

389. Also, petitions of E. Goss & Co., San Francisco, Calif., in re excise tax, and Kahn-Beck Co., Los Angeles, Calif., in re excise tax; to the Committee on Ways and Means.

390. Also, petitions of the New First National Bank, Burbank, Calif., in re income tax reduction and soldiers' bonus, and the Security State Bank, of San Jose, Calif., in re income tax reductions and soldiers' bonus; to the Committee on Ways and Means.

391. By Mr. RAMSEYER: Petition of the carriers of the sixth congressional district, requesting a maintenance of equipment allowance of 6 cents per mile and a modification of the retirement act; to the Committee on Reform in the Civil Service.

392. By Mr. ROBINSON of Iowa: Petition of Dubuque Women's Club, Dubuque, Iowa, favoring adjustment of salaries, etc., of postal employees; to the Committee on the Post Office and Post Roads.

393. Also, petition of third congressional district of Iowa, favoring inclusion of moneys expended for life insurance premiums as deductible under the income tax law of the United States; to the Committee on Ways and Means.

394. By Mr. SITES: Petition of Lebanon Paper Box Co., Lebanon, Pa., indorsing the reduction of taxes suggested in the letter of the Secretary of the Treasury, dated November 10, 1923, addressed to Hon. WILLIAM R. GREEN, acting chairman Committee on Ways and Means; to the Committee on Ways and Means.

395. By Mr. TEMPLE: Resolution of Bentleyville Chapter, Isaac Walton League of America, Bentleyville, Pa., indorsing Senator McCormick's bill providing for a 300-mile national preserve in the Mississippi Valley from Rock Island, Ill., to Wabasha, Minn.; to the Committee on Agriculture.

396. By Mr. VARE: Petition of Philadelphia Chamber of Commerce, urging that no change be made in the transportation act; to the Committee on Interstate and Foreign Commerce.

397. Also, petition of Wissinoming Improvement Association, of Philadelphia, Pa., asking that work be given to the Frankford Arsenal in such amounts as will continue the operation of that plant; to the Committee on Military Affairs.

SENATE.

MONDAY, January 7, 1924.

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

Accept our thanks this morning, our Father, for the brightness of the day. Grant that in all the work of the day we may exercise those conceptions of obligation and of duty which will meet Thy favor and be to Thy glory. Lead us always, we beseech of Thee, and so help us in the understanding of the times that the result will be gratifying and uplifting to all the people. Hear us, accept of us, through Jesus Christ our Lord. Amen.

NAMING A PRESIDING OFFICER.

The Secretary (George A. Sanderson) read the following communication:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
Washington, D. C., January 7, 1924.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. GEORGE H. MOSES, a Senator from the State of New Hampshire, to perform the duties of the Chair this legislative day.

ALBERT B. CUMMINS,
President pro tempore.

Mr. MOSES thereupon took the chair as Presiding Officer.

THE JOURNAL.

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

TRIBUTE TO THE LATE PRESIDENT HARDING.

The PRESIDING OFFICER laid before the Senate the following messages of condolence on account of the death of the late President Harding, addressed to the President of the Senate by the presiding officers of the Senates of the Argentine Republic, Brazil, Chile, Cuba, and Mexico, respectively, which were ordered to lie on the table and to be printed in the RECORD, as follows:

DEPARTMENT OF STATE,
Washington, January 4, 1924.

The Hon. ALBERT B. CUMMINS,

President pro tempore United States Senate.

SIR: I have the honor to transmit herewith messages of condolence, on account of the death of the late President Harding, addressed to the President of the Senate by the presiding officers of the Senates of the Argentine Republic, Brazil, Chile, Cuba, and Mexico, respectively. A translation, made in the Department of State, is attached to each message.

I also inclose a copy of a note from the chargé d'affaires of Belgium, containing the text of addresses delivered in the Belgian Senate on the occasion of the death of President Harding, which the chargé d'affaires requested be communicated to Congress.

I have the honor to be, sir,

Your obedient servant,

CHARLES E. HUGHES.

[Translation.]

BUENOS AIRES, August 4, 1923.

THE PRESIDENT OF THE SENATE OF THE UNITED STATES,

Washington:

In the name of the Argentine Senate and in my own I have the honor to present to your excellency our profound condolences for the great loss suffered by your friendly country in the lamented death of the eminent President, Mr. Harding. I salute Your Excellency.

ELPIDO GONZALEZ.

[Translation of telegram.]

RIO DE JANEIRO.

THE PRESIDENT OF THE SENATE,

Washington:

I have the honor to inform your excellency that the Brazilian Senate as a mark of sorrow for the death of President Harding has just adjourned. I present to your excellency and the high body over which you preside the expression of my most sincere condolences.

ESTACIO COIMBRA, President.

[Copy of translation.]

[Telegram received—The White House.]

SANTIAGO, CHILE, August 3, 1923.

To his Excellency the PRESIDENT OF THE

SENATE OF THE UNITED STATES OF AMERICA,

Washington:

The Senate of Chile at its session of to-day unanimously voted to join in the mourning of the United States of America for the lamentable demise of President Warren G. Harding and adjourned as a token of sorrow. In making this resolution known to your excellency I have the honor to express to you my personal condolence.

LUIS CLARO SOLAR, President.

ENRIQUE ZANARTU IGUGUREN, Secretary.

[Translation.]

HABANA, August 3, 1923.

The honorable the PRESIDENT OF THE SENATE:

The death of President Harding, illustrious late member of the American Senate, created in Cuba an impression of deep sorrow. The Cuban Senate, over which I preside and whose sentiment I voice, sends to the brother body the assurance of its most sincere condolence.

AURELIO ALVAREZ,

President of the Senate of Cuba.

[Translation.]

MEXICO CITY, August 3, 1923.

To the honorable the PRESIDENT OF THE

SENATE OF THE UNITED STATES OF NORTH AMERICA,

Washington, D. C.:

The Senate of the Mexican Republic has the honor to present its condolences on account of the lamentable demise of the illustrious President Warren G. Harding to the Senate of the United States of North America.

The President of the Senate:

FERNANDO IGLESIAS CALDERON.

AMBASSADE DE BELGIQUE,
Washington, D. C., September 4, 1923.

To the honorable The SECRETARY OF STATE,

Department of State, Washington, D. C.

SIR: I have the honor to send you, under this cover, a copy of the Belgian Senate report, which I have just received from Mr. Jasper, Minister for Foreign Affairs, by whom I have been instructed to com-

municate it to you. It contains the text of the addresses delivered at the opening of the sitting of August 7, 1923, by the president of the Senate and by Mr. Jasper on the occasion of the death of President Harding.

As you will see, Count t'Kint de Roodenbeke, president of the Senate, said to the members of the upper house, all standing, the following words:

"The news of the sudden death of Mr. Harding, President of the United States, has created upon us a painful impression. The eminent statesman who watched over the destinies of the great and powerful, friendly Nation had, in many circumstances, shown his cordial sympathy toward our country.

"Belgium will remember it with a deep and grateful emotion.

"I shall, doubtless, be the interpreter of this whole assembly when, asking the King's Government to transmit to the United States Government in the sorrow which has befallen it, the expression of the heartfelt sympathy of the Belgian Senate."

Mr. Jasper's answer reads as follows:

"The Government, with all their hearts, join in the sentiments which have been so well expressed by the president of this assembly.

"President Harding had been called in March, 1921, to succeed President Wilson. He had been given a number of votes never before attained in the United States, which proves that he was the true representative of the very soul of that great people.

"During his tenure of office, President Harding distinguished himself by an initiative as bold as generous. He called to Washington the first Conference on Disarmament. Owing to his personal intervention, Belgium was invited to participate in it by the side of the great powers.

"The President was at all times a great friend of our country.

"From the beginning, in favor of the intervention of the United States in the war, he always said that one of the reasons which had helped him to form his conviction had been the injustice committed against our country.

"Belgium, who ever keeps the memory of the attitude of the United States toward her during the Great War, joins wholly in the bereavement of the American Nation.

"The Government has caused, on the day of the funeral of President Harding, to have the national flag at half-mast on all public buildings. It is the first time that such a measure has been taken on the occasion of the death of the head of a foreign State. The Government wanted thus to show the specially profound nature of the feelings which bind us to the United States."

In instructing me to bring the foregoing addresses to your knowledge, the Minister for Foreign Affairs expressed the wish that you be so kind as to communicate them to the Congress of the United States.

Please accept, sir, the renewed assurances of my highest consideration.

(Sgd.) LE MAIRE DE WARZÉE D'HERMALLE.

CONVENTION OF AMERICAN INSTRUCTORS OF THE DEAF.

The PRESIDING OFFICER laid before the Senate a communication from the president of the Columbia Institution for the Deaf, transmitting, pursuant to law, the proceedings of the twenty-third meeting of the Convention of American Instructors of the Deaf, held at Belleville, Ontario, Canada, June 25 to June 30, 1923, inclusive, which was referred to the Committee on the District of Columbia.

FEDERAL CONTROL OF RAILROADS.

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying paper, referred to the Committee on Interstate Commerce and ordered to be printed in the RECORD, as follows:

To the Congress of the United States:

I transmit herewith, for the information of the Congress, a communication from the Director General of Railroads and Agent of the President submitting a summary of the progress made to December 31, 1923, in liquidating "all matters, including compensation, and all questions and disputes arising out of or incident to Federal control," as provided for in section 202 of the transportation act of 1920.

CALVIN COOLIDGE.

THE WHITE HOUSE, January 7, 1924.

WASHINGTON, D. C., January 3, 1924.

Mr. PRESIDENT: I herewith submit a summary of the progress made to December 31, 1923, in liquidating "all matters, including compensation, and all questions and disputes arising out of or incident to Federal control," as provided for in section 202 of the transportation act of 1920.

The claims presented against the Government arising out of the 26 months of Federal control of railroads can be roughly divided into two classes:

1. The claims of those carriers whose property was actually taken over and actively operated by the director general.
2. All other claims.

I.

CLAIMS OF CARRIERS WHOSE PROPERTY WAS ACTUALLY TAKEN OVER AND ACTIVELY OPERATED BY THE DIRECTOR GENERAL.

These claims represent the demands of all carriers whose property was actually taken over and actively operated by the director general, and, in addition to railroad property, include the Pullman Co., coast-wise and inland steamship lines, floating equipment used in harbors by railroads, sundry private car lines, elevators owned and operated by railroads, a number of electrically operated lines, and three water-works companies owned and operated by railroads furnishing water to municipalities.

The property taken over represented 241,194 miles of first main track, and, including additional main line, passing tracks, and switching yards and tracks, there was a total of 366,197 miles of track.

There were 532 properties taken over and actually operated. In some instances a number of separate properties were operated as one system. There were 181 standard contracts executed, which included 313 separately owned properties. The property of 219 carriers was taken over and no contract made with the companies.

These carriers filed claims against the Railroad Administration in the total sum of \$1,014,397,446.72. During the investigation of these claims sundry voluntary reductions were made and the administration paid to carriers sums on account. This reduced the aggregate amount of the claims as finally presented for adjustment to \$769,974,783.35.

Up to December 31, 1923, \$763,106,521.24 of these claims had been finally adjusted, or definite tentative agreements made looking to final adjustment. The principal items involved in these claims were compensation, material and supplies, retirements, replacements, depreciation, maintenance of way and structures, and maintenance of equipment.

In making these adjustments there was paid or is to be paid cash to creditor roads \$242,828,947.42, and there was received or is to be received from debtor roads in cash and interest-bearing obligations \$192,946,209.34, making the net cost to the Government of the settlements to date (exclusive of overhead) \$49,882,738.08. This represents 6.537 per cent on the claims as finally presented for adjustment. These settlements cover 99 per cent of all mileage taken over.

Every railroad or other company whose property was actually taken over presenting a claim has been given a full hearing. All class 1 roads have been finally settled with except five. Of these five, three are in the hands of receivers; one, an electric line, is being operated by its bondholders, and one company was not given a hearing until the last of December. Negotiations looking to an adjustment with these five companies are in progress.

The outstanding feature of this liquidation, now so nearly completed, is the fact that same has been accomplished without litigation. As each claim presented many items with large amounts in dispute, and the legal rights of the parties were wholly without precedent, this result could not have been accomplished without fair cooperation on the part of the representatives of the carriers in reaching amicable conclusions.

II.

ALL OTHER CLAIMS.

These claims consist largely of the demands of third persons—employees and the traveling and shipping public. They are for loss and damage to freight, overcharges, and reparation in freight transportation, personal injuries, and fire. There are also the claims of certain short-line railroads, whose properties were never actually operated by the Government and were formally relinquished within six months from the commencement of Federal control. There is also the liquidation of the American Railway Express Co.'s claims growing out of its relations with the United States Railroad Administration during the period of Federal control.

In addition, there remains a final checking of what are known as the trustee accounts between the roads actually operated and the United States Government, and the collection of outstanding accounts in the field.

Much progress has been made in disposing of these controversies, and the great bulk of them should be finally adjusted during the calendar year 1924. This adjustment will be made with a greatly reduced overhead, and, as shown in the succeeding paragraph hereof, the current receipts of the Railroad Administration should be more than sufficient to take care of all of these adjustments and the expenses attending same.

III.

FINANCIAL CONDITION OF THE RAILROAD ADMINISTRATION.

As of December 31, 1923, the following is a brief summary of the finances of the United States Railroad Administration:

Balance unexpended appropriations to the credit of the administration (this includes avails of equipment trust certificates and interest and principal payments on other obligations of carriers, reappropriated for liquidation purposes under section 202 of the transportation act).....	\$280,736,204.05
Balance of \$40,000,000 tentatively set aside to pay judgments, decrees, and awards from the revolving fund provided for in sections 206 and 210 of the transportation act.....	13,527,595.93
Deposits in United States Treasury and banks.....	42,660,065.78
Total cash assets.....	336,923,865.74
Obligations of carriers held by Railroad Administration:	
Bonds.....	28,626,300.00
Equipment trust notes.....	36,181,600.00
Notes of carriers practically all secured by collateral.....	231,230,000.00
Notes to be taken, but not actually delivered awaiting completion of details.....	12,200,000.00
Total carrier obligations.....	308,237,900.00

This makes the assets of the Railroad Administration, cash, and definitive obligations of carriers, \$645,161,765.74.

