief of John G. Sessions;

S. 910. An act for the relief of Frank Grygla; and

S. J. Res. 208. Joint resolution authorizing the Federal reserve banks of St. Louis and Salt Lake City to enter into contracts for the erection of buildings for head office and branches.

CORRECTION.

Mr. GERNERD. Mr. Speaker, on roll call No. 45 it appears that I was not present and did not vote. I recall distinctly I was present and voted "aye" on the motion to go into the Committee of the Whole House on the state of the Union to consider the antilynching bill.

The SPEAKER. Without objection the correction will be made.

There was no objection.

EXTENSION OF REMARKS.

Mr. GARNER. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. BYRNS] may have leave for 10 legislative days to extend his remarks in the RECORD.

The SPEAKER. Is there objection?

Mr. WALSH. Is this in addition?

Mr. GARNER. For the purpose of replying to the gentleman from Wyoming.

The SPEAKER. The Chair hears no objection.

The extension of remarks referred to are here printed in full as follows:

Mr. BYRNS of Tennessee. Mr. Speaker, on Friday, June 30, 1922, the majority leader, Mr. MONDELL, by leave of the House, printed in the RECORD a carefully prepared address in which he attempted to give a résumé of the work done by this Congress, and sought to show that the legislation enacted and the economies alleged to have been effected have been of real value to the country. It is not my purpose to reply in detail and at equal length to this very long and labored address, but, through the courtesy of the House in granting similar leave to me, I wish to present certain facts and observations which, to my mind, very clearly and positively refute many of the conclusions of the majority leader.

The gentleman from Wyoming [Mr. MONDELL] very highly eulogizes the present Congress and, incidentally, himself as the majority leader, for the legislation enacted and the wisdom and sound judgment shown. But in this he finds himself in a very sharp difference with an even more prominent member of his own party, Hon. John W. Weeks, only a short time ago a prominent candidate for the presidential nomination before a Republican convention and Secretary of War under the present Republican administration. Mr. Weeks is quoted as having declared in a sudden burst of candor, in a speech delivered only a few days ago, that this Congress, which is overwhelmingly Republican in both of its branches, had reached the lowest ebb in the entire history of the country. Mr. Weeks has had long service in both the House and Senate and is familiar with the records of past Congresses, both Republican and Democratic. As Secretary of War he has come in intimate contact, personally and officially, with the majority membership of the present Congress, individually and collectively, and testimony coming from such a high Republican source will undoubtedly be accepted in preference to the biased opinion of the gentleman from Wyoming, whose candidacy for the United States Senate rests upon the record made by this Congress under his leadership.

Feeling very keenly the force of the general criticism which has been leveled against the present Congress, the majority leader very harshly criticizes those who have seen fit to condemn the present Congress for its shortcomings and failure to give evidence of statesmanship and keep faith with the people. He denounces them, and particularly the editors of newspapers who no not accept his viewpoint, as ignorant, selfish, disappointed, partisan, and provincial. It is unfortunate that these "provincial" editors did not have the advantages of the environments of the State of Wyoming. But surely they can take comfort in the fact that in such criticisms they have been no more harsh than was the distinguished Secretary of War, who holds such high place in the present administration, and whose loyalty to the Republican Party not even the gentleman from Wyoming will deny. The difference is that the Secretary of War frankly and bluntly told the truth, while the gentleman from Wyoming was speaking with the United States Senatorship uppermost in his mind.

VOLUME OF LEGISLATION.

The majority leader takes great credit in the claim that this Congress has passed 398 separate laws, public and private, and the House in addition has passed 276 bills, public and private, which he boasts is at the rate of two and one-third per day, which in itself shows what little real consideration was given them, and the iniquity of passing measures through the House under a special rule cutting off discussion and denying a free opportunity to offer amendments and which has been indulged in by the present House to a greater extent than ever before. By such an argument he shows a very poor conception of the real duty of a legislative body. It is not the number of laws enacted and bills passed but the character of the laws and the public benefits accruing which measures the real worth and capacity of a legislative body. The truth is we have too many laws. There is entirely too much governmental interference by legislation.

Those who read the statement of the majority leader as to the laws enacted by this Congress will be impressed with the fact that very few are of major importance and how little some of them are calculated to bring relief from the conditions under which our country is now suffering on account of the war and its aftermath. There is not a single one among those enumerated which will convince the country that the Congress has grasped the serious problems which the plague of war and European chaos has brought to us, or that any real statesmanship has been shown in the effort to solve them.

TAX REVISION.

He claims chief credit for tax revision, but at the same time attempts to excuse the failure to reduce taxes in the manner which was promised and expected. That law relieves the very rich individuals of some $90,000,000 of taxes collected annually in past years, and the larger corporations of some $450,000,000 collected during the same years, but it affords no relief by way of reduction to the business man or the individual of average wealth, whose taxes, direct and indirect, have only been reduced in proportion as their earning power has been reduced under Republican rule, save the slight raise in exemption which is provided for the married man whose income is between $2,000 and $5,000 per annum, and which in no event will exceed $20. The law was declared by Senator Penrose to be "a temporary makeshift," and Senator SMOOT stated that "the American people from one end of the country to the other are not satisfied with the law." A conclusion which few will dispute and which will become all the more apparent when its provisions are fully understood by the taxpayers.

THE BUDGET LAW AND ITS ADMINISTRATION.

The gentleman from Wyoming refers to the budget law and praises its administration, although he very properly does not claim its passage to have been a party achievement. It was repeatedly urged by a Democratic administration, was framed by a select committee, composed of both Democrats and Republicans, and was unanimously passed by Congress. It is a good law but poorly administered. The first year of its operation has not met the expectations and hopes of those who favored it. It was passed to effect economy and it was expected that it would result in a close paring of the estimates by the administration before they were submitted to Congress. Notwithstanding this and the widely heralded claims of the director the estimates submitted for 1923 were several hundred millions more than was actually appropriated. In other words, if the President had had his way there would have been added to the burdens of the taxpayers several hundred millions more than was appropriated. It should also be said that these estimates exceed the appropriations for 1922, the preceding year, by many millions of dollars notwithstanding the reduction in the cost of supplies, the further cessation of war activities, and the dismissal of war employees. The cold facts do not commend the first year's administration of the budget law. Congress is entitled to credit for any economy that may have been effected, not the President and his Bureau of the Budget. The trouble is that Congress did not go far enough and make the reductions which should have been made at this period after the war.