The obligations of the carriers, taken and to be taken, aggregating, as above stated, \$308,237,900, all bear and will bear 6 per cent interest, interest payable semiannually. As the important claims requiring large cash expenditures have been adjusted, the receipts from interest on these obligations and the collection of assets in the field should be more than sufficient to liquidate and adjust all of the outstanding claims growing out of Federal control, including all overhead, and from January 1, 1924, the Railroad Administration will be an income-producing asset of the Government instead of a liability.

IV.

COST OF FEDERAL CONTROL.

At this time there can be stated with reasonable accuracy the cost to the Government growing out of Federal control and the six months' guaranty period immediately following the end of Federal control, which is as follows:

Congress appropriated to pay cost of operation and to provide funds for liquidation a total of.....	\$1,750,000,000
Under sections 206 and 210 of the transportation act provision is made for the payment of judgments, decrees, awards, and reparation out of the revolving fund under the jurisdiction of the Interstate Commerce Commission. The expenditure in this matter is estimated at.....	40,000,000
This makes a total direct appropriation by Congress for the Railroad Administration of.....	1,790,000,000
The Railroad Administration should return to the Treasury in unexpended appropriations, cash, and definitive obligations of the carriers, as shown in paragraph 3 hereof in round figures.....	645,000,000
This leaves the cost of Federal control, including the liquidation of liabilities succeeding that period.....	1,145,000,000
To find the total cost to the Government of Federal control there should be added to this amount the claims arising under what is known as the guaranty period, being the six months immediately following Federal control. The Interstate Commerce Commission estimates that this will cost.....	536,000,000
There should also be added the cost of reimbursement of deficit roads (short lines) under section 204 of the transportation act. The Interstate Commerce Commission estimates this will cost.....	15,000,000

Making the total cost to the Government of the 26 months of Federal control and the 6 months' guaranty period.....

A detailed report of the matters above referred to under the jurisdiction of the United States Railroad Administration is in course of preparation.

Respectfully submitted.

JAMES C. DAVIS,

Director General of Railroads and Agent of the President.

Hon. CALVIN COOLIDGE,

President of the United States, Washington, D. C.

ADJUSTED COMPENSATION FOR WORLD WAR VETERANS.

Mr. ASHURST. Mr. President, this morning I received a letter from Hon. John R. Quinn, national commander of the American Legion, to which I replied as follows:

DEAR MR. COMMANDER: Yours of January 4 received. You are correct in your conclusion that a well-organized lobby is working by day and by night here in Washington in opposition to a bonus for the poor soldiers, and I might add that this same lobby is also working by day and by night in behalf of a bonus for a large number of millionaires whose hides and fortunes in the World War were saved by the valor of the American doughboy.

Sincerely yours,

HENRY F. ASHURST.

PETITIONS AND MEMORIALS.

The PRESIDING OFFICER laid before the Senate resolutions of the City Council of the city of Chicago, Ill., favoring a Federal survey of the Chicago River and Calumet River traffic with reference to the problem of fixed-bridge construction, which were referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

CITY OF CHICAGO,
OFFICE OF THE CITY CLERK,
January 2, 1924.

Hon. ALBERT B. CUMMINS,

President pro tempore United States Senate,

Washington, D. C.

DEAR SIR: By direction of the City Council of the city of Chicago, I transmit herewith a certified copy of a certain resolution adopted by said city council on December 12, 1923, requesting that a Federal survey be made of Chicago River and Calumet River traffic with reference to the problem of fixed-bridge construction.

Will you kindly bring this matter to the attention of the Senate?

Yours very truly,

AL. F. GORMAN, City Clerk.

Whereas the city of Chicago is so laid out that the Chicago River separates its great commercial center from its industrial and the residential districts and the Calumet River separates important industrial districts; and

Whereas the rapid growth of the city of Chicago in population and in commercial and social activities has filled its streets with a great and continuous traffic, which must move across the bridges over the aforementioned rivers; and

Whereas the problem of providing relief from traffic congestion has become one of great importance and becomes more serious and more pressing day by day; and

Whereas the city of Chicago is spending large amounts of money in constructing, maintaining, and operating movable bridges across said rivers; and

Whereas the commerce carried in masted vessels upon the rivers is of value and importance to the port of Chicago; and

Whereas the opening of the bridges from time to time to permit the passage of these masted vessels causes inconvenience, delay, and loss to the citizens of Chicago who must pass to and fro across the bridges in their daily pursuits; and

Whereas there is an insistent demand from those who travel over the bridges that fixed bridges be substituted for the movable bridges now in use; and

Whereas there is a natural desire on the part of those using the river that water transportation facilities shall remain as they are or be increased; and

Whereas the city of Chicago as a whole is directly interested in the matter of bridge costs, which are not the same for movable and for fixed bridges; and

Whereas there is a conflict of interests in this matter between the citizens using the streets and those using the river; and

Whereas the City Council of the city of Chicago has directed that a full and complete inquiry be made into all of the conditions bearing on the problem of a bridge-construction policy, and this inquiry will consider, among other things, the value and character of the present and prospective commerce upon the said Chicago River and Calumet River, the volume and importance of the traffic across the said rivers, and the losses resulting from the interruption to that traffic through the opening of the bridges, and the present and prospective costs of building, maintaining, and operating movable bridges as compared with the present and prospective costs of building and maintaining fixed bridges; and

Whereas this survey so directed is now being made with all possible speed and thoroughness and a report thereof will be returned to the city of Chicago as soon as may be; and

Whereas the Chicago River and the Calumet River are navigable waters of the United States, and the lawful consent of the Congress of

the United States would be necessary to any change of policy affecting the control or regulation of the said rivers, if any change in the present policy should be suggested: Now therefore be it

Resolved by the City Council of the city of Chicago, That the Congress of the United States be, and the same is hereby, respectfully requested and urged to direct the Secretary of War and the Chief of Engineers of the War Department of the United States, or such other agent or agents as the said Congress may select, as soon as may be, to make a survey of the commerce upon said Chicago River and Calumet River and in the port of Chicago and of the traffic across the said rivers within the limits of the city of Chicago, and of the respective costs of movable bridges and fixed bridges, and to report upon the feasibility of the substitution of fixed instead of movable bridges across the said rivers within the limits of the city of Chicago, and upon the readjustments of traffic and commerce, and of the harbor development and port regulation necessary and incident thereto; and be it further

Resolved, That the city clerk of the said city of Chicago be, and he is hereby, directed to forward copies of this resolution, certified under the hand and seal of the said city of Chicago, unto the Congress of the United States of America, directed, respectively, to the Clerk of each of the Houses and to the chairman of the Committee on Rivers and Harbors of each of the Houses of the said Congress.

STATE OF ILLINOIS, County of Cook, ss:

I, AL. F. GORMAN, city clerk of the city of Chicago, do hereby certify that the above and foregoing is a true and correct copy of the certain resolution adopted by the City Council of the city of Chicago at a regular meeting held Wednesday, the 12th day of December, A. D. 1923.

Witness my hand and the corporate seal of the said city of Chicago this 2d day of January, A. D. 1924.

[SEAL.]

AL. F. GORMAN,
City Clerk.

The PRESIDING OFFICER laid before the Senate the following concurrent resolution of the Legislature of Iowa, which was referred to the Committee on Finance:

Concurrent resolution proposing to memorialize the Congress of the United States to initiate and to pass such legislation as will result in the general prohibition of the issuance of tax-free securities by the United States and the several States.

Whereas there have been issued from time to time by the Government of the United States and the several States, respectively, and by the various political subdivisions of the respective States, securities wholly or partially exempt from taxation; and

Whereas the exemption from taxation of such securities is of benefit to but a few of the citizens of the United States, has contributed to the economical unrest throughout the country, and has resulted in depriving the respective taxing districts in the State of Iowa and over the United States of a considerable amount of taxes on property within such taxing districts: Therefore be it

Resolved by the house (the senate concurring), That we, the General Assembly of the State of Iowa, in special session assembled, do hereby call upon and request the Congress of the United States to immediately initiate and adopt such legislation as will result in the prohibition and curtailment of the issuance of tax-free or partially tax-free securities by the United States, any State or political subdivision of the United States, or any State.

That a copy of this resolution be sent to the Secretary of the Senate and the Chief Clerk of the House of Representatives of the Congress of the United States and to the respective Members thereof from Iowa.

J. H. HENDERSON,
Speaker of the House.
JOHN HAMMILL,
President of the Senate.

I hereby certify that Concurrent Resolution No. 4 originated in the house and passed both the house and senate of the special session of the Fortieth General Assembly of Iowa.

A. C. GRESTAPON,
Chief Clerk of the House.

Mr. ROBINSON presented a petition of the Federated Trades of Van Buren, Ark., praying for the repeal of the transportation act, which was referred to the Committee on Interstate Commerce.

Mr. JONES of Washington presented petitions of sundry citizens of Yakima, Wash., praying for the passage of the so-called "public shooting grounds—game refuge bill," which were referred to the Committee on Public Lands and Surveys.

Mr. LODGE presented resolutions of the mayor and aldermen of the city of Lawrence, Mass., favoring the granting of increased compensation to employees of the Postal Service, which were referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the Packard Carton Co. and sundry of its employees, of Campello, Mass., favoring adop-

tion of the so-called Mellon tax-reduction plan, which was referred to the Committee on Finance.

He also presented petitions of sundry citizens of the United States, praying for the participation of the United States in the Permanent Court of International Justice, which were referred to the Committee on Foreign Relations.

Mr. FRAZIER presented a resolution of the Evangelical Lutheran Synod of Missouri, Ohio, and other States, assembled in national convention at Fort Wayne, Ind., protesting against the passage of legislation creating a department of education, which was referred to the Committee on Education and Labor.

He also presented the petition of Jacob Gutschmidt and 17 other citizens of Gackle, N. Dak., praying for the passage of the so-called Newton bill for the purchase of surplus wheat to feed the starving in Germany, and also for action looking to the collection of the French debt owing to the United States, which was referred to the Committee on Foreign Relations.

He also presented resolutions of the Forrest E. Williams Post, No. 94, the American Legion, of Alexander, N. Dak., favoring the extension of benefits accruing to World War veterans from hospitalization, compensation, rehabilitation, land settlement, etc., to the veterans of all wars and minor wars, which were referred to the Committee on Finance.

He also presented petitions of S. M. Willard and sundry other citizens of Ray, Wheelock, and vicinity, in the State of North Dakota, praying for the stabilization of the prices of wheat, which were referred to the Committee on Agriculture and Forestry.

Mr. LADD presented the petition of Mrs. J. Langton and 18 other citizens of Lawton, N. Dak., praying for the participation of the United States in the Permanent Court of International Justice, which was referred to the Committee on Foreign Relations.

He also presented the petition of John Buntrup and 314 other citizens of North Dakota, praying for the enactment of legislation stabilizing the price of wheat and also indorsing the so-called Norris-Sinclair bill establishing a minimum price for wheat, which was referred to the Committee on Agriculture and Forestry.

He also presented the petition of A. McMachen and four other citizens of Williston, N. Dak., praying for an increased tariff on wheat and the stabilization of wheat prices, which was referred to the Committee on Agriculture and Forestry.

He also presented the petition of E. Meigely and 44 other citizens of Hebron, N. Dak., praying for an increased tariff on wheat, flax, and its oils and substitute oils used therefor, which was referred to the Committee on Finance.

He also presented a resolution of the Jamestown (N. Dak.) Chamber of Commerce, favoring the passage of legislation abolishing the telegraph and telephone taxes, which was referred to the Committee on Finance.

He also presented the petition of Mrs. G. Hunt and 13 other citizens of Wimbledon, N. Dak., praying an amendment to the Constitution regulating child labor, which was referred to the Committee on the Judiciary.

He also presented the petition of A. H. Boyd and 111 other citizens of Fargo, N. Dak., praying for the passage of the so-called Dyer antilynching bill, which was referred to the Committee on the Judiciary.

Mr. FESS presented a resolution of Dayton Post, No. 5, American Legion, Department of Ohio, favoring the passage of adequate conscription laws so as to conscript into the United States service during war all of the Nation's resources, including capital, labor, industry, transportation, and fighting men, which was referred to the Committee on Military Affairs.

He also presented resolutions of Dayton Post, No. 5, American Legion, Department of Ohio, favoring the passage of a more rigid immigration law, which was referred to the Committee on Immigration.

He also presented a resolution of the Cuyahoga County Council of the American Legion of Ohio, favoring the granting of adjusted compensation to veterans of the World War, which was referred to the Committee on Finance.

He also presented a petition of sundry citizens of Toledo, Ohio, praying for the passage of the so-called Dyer antilynching bill, which was referred to the Committee on the Judiciary.

He also presented resolutions of the northern Ohio group of the Investment Bankers' Association of America, favoring adoption of the so-called Mellon tax-reduction plan and opposing the passage of a soldiers' bonus bill, which were referred to the Committee on Finance.

He also presented a resolution adopted by the Evangelical Lutheran Synod of Missouri, Ohio, and other States, opposing

the enactment of legislation creating a department of education, which was referred to the Committee on Education and Labor.

He also presented resolutions of the Kiwanis Club of Cincinnati and of the Chamber of Commerce of Nelsonville, both in the State of Ohio, favoring the adoption of the so-called Mellon tax-reduction plan, which were referred to the Committee on Finance.

He also presented petitions of the office and factory employees of the American Bottle Co., of Newark, Ohio, praying for adoption of the so-called Mellon tax-reduction plan, which were referred to the Committee on Finance.

Mr. WILLIS presented resolutions of the Chamber of Commerce of Nelsonville, the Kiwanis Club of Cincinnati, and the board of directors of the Chamber of Commerce of Marietta, all in the State of Ohio, favoring adoption of the so-called Mellon tax-reduction plan, which were referred to the Committee on Finance.

He also presented the petition of Henry W. Stoer and eight other officers of the Troy Laundry Co., of Cleveland, Ohio, favoring adoption of the so-called Mellon tax-reduction plan, which was referred to the Committee on Finance.

He also presented resolutions of the Akron (Ohio) Clearing House Association, favoring adoption of the so-called Mellon tax-reduction plan and opposing the granting of adjusted compensation to ex-service men, which were referred to the Committee on Finance.

He also presented a petition of the board of directors of the Youngstown (Ohio) Chamber of Commerce, praying for the adoption of the so-called Mellon tax-reduction plan and remonstrating against the passage of a Federal soldiers' bonus bill, which was referred to the Committee on Finance.

He also presented resolutions of Dayton Post, No. 5, American Legion, Department of Ohio, and of the Cuyahoga County Council of the American Legion of Ohio, favoring the enactment of legislation granting a bonus to ex-service men, which were referred to the Committee on Finance.

He also presented a memorial of sundry members and employees of the Osborn Engineering Co., of Cleveland, Ohio, remonstrating against the enactment of legislation granting a bonus to ex-service men, which was referred to the Committee on Finance.

He also presented resolutions of the Cambridge (Ohio) Federation of Women's Clubs, favoring the passage of legislation forming the Upper Mississippi River National Preserve, and especially including the Winneshiek Bottoms, which were referred to the Committee on Commerce.

He also presented a resolution of Chillicothe (Ohio) Grange, No. 2075, Patrons of Husbandry, protesting against the passage of a daylight savings law, which was referred to the Committee on Interstate Commerce.

He also presented a resolution of the Ohio State Grange, adopted at its fifty-first annual session in Toledo, Ohio, December 11-14, 1923, favoring the passage of the so-called Purnell bill, authorizing a more complete endowment of agricultural experiment stations, which was referred to the Committee on Agriculture and Forestry.

He also presented resolutions of Dayton Post, No. 5, American Legion, Department of Ohio, favoring the passage of a more rigid immigration law, which were referred to the Committee on Immigration.

He also presented resolutions of Dayton Post, No. 5, American Legion, Department of Ohio, favoring the passage of laws to conscript into the service of the United States during war all of the Nation's resources, including capital, labor, industry, transportation, and fighting men, which was referred to the Committee on Military Affairs.

Mr. BROOKHART. I present a concurrent resolution adopted by the Legislature of Iowa relating to tax-exempt securities. I ask that it may be printed in the RECORD.

The PRESIDING OFFICER. May the Chair ask the Senator from Iowa if it is the same resolution which the Chair just laid down as coming from the Legislature of Iowa?

Mr. BROOKHART. I do not understand the rule in such a case.

The PRESIDING OFFICER. The rule is that the resolution of a State legislature shall be printed in the RECORD, but the Chair received a concurrent resolution which was passed by the Legislature of Iowa, and which will be printed in the RECORD in the ordinary course.

Mr. BROOKHART. If it is the same, one printing is, of course, sufficient.

(See concurrent resolution of the Iowa State Legislature previously laid down to-day by the Presiding Officer.)

RESTRICTION OF IMMIGRATION.

Mr. HARRIS. Mr. President, last week I introduced a bill to prohibit immigration for five years. In previous sessions of Congress I have introduced similar bills. I do not think there is any legislation more important to the people of our country. Some of our citizens who came from European countries gave trouble and caused embarrassment before, during, and since the World War. We already have too many of that class in our country. They do not understand our form of government or our laws. You will find relatively a larger per cent of law breakers in the jails and penitentiaries from this class; some of them have urged the overthrow of our Government. Everyone that comes here takes the place that belongs to one of our own citizens; even those who fought against our country are coming. They work cheaper and reduce the wages of our own laborers, and send back their savings to their own country. Many of them are the lowest class, and their own countries are glad to get rid of them. They are a menace to our country. What we need now is to make 100 per cent Americans out of the people now in our country instead of allowing more to come here.

At the fourth and fifth annual meetings of the American Legion they unanimously passed resolutions urging the prohibition of immigration for five years. I ask that a copy of the resolution be printed in the RECORD and referred to the Committee on Immigration, of which I am a member.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Georgia that the matter be referred to the Committee on Immigration and printed in the RECORD?

There being no objection, the resolution was referred to the Committee on Immigration, as follows:

IMMIGRATION.

NATIONAL HEADQUARTERS, THE AMERICAN LEGION,

FIFTH NATIONAL CONVENTION,

San Francisco, Calif., October 15, 16, 17, 18, 19, 1923.

Whereas the future policy of this country respecting immigration is one of the most vital and imperative problems before the American people to-day and should therefore be of utmost concern to the American Legion; and

Whereas the American Legion is especially concerned in the preservation and continuance of constituted American Government, American institutions and ideals, and the advancement of the opportunities, welfare, and prosperity of the citizens of this country; and

Whereas the accomplishment of these purposes is greatly interfered with and hindered by an overcrowded and ever-increasing unassimilable and menacing alien population in the United States, many of whom by reason of insufficient laws and the lax enforcement thereof have been admitted without proper or any qualifications, and who through lack of understanding or appreciation or vicious intent seek to undermine or destroy, by propaganda or direct action, our institutions and Government; and

Whereas the permanent and lasting prosperity and welfare of the Nation and its citizens will be impaired and endangered by the overcrowded condition of the population, such as exists in some foreign countries; and

Whereas the continued admission of undesirable immigrants into the United States under the operation of present laws, taken in connection with the vast numbers of nonnaturalized and nonassimilated persons heretofore admitted through insufficient laws and their lax enforcement and administration, constitutes a growing menace to American institutions, Government, and ideals; and

Whereas this menace, if not checked, will eventually undermine and destroy respect for law, orderly government, every patriotic impulse, and the loyal character of American citizenship, as well as disorganize our industrial and economic structure, and should therefore be of concern to every true American;

Resolved, That we renew and emphasize the action of the fourth national convention urging the enactment without delay of laws, and the negotiation of treaties if required, for the exclusion as immigrants or permanent residents of the United States of all persons ineligible to citizenship under the laws thereof.

Resolved, That it is the sense of this convention that Congress should enact laws as follows:

First. Entirely suspending immigration for a period of five years or for such period of time as will enable the formation of a definite and constructive plan for the protection of our people and our Nation from the present dangerous influx of aliens.

Second. That if and when immigration is allowed to resume a restriction be placed thereupon in a manner that will lead to immigration only from nations having ideals kindred to those of the American people.

Third. That for the purpose of controlling immigration at its source immigration commissioners or other suitable agents of the

Government be established in foreign countries for the purpose of examining into the qualifications of all aliens seeking admission into the United States, and to prevent all those who are unqualified from reaching our shores.

Fourth. That a suitable system of registration and identification of all aliens be put into effect prior to their leaving their own countries, such system to be continued while they are residents in the United States.

Fifth. That the standards of admission for aliens entering this country be materially raised as to mental, moral, and physical qualifications.

Sixth. That among other salutary regulations there should be preference given by law under restricted immigration to the immediate families of those who have served honorably in the armed forces of the United States, and, secondly, to the immediate families of persons resident in the United States, its territories and possessions, who are citizens thereof, provided they are otherwise qualified and eligible for citizenship.

REPORTS OF COMMITTEES.

Mr. BAYARD, from the Committee on Claims, to which was referred the bill (S. 75) for the relief of the Cleveland State Bank, of Cleveland, Miss., reported it without amendment and submitted a report (No. 14) thereon.

Mr. BRUCE, from the Committee on Claims, to which was referred the bill (S. 129) for the relief of the William D. Mullen Co., reported it without amendment and submitted a report (No. 16) thereon.

Mr. WADSWORTH, from the Committee on Military Affairs, to which was referred the bill (S. 1376) to provide for the equitable distribution of captured war devices and trophies to the States and Territories of the United States and to the District of Columbia, reported it without amendment and submitted a report (No. 17) thereon.

BUREAU OF AERONAUTICS.

Mr. JONES of Washington. I am directed by the Committee on Commerce to report back favorably with amendments the bill (S. 76) to create a Bureau of Aeronautics in the Department of Commerce, to encourage and regulate the operation of civil aircraft in interstate and foreign commerce, and for other purposes, and I submit a report (No. 15) thereon. I desire to give notice that I shall ask the Senate to proceed to the consideration of the bill to-morrow.

The PRESIDING OFFICER. The bill will be placed on the calendar.

HEARINGS BEFORE COMMITTEE ON MANUFACTURES.

Mr. KEYES, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate Resolution 109, submitted by Mr. LA FOLLETTE on the 3d instant, reported it favorably without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Committee on Manufactures, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-eighth Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer at a cost not exceeding 25 cents per 100 words to report such hearings as may be held in connection with any subject which may be before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

HEARINGS BEFORE COMMITTEE ON INDIAN AFFAIRS.

Mr. KEYES, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate Resolution 112, submitted by Mr. HARRELD on the 3d instant, reported it favorably without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Committee on Indian Affairs, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-eighth Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer at a cost not exceeding 25 cents per 100 words to report such hearings as may be had in connection with any subject which may be before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

BILLS INTRODUCED.

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

By Mr. SHEPPARD:

A bill (S. 1725) for the relief of Rubie M. Mosley (with accompanying papers); to the Committee on Claims.

By Mr. OWEN:

A bill (S. 1726) to amend section 11 of the Federal highway act, approved November 9, 1921; to the Committee on Post Offices and Post Roads.

A bill (S. 1727) for the relief of the Sinclair Panama Oil Corporation; and

A bill (S. 1728) for the relief of the Export Oil Corporation; to the Committee on Claims.

A bill (S. 1729) for the establishment of a probation system in the United States courts, except in the District of Columbia; and

A bill (S. 1730) to amend an act entitled "An act to parole United States prisoners, and for other purposes," approved June 25, 1910, as amended by an act approved January 23, 1913; to the Committee on the Judiciary.

By Mr. OVERMAN:

A bill (S. 1731) for the relief of Robert G. Hayes; to the Committee on Claims.

By Mr. ODDIE:

A bill (S. 1732) for the relief of Benjamin F. Spates; to the Committee on Claims.

By Mr. SMOOT:

A bill (S. 1733) to authorize the Secretary of War to secure for the United States title to certain private lands contiguous to and within the Militia Target Range Reservation, State of Utah; to the Committee on Public Lands and Surveys.

By Mr. NORBECK:

A bill (S. 1734) to amend section 7 of the act of February 6, 1909, entitled "An act authorizing the sale of lands at the head of Cordova Bay, in the Territory of Alaska, and for other purposes"; to the Committee on Public Lands and Surveys.

By Mr. FERNALD:

A bill (S. 1735) relative to public buildings and grounds in the District of Columbia; to the Committee on Public Buildings and Grounds.

By Mr. COPELAND:

A bill (S. 1736) granting an increase of pension to Grace F. Marix; to the Committee on Pensions.

By Mr. NEELY:

A bill (S. 1737) granting a pension to Ella M. Porter and three minor children;

A bill (S. 1738) granting an increase of pension to Susan Amelia Batson; and

A bill (S. 1739) granting a pension to Mary Wyckoff; to the Committee on Pensions.

A bill (S. 1740) to provide relief for the victims of the airplane accident at Langin Field; to the Committee on Claims.

A bill (S. 1741) authorizing the Secretary of War to donate one German cannon or fieldpiece to the American Legion post at Moundsville, W. Va.; to the Committee on Military Affairs.

By Mr. WALSH of Massachusetts:

A bill (S. 1742) to amend the revenue act of 1921; to the Committee on Finance.

A bill (S. 1743) granting a pension to Anthony P. J. Henry (with accompanying papers); and

A bill (S. 1744) granting a pension to Etta Fix (with accompanying papers); to the Committee on Pensions.

A bill (S. 1745) allowing and regulating boxing and sparring matches in the District of Columbia; to the Committee on the District of Columbia.

By Mr. EDGE:

A bill (S. 1746) to provide for payment of amount of war-risk insurance policy to a beneficiary designated by Capt. Clarence Centennial Sichel, deceased; to the Committee on Finance.

A bill (S. 1747) for the relief of Joseph A. Frayne; to the Committee on Naval Affairs.

A bill (S. 1748) granting a pension to Amelia A. Collins; and

A bill (S. 1749) granting a pension to Charles Schlipf; to the Committee on Pensions.

By Mr. STERLING:

A bill (S. 1750) to amend section 217, as amended, of the act entitled "An act to codify, revise, and amend the penal laws of the United States," approved March 4, 1909; to the Committee on Post Offices and Post Roads.

A bill (S. 1751) authorizing and directing the sale at public auction of certain lands within the Crow Creek Agency, not used for agency purposes; to the Committee on Indian Affairs.

A bill (S. 1752) to construe the application of subsection (3) of section 234 of the revenue act of 1921, approved November 23, 1921; to the Committee on Finance.

By Mr. LENROOT:

A bill (S. 1753) authorizing the Secretary of War to cause a preliminary examination and survey to be made of the outer

channel of Green Bay Harbor, Wis.; to the Committee on Commerce.

A bill (S. 1754) granting an increase of pension to Alphonso Armstrong; and

A bill (S. 1755) granting a pension to Sarah Jane Warren; to the Committee on Pensions.

A bill (S. 1756) to define trespass on coal lands of the United States and to provide a penalty therefor; to the Committee on Public Lands and Surveys.

By Mr. McNARY:

A bill (S. 1757) conferring jurisdiction upon the Court of Claims to hear and determine claims of certain bands or tribes of Indians residing in the State of Oregon; to the Committee on Claims.

A bill (S. 1758) granting a pension to Mary Fitzpatrick;

A bill (S. 1759) granting a pension to Marguerite Daugherty; and

A bill (S. 1760) for the relief of Edward L. Briggs; to the Committee on Pensions.

By Mr. BRUCE:

A bill (S. 1761) to reimburse the city of Baltimore, State of Maryland, for moneys expended to aid the United States in the construction of works of defense during the Civil War; to the Committee on Claims.

By Mr. BURSUM:

A bill (S. 1762) providing for the acquirement by the United States of privately owned lands within Taos County, N. Mex., known as the Santa Barbara grant, by exchanging therefor timber or lands and timber within the exterior boundaries of any national forest situated within the State of New Mexico; to the Committee on Public Lands and Surveys.

By Mr. PHIPPS:

A bill (S. 1763) to validate certain payments made to George M. Apple and to authorize the General Accounting Office to allow credit to certain disbursing officers for payments of salaries made on properly certified and approved vouchers; to the Committee on Claims.

By Mr. WADSWORTH:

A bill (S. 1764) fixing the rank of the officer of the United States Army in charge of public buildings and grounds; to the Committee on Military Affairs.