REDUCTION IN APPROPRIATIONS.

The majority leader is equally unfair and lacking in frankness in his statements as to the reduction of appropriations and expenditures by this Congress and administration and as to the surplus which he says was in the Treasury at the close of the fiscal year just ended. Secretary of the Treasury Mellon in his letter of April 14, 1922, states that this surplus was made possible only by the transfer of governmental obligations amounting to $200,000,000 from the last fiscal year to the present fiscal year, and which will increase the contemplated deficit of June 30, 1923, to that extent—but that will be after the congressional elections. The gentleman refers to the fact that eight appropriation bills failed of passage in the last session of the Sixty-fifth Congress, ending March 4, 1919, and which was Democratic. Why did he not state that these bills which passed the House early in the session failed of final enactment solely on account of a filibuster by certain Republican Senators in the Senate? He says that when these bills were finally passed by a Republican Congress in the following month of May that they carried $940,000,000 less than was proposed by the former House. Why was he not fair enough to call attention to the fact that the same Republican Congress made deficiency appropriations of over $482,000,000, which re-

duced the figures given by him to that extent? And why was he not also fair enough to say that difference was made possible by the fact that, during the interim, Democratic Secretaries of War and Navy had demobilized the Army and Navy, which came over from the war, to an extent that would have made possible even greater reductions? The sundry civil bill, which carried appropriations for ordinary routine operations of the Government, as it was passed by a Republican Congress actually exceeded by something like sixty millions the amount proposed by a Democratic House a few months previous.

In view of his statements as to the economy of this Congress, he possibly does not know that its appropriations in the regular annual supply bills for 1923 actually exceed by many millions of dollars the appropriations made in similar bills for 1922, and yet we are one year further removed from the war and ought to be getting back somewhat to a pre-war basis. And this, too, despite the fact that we were told that the recent disarmament conference would serve to greatly reduce our expenditures for the Army and Navy. I will at another time set forth the figures which will verify the truth of this statement.

DEBT REDUCTION.

He refers to the reduction of the public debt by approximately a billion dollars. He states that $425,000,000 of the reduction was made possible by operation of the sinking fund and other debt expenditures chargeable to ordinary receipts. But he would have the public believe that the remainder was made possible by economies and sound business judgment of this administration. Surely he knows that it was made possible through a reduction in the balance of the general fund and by the use of receipts from the sales of the immense surplus of supplies after the war.

FAILURE TO PROSECUTE WAR PROFITEERS.

One of the most disappointing and unpardonable failures of the present administration is its culpable neglect to promptly and vigorously prosecute the war profiteers. For 14 months the Attorney General took no steps to bring these profiteers to the bar of justice, and there seemed to be a purpose to let the statute of limitations run and permit at least many of them to escape criminal and civil liability. So evident did this become that two patriotic Republican Congressmen, Messrs. WOODRUFF and JOHNSON, felt it to be their duty to bring this neglect of the Attorney General and the Department of Justice to the attention of Congress and the country.

They gave instances of persons of powerful political influence who, according to reports on file in the department, had defrauded the Government of millions of dollars during the war and who were being permitted to go unwhipped of justice, and introduced a resolution calling for an investigation by Congress, and one of them threatened to bring impeachment proceedings against the Attorney General if steps were not immediately taken. It was only after this resolution and threat that the Attorney General made a show of activity and requested Congress to appropriate $500,000 to carry on these investigations and prosecutions, notwithstanding the fact that he had theretofore submitted two requests to Congress for additional appropriations, but had not asked for a single dollar for this particular purpose. The money asked for was promptly and unanimously granted. The gentleman from Wyoming takes credit for this action, but I submit that the administration, lashed by two members of its own party, who were actuated by a high sense of public duty, can claim little credit therefor. It is a severe reflection on the administration and the Republican Party that the majority leaders suppressed this resolution in the Committee on Rules and refused to permit a public inquiry as to the causes which influenced this inaction on the part of the Department of Justice.

AGRICULTURAL LEGISLATION.

The majority leader assumes credit for certain legislation passed for the benefit of the farming interests. It is significant that he does not mention the failure of this Congress to even consider the many recommendations made by the Special Committee on Agricultural Inquiry as long ago as last October, chief among which was the establishment of a permanent credit system for the farmers, such as is given the commercial interests through the Federal reserve banks.

The cooperative marketing act and the antigambling grain act, which was declared unconstitutional by the United States Supreme Court and has recently been repassed by the House, were supported by Democrats as were all measures which promised relief to the farmers.

I submit that little credit can be claimed by the Republican majority for the amendment to the Federal reserve act which, as first proposed, was intended to compel the President to appoint a farmer to membership on the Federal Reserve Board. The Republican majority voted down this provision and merely provided that the President, in the making of such appointments, should give "due regard to a fair representation of the financial, agricultural, industrial, and commercial interests" of the country, a discretion which, I submit, was already vested in the President, for he had authority to appoint anyone he might think fitted for such a position. It was said that this action was taken at the instance of the President. Whatever the inspiration it was nothing less than a straddle and can not be classed as either a complete or an ungrudging concession to the farming interests. The same is true of the packers' act, for this bill, which as originally introduced was vigorously opposed by the packers, was so emasculated before its final passage that it was openly stated that in its amended form it was not objectionable to the packing interests, and a Republican Senator charged in the United States Senate that the conference report was actually written by an attorney of the packers.