By Mr. ROBINSON:

A bill (S. 1765) for the relief of the heirs of Agnes Ingels, deceased; to the Committee on Claims.

By Mr. FRAZIER:

A bill (S. 1766) placing certain positions in the Postal Service in the competitive classified service; to the Committee on Post Offices and Post Roads.

By Mr. ELKINS:

A bill (S. 1767) to amend the act of May 1, 1920, 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"; to the Committee on Pensions.

By Mr. ASHURST:

A bill (S. 1768) granting an increase of pension to Alice I. Simpson (with accompanying papers); to the Committee on Pensions.

By Mr. LODGE:

A bill (S. 1769) to carry out the findings of the Court of Claims in the case of the Fore River Shipbuilding Co.; to the Committee on Claims.

A bill (S. 1770) to authorize the payment of \$1,000 to the Government of the Netherlands for compensation for personal injuries sustained by Arend Kamp and Francis Gort, subjects of the Netherlands, while the U. S. S. *Canibab* was loading at Rotterdam on May 1, 1919; to the Committee on Foreign Relations.

Mr. LODGE (by request):

A bill (S. 1771) to provide for the enforcement of the fifteenth, eighteenth, and nineteenth amendments to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. KENDRICK:

A bill (S. 1772) for the relief of William W. Sproul; to the Committee on Claims.

A bill (S. 1773) granting an increase of pension to James H. Schneider;

A bill (S. 1774) granting an increase of pension to Sarah F. Hilty; and

A bill (S. 1775) granting a pension to William Betherum; to the Committee on Pensions.

By Mr. HARRIS:

A bill (S. 1776) for the relief of W. C. Moye and Nannie Moye; to the Committee on Claims.

A bill (S. 1777) granting a pension to Maria Lamar Duvall; to the Committee on Pensions.

A bill (S. 1778) providing for the relief of certain disbursing officers of the Navy; to the Committee on Naval Affairs.

A bill (S. 1779) making certain allowances for printing to any clerk, deputy clerk, or assistant to a clerk of a United States district court, who is also a United States commissioner; to the Committee on the Judiciary.

By Mr. SPENCER:

A bill (S. 1780) granting a pension to Emily French (with accompanying papers); to the Committee on Pensions.

By Mr. BALL:

A bill (S. 1781) to increase the efficiency of the Coast and Geodetic Survey and for other purposes; to the Committee on Commerce.

A bill (S. 1782) to provide for the widening of Nichols Avenue, between Good Hope Road and S Street SE;

A bill (S. 1783) to regulate the practice of medicine and midwifery in the District of Columbia, and to punish persons violating the provisions thereof;

A bill (S. 1784) to provide for the closing of a portion of Massachusetts Avenue NW., in the District of Columbia, and for other purposes;

A bill (S. 1785) to amend an act entitled "An act for the regulation of the practice of dentistry in the District of Columbia and for the protection of the people from empiricism in relation thereto," approved June 6, 1892, and acts amendatory thereof;

A bill (S. 1786) to amend sections 5, 6, and 7 of the act of Congress making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1903, approved July 1, 1902, and for other purposes; and

A bill (S. 1787) authorizing the extension of the park system of the District of Columbia; to the Committee on the District of Columbia.

By Mr. FESS:

A bill (S. 1788) granting a pension to Frank L. Nelson; to the Committee on Pensions.

By Mr. CAMERON:

A bill (S. 1789) to provide compensation for accidental injuries to employees in certain occupations in the District of Columbia; to the Committee on the District of Columbia.

By Mr. JONES of Washington:

A bill (S. 1790) for the relief of Herman O. Kruschke; to the Committee on Military Affairs.

A bill (S. 1791) validating and confirming conveyances of lands made by allottees on the Yakima Indian Reservation, in the State of Washington; to the Committee on Indian Affairs.

A bill (S. 1792) granting a pension to Clara Morilon;

A bill (S. 1793) granting a pension to Wilbert E. Parsons;

A bill (S. 1794) granting an increase of pension to Nancy C. Pease;

A bill (S. 1795) granting an increase of pension to Malcolm J. McNeill; and

A bill (S. 1796) granting a pension to Edith Taylor Moore (with accompanying papers); to the Committee on Pensions.

A bill (S. 1797) for the relief of the Pacific Creosoting Co.;

A bill (S. 1798) for the relief of Ira M. Krutz;

A bill (S. 1799) for the relief of Caroline M. Killough;

A bill (S. 1800) for the relief of W. H. Presleigh;

A bill (S. 1801) for the relief of the M. A. Phelps Lumber Co.;

A bill (S. 1802) for the relief of Nellie Harrington; and

A bill (S. 1803) for the relief of Jasper N. Hafer (with accompanying papers); to the Committee on Claims.

By Mr. HALE:

A bill (S. 1804) granting a pension to Mary A. Merrifield; to the Committee on Pensions.

A bill (S. 1805) to authorize the disposition of lands no longer needed, and the acquisition of other lands required, for naval purposes;

A bill (S. 1806) to provide for the equalization of promotion of officers of the staff corps of the Navy with officers of the line;

A bill (S. 1807) to provide for the creation, organization, administration, and maintenance of a Naval Reserve and a Marine Corps Reserve;

A bill (S. 1808) providing for sundry matters affecting the Naval Establishment; and

A bill (S. 1809) for the relief of Emelus S. Tozier (with accompanying papers); to the Committee on Naval Affairs.

By Mr. DILL:

A bill (S. 1810) granting a pension to Jefferson Higbee;

A bill (S. 1811) granting a pension to Marie L. Graves;

A bill (S. 1812) granting a pension to Katherine Hager; and

A bill (S. 1813) granting a pension to Phillipa Drake; to the Committee on Pensions.

By Mr. WELLER:

A bill (S. 1814) granting an increase of pension to William Thornburn, Jr.; to the Committee on Pensions.

By Mr. REED of Pennsylvania:

A bill (S. 1815) for the relief of Capt. Murray A. Cobb; to the Committee on Claims.

By Mr. FLETCHER:

A bill (S. 1816) for the relief of the Gulf Towing & Transportation Co., of Tampa, Fla.; to the Committee on Claims.

LEASE OF THE MAMMOTH OIL CO.

Mr. CARAWAY. I introduce a joint resolution to cancel the lease of the Mammoth Oil Co.

The joint resolution (S. J. Res. 54) to cancel the lease of the Mammoth Oil Co. was read twice by its title.

Mr. CARAWAY. I should like to have the joint resolution read and see if we can not get immediate action on it.

The PRESIDING OFFICER. The Senator from Arkansas asks that the joint resolution be read for the information of the Senate. The Secretary will read as requested.

The joint resolution was read, as follows:

Whereas on the 7th day of April, 1922, a lease was executed by the United States by the then Secretary of the Interior, Hon. Albert B. Fall, and Hon. Edwin Denby, Secretary of the Navy, acting for the United States, to the Mammoth Oil Co., as represented by H. F. Sinclair; and

Whereas the said lease was against the public interest; and

Whereas said lease was made by private negotiations; and

Whereas said lease attempts to appropriate public revenues; and

Whereas it now appears that said lease conveyed, or attempted to convey to the said Mammoth Oil Co. all of the oils, gases, and minerals in what is known as petroleum reserve No. 3; and

Whereas it now appears that said lease was corruptly obtained: Therefore be it

Resolved, etc., That said lease of said date, and all modifications and contracts made thereunder, and all rights and immunities thereunder granted, is and are hereby, canceled; that all of the resources therein sought to be conveyed are hereby restored to the possession of the United States, and shall be held and retained for the use and benefits for which they were dedicated by Executive order prior to the execution of said lease; that there shall be an accounting had by said lessee and assignees with the United States for all oils, gases, and minerals by it taken from said lands.

Mr. CARAWAY. I ask unanimous consent for the immediate consideration of the joint resolution.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Arkansas?

Mr. SMOOT. Mr. President, that very subject is under consideration by the Committee on Public Lands and has been for two months and a half. The hearings have not been completed, and I very much object to its consideration until after the hearings shall have been completed.

The PRESIDING OFFICER. Objection is made, and the joint resolution will be referred to the Committee on Public Lands and Surveys.

LEASE OF THE PAN AMERICAN PETROLEUM & TRANSPORT CO.

Mr. CARAWAY. I wish to introduce a joint resolution dealing with petroleum reserves Nos. 1 and 2. I suppose there will be the same objection to its present consideration.

Mr. SMOOT. Yes; the same objection.

The joint resolution (S. J. Res. 55) to cancel the lease of the Pan American Petroleum & Transport Co. was read twice by its title.

The PRESIDING OFFICER. The Senator from Arkansas asks unanimous consent for the present consideration of the joint resolution which he has just introduced, but objection is made, and it will be referred to the Committee on Public Lands and Surveys.

HAZEL E. SIMMS.

Mr. SMOOT. Senate bill 1274 for the relief of Hazel E. Simms was referred to the Finance Committee. A similar bill was referred to the Finance Committee during the last session of Congress, and that committee was then discharged from the further consideration of the bill. I now ask that it be discharged from the further consideration of Senate bill 1274

and that the bill be referred to the Committee on Claims, where it belongs.

The PRESIDING OFFICER. Is there objection to the request made by the Senator from Utah? The Chair hears none, and it is so ordered.

SOVIET GOVERNMENT OF RUSSIA.

Mr. NORRIS. I ask unanimous consent to have printed in the RECORD an article by the senior Senator from Idaho [Mr. BORAH] on the subject of the recognition of the Russian Government. It was printed in the New York Times of December 30, 1923.

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

BORAH STATES THE CASE FOR RUSSIA—WORLD MILITARISM OR PEACE INVOLVED IN QUESTION OF RECOGNITION, HE ASSERTS—URGES HEARING FOR SOVIET TO ANSWER CHARGES.

(By WILLIAM E. BORAH.)

All around us the world is convulsed by the agonies of great nations. Hundreds and thousands of women and children will die of hunger and exposure this winter while the American producer goes bankrupt for want of a market. There is scarcely a Government in Europe which looks upon the future with complacency. Intolerance, racial antipathy, vengeance, and no great power speaks the voice of conciliation, humanity, and justice. Is it not time, after these five years since the armistice, to make a real effort to establish a spirit of amity and to bring, in so far as possible, accord among the nations? One of England's greatest premiers upon a most trying international occasion declared: "Courtesy of language, a willingness to concede, reluctance to take offense will always, even when carried to excess, command respect and admiration" and bring their fruits of good understanding and peace. What the masses of mankind are praying for now is that some great nation may lead out in a broad, tolerant, healing, constructive policy which will bring these estranged nations together and restore old relations of interchange, trade, and confidence.

There can be no peace in Europe until two outstanding problems are adjusted. Russia and the Ruhr. It seems a great tragedy that we did not urge interested nations to come together in an economic conference prior to the invasion of the Ruhr. I have never doubted the conference could have been convened, and in all probability the awful situation, the adjustment of which now seems so difficult, avoided. But while the Ruhr problem has passed to a marked extent out of our hands the Russian problem is ours to control. We can adjust it and do so without sacrificing any principle or compromising any of our rights. Here are 140,000,000 people, a great people, outlawed. It is a menace to the peace of Europe. Does anyone really believe that anything in the nature of real peace can obtain in Europe so long as the Russian problem is unsettled?

ANOTHER ARMAMENT RACE.

We are now in the midst of another armament race. The armies of Europe are a million larger than in 1913, notwithstanding Germany and Austria-Hungary no longer count. Vast sums extorted from overtaxed people are being expended for all kinds of armament, particularly airplane fleets and submarines. The ingenuity of the human brain is harnessed day and night to the task of contriving and manufacturing more deadly gases and taming the germs of disease to the uses of war. At no time in the history of the world has there been the vast preparation of such destructive and deadly weapons of warfare. At a time when the people are driven like peons to pay for a war just closed, we see another stupendous armament race being arranged and the people are to be taxed for a war prophesied to be just ahead. When you read after or talk to those who urge these preparations and these huge expenditures, they will tell you that the present unsettled conditions make such preparations necessary. They will point you to Russia banished from the family of nations, and the Ruhr, and with these suggestions they consider their case made.

Can you have peace in Europe, can you have disarmament, can you even make a start to accomplish these things, until Russia is back in the family of nations? To fail to adjust the Russian problem is to foment and keep alive the spirit of distrust and war and to justify the piling up of armament and the increasing of taxes upon the people without limit. A few days since an advocate of larger armies and greater armaments, one who believes we ought to expend \$40,000,000 at least for airplanes, rather took me to task for opposing the program. I said, "Where is the danger, where is the nation that wants to fight?" His prompt reply was, "Look at the Ruhr; that means war. Look at Russia." I replied, "Why not recognize Russia, adjust our differences, get her back into the family of nations? She has declared she is willing to reduce her army to 200,000 men when that is done." His reply was, "I would rather fight her than to recognize her." So the program goes forward. No effort to adjust the Russian problem is to be put forward and the unsettled and menacing situation is to be used to justify the building up of armament and the increasing of taxes.

EUROPE KEPT IN TURMOIL.

The delegation from the American Farm Bureau, after studying the situation in Europe, has declared that a market for farm products at a price which will enable the farmer to live and pay his taxes depends upon the adjusting of European problems. It is perfectly clear that this is true. If the millions now being expended for armament can be turned to the purchase of food for the underfed and starving in Europe, if normal conditions are to be restored, trade revived, and exchange stabilized, the questions now keeping Europe aroused and in turmoil must be adjusted. One of these problems, it is conceded upon all hands, is Russia. There will be no normal conditions so long as Russia is outside. A former premier of France declares, "So long as Russia is not restored to the cycle of nations, there will be neither economic equilibrium nor security in Europe."

Lloyd-George declared at Genoa and many times since that the settlement of the European problem was the settlement of the Russian problem. The American market will not be restored until the Russian situation is ironed out. Of course, the American farmer will not sell his products (except cotton) directly to Russia. But the restoration of normal conditions in the countries to which he must sell, if he sells at all, depends upon the Russian adjustment. Europe can not buy until peace is restored and until the expenditures now being used for military establishments are curtailed, and until these things happen central Europe will be underfed and starving and the American farmer will see many of his products rot in the field or molder in the granary. Meantime, American statesmanship exhausts itself and its intellectual resources when it makes an appropriation out of the Treasury to feed a few starving people, the victims of these same policies.

HAD OPPORTUNITIES WITH RUSSIA.

But while the farmer would not himself sell directly to Russia, our business men and manufacturers would. This would give additional markets at home for farm products. One business institution in Russia purchased cotton in this country this year to the amount of \$40,000,000, and paid for it. The business had to be transacted, however, through English and German agents. A shoe man in the United States, I am responsibly advised, sold a large order of shoes to Russia and received his money. When asked how he carried on the business, he said, "Through an English merchant," to whom he had to pay a heavy commission. I had supposed this stopped in 1776. Russian trade with the United States, when sound, economic conditions are restored, will be very large, for Russia must necessarily have a large supply of the things which we have to sell. A member of the English Parliament writes that England's trade with Russia is very considerable and increasing rapidly, and he further says that the news items being put out now and then that this trade is not important, etc., is for consumption in the United States.

No one knows better than the English statesman that "by taking the larger view of things we master the little, fidgeting spirit of circumstances." Business men in Seattle and on the coast are now in Russia ready and anxious to open up trade, but the difficulties of doing business under the present relationship between the two countries are such, so they advise me, as to make it practically impossible to complete arrangements. Is it not worth while to strive in good faith, with dignity and honor, if you please, to restore trade relations and give our people the benefit and advantage which would flow therefrom—a benefit and advantage now accruing to others? I am thus deeply anxious and persistent about adjusting our affairs with Russia, because I believe, and have long believed, that there can be no peace, no real peace, no start for the reduction of armament, no restoration of normal trade and business, and no opening up of the markets for the American farmer until this adjustment comes.

This is no new subject with me. Six years ago this month, December, in an article contributed to the New York Times, under the title "Shall we abandon Russia?" I urged our Government to send a commission to Russia to aid, counsel, and advise and to help lead "this noble people struggling in madness and blindness to be free." And I will, I trust, be pardoned for saying, as that article indicated, that in my opinion the treatment of Russia by the Allies since the war has no parallel or precedent for shortsightedness, for cruelty and injustice, in the history of international affairs.

THE PRESIDENT'S POSITION.

What is the present situation with reference to Russia? The President in his message said: "Whenever there appears any disposition to compensate our citizens who were despoiled and to recognize that debt contracted with our Government, not by the Czar but by the newly formed Republic of Russia; whenever the active spirit of enmity to our institutions is abated; whenever there appear works meet for repentance, our country ought to be the first to go to the economic and moral rescue of Russia."

The President justly limits the question of debt to debts contracted by the newly formed Republic, although I am one of those who believe that in due time this Government of Russia ought to, and will, take care of all debts legitimately contracted by its predecessor Government. Repudiation and confiscation among nations is the same as

theft and robbery among individuals. It is for this reason that I look upon our dealing with the alien property in this country as a humiliation beyond the power of language to tell.

RUSSIA READY TO NEGOTIATE.

But the Russian Government must have time and opportunity, the same as we have given to England, the same as France is taking. In my opinion, the best debt in Europe to-day among all those who owe us, outside of England, is Russia's. The President says: "Whenever there appears any disposition." Russia is now ready to take up the question of compensation and the payment of her debt to the United States. She is prepared to proceed just as any other government would and does. Russia says she has claims against the United States arising out of the presence of our soldiers in Russia at a time when we were not at war with Russia. These claims may be well founded or they may not be. If they are well founded, we should pay them, for we as a people are neither cheats nor bullies. If they are not well founded we could never become liable for them without the approval of our commissioners and the proper authorities of the Government.

But I assert publicly, unqualifiedly, without fear of successful contradiction, that Russia is now ready to take up these matters covered by the President's message, adjust and settle them upon principles of right and fair dealing. Why not do so? We will never get compensation or collect our debt until we do take these matters up in the ordinary businesslike way. The present program will collect no debts nor secure any compensation.

We next come to the question of propaganda. No living man, nothing less than omniscience, can separate the truth from falsehood, the genuine from forged documents, in this mass of lying and crimination and recrimination which has been going on for five years. Philip Gibbs, famous traveler and celebrated journalist, declares: "In Riga and Helsingfors and other places near Russian frontiers there are factories of lies and liars busy with the cables accusing the Soviet Government," etc. Riga got into action the next day after the debate in the Senate, and some of the "new" material forwarded to the State Department is interesting but not new. Professor Ross, of the University of Wisconsin, a student of this matter for months, and even years, declares: "The émigrés and their sympathizers abroad waged the greatest and most successful campaign of misrepresentation that mankind has ever seen. * * * The anti-Bolsheviks hold the world's record for the quantity, production, and marketing of untruth."

CAN THE UNITED STATES REFUSE?

Bishop Neulson, Bishop Blake, Doctor Hartman, and a multitude of other men of undoubted intellectual force and unquestioned moral standing sustain these assertions. Now it is charged that certain documents have been discovered which disclose an attempt upon the part of the Soviet Government to interfere with the internal affairs of our Government. The Soviet Government openly declares that they are forged and that it has never indulged in any such practice, and asks for an opportunity to prove its position before an arbitration tribunal. Can the United States, which has been for more than 100 years an advocate of arbitration, and which is now deeply interested in entering a world court, refuse a Government representing 140,000,000 people a chance to arbitrate a question which involves the good relationship between two great peoples? If this kind of a question can not be adjusted through peaceful means and through arbitration, what are arbitration tribunals and world courts for?

In other words, the Russian Government stands ready to accept the President's message, appoint commissioners to adjust all differences, and where there are accusations involving good faith between the Governments to submit the question to arbitration. Is not this a "disposition to compensate," and is it not a recognition of the principle of the debt? Assuming that there has been propaganda heretofore, is it not a distinct abatement of the same when Russia stands ready to disprove the charges and, in any event, to enter into solemn guarantees as to the future?

The great majority of the people everywhere want peace, the people of the different nations want to trade and do business with each other. Some think we can best secure peace through the league and a world court. Others think that we, as Americans, can best serve the cause of peace by remaining free to throw our influence upon the side of justice in any crisis which may arise uncommitted and unembarrassed by previous obligations.

THE WAY TO REAL PEACE.

But whether leaguers or antileaguers, all must realize that it is useless to talk of peace while 200,000,000 white people are proscribed by the advocates of peace themselves. One hundred and forty million are outlawed and 60,000,000 marked for dismemberment by those who are ostentatiously advocating peace. While we talk of peace and carry on a campaign for a world court we absolutely refuse to confer with a government which represents 140,000,000 people, and we sit voiceless while 60,000,000 are being driven to utter ruin in face of the most solemn pledges made by us during

the war. What can a league do, or what can a court effectuate, when the family of nations is thus broken up and demoralized? What can be gained by talking about a world court when we will not even use the most ordinary means of adjustment and arbitration? If we would do the things which are immediately at hand to be done, if we would bend our energies and exert our influence to bring about accord among the nations and good understanding among peoples, if we would follow the precedent of Washington during the propagandist days of the French Revolution, much indeed could be done in the cause of peace. We are traveling the same road over which the nations traveled for 25 years prior to 1914. "Always things have bred their like; again they can breed nothing but their like."

Our people can, and will, easily withstand this miserable fustian and futile trash which has been exhibited in this country as propaganda. It will not have the slightest effect upon our citizens, except to warn them and to instill in them a greater love for orderly and regulated liberty. But our people can not well withstand another World War, for the great burden will fall most heavily upon us this time. They can not well endure another armaments race. And they will not brook another season of turmoil and strife and closed markets. It will be unfortunate for the party in power if it remains unacquainted with the language of truth until it hears it from the complaints of the people.

SECRETARY MELLON'S TAX PROPOSAL.

Mr. BROOKHART. I ask unanimous consent to have printed in the RECORD an editorial from the Des Moines Register of January 2, 1924, on the Mellon tax plan.

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

SECRETARY MELLON'S PROPOSAL.

It is not important so early to pass any final judgment on Secretary Mellon's proposed reduction in income taxes. That may wait until debate has brought out fully just what is intended and just what will be done. We may be sure of protracted debate when the Senate receives the Secretary's recommendations, because the insurgent group will insist upon knowing in full and in detail just what is involved. Without the votes of the insurgent group, or without a corresponding accession of support from the Democrats, there is no majority in the Senate for the Secretary's proposal, even with all other Republicans for it, which is unlikely.

At the very outset, why did not the Secretary in his report to the Committee on Ways and Means give a tabulated statement of all the reductions proposed? Why were the reductions on incomes up to \$10,000 a year given and the reductions on incomes above \$10,000 a year passed over without notice?

Here is Secretary Mellon's statement to Congressman GREEN of Iowa:

"To show the effect of the proposed changes on the income of a typical salaried taxpayer, married and having two children, I call your attention to the following comparative figures:

Income.	Present tax.	Proposed tax.	Saving to taxpayer.
\$4,000.....	\$28.00	\$15.75	\$12.25
\$5,000.....	68.00	38.25	29.75
\$6,000.....	128.00	72.00	56.00
\$7,000.....	186.00	96.00	87.00
\$8,000.....	276.00	144.00	132.00
\$9,000.....	366.00	189.00	177.00
\$10,000.....	456.00	234.00	222.00

Why did he limit his table to these incomes and then pass the higher incomes with the mere suggestion that the total tax saved to them would be less than the total tax saved to the smaller incomes? Why did he pass the higher incomes with the bare suggestion:

"The schedule shows a loss of revenue of about \$92,000,000 in the brackets under \$6,000, and a further loss of revenue of about \$52,000,000 in the next bracket of \$6,000 to \$10,000. In short, about 70 per cent of the reduction would be in the brackets of \$10,000 or less, and less than 5 per cent would fall in the brackets over \$100,000."

Curiosity is bound to be piqued by this sort of presentation and the Secretary must have known it. The question is bound to be, What is the reduction of tax on the higher incomes? The further question is bound to be, Why is emphasis put on the total saving on smaller as against higher incomes, rather than on the percentage of reduction on the higher as contrasted with the lower incomes? The Secretary might much better for his own case have made a complete showing and submitted his proposal fairly to consideration.

Turning to the high incomes here is a table, which may be accepted as official, in which the same comparison the Secretary makes for incomes of \$10,000 and under is continued for incomes of \$30,000 and over, with this exception that the table for the higher incomes shows only the incomes listed as "unearned"; that is, incomes on investments and the like.

Table showing the total tax payable upon certain incomes under the rates of the present law and under the rates suggested in the Secretary's letter to Representative GREEN:

Married man with two dependents, unearned income.

Net income.	Present tax.	Proposed tax.	Saving to taxpayer.
\$30,000.....	\$3,456	\$2,612	\$844
\$40,000.....	5,776	4,992	784
\$50,000.....	8,576	6,632	1,944
\$100,000.....	30,076	19,792	10,284
\$150,000.....	56,076	35,292	20,784
\$200,000.....	86,576	50,792	35,784
\$250,000.....	115,576	66,292	49,284
\$300,000.....	144,576	81,792	62,784
\$500,000.....	260,576	143,792	116,784
\$1,000,000.....	850,576	298,792	551,784
\$5,000,000.....	2,870,576	1,538,893	1,331,683

Now, it is true that in 1920, the last year for which the reports have been tabulated, there were 442,557 paying tax on personal incomes of from \$4,000 to \$5,000, and here were only four paying incomes on \$5,000,000 or over. The saving, Secretary Mellon figures, for the first class would be \$12.25 apiece, or a total of \$5,421,313. The saving to the four men who pay the highest tax would be \$1,331,983 apiece, or a total of \$5,327,932. In other words, Secretary Mellon would take from Henry Ford and his son Ensel and from Mr. Rockefeller and one other New Yorker substantially as much burden of taxation as he would take from the nearly half million taxpayers who have incomes of from \$4,000 to \$5,000.

In this connection, it is not going to escape attention that the Secretary is himself the second richest man in the United States or thereabouts, although not ranking with the big four in income. The biggest income reported from Pennsylvania in 1920 was one between \$3,000,000 and \$4,000,000. Without question this is Secretary Mellon's. It is not necessary to go to the tables to discover that the saving to this one income in Pennsylvania alone would be in the neighborhood of \$1,000,000 a year.

It is undoubtedly true as Secretary Mellon reports that the total saving would be greater on the schedules below \$10,000 than above, because there are many more incomes that fall below \$10,000 limit than above it. But even there the difference is not so pronounced as at first glance might be supposed. For instance, there were in 1920 74,511 incomes of \$7,000 to \$8,000 and there were 44,531 incomes from \$15,000 to \$20,000. The curious fact is disclosed that there were 44,531 incomes from \$15,000 to \$20,000 when there were only 40,129 incomes from \$9,000 to \$10,000. There were in 1920, 2,191 incomes of \$100,000 to \$150,000 and 169 incomes from \$300,000 to \$400,000. Therefore the very big cut in taxes under the Mellon plan on the bigger incomes helps a very considerable number of wealthy taxpayers, and does make a very big total of tax reduction on the big incomes.

But, as was suggested before, there will be time enough in which to debate the burden of taxation wealth ought to pay when the bill incorporating the Mellon plan is before Congress. The important thing to recognize now is that Secretary Mellon prejudiced his own case by not setting forth in full just what he purposed, so that there would be nothing to be brought out later. As a mere matter of strategy it is far better to have the worst known at the start. Then the affirmative strength begins to grow, if there is merit in the plan. If there is not merit in the plan, the sooner it is killed the better. So in any case the Secretary would have served a public purpose by making a clean breast of what he planned to do.

Secretary Mellon is a very able business man, and no doubt he will make a vigorous argument in favor of taking taxes off from wealth and scattering them over the community at large. A powerful argument can be made for that view. On the other hand, a powerful argument can be made for making everybody pay in proportion to the benefits he has from Government, in proportion to his ability to pay. It is to be hoped that the whole matter will not become so involved in next year's politics that it will not be considered on its merits.

PLAN TO END WAR.

Mr. WALSH of Montana. I ask leave to have printed in the RECORD "A plan to end war between nations and to achieve and preserve the peace of the world," by Rev. John Faville, of Lake Mills, Wis.

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

A PLAN TO END WAR BETWEEN NATIONS AND TO ACHIEVE AND PRESERVE THE PEACE OF THE WORLD.