The gentleman from Wyoming comments on the loans made for the benefit of the farmers and stockmen through the extension of the war finance act and also to the act amendatory of the Federal highway act. Both of these acts were first proposed and enacted by a Democratic Congress and approved by a Democratic President. The same is true of the war risk act and the vocational training act for disabled soldiers, the activities of which have been consolidated by this Congress.

EMERGENCY TARIFF.

It was claimed that the emergency tariff act would bolster up the prices of farm products which had steadily declined after the induction of the Republican administration into office. The aggregate value of agricultural products in 1919 was $23,783,000,000; in 1920, $18,263,000,000; and in 1921, $12,366,000,000, or only 52 per cent of the value in 1919. The value of farm-animal products in 1920 was $7,354,000,000, but they dropped to $5,339,000,000 in 1921. Grain exports fell off 50 per cent during the 10 months ending with April, 1922, as compared with the corresponding period of the preceding year. This law, passed ostensibly to bolster up farm prices, was really intended to delude the farmer and commit him to the Republican protective-tariff policy. We have a large surplus of farm products for export to foreign countries, and the export price of this surplus fixes the domestic price. It can not be fixed by tariff tinkering with importations. The law did not even check falling prices. It was passed in May, 1921. Prior to its passage wheat was selling in Chicago for $1.67 a bushel. In June after the passage of the law it dropped to $1.47 a bushel, as against $2.89 in June, 1920, and in December, 1921, seven months after the passage of the law, it dropped to $1.18 a bushel, as against $2.02 in December, 1920, and notwithstanding this law provided a tariff duty of 35 cents a bushel. Corn carried a duty of 15 cents a bushel; but in June, 1921, after the passage of the law, it was selling for 63 cents a bushel, as against $1.89 in June, 1920, and it steadily dropped in price in Chicago until it was 47 cents in December, 1921, as against 74 cents in December, 1920. Similar statistics could be supplied with reference to other farm products upon which a tariff duty was imposed in the emergency tariff bill. The folly of such a duty is obvious. The enactment of this law was nothing less than a sham and an effort to impose upon the credulity of the farmer. There has been a recent rise in the prices of wheat and corn from the low level reached since December, but the farmer gets little if any benefit from these temporary and artificial fluctuations. In connection with this rise it is a significant fact that the stock of wheat on the farms March 1, 1922, was 131,136,000 bushels, of which probably 60,000,000 or more bushels must be held for planting. This is all the farmers had on hand from the previous year's crop of 794,893,000 bushels, and shows that the farmer got very little out of this rise in the price of wheat. The profits went to the grain gamblers.

THE PENDING TARIFF BILL.

The majority leader takes great credit for the passage of the tariff bill through the House. It was passed in the House under a rule, adopted under the party lash, which restricted debate and prevented the offering and consideration of any amendments by the House Members, with the exception of the Republican members of the Ways and Means Committee. Its rates, in many instances amounting to an embargo on importations, as approved by the House Members and adopted in the manner stated, were so obnoxious that the majority members of the Senate committee refused to accept it and have proposed a bill under an entirely different plan. It may be remarked here, parenthetically, that it is proposed by this bill to destroy our foreign trade and then to pass a measure granting a large subsidy to the shipping interests, on the plea that it is necessary in order to build up a merchant marine to take care of our shipping trade.

Claiming, as they do, that this tariff legislation is essential for the revival of business and prosperity, it has been pending in a Congress both Houses of which have had unprecedented Republican majorities for 18 months. The Republican members of the House Ways and Means Committee began hearings on this bill in January, 1921. No one can now say when it will become effective. There could be no stronger illustration of inefficiency and absolute lack of legislative ability. It is an outstanding example in recent years of the failure of the party in control of the Government to function.

The Republican Party has had entire control of legislation since the World War came to an end, and the record of this and the preceding Republican Congress is not one that will commend itself to the people or such as to justify its hopes for a continuance of power. The kindest thing that can be said is that the leaders of the party were incapable of solving the serious problems which confronted them. While business was good and the farmers were getting good prices for their products and labor had steady and remunerative employment at the close of the war, and sometime thereafter, it was quite clear to every thinking person that in order for these conditions to continue there was need for reconstructive legislation which would serve to stabilize conditions and credits, both at home and abroad, in order that our surplus products might find an outlet to foreign markets. A Republican Congress and administration has failed to meet the situation. As a result of this inaction and the destruction of our foreign markets, instead of the prosperity of Democratic days the country was confronted at the very beginning of Mr. Harding's term with a depression which steadily increased during the succeeding months. We lost our place as the moral leader of the nations in the world. There were business failures in every section of the country. Labor was thrown out of employment and farm products sold below the cost of production. The solemn promises of a retrenchment of expenditures and a reduction of taxes are unfulfilled. The record of the party is a sad disappointment to those who in the election of November, 1920, rested their hopes of the adjustment of fiscal affairs, international commerce, industrial peace, and general business and agricultural prosperity on the promises of the Republican leaders.

RECESS.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that the House stand in recess until 9 o'clock. Mr. Speaker, I make that request because of the fact that we are not likely to have the enrolled bill here ready for the Speaker to sign until about that hour.

Mr. BYRNS of Tennessee. Reserving the right to object, will the gentleman withhold that until I can ask unanimous consent for the gentleman from Georgia [Mr. UPSHAW] to have 10 minutes in which to address the House? Mr. Speaker, I make that request, that the gentleman from Georgia [Mr. UPSHAW] may have 10 minutes in which to address the House.

The SPEAKER. Is there objection?

Mr. WALSH. I object.

The SPEAKER. Objection is heard.

Mr. MONDELL. Mr. Speaker, I renew my request.

Mr. ASWELL. Mr. Speaker, reserving the right to object, may I ask the gentleman from Wyoming whether it is not practical for the Republican side to reach an agreement now to fix a day when we return to take up and dispose of the Muscle Shoals question?

Mr. MONDELL. I think it would be a little difficult, right off.

Mr. ASWELL. Could it not be done by unanimous consent?

Mr. MONDELL. I am afraid not.