(By John Faville, D. D., Ph. D., Lake Mills, Wis.)

A question always with us is, How ought we live together as human beings in this world? Wars between nations have always been one of the ways in which we have met this question. No argument is now needed to prove that a better way may be possible. We have perfected the art and the science of war. Powder and lead are outgrown.

Oil and poison have the right of way. Land and water are almost helpless to defend us. The air is master. The last war, they tell us, will rank as a skirmish in its death toll as compared with the next world war, if it comes. Inventions have made war a "mechanical massacre."

We are not in a quest new to the world. The Grand Design of Queen Elizabeth's day, The Holy Alliance of Alexander of Russia's time, The Hague conferences, the League of Nations, the national and international laws and codes for lessening and alleviating war, the peace societies in many nations, the protests of peace advocates, are not to be forgotten or undervalued.

A practical plan for world peace must have these merits: It must appeal to the people, be easily understood, recognize present conditions, have the fewest possible objections, unite peace societies and forces now at work, not sit in judgment on past methods, and be free from "premature explicitness" and "entangling alliances." It must not sacrifice the real interests or the free institutions or the sovereignty of any nation. It must be the shortest road to the end sought. It must satisfy the moral sense, the consciences, of those who take these into this subject, and, above all, it must not lessen or alleviate but forever abolish war.

War is now a legal way to settle disputes between nations. To fight and kill, as well as to trade with each other, is held to be necessary. The war system is an authorized institution. International laws and codes are honeycombed with orders as to how to conduct wars between nations. Wars in the name of conscience and right and religion have abounded. Devout souls on both sides in every war have sent out volumes of prayers to their war gods.

But history is in part a record of the world moving from methods of violence and force to law. Relations and methods once regarded as right are found to be wrong. We make now a crime what we once sanctioned and approved. On this fact we are to find and to build a plan for ending national wars.

I. THE PLAN.

We have moral laws. Any normal human being developed to a certain degree perceives right and wrong as not the same. And these moral laws apply to groups as well as persons. An age-long moral command has been, "Thou shalt not kill." The past has not made this law a command to nations. The time has come when we as a nation must do this.

There is no call now for us to assail or to condemn the past. To improve, not judge it, is our task. We as a people have reached a stage of progress where we believe "Thou shalt not kill" means "Thou shalt not kill each other as nations." We must now find a plan that will best express and carry out that conviction. That plan is to outlaw war. A legal recourse to war can never abolish it. Under that plan we will always be on the verge of war. Thou shalt outlaw war means that henceforth war must be not a "misfortune" or a "necessity" or "inevitable," but a crime. Peace between nations is not an end to be longed or hoped for; it is a duty, a command to be obeyed.

But this plan is not a moral protest against war, nor a moral proposition to abolish it. It is a plan to "abolish the war system as an authorized and legally sanctioned institution"—a system under which international politics and policies are now conducted; a system which is not only legitimate, but which under certain conditions is claimed to be the only one possible. This new plan substitutes for the war method of nation dealing with nation something fundamentally different.

Other plans are before us—the "political," the "economic," the "constitutional amendment," the "no neutral nations," the "non-resistance," the "militarist," etc. International courts and codes are already in the field. This plan to outlaw war recognizes in all of them honest and serious and able efforts, and it can utilize all that is practical in any of them. But they must all be rejected just so far as they are the product of the war system and provide for, regulate, and make legal wars between nations.

Other merits of this plan are that it does not attempt too much at once; it is one we can begin to work upon immediately, it is simple, it is new, it is not in the hands of only the rulers or diplomats or politicians; in fact, it has the merits we have claimed a plan "to achieve and preserve a world peace" must have.

II. THE METHODS OF THIS PLAN FOR OUR NATION.

It must begin with the people. We deny as a nation that the State is "power" or "reason" or "the highest reason." A nation is first a certain kind of thinking, a habit of opinion, the way a given group of people are behaving themselves. One of the tragedies of war has been when the individual conscience says "No" and the national conscience "Yes." The average man has but little to say; he has not been much consulted about war. But he is the first material needed to carry it on. Forty million of them were called out in the last war. Here is a plan above all others where the people can be challenged, put on record. If they reject it, we must abandon it; if they adopt it, nothing can stand before it.

The first step our Nation must take is to enter at once upon a nation-wide and nation-deep crusade to find if we believe in outlawing war. And then we must help find what other nations believe. Then we must get together to eliminate, to annihilate the war system. We must give now as a nation the war problem, the greatest problem before the world, the place it deserves and demands. Into this crusade we must at once utilize every fact and motive and experience, every person and group possible. We must mobilize all our forces. Here are some, by no means all, of the practical efforts needed for a successful campaign, for a winning crusade, against the war system. We must enlist—

1. THE CHILDREN.

Our schools as a whole have been peace societies. They must become more so. The schoolhouse and the barracks, the schoolbook and bayonet, have little in common. Histories in our schools have exaggerated, sometimes glorified, war. Let them now give peace a fair hearing. From kindergarten to university these schools, training to make good citizens and a worthy nation, must show us a better way of living together as nations than killing each other. We must have a crusade for and by those who in the future will be the material for and the victims of war, if it comes—the children.

2. THE YOUNG PEOPLE.

The greatest young people's society of the world a few years ago sent out as one of its mottoes: "A saloonless Nation in 1920." That society now sends out this challenge: "A warless world in 1930." The other young people in our Nation, in their groups or singly, will unquestionably join them when "Shall we outlaw war?" becomes a leading question. Then, as go the young people, so goes the Nation.

3. THE AMERICAN LEGION.

The ex-service man or woman who was in foreign camp or on the battle field is not in love with war. They had some experiences of value to themselves and to us; they did their best for the world as it was, but in their hearts and minds those who helped kill their fellow men overseas are ready for something better. The legion's recent proposal for an international conference to limit war aircrafts is gratifying, but it does not go far toward world peace. Let the 4,000,000 of men who were called on to give themselves to the last war say, as most of them will, "We will help outlaw the war system," then other nations, as well as ours, and the veterans in them, will stop and listen.

4. THE FARMERS.

The tiller of the soil is not pining for more war. He cultivates, not devastates, fields. Battles destroy, peace produces. War prices have little charm for him now. Profiteering is not his forte. In this Nation he can be counted on to help abolish war. And the farmers of all nations will join him. A farmers' "bloc" with this as a foremost part of its creed, "We believe in world peace; we will help outlaw war," is more than a possibility in this plan and will be a tremendous force for it.

5. THE LAWYERS.

This plan demands that we shall conclude that what we once thought was right is wrong. But this means also that we must take the steps necessary to make what was legal illegal. "Law not war" is the goal. The lawyer is a fighter but not a man-killer. The true lawyer is a leader in his protest against violence and physical force and in his faith in and use of other methods. This plan has a large place for him, and he has a large responsibility in promoting it.

6. THE PUBLIC LIBRARIES.

Why not a "we will outlaw war" shelf in every public library? Why not every librarian an active peace propagandist? Our libraries overflow with war literature. Some of them are pitifully weak in anti-war books. A modest legacy to every public library to equip it with material for a crusade to outlaw war would work wonders. To spread art, science, poetry, fiction, history as we do through them is fine. But it is not good sense nor education nor morals for any library to forget that the world's greatest need now is for us to stop killing each other.

7. THE NEWSPAPERS.

The metropolitan daily can do much, the smaller city and village and country weekly can do more. The papers could get a "law not war" window poster in almost every home. Our papers should put at the head of their editorial column such mottoes as "We consider it a crime to settle national differences by bloodshed," "Our Nation, may she always be a leader against war," "We believe in outlawing war." They could well give a half column a week to this crusade. Headlines on peace progress would be worth more to the world than many of the headlines now used. And when we, the people, ask for such a hearing from the newspapers for this plan, we will have it.

8. POLITICAL PARTIES.

We must have a peace plank in every party platform. Not a "glittering generality," but something like these, "We stand for the abolition of war," "We pledge ourselves as a party to help outlaw the war

system." Already some minor parties have gone on record against war. If all parties and candidates will campaign for this plan with the zeal and faith and love it deserves, it will bring new life to every political party and they will become a foremost power in this antiwar crusade.

9. LABOR ORGANIZATIONS.

No group has been more outspoken against war. A passion for peace has possessed many in them. The common toiler has a just and fierce wrath against a way of getting on with his fellow workmen in other nations which demands that he shall kill him, and then he himself go back to work to pay for the cost of that killing! Labor unions in some other nations are fighting harder than those in our own to make war impossible. They have emphasized as the causes of war industrial conditions, and have said that to change them will be the cure for war. This plan ought to capture them, for to outlaw the war method and thus make a war-free world is the shortest cut to better industrial and economic conditions.

10. THE BROTHERHOODS.

These fraternities say, "I believe in man the brother." World peace would go a long way toward putting into practice that creed. The phenomenal rise of these brotherhoods among us has helped develop a peace spirit. Now the time has come for these groups to help lighten our Nation and all nations with the conclusion that "Thou shalt not kill" includes wars between nations. And they will. Varied in aim and method as they are, they are one in teaching that we were put upon this earth to be our brothers' keepers instead of killers.

11. THE CHURCHES.

The church in our Nation has not been a derelict nor traitor concerning world peace. Nor is she free from criticism and reproach. The same people with the same weaknesses and limitations are in her that are in other groups. But no other body of men have so persistently and unitedly protested against war as the clergy. And to-day as never before the church is saying, "Thou shalt not kill" means "Thou shalt have no more wars between nations." The church will be a worthy leader and educator and inspirer in this crusade.

12. THE PEACE SOCIETIES.

Nearly a hundred different organizations making, in some department or as a whole, world peace their goal are now among the people. Most of them are among us. They do not agree as to the way to abolish war, but there is a splendid faith and a zeal and devotion in them. If they will unite, who can stand against them? Here is a plan on which they ought to agree. It is clear, clean, simple, definite, practical, and has the moral appeal. The spirit in the past in every peace society has been one that would outlaw war. Now is the hour for their united action.

13. THE WOMEN.

Hell's most hellish quarters have always been where defenseless woman has had to meet the brutalities of war. Not far away from that quarter has been what war has done to her innocent children. The womanhood of our Nation is practically a unit against war. With her new-born rights as a citizen, her wider outlook, her tenderness and moral insight, she ought to be and will be an invincible army in this crusade in our Nation. And not only the women in our Nation. The Woman's International League for Peace and Freedom is already in 14 nations. The women of the world who know what war means are sick unto death over it. "Thou shalt war no more," obeyed, would mean a new world for woman. Nothing less than the annihilation of the war system can meet her needs or satisfy her demands.

14. OUR COMMONWEALTHS.

The machinery of the State, from the governor to the capitol guide, must have a part in this campaign. This governmental unit nearest to the people can not, it is true, declare for or against national wars. But it can discuss, educate, make sentiment, help mold and mass public opinion. Should one State indorse and another reject the plan to outlaw war at first, no lasting harm will come. What we want first and most is "pitiless publicity." Forcing to the front "Shall we outlaw war?" is the first essential, and in this undertaking our States can not ignore their part.

15. OUR FEDERAL GOVERNMENT.

The abolition of war between nations is for the people. The winning plan must be worked from the people up to national governments, rather than from rulers, diplomats, statesmen, ambassadors, and military chieftains down to the people. First the plan, then a crusade of and by and for the people. But a foremost responsibility is on the Government, first, in every way possible to aid the people to inaugurate and carry on this crusade; then to build the machinery necessary to make it effective. Governments have done and can yet do much to inflame the minds and passions of the people and make them believe that war is necessary. So can they do much to rouse the people to a crusade for peace. Our Nation has had a noble record in its bearing toward war. But our Federal Government has now a new

opportunity and a new responsibility. Some of its departments that can make themselves especially helpful now are—

(1) The War Department: The equipment of our Nation for war in the past has been necessary and can not yet be abandoned, for we live still under the war system. We may yet go to war to prove that "Right has at her service more might than might alone can muster." But this fact can be in harmony with "We believe in outlawing war." There is nothing inconsistent in our Nation's War Department trying to help abolish war. There can be through it appropriations to inform and educate the Nation in the direction of plans for peace. A warship's worth of peace propaganda from our Government every year would not be an extravagant contribution. The staunchest friends of peace, the strongest haters of war, are often among those who have made war a business. A war department in our Nation not blind to present facts and dangers, vigilant and practical, but also with the faith that war can be outlawed, may be and ought to be a part of this crusade.

(2) The Supreme Court: There are no finer advocates of world peace in our Nation than some of the members of this court. Any practical plan to end war is sure of their hearty personal help. How much they can do now on this plan as a court may not be known, but the Nation's leading interpreters of law, in our effort to make unlawful what has been legal and to get a world court to help carry out this decision, can surely have a most important part.

(3) Congress: Congress can now prepare for and make rules for and declare war. It is as lawful for it to raise money for Army corps as for roads. Some advocate as our best plan against war a change in our Constitution depriving Congress of its war-making powers. But this attempts a second step before we have taken the first. Already Congress has before it in resolutions introduced the first essentials of this plan. An indorsement of it before the people are heard from is possible, but not probable. Congress will probably ask for instructions from those who sent them. But this group in our Government can not escape a present personal responsibility. Every Member must be asked to go before his party and the people and tell them his conclusions about outlawing war. Congress can appoint committees on world peace. It can include in its budget money to organize and mobilize certain forces for ending wars between nations. There never has been such a far-reaching all-important question before our National Congress as "Shall we outlaw war?" It can at once help send out this challenge to our Nation and then to all nations.

(4) The Executive Department: Our Presidents have been bewildered, saddened, burdened, broken in health, and martyred by past wars. As Commanders in Chief they have had to say, "Suffer it to be so now," but on bended knees they have asked, "How long, how long?" They have been eager and fertile in plan for better conditions in war, for decreasing armaments, for international codes and world courts. Some of them have been powerful peace factors in the world's wars. And future Presidents and Cabinets can be depended on to join in any practical plan for peace. Our presidential candidates, aspirants for the greatest political office of the world, under this plan can be given the greatest question in the world, "Shall we kill the war system?" Their answers will be heard around the world. And not the least of the benefits in such a crusade will be the developing and vitalizing experience that will come to help a President to do his best by his own Nation when he has this vision and faith for the good of all nations concerning war.

III. THE PLAN AND OTHER NATIONS.

We must find a plan to end war that will appeal to and finally capture other nations. Wars between nations might conceivably be abolished under more than one method. But we are seeking for the best. Will this one make the strongest appeal to other nations? It is certain that we can have world peace if we can get the consent and the efforts of a few of the leading nations of the world. Will this plan appeal to them?

Other nations are made of essentially the same human nature that we are. We are all folks. The people in other nations are willing to stop killing each other if a better plan can be found. All nations concede that right and wrong are not the same, though we may not yet agree as to what is right and what is wrong.

It does not follow if we have reached a standard of morals where we conclude national wars are a crime that all nations have. But this does not destroy even for them the moral appeal that is under this plan. It reopens the question, Is war between nations right? Can we take our conscience into it? But we have already said our plan is not a moral protest against war, though it grounds in the moral law. It proposes to outlaw the war system because we can now put something immeasurably better in its place. Many nations know, as we do not, the hard and horrid fruits of war. Appeals to outlaw war because of its cost in money and life, its devastations and degradations and miseries, will have a peculiar power with them. They know better than we that the equipment of nations to kill each

other in war has now nearly reached its awful climax. They are fearing that future wars are not far away. So this plan, beginning with crusades among them as with us, that will get their minds away from war and toward world peace may fruit in convictions and decisions among some nations sooner than with us. Ten years ago rulers who said war is of God are now discredited and disinherited. Ten years ago the people in these nations did not as a whole want war. But they did not hate it as now. Ten years ago the women and children feared war, but not as they fear it now. Ten years ago there was a duty among the leading nations to avert war, if possible, but the demand on them now to carry out "and nation shall war against nation no more" is overwhelming. It is the "fullness of time" among other nations for this crusade.

IV. OUR PART TOWARD OTHER NATIONS.

We can invite them to join us in this crusade and send out the challenge, "This plan appeals to us; does it to you?" To get any nation to thinking away from and against war is a long stride toward outlawing it. By going to them in the neighborly spirit with this plan we will convince them that we are "A hundred per cent American," and more. Then to quote, "God made of one blood all nations" and "Above all nations is humanity," will not be "sounding brass." The world knows that we are not a coward nation and that we have the most material at hand to equip us for success in future wars. They know that in the last war we entered upon no scramble for the spoils of war. And they are now calling to us around the world to lead. They will know then that we repudiate that damning heresy that because "wars have been, they always will be or must be." By going out to other nations with this plan we will show our faith in the people, in the humanity of all nations.

The immigrant can help us here. Our Nation has in it a sprinkling of all nations. Fire our citizens who came from other lands with the conviction that the war method ought to be and can be killed and they will help spread that faith to their fatherlands. The church of our Nation has gone out to the world in its missionary activities with a great aim and faith. So must our Nation go in this crusade against war. Ambassador and immigrant, traveler and merchant and manufacturer can all have a part in it as they mingle with the people of other lands. We have helped the credit of other nations. We have been generous with our flour and meat. But we have something even more important for them now. If we go to them in the spirit that we have had when we have helped their starving children, we will find a willing and an eager response.

If we go to other nations with this plan, we will be drawn nearer to each other in all good relations. We do not grow world brotherhood or good will between nations through pledge, or contract, or treaty, or commerce, or diplomacy, or balance of power. The impulse of a common good, the inspiration of a righteous cause, this passion for peace, this united effort to kill war will, as nothing else can, draw us together. Seek first the kingdom of good will among nations and "all else will be added." We can help teach as never before then that when nations quibble over boundaries and haggle over reparations and nibble at peace plans that still have in them virus of war, that when any nation plays with peace and prepares for war it is the old folly and crime repeated, "Straining at gnats and swallowing camels." To go out to other nations with this plan will mean that they will have much to give us. We need them to help us, not only in our own crusade but for our general welfare. We are now too much given to pessimism, introspection, a crude national egotism, a shallow self-laudation. We magnify our material troubles and minimize our moral responsibilities. We whine or bluster over our rights and refuse to put to the front as citizens and societies our duties. We deify our personal desires and defy law. To go out to other nations with an unselfish, a sacrificial, spirit with this plan means that in this "losing of life" we shall "find our life" as a Nation.

V. THE MACHINERY FOR THE PLAN.

As important as that will be, and as great a task for the best minds and hearts of nations as it may be to make effective this plan, it is not the first or greatest need. A successful antiwar crusade, a decision on the part of even a few leading nations to outlaw war, will best furnish the material for the organizations, the courts, and the codes. Purge the present organizations of the war system now in them and they will have a wealth of material for our needs. "The Permanent Court of International Justice" of the "League of Nations," "The Permanent Court of Arbitration" of The Hague, the talked-of "World Court" can unquestionably all be of inestimable service. "The creation of a code of international law based on equality and justice between nations, the code to contain as its inviolable principle the outlawing of war by making it a crime against civilization, and the clothing of this international court with affirmative jurisdiction to hear and to decide all purely international controversies." This statement is probably as clear and specific and comprehensive as to the machine that will be needed as has yet been given.

We must organize for outlawing war, mobilize our forces, persuade Congress to take the necessary action, communicate that action to other nations, have an exchange of treaties, and then will come a machine built out of all that was good in the past and added to it all that is necessary in these new national relations.

The contents and merits and methods of this plan have been given. But what it needs more than all else this hour is a deeper, soberer realization on our part of the world's need and of our responsibility. Our Nation holds the key to world peace. Until it is plowed into our hearts and minds that we must act, must lead, must help other nations, we will be "found wanting." We can be a pioneer in the world's newest, most imperative, most glorious adventure, the outlawry of war. There can be no compromise. We can not go on as a world half at war and half at peace. We are too near together now. We must stop killing each other or complete and use our plans for a general slaughter. Every other world need or cause or crusade almost shrivels into insignificance compared with this. The world will not be a paradise if wars between nations shall cease, but it will then have taken the longest stride it has yet attempted out of perdition toward paradise. A baptism of brotherliness that will forever cast out the Cain method is in this plan. Our Nation, all nations, must now decide whether or not the command, "When ye pray, say Our Father," means anything. If the spirit of Him who cried out over His doomed city, "O, Jerusalem, Jerusalem," shall brood over us as we look over a war-crushed world, all will go well. A present, dominant, unescapable demand "to achieve and preserve the peace of the world" is upon us. We can meet it if we will outlaw war. Blessed are we if we say, "Thou shalt not kill" is a command to nations, and we agree to "ground arms."

BOK PEACE PLAN.

Mr. KING. Mr. President, I hope that my Republican friends will not take the offer which I am about to make as a confession that I am supporting Mr. Coolidge.

The President of the United States, following his predecessor, recommended the entrance of the United States into the World Court. I had the honor to offer a resolution in the last Congress, as also in this Congress, asking that we adhere to the protocol. The Bok peace plan, which has attracted considerable attention because of the prize which was obtained by a certain individual, is published in the morning papers. It is a very illuminating document, and I am sure we shall all be glad to peruse it and have it preserved in the Record. I ask unanimous consent to have printed in the Record the text of the winning peace plan.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

(The complete manuscript of plan No. 1469 providing for cooperation between the United States and other nations "to achieve and preserve the peace of the world" is given below, including the author's reasoning.)

Five-sixths of all nations, including about four-fifths of mankind, have already created a world organization the purpose of which is "to promote international cooperation and to achieve international peace and security."

Those nations can not and will not abandon this system, which has now been actively operating for three and a half years. If leading members of the United States Government ever had serious hopes that another association of nations could be formed, such hopes were dispelled during the Washington conference by plain intimations from other powers that there is not room for more than one organization like the League of Nations.

The States outside the organized world are not of such a character that the United States could hopefully cooperate with them for the purpose named.

Therefore the only possible path to cooperation in which the United States can take an increasing share is that which leads toward some form of agreement with the world as now organized, called the League of Nations.

By sheer force of social international gravitation such cooperation becomes inevitable.

POSITION OF THE UNITED STATES.

The United States Government, theoretically maintaining a policy of isolation, has actually gone far, since March 4, 1921, toward "cooperation with other nations to achieve and preserve the peace of the world."

The most familiar part of the story is the work of the Washington conference wherein President Harding's administration made a beginning of naval disarmament, opened to China a prospect of rehabilitation, and joined with Great Britain, Japan, and France to make the Pacific Ocean worthy of its name.

Later came the recommendation that the United States should adhere to the Permanent Court of International Justice.

Not long after that action President Harding wrote to Bishop Gailor:

"I do not believe any man can confront the responsibility of a President of the United States and yet adhere to the idea that it is possible for our country to maintain an attitude of isolation and aloofness in the world."

But since the proposed adhesion to the permanent court would bring this country into close contact at one time and point with the League of Nations, and since such action is strenuously opposed for exactly that reason, it is pertinent to inquire not only how much cooperation with the league and its organs has been proposed during the life of the present administration but also how much has been actually begun.

REPRESENTED ON COMMISSIONS.

The United States Government has accredited its representatives to sit as members "in an unofficial and consulting capacity" upon four of the most important social-welfare commissions of the league, viz, health, opium, traffic in women and children, and anthrax (industrial hygiene).

Our Government is a full member of the international hydrographic bureau, an organ of the league. Our Government was represented by an "unofficial observer" in the Brussels conference (finance and economic commission) in 1920. It sent Hon. Stephen G. Porter and Bishop Brent to represent it at the meeting of the Opium Commission last May.

Our Public Health Service has taken part in the serological congresses of the epidemics commission and has helped in the experimental work for the standardization of serums.

Our Government collaborates with the league health organization through the international office of public health at Paris and with the agricultural committee of the league labor organization through the International Institute of Agriculture at Rome.

In February, 1923, Secretary Hughes and President Harding formally recommended that the Senate approve our adhesion to the permanent court under four conditions or reservations, one of which was that the United States should officially participate in the election of judges by the assembly and council of the league, sitting as electoral colleges for that purpose.

Unofficial cooperation from the United States with the work of the league includes membership in five of the social-welfare commissions or committees of the league, in one on economic reconstruction, and in one (Aland Islands) which averted a war. American women serve as expert assessors upon the opium and traffic in women commissions.

Two philanthropic agencies in the United States have between them pledged more than \$400,000 to support either the work of the epidemics commission or the league inquiry into conditions of the traffic in women and children.

The United States being already so far committed to united councils with league agencies for the common social welfare, all of which have some bearing upon the preservation of world peace, the question before us may take this form:

How can increasing cooperation between the United States and the organized world for the promotion of peace and security be assured in forms acceptable to the people of the United States and hopefully practicable?

Without any change in its present policy, already described, the United States Government could, first, show its willingness to cooperate similarly with the other humane and reconstructive agencies of the league. To four of these agencies that Government has already sent delegates with advisory powers. It could as properly accept invitations to accredit members with like powers to each one of the other welfare commissions. It has already received invitations from two of the latter.

It is, secondly, immediately practicable to extend the same kind of cooperation, whenever asked to do it, so as to include participation in the work of the commissions and technical committees of the labor organization. The record shows that such cooperation is already begun.

The single common purpose of all these committees is the collection and study of information, on which may be based subsequent recommendations for national legislation.

All conventions and resolutions recommended by the first three congresses of the international labor organization have already been laid before the Senate of the United States and, without objection, referred to the appropriate committee. No different procedure would have been followed if the United States were a member of the labor organization of the league.

THE INTERNATIONAL COURT.

A third immediately practicable step is the Senate's approval of the proposal that the United States adhere to the Permanent Court of International Justice for the reasons and under the conditions stated by Secretary Hughes and President Harding in February, 1923.

These three suggestions for increasing cooperation with the family of nations are in harmony with policies already adopted by our Government, and in the last case with a policy so old and well recognized that it may now be called traditional.

They do not involve a question of membership in the League of Nations as now constituted, but it can not be denied that they lead to the threshold of that question. Any further step toward cooperation must confront the problem of direct relations between the United States and the assembly and council of 54 nations in the league.

[Fifty-seven States, including Germany, are members of the International Labor Organization of the league. There are about 65 independent States in the world.]

The practical experience of the league during its first three and a half years of life has not only wrought out, in a group of precedents, the beginnings of what might be called the constitutional law of the league but it has also shifted the emphasis in activities of the league and foreshadowed important modifications in its constitution, the covenant.

At its birth the covenant of the league bore, vaguely in article 10 and more clearly in article 16, the impression of a general agreement to enforce and coerce. Both of those articles suggest the action of a world state which never existed and does not now exist. How far the present league is actually removed from functioning as such a state is sufficiently exhibited in its dealings with Lithuania and Poland over Vilna and their common boundary, and with Greece and Italy over Corfu.

PROBLEM OF ARTICLE 10.

Experience in the last three years has demonstrated probably insuperable difficulties in the way of fulfilling in all parts of the world the large promise of article 10 in respect to either its letter or its spirit. No one now expects the league council to try to summon armies and fleets, since it utterly failed to obtain even an international police force for the Vilna district.

Each assembly of the league has witnessed vigorous efforts to interpret and modify article 10. In the fourth assembly an attempt to adopt an interpretation of that article in essential agreement with the senatorial reservation on the same subject in 1920 was blocked only by a small group of weak States like Persia and Panama, which evidently attributed to article 10 a protective power that it possesses only on paper.

Such States, in possible fear of unfriendly neighbors, must decide whether the preservation of a form of words in the covenant is more vital to their peace and security and to the peace and security of the world than the presence of the United States at the council table of the family of nations.

As to article 16, the council of the league created a blockade commission, which worked for two years to determine how the "economic weapon" of the league could be efficiently used and uniformly applied. The commission failed to discover any obligatory procedure that weaker powers would dare to accept. It was finally agreed that each State must decide for itself whether a breach of the covenant had been committed.

The second assembly adopted a radically amended form of article 16, from which was removed all reference to the possibility of employing military force, and in which the abandonment of uniform obligations was directly provided for. The British Government has since proposed to weaken the form of requirement still further.

Articles 10 and 16 in their original forms have therefore been practically condemned by the principal organs of the league and are to-day reduced to something like innocuous desuetude. The only kind of compulsion which nations can freely engage to apply to each other in the name of peace is that which arises from conference, from moral judgment, from full publicity, and from the power of public opinion.