Mr. ASWELL. Further reserving the right to object, it will only take a day or two to act upon that question. It is a very urgent matter, more important to the farmers of this country than all the legislation the gentleman has been talking about for the last 10 minutes.

Mr. MONDELL. That is a matter of opinion.

Mr. ASWELL. It occurs to me, Mr. Speaker, further reserving the right to object, that it would be better before we run away that we might consider this imperative measure that so affects the agricultural interests of this country, vastly more than any measure you have passed, more important to the agricultural section of this country than all you have done during this session for the farmers, and it seems to me that the question of the disposition of Muscle Shoals ought to be considered now and an agreement reached, so that we might consider it on a certain day when we return.

RECESS.

The SPEAKER. The gentleman from Wyoming asks unanimous consent that the House stand in recess until 9 o'clock. Is there objection? [After a pause.] The Chair hears none.

Accordingly (at 5 o'clock and 44 minutes p. m.) the House stood in recess until 9 o'clock p. m.

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## AFTER THE RECESS.

The recess having expired, the House was called to order by the Speaker.

ADJOURNMENT OF THE HOUSE.

Mr. SNELL. Mr. Speaker, I submit a privileged report from the Committee on Rules.

The SPEAKER. The gentleman from New York submits a privileged report from the Committee on Rules, which the Clerk will report.

The Clerk read as follows:

House Resolution 397 (Rept. No. 1177).

*Resolved*, That when the House adjourns to-day it adjourn to meet on Tuesday, August 15, 1922, at 12 o'clock meridian.

Mr. SNELL. Mr. Speaker, I believe this resolution fully explains itself. I believe it is in accordance with the desires of the majority of the Members of the House.

We all know that the House can adjourn for a limited period at this time, while the body at the other end of the Capitol is considering legislation that has already been passed by the House without in any way interfering with public business. Therefore this resolution has been presented at this time.

Has the gentleman from North Carolina [Mr. POU] come in yet?

Mr. GARNER. He is not in at the moment.

Mr. WINGO. While you are waiting for him you might give me some time.

Mr. SNELL. We are not going to take up time on our side. I can give the gentleman five minutes.

Mr. WINGO. Make it 10.

Mr. SNELL. I will yield to the gentleman five minutes.

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

Mr. WINGO. Mr. Speaker, the gentleman from New York [Mr. SNELL] says that he is not going to take up any time on the Republican side in behalf of the rule which he has reported, and I commend him for his wisdom, for if anyone on the Republican side sought to justify this rule it would be the old stereotyped excuse that the Republicans are now giving for every act of incompetency and inefficiency, and that is to cite either the act or view of some Democrat. The gentleman has brought in a rule to adjourn this part of the Republican Congress until August 15. I did not catch the exact reason he gave for the rule, though I think he said something about letting the Senate catch up. Of course, that is no real reason, but it is better than none at all. I doubt if he knows of any real reason for this action based upon the public good, for there is no reason other than one of political expediency from the standpoint of the Republican Party.

It is true there are some gentlemen, both Republicans and Democrats, who are anxious for the recess, because they have opposition and wish to go home, and I do not blame them; but the House does not have to adjourn for that purpose, because there are plenty of gentlemen who have no opposition or whose primaries have already been held who could stay here and attend to the public business that is pressing, and those who have to go home on account of campaigns could easily arrange pairs.

The exhibition of the gentleman from Michigan [Mr. FORDNEY] this afternoon disclosed one of the reasons why the Republican leaders are so anxious to adjourn this House for a few weeks. They want the Republican membership to get away, cool off, and get the cobwebs out of their brains. The speech and exhibition of the gentleman from Michigan demonstrated that even he, one of the old leaders, was confused and needs a vacation. I say he was confused because he has been known for years as the leader of the "protective bloc" in the House and yet surely no friend of protection would accuse the gentleman from Michigan with having made a protective tariff speech this afternoon. [Laughter.] If he did it was the strangest protective-tariff speech ever made. As I listened to the gentleman from Michigan I recalled the fact that one of the many rainbow promises that the Republican Party made to the voters in the last campaign was that they would absolutely stop profiteering. Yet this great leader of the Republican Party stood up in the House this afternoon and advertised and proved to the world that under this Republican administration, with an Attorney General who had boasted that he was going to stop profiteering, American business men who imported the articles that the gentleman displayed, were profiteering upon

their American customers to the extent in some instances of 1,480 per cent. What the gentleman's speech proved, if it proved anything, is not that we need a tariff protection to American manufacturers against foreign manufacturers but that under this Republican administration we need protection from exorbitant American profiteers, and, of course, the American people can not expect that with the present Department of Justice. [Applause on the Democratic side.]

I am opposed to this recess because I think that with the present condition of affairs in this country the House should be in session. In addition to that, I think there are many questions to which this House could devote itself in the next six weeks. Another reason why the Republicans want to adjourn this House is that leaders have absolutely lost control of the Republican side, and the gentleman from Wyoming [Mr. MONDELL], the Republican leader, is in doubt now whether he will be able to adjourn this House to-night. Candor compels me to admit that the gentleman from Wyoming deserves considerable sympathy on account of the difficult situation in which he finds himself. If this House should adjourn to-night, I will sincerely congratulate him on his escape, even for a few weeks, from the unpleasant task of leading the Republican majority in this House, the most unruly bunch of "wild asses" that ever "came out of the green corn." [Laughter.] The confusion and lack of cohesion on the Republican side is so great that the gentleman from Wyoming does not know whether he will be able to adjourn the House or not, and he hardly knows how to adjourn it. The peculiar predicament of the gentleman from Wyoming reminds me of a story that I frequently tell of a negro preacher in my district. There was a little bullet-headed negro down there with a head about as big as my fist that "got religion" at one of the annual "camp meetings," and in the fervor of the new convert's zeal he conceived the idea that the Lord of Hosts had called him to preach the Gospel to the dying members of his dusky race. He attended a theological school of some kind somewhere, so he claimed, and in due season returned to the old home town duly ordained and commissioned as a minister of the gospel. It so happened that the next day after he had returned there was a death in the colored quarters, and on account of the absence of the regular pastor this newly made preacher was called upon to officiate at the funeral and administer the last rites of his church over the body of his departed brother.

In that same town was an old nigger woman known as Aunt Mat, a dusky, kinky-headed damsel, black as midnight and weighing 300 pounds "dressed" [laughter]; but, strange to say, this old nigger woman had a perfect contempt for nigger preachers in general and this newly made nigger preacher in particular. When Aunt Mat heard about the funeral and was told that the new preacher was going to officiate, she asked the "missus" to let her go, and permission was freely granted. Aunt Mat took a seat in the rear pew of the church, folded her tired hands on her expansive bosom, and behaved with that decorum that the solemn occasion demanded, until at the conclusion of the service she observed that the young nigger preacher was confused and embarrassed, as he had forgotten whether it was proper to close a funeral with the benediction or the doxology, and in his confusion he was holding a whispered consultation with the assembled deacons. Finally it dawned on Aunt Mat what the trouble was, and she forgot the solemnity of the occasion, she forgot the lifeless form of her friend lying on the funeral bier in front of the pulpit, she forgot she was in the house of the Lord, and, her innate sense of humor getting the better of her, she leaned back, broke into laughter, and cried out, "Ha, ha, ha, look at that fool nigger; he don't know how to dismiss a co'pse." [Laughter.]

And that, Mr. Speaker, is the situation of my friend MONDELL, the gentleman from Wyoming, the leader of the Republican majority in this House. He realizes the incompetency, the inefficiency, and the complete failure of this Republican Congress, in spite of the fulsome eulogy that he delivered on it in parting to-day. He knows that it is dead, but, like the little nigger, he does not know how to dismiss the corpse. [Renewed laughter and applause.]

Mr. SNELL. Mr. Speaker, it was expected that some gentleman upon the other side of the aisle would express the opinion of the minority for the purposes of printing in the RECORD, and for home consumption, regarding the adjournment resolution. Now, we have had that expression and everyone seems to be satisfied with it. Therefore I move the previous question on the resolution.

The SPEAKER. The gentleman moves the previous question on the adoption of the resolution.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

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

Mr. GARNER. Mr. Speaker, let us have a division.

The House divided; and there were—ayes 118, noes 37.

Mr. GARNER. Mr. Speaker, I make the point of no quorum present, so that we may have a roll call.

The SPEAKER. The gentleman makes the point of no quorum present. The Chair will count. [After counting.] One hundred and seventy-one members present, not a quorum. The Doorkeeper will close the doors; the Sergeant at Arms will bring in absent members. As many as are in favor of the adoption of the resolution will, as their names are called, vote "yea," those opposed "nay," and the Clerk will call the roll.

The question was taken; and there were—yeas 171, nays 43, answered "present" 2, not voting 215, as follows:

YEAS—171.

| | | | |
|---|---|---|---|
| Ackerman | Fenn | Kraus | Ramseyer |
| Andrews, Nebr. | Fess | Larsen, Ga. | Ransley |
| Ansorge | Fitzgerald | Lea, Calif. | Reed, W. Va. |
| Anthony | Focht | Lee, N. Y. | Rhodes |
| Appleby | Fordney | Lehlbach | Ricketts |
| Atkeson | Foster | Lineberger | Riddick |
| Bacharach | Free | Little | Rodenberg |
| Barbour | French | London | Rogers |
| Begg | Fuller | McArthur | Rose |
| Benham | Gahn | McCormick | Rosenbloom |
| Bird | Gensman | McFadden | Rossdale |
| Pond | Gernerd | McKenzie | Scott, Tenn. |
| Burke | Gorman | McLaughlin, Mich. | Shaw |
| Burton | Graham, Ill. | McPherson | Siegel |
| Cable | Green, Iowa | MacGregor | Sinnott |
| Carew | Griest | Madden | Slemp |
| Chandler, N. Y. | Griffin | Magee | Smith, Idaho |
| Chindblom | Hadley | Mann | Snell |
| Clague | Hardy, Colo. | Mapes | Speaks |
| Clarke, N. Y. | Harrison | Mead | Sproul |
| Clouse | Haugen | Michener | Stephens |
| Cole, Iowa | Hawes | Millspaugh | Strong, Kans. |
| Cole, Ohio | Hays | Mondell | Swing |
| Collins | Henry | Montague | Temple |
| Connally, Tex. | Hickey | Moore, Ill. | Thompson |
| Cooper, Wis. | Hill | Moore, Ohio | Timberlake |
| Crago | Himes | Moores, Ind. | Tincher |
| Crowther | Hoch | Morgan | Towner |
| Cullen | Hogan | Moft | Vaile |
| Curry | Hull | Mudd | Vestal |
| Dale | Johnson, Wash. | Murphy | Voigt |
| Dallinger | Keller | Newton, Minn. | Volstead |
| Darrow | Kelley, Mich. | Newton, Mo. | Walsh |
| Denison | Kelly, Pa. | O'Brien | Watson |
| Doughton | Kendall | Ogden | Wheeler |
| Dowell | Ketcham | Olpp | Williams, Ill. |
| Dunbar | King | Parker, N. J. | Williamson |
| Echols | Kirkpatrick | Parker, N. Y. | Woodyard |
| Edmonds | Kissel | Patterson, N. J. | Wurzbach |
| Elliott | Kline, N. Y. | Porter | Wyant |
| Fairfield | Kline, Pa. | Pringey | Zihlman |
| Faust | Knutson | Purnell | The Speaker |
| Favrot | Kopp | Radcliffe | |

NAYS—43.

| | | | |
|---|---|---|---|
| Almon | Collier | Lankford | Steagall |
| Aswell | Davis, Tenn. | Lowrey | Tillman |
| Barkley | Garner | McDuffie | Tucker |
| Bell | Hammer | Oldfield | Upshaw |
| Bland, Va. | Hayden | Oliver | Vinson |
| Bowling | Huddleston | Raker | Weaver |
| Brand | Hudspeth | Rankin | Williams, Tex. |
| Briggs | Jeffers, Ala. | Sanders, Tex. | Wingo |
| Bulwinkle | Jones, Tex. | Sandlin | Woodruff |
| Byrnes, S. C. | Kincheloe | Scars | Wright |
| Byrns, Tenn. | Lanham | Smithwick | |

ANSWERED "PRESENT"—2.