AVOIDS NEW WORLD ISSUES.

Another significant development in the constitutional practice of the league is the unwillingness of the league council to intervene in any American controversy, even though all States in the New World except three are members of the league.

This refusal became evident in the Panama-Costa Rica dispute in 1921 and in the quarrel between Chile, Peru, and Bolivia, a quarrel which impelled the last two States to absent themselves from the third assembly wherein a Chilean was chosen to preside.

Obviously the league intends to recognize the leadership of the United States in the New World precisely as the United States claims it. This is nothing less than the observance of an unwritten law limiting the powers and duties of the league council, defined in article 11 of the covenant, to questions that seem to threaten the peace of the Old World. When the United States is willing to bring the two halves of the world together for friendly consideration of common dangers, duties, and needs, it will be possible to secure, if it is desired, closer cooperation between the league organizations and the Pan American Union, already a potential regional league. It is conceivable that the family of nations may eventually clearly define certain powers and duties of relatively local significance which may be developed upon local associations or unions. But the world of business and finance is already unified. The worlds of scientific knowledge and humane effort are nearly so. Isolation of any kind is increasingly impossible, and world organization, already centralized, is no more likely to return

to disconnected effort than the United States is likely to revert to the Calhoun theory of State rights and secession.

The operation of the league has therefore evolved a council widely different from the body imagined by the makers of the covenant. It can employ no force but that of persuasion and moral influence. Its only actual powers are to confer and advise, to create commissions, to exercise inquisitive, conciliative, and arbitral functions, and to help elect judges of the Permanent Court.

LEAGUE CHANGES POSITION.

In other words, the force of circumstances is gradually moving the league into position upon the foundations so well laid by the world's leaders between 1899 and 1907 in the great international councils of that period. The assemblies of the league and the congresses of the international labor organizations are successors to The Hague conferences.

The Permanent Court has at least begun to realize the highest hope and purpose of the second Hague conference.

The secretariat and the labor office have become continuation committees for the administrative work of the organized world, such as The Hague conference lacked resources to create, but would have rejoiced to see.

The council, resolving loose and large theories into clean-cut and modest practice, has been gradually reconciling the league, as an organized world, with the ideals of international interdependence, temporarily obscured since 1914 by the shadows of the Great War.

No one can deny that the organs of the league have brought to the service of the forces behind those ideals an efficiency, scope, and variety of appeal that in 1914 would have seemed incredible.

It is common knowledge that public opinion and official policy in the United States have for a long time, without distinction of party, been favorable to international conferences for the common welfare and to the establishment of conciliative, arbitral, and judicial means for settling international disputes.

There is no reason to believe that the judgment and policy have been changed. Along these same lines the league is now plainly crystallizing, as has been shown, and at the touch of the United States the process can be expedited.

In no other way can the organized world, from which the United States can not be economically and spiritually separated, belt the power of public opinion to the new machinery, devised for the pacific settlement of controversies between nations and standing always ready for use.

CONDITION OF COOPERATION.

The United States Government should be authorized to propose cooperation with the league of participation in the work of its assembly and council under the following conditions and reservations:

I. The United States accepts the League of Nations as an instrument of mutual counsel, but it will assume no obligation to interfere with political questions or policy or internal administration of any foreign state.

In uniting its efforts with those of other States for the preservation of peace and the promotion of the common welfare, the United States does not abandon its traditional attitude concerning American independence of the Old World and does not consent to submit its long-established policy concerning questions regarded by it as purely American to the recommendation or decision of other powers.

II. The United States will assume no obligations under article 10, in its present form in the covenant, unless in any particular case Congress has authorized such action.

The United States will assume no obligations under article 16, in its present form in the covenant or in its amended form as now proposed, unless in any particular case Congress has authorized such action.

The United States proposes that articles 10 and 16 be either dropped altogether or so amended and changed as to eliminate any suggestion of a general agreement to use coercion for obtaining conformity to the pledges of the covenant.

III. The United States will accept no responsibility and assume no obligation in connection with any duties imposed upon the league by the peace treaties, unless in any particular case Congress has authorized such action.

IV. The United States proposes that article 1 of the covenant be construed and applied, or, if necessary, redrafted, so that admission to the league shall be assured by any self-governing State that wishes to join and that receives the favorable vote of two-thirds of the assembly.

INTERNATIONAL LAW PROPOSAL.

V. As a further condition of its participation in the work and councils of the league, the United States asks that the assembly and council consent—or obtain authority—to begin collaboration for the revision and development of international law, employing, for this purpose, the aid of a commission of jurists. This commission would be directed to formulate anew existing rules of the law of nations, to reconcile divergent opinions, to consider points hitherto inadequately provided for but vital to the maintenance of international justice, and

in general to define the social rights and duties of States. The recommendations of the commission would be presented from time to time, in proper form for consideration, to the assembly as to a recommending if not a lawmaking body.

Among these conditions Nos. 1 and 2 have already been discussed. No. 3 is a logical consequence of the refusal of the United States Senate to ratify the treaty of Versailles, and of the settled policy of the United States, which is characterized in the first reservation. Concerning Nos. 4 and 5, this may be said:

Anything less than a world conference, especially when great powers are excluded, must incur, in proportion to the exclusions, the suspicion of being an alliance, rather than a family of nations. The United States can render service in emphasizing this lesson, learned in The Hague conference, and in thus helping to reconstitute the family of nations as it really is. Such a conference or assembly must obviously bear the chief responsibility for the development of new parts of the law of nations, devised to fit changed and changing conditions, to extend the sway of justice, and to help in preserving peace and security.

PROPOSED TAX REDUCTION.

Mr. CARAWAY. I ask unanimous consent to have printed in the RECORD an address by my colleague, the senior Senator from Arkansas [Mr. ROBINSON], on tax reduction.

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

WHY THE CONGRESS SHOULD REDUCE TAXES.

While many unanswerable arguments may be urged to justify the reduction of Federal taxes, not a single one suggests itself in opposition.

The impatience of the public with Government policies as they affect living conditions is in part reflected in the widespread demand for a reduction of taxes.

Members of Congress daily receive many communications from their constituents urging support of the Mellon plan. Many of these messages are identical in language, while a similarity of argument runs through a large majority of them, disclosing their common origin. Propagandist influences undoubtedly are at work; nevertheless, overwhelming public sentiment is behind the movement for tax reduction, and this sentiment is based on justice and sound reason.

REVENUES EXCEED EXPENSES.

If Treasury reports and figures are to be accepted, a surplus is accumulating. The total receipts for 1923 were \$4,264,905,600, while expenditures on all accounts were \$3,888,063,082, an apparent net balance of \$275,842,518. Every evidence indicates that this surplus, under present tax rates, may be expected to gather volume and to increase rapidly.

CORRECT PRINCIPLES OF TAXATION.

The correct principles of Federal taxation, from the Democratic standpoint, are expressed in the message to the Congress of former President Woodrow Wilson, May 20, 1919, in which he said:

"I hope that the Congress will find it possible to undertake an early reconsideration of Federal taxes, in order to make our system of taxation more simple and easy of administration and the taxes themselves as little burdensome as they can be made and yet suffice to support the Government and meet all its obligations. * * *

"The main thing we shall have to care for is that our taxation shall rest as lightly as possible on the productive resources of the country, that its rates shall be stable, and that it shall be constant in its revenue-yielding power. * * *

"I can only suggest the lines of a permanent and workable system, and the placing of the taxes where they will least hamper the life of the people."

Only such taxes should be levied as may be necessary to meet the expenses of the Government when honestly and economically administered. Revenues should not be so abundant as to invite extravagant expenditures or to encourage attempts to find new and broader spheres for governmental activity.

REDUCTION OF FEDERAL TAXES CAN GIVE ONLY PARTIAL RELIEF.

The high cost of Government—the high taxes complained of are not confined to Federal laws. Indeed, they are due in a greater degree to State and municipal authority, and of course no act of Congress can give direct relief from these.

Decisive reduction of Federal taxes, however, will start a general movement which will gather momentum and result in reductions down the long line, and this in turn will afford some measure of relief against the high cost of living, which again seems to be going up.

"THE MELLON PLAN."

The "Mellon plan," which many talk about, and which few understand, is incorporated in a bill providing for the complete revision of the revenue law. Its salient features, aside from the repeal of taxes now levied on admissions, telegraph and telephone messages, and certain miscellaneous nuisance taxes, include:

1. A 25 per cent reduction in the tax on "earned income."

Earned income is to be defined as "wages, salaries, and professional fees." It does not contemplate reductions of taxes on the earnings of farmers or small business men who derive their income from business personally carried on with their own capital.

Mr. Mellon's definition of earned income may be broadened so as to give relief to these classes, and a limit may be fixed on the amount which will be generous, but which will also avoid any loophole for tax dodgers.

2. The "Mellon plan" proposes where the present normal tax is 4 per cent to reduce it to 3 per cent, and where it is now 8 per cent to reduce the rate to 6 per cent.

Efforts will be made to secure still further reductions in the normal tax, particularly as it applies to the smaller incomes.

3. Perhaps the most controversial feature in the "Mellon plan" is the proposal to reduce the surtax rates by beginning their application at \$10,000 instead of \$8,000, and scaling them progressively upward to a maximum of 25 per cent at \$100,000.

Only minor differences arise respecting the surtax to be applied to the smaller incomes, but a contest will occur over the rate as applied to the large incomes.

During the last Congress the higher surtax was reduced from 65 per cent to 50 per cent. Fifty per cent is now the maximum, and it begins on incomes of \$200,000 and applies upward.

If the principle of a surtax is justified, why should not a distinction be made between incomes of \$100,000 and very large incomes ranging as high as \$2,000,000? True, the proposed reduction in the rates on large incomes is justified, in part at least, as necessary to prevent tax evasion; still it can not be demonstrated that 25 per cent is the one and only rate which will diminish investments in tax-exempt securities and invite them into industrial and commercial enterprises. In fairness from every standpoint, should not the individual who enjoys an income of \$500,000, \$1,000,000, or \$2,000,000 pay a higher tax rate than he who receives an income of only \$100,000?

It is said that the reduction of the surtax rate from a maximum of 60 per cent to the present maximum of 50 per cent already has had the effect of increasing investments by the owners of large capital in business. From what evidence does it appear that a maximum of 40 per cent levied on income above \$200,000 will not have a similar effect to a greater degree?

HOW TAX-EXEMPT SECURITIES MAY BE REACHED.

There is a method by which, without amending the Constitution, tax-exempt securities may be reached for taxation purposes. This may be accomplished by the imposition of transfer or inheritance taxes which distinguish between securities that have borne their fair share of tax burdens in the decedent's lifetime and securities of the same class which have not.

It is legal to tax the latter higher than the former. The Supreme Court of the United States in *Watson* and others against the Comptroller of the State of New York (254 U. S., page 122) has held that such a tax is neither a property tax nor a penalty; that it is based upon a reasonable classification and does not violate the equal protection clause of the fourteenth amendment to the Federal Constitution.

In this way so-called tax-exempt securities may be made to share the burdens of Government without injustice, and thus constitute a source of additional revenue, making possible further reductions in other and more onerous taxes.

A great service will be rendered the country through tax reduction. This does not mean, however, that the Congress should fail to exercise its best judgment in framing the legislation. Differences always arise touching the subject matter of important legislation. Senators and Representatives, while cooperating to secure substantial reductions in Federal taxes, should see that fairness and justice are done toward every class of taxpayers, to the end that our taxation "shall rest as lightly as possible on the productive resources of the country, that its rates shall be stable, and that it shall be constant in its revenue-yielding power."

DISTRIBUTED AND UNDISTRIBUTED EARNINGS OF CORPORATIONS.

The PRESIDING OFFICER. The Chair lays before the Senate a resolution coming over from a previous day, being Senate Resolution 110, which will be read for the information of the Senate.

The reading clerk read Senate Resolution 110, submitted by Mr. JONES of New Mexico on the 3d instant, as follows:

Resolved, That the Secretary of the Treasury be, and is hereby, directed to furnish to the Senate information regarding the distributed and undistributed portions of the earnings or profits of corporations (including gains and profits and income not taxed) accumulated during the taxable years for which returns have been made or information furnished during the calendar year 1923, showing such earnings or profits of such corporations upon business done during the calendar year 1922 or for any fiscal year for which information regarding such earnings or profits with respect to which information has been furnished in returns filed during the calendar year 1923 in tabular form, as follows, to wit:

First. It is desired that all corporations reporting net income shall be classified with respect to industries substantially as was done under the direction of the Commissioner of Internal Revenue as reported in Table 9 on pages 58 to 63, inclusive, of the "Statistics of Income from Returns of Net Income for 1921," and for each class of industries as reported by serial numbers from 1 to 165, inclusive, of said statistics.

Second. The number of corporations in each class as indicated by said serial numbers which have distributed or ordered to be distributed to its stockholders of such earnings or profits accumulated during the taxable year for which the returns were made—

- (a) Less than 10 per cent of such earnings or profits,
- (b) 10 per cent and less than 20 per cent of such earnings or profits,
- (c) 20 per cent and less than 30 per cent of such earnings or profits,
- (d) 30 per cent and less than 40 per cent of such earnings or profits,
- (e) 40 per cent and less than 50 per cent of such earnings or profits,
- (f) 50 per cent and less than 60 per cent of such earnings or profits,
- (g) 60 per cent and less than 70 per cent of such earnings or profits,
- (h) 70 per cent and less than 80 per cent of such earnings or profits,
- (i) 80 per cent and less than 90 per cent of such earnings or profits,
- (j) 90 per cent or more of such earnings or profits—

together with the total amount of such earnings or profits distributed or ordered to be distributed in each indicated percentage and the total amount of such earnings or profits not distributed or ordered to be distributed.

Third. That such information as above requested be arranged in such tabular form as will clearly show the information requested in conformity as nearly as may be practicable with the plan used in the statistics of income above referred to, together with totals pertaining to each group of industries according to the style and form used in said statistics.

The PRESIDING OFFICER. The question is upon agreeing to the resolution.

Mr. CURTIS. Mr. President, we were unable to hear the reading of the resolution, and I desire to inquire what is its nature?

The PRESIDING OFFICER. It is a resolution coming over from a previous day, No. 110, and