Cramton Box

NOT VOTING—215.

| | | | |
|---|---|---|---|
| Anderson | Carter | Fairchild | Husted |
| Andrew, Mass. | Chalmers | Fields | Hutchinson |
| Arentz | Chandler, Okla. | Fish | Ireland |
| Bankhead | Christopherson | Fisher | Jacoway |
| Beck | Clark, Fla. | Frear | James |
| Beedy | Classon | Freeman | Jefferis, Nebr. |
| Bixler | Cockran | Frothingham | Johnson, Ky. |
| Black | Codd | Fulmer | Johnson, Miss. |
| Blakeney | Colton | Funk | Johnson, S. Dak. |
| Bland, Ind. | Connell | Gallivan | Jones, Pa. |
| Blanton | Connolly, Pa. | Garrett, Tenn. | Kahn |
| Boies | Cooper, Ohio | Garrett, Tex. | Kearns |
| Bowers | Copley | Gilbert | Kennedy |
| Brennan | Coughlin | Glynn | Kiess |
| Britten | Crisp | Goldsborough | Kindred |
| Brooks, Ill. | Davis, Minn. | Goodykoontz | Kinkaid |
| Brooks, Pa. | Deal | Gould | Kitchin |
| Brown, Tenn. | Dempsey | Graham, Pa. | Kleczka |
| Browne, Wis. | Dickinson | Greene, Mass. | Knight |
| Buchanan | Dominick | Greene, Vt. | Kreider |
| Burdick | Drane | Hardy, Tex. | Kunz |
| Burroughs | Drewry | Hawley | Lampert |
| Burtness | Driver | Herrick | Langley |
| Butler | Dunn | Hersey | Larson, Minn. |
| Campbell, Kans. | Dupré | Hicks | Lawrence |
| Campbell, Pa. | Dyer | Hooker | Layton |
| Cannon | Ellis | Hukriede | Lazaro |
| Cantrill | Evans | Humphrey | Leatherwood |

| | | | |
|---|---|---|---|
| Lee, Ga. | O'Connor | Sabath | Taylor, N. J. |
| Linthicum | Osborne | Sanders, Ind. | Taylor, Tenn. |
| Logan | Overstreet | Sanders, N. Y. | Ten Eyck |
| Longworth | Padgett | Schall | Thomas |
| Luce | Paige | Scott, Mich. | Tilson |
| Luhring | Park, Ga. | Shelton | Tinkham |
| Lyon | Parks, Ark. | Shreve | Treadway |
| McClintic | Patterson, Mo. | Sinclair | Tyson |
| McLaughlin, Nebr. | Perkins | Sisson | Underhill |
| McLaughlin, Pa. | Perlman | Smith, Mich. | Vare |
| McSwain | Petersen | Snyder | Volk |
| Maloney | Pou | Stafford. | Walters |
| Mansfield | Quin | Stedman | Ward, N. Y. |
| Martin | Rainey, Ala. | Steenerson | Ward, N. C. |
| Merritt | Rainey, Ill. | Stevenson | Wason |
| Michaelson | Rayburn | Stiness | Webster |
| Miller | Reber | Stoll | White, Kans. |
| Mills | Reece | Strong, Pa. | White, Me. |
| Montoya | Reed, N. Y. | Sullivan | Wilson |
| Moore, Va. | Riordan | Summers, Wash. | Winslow |
| Morin | Roach | Sumners, Tex. | Wise |
| Nelson, A. P. | Robertson | Swank | Wood, Ind. |
| Nelson, J. M. | Robsion | Sweet | Woods, Va. |
| Nelson, Me. | Rouse | Tague | Yates |
| Nolan | Rucker | Taylor, Ark. | Young |
| Norton | Ryan | Taylor, Colo. | |

So the resolution was agreed to.

The following additional pairs were announced:

Mr. Cramton (for) with Mr. Carter (against).

Mr. Yates (for) with Mr. Moore of Virginia (against).

Mr. Reed of New York (for) with Mr. Drewry (against).

Mr. Hicks (for) with Mr. Bankhead (against).

Additional pairs:

Mr. Anderson with Mr. Dominick.

Mr. Coughlin with Mr. Garrett of Texas.

Mr. Beedy with Mr. Kindred.

Mr. Dunn with Mr. Thomas.

Mr. Greene of Iowa with Mr. Quinn.

Mr. Dempsey with Mr. Hardy of Texas.

Mr. Arentz with Mr. Buchanan.

Mr. Graham of Pennsylvania with Mr. Park of Georgia.

Mr. Bland of Indiana with Mr. Stoll.

Mr. Morin with Mr. Riordan.

Mr. Chandler of Oklahoma with Mr. Dupré.

Mr. Brown of Tennessee with Mr. Pou.

Mr. Chalmers with Mr. Tague.

Mr. Shelton with Mr. Taylor of Colorado.

Mr. Petersen with Mr. Johnson of Mississippi.

Mr. Young with Mr. Jacoway.

Mr. Kinkaid with Mr. Kunz.

Mr. Campbell of Kansas with Mr. Gallivan.

Mr. Classon with Mr. Sullivan.

Mr. Ryan with Mr. Fisher.

Mr. Roach with Mr. Stevenson.

Mr. Snyder with Mr. Black.

Mr. Bixler with Mr. Campbell of Pennsylvania.

Mr. Andrew of Massachusetts with Mr. Rainey of Illinois.

Mr. Smith of Michigan with Mr. Sabath.

Mr. CRAMTON. Mr. Speaker, I voted "aye," but I have a general pair with the gentleman from Oklahoma, Mr. CARTER, and I wish to withdraw that vote and answer "present."

The result of the vote was announced as above recorded.

Mr. GARNER. Mr. Speaker, I desire to call up the bill H. R. 2694.

Mr. WILLIAMS of Illinois. I object.

Mr. KNUTSON. So do I. [Laughter.]

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that Members may have five calendar days in which to insert their own remarks in the RECORD.

The SPEAKER. The gentleman from Wyoming asks unanimous consent that Members may have five calendar days in which to insert their own remarks in the RECORD. Is there objection?

Mr. MONTAGUE. On any subject? I object.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that all Members have five calendar days in which to insert their own remarks on questions of legislation.

The SPEAKER. The gentleman from Wyoming asks unanimous consent that all Members shall have five calendar days in which to insert their own remarks on questions of legislation. Is there objection?

Mr. MONTAGUE. I object.

Mr. MONDELL. Will not the gentleman withhold his objection?

Mr. MONTAGUE. The gentleman from Wyoming knows that I have never before objected in the 10 years that I have been here.

Mr. MONDELL. I realize that, but gentlemen on both sides have asked that this request be made, and it is the usual request at the time of adjournment.

Mr. MONTAGUE. I regret very much that I can not modify my objection.

ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, the gentlemen having voted with their fingers crossed against adjournment, hoping that we would adjourn, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 48 minutes p. m.), the House, in accordance with the resolution just agreed to and the concurrent resolution passed yesterday, adjourned until Tuesday, August 15, 1922, at 12 o'clock noon.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. HAYDEN: Committee on Irrigation of Arid Lands. S. 2983. An act to authorize the Secretary of the Interior to grant extensions of time under permits for the development of underground waters within the State of Nevada, and for other purposes; without amendment (Rept. No. 1171). Referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Idaho: Committee on Irrigation of Arid Lands. H. J. Res. 354. A joint resolution authorizing the Secretary of the Interior to make a reinvestigation of the tri-county project in Nebraska, comprising the counties of Gosper, Phelps, and Kearney, and for other purposes; with amendments (Rept. No. 1173). Referred to the Committee of the Whole House on the state of the Union.

Mr. HAUGEN: Joint Congressional Committee on Short Time Rural Credits. H. Report 1174. A report on short-time rural credits. Ordered to be printed; adverse (Rept. No. —). Laid on the table.

Mr. FOCHT: Committee on the District of Columbia. H. R. 11116. A bill to amend an act entitled "An act to incorporate the Masonic Mutual Relief Association of the District of Columbia," approved March 3, 1869, as amended; without amendment (Rept. No. 1175). Referred to the House Calendar.

## REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. WHEELER: Committee on the District of Columbia. S. 3083. An act authorizing the construction of elevated railroad sidings adjacent to steam railroad tracks in the District of Columbia; with amendments (Rept. No. 1176). Referred to the Committee of the Whole House.

Mr. LARSEN of Georgia: Committee on the Public Lands. H. R. 624. A bill for the relief of Albert H. White, Mary E. Fowler, Lorena B. Winkler, E. E. White, and C. A. White; with an amendment (Rept. No. 1170). Referred to the Committee of the Whole House.

## PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. SINNOTT: A bill (H. R. 12233) to authorize the Secretary of the Interior to grant permits or leases to certain persons and corporations for lands and oil and gas deposits south of the medial line of the main channel of Red River, Okla.; to the Committee on the Public Lands.

By Mr. DENISON: A bill (H. R. 12234) to amend an act entitled "An act to revise and equalize rates of pension to certain soldiers, sailors, and marines of the Civil War and the war with Mexico, to certain widows, including widows of the War of 1812, former widows, dependent parents, and children of such soldiers, sailors, and marines, and to certain Army nurses, and granting pensions and increase of pensions in certain cases," approved May 1, 1920; to the Committee on Invalid Pensions.

By Mr. MILLS: A bill (H. R. 12235) to regulate the duration of the validity of passports and to regulate passport and visé fees; to the Committee on Foreign Affairs.

By Mr. McFADDEN: A bill (H. R. 12236) to amend section 5147 of the Revised Statutes; to the Committee on the Judiciary.

By Mr. JOHNSON of Washington: A bill (H. R. 12237) to limit immigration of aliens into the United States; to the Committee on Immigration and Naturalization.

By Mr. PRINGEY: A bill (H. R. 12238) for the purchase of a site and the erection of a public building at Coalgate, Okla.; to the Committee on Public Buildings and Grounds.

By Mr. SUTHERLAND: A bill (H. R. 12239) authorizing the Treasurer of the United States to turn into the treasury of the Territory of Alaska all moneys received from the sale of fur-seal and other furs from the Pribilof Islands; to the Committee on Ways and Means.

By Mr. McFADDEN: A bill (H. R. 12240) to amend section 9 of the Federal reserve act; to the Committee on Banking and Currency.

By Mr. FOCHT: A bill (H. R. 12241) validating the acts of notaries public not domiciled within the District of Columbia and qualifying business residents of said District for appointment as notaries public; to the Committee on the District of Columbia.

By Mr. MOORE of Ohio: Joint resolution (H. J. Res. 367) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. FOSTER: Joint resolution (H. J. Res. 368) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. DEAL: Joint resolution (H. J. Res. 369) authorizing the Secretary of War to lease the United States military reservation at Willoughby Spit, in the county of Norfolk, State of Virginia; to the Committee on Military Affairs.

By Mr. THOMPSON: Joint resolution (H. J. Res. 370) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. CONNALLY of Texas: Concurrent resolution (H. Con. Res. 63) for the appointment of a joint committee of three Members of the House and three Members of the Senate to investigate the alleged kidnapings and captures of American citizens and property in the Republic of Mexico by bandits, and for other purposes; to the Committee on Rules.

## PRIVATE BILLS AND RESOLUTIONS.

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

By Mr. ANDREWS of Nebraska: A bill (H. R. 12242) granting a pension to Katherine Thompson; to the Committee on Invalid Pensions.

By Mr. CHINDBLOM: A bill (H. R. 12243) authorizing the President to reappoint and honorably discharge George Mitchell, first lieutenant of Engineers, United States Army, as of October 18, 1918; to the Committee on Military Affairs.

By Mr. DARROW: A bill (H. R. 12244) granting a pension to John D. Frick; to the Committee on Pensions.

By Mr. DOWELL: A bill (H. R. 12245) granting an increase of pension to Dora Coffman; to the Committee on Invalid Pensions.

By Mr. FITZGERALD: A bill (H. R. 12246) granting a pension to Herman Wagner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12247) granting an increase of pension to Mary E. Tritten; to the Committee on Pensions.

By Mr. GORMAN: A bill (H. R. 12248) for the relief of Earl D. Barkly; to the Committee on Claims.

By Mr. GRAHAM of Pennsylvania: A bill (H. R. 12249) granting a pension to Robert M. Daniels; to the Committee on Pensions.

By Mr. HAYDEN: A bill (H. R. 12250) for the relief of John M. Hines; to the Committee on Claims.

By Mr. KING: A bill (H. R. 12251) granting a pension to John Wait; to the Committee on Invalid Pensions.

By Mr. KLINE of Pennsylvania: A bill (H. R. 12252) granting a pension to George D. Bucher; to the Committee on Invalid Pensions.

By Mr. MEAD: A bill (H. R. 12253) for the relief of John Wesley Jones; to the Committee on Naval Affairs.

Also, a bill (H. R. 12254) for the relief of Charles Schreiber; to the Committee on Naval Affairs.

By Mr. MUDD: A bill (H. R. 12255) authorizing the payment of an amount equal to six months' pay to Mrs. Thomas E. Bowen; to the Committee on Naval Affairs.

Also, a bill (H. R. 12256) granting a pension to Mary M. Kelly; to the Committee on Invalid Pensions.

By Mr. MURPHY: A bill (H. R. 12257) granting an increase of pension to Daniel Clark; to the Committee on Invalid Pensions.

By Mr. OSBORNE: A bill (H. R. 12258) granting a pension to Mina Riley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12259) granting a pension to Nathan A. Gates; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12260) granting a pension to Florence C. Clark; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12261) granting a pension to Rose Givens; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12262) granting a pension to Libbie M. Ryan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12263) granting a pension to Michael J. Haggerty; to the Committee on Pensions.

Also, a bill (H. R. 12264) granting a pension to Julia F. Hackney; to the Committee on Pensions.

Also, a bill (H. R. 12265) granting an increase of pension to Paul Hendricksen; to the Committee on Pensions.

Also, a bill (H. R. 12266) granting an increase of pension to Clarence J. Johnson; to the Committee on Pensions.

Also, a bill (H. R. 12267) granting a pension to Philip L. Schwager; to the Committee on Pensions.

Also, a bill (H. R. 12268) for the relief of George W. Akins; to the Committee on Military Affairs.

Also, a bill (H. R. 12269) for the relief of Jeremiah F. Mahoney; to the Committee on Military Affairs.

By Mr. RICKETTS: A bill (H. R. 12270) granting a pension to Mary A. McConnell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12271) granting a pension to Harriet A. Roby; to the Committee on Invalid Pensions.

By Mr. STRONG of Kansas: A bill (H. R. 12272) for the relief of Henry P. Biehl; to the Committee on Naval Affairs.

By Mr. WOODYARD: A bill (H. R. 12273) granting a pension to Emma Taylor; 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:

6130. By Mr. BARBOUR: Petition of Coalinga (Calif.) Chamber of Commerce in opposition to the dissolution of the Southern Pacific and Central Pacific Railroads; to the Committee on Interstate and Foreign Commerce.

6131. By Mr. BIRD: Petition of sundry citizens of Kansas protesting against House bill 9753; to the Committee on the District of Columbia.

6132. By Mr. CONNOLLY of Pennsylvania: Resolution from the Quaker City Fraternal Aid Society, of Philadelphia, Pa., favoring the prompt enactment of an adequate tariff law based on American valuation; to the Committee on Ways and Means.

6133. By Mr. CURRY: Resolution of the Sacramento Clearing House Association, of Sacramento, Calif., against the dissolution of the Central Pacific and Southern Pacific Railroads; to the Committee on Interstate and Foreign Commerce.

6134. Also, petition of board of directors of the Sacramento Valley Development Association indorsing present national reclamation act; to the Committee on Irrigation and Reclamation of Arid Lands.

6135. By Mr. DYER: Petition of Byrnes Belting Co., St. Louis, Mo., relative to passage of Senate Joint Resolution 48 and House Joint Resolution 135; to the Committee on Military Affairs.

6136. Also, petition of Webster Grove Memorial Post, American Legion, No. 472, urging passage of Bursum bill (S. 1565); to the Committee on Military Affairs.

6137. By Mr. GRAHAM of Pennsylvania: Papers to accompany House bill 12249 granting a pension to Robert M. Daniels; to the Committee on Pensions.

6138. By Mr. LEA of California: Petition of 458 residents of Santa Rosa, Calif., protesting against the enactment of pending compulsory Sunday observance bills; to the Committee on the District of Columbia.

6139. By Mr. KISSEL: Petition of the Plate Glass Insurance Exchange of New York, relative to the Fitzgerald bill (H. R. 10034); to the Committee on the District of Columbia.

6140. Also, petition of San Francisco Chamber of Commerce, San Francisco, Calif., relative to the Central Pacific-Southern Pacific dismemberment; to the Committee on Interstate and Foreign Commerce.

6141. Also, petition of Warrior River Development Committee, Birmingham, Ala., relative to the pending tariff bill; to the Committee on Ways and Means.

6142. Also, petition of the National Society of the Sons of the American Revolution, Buffalo, N. Y., asking Congress to support the national defense act of 1920; to the Committee on Appropriations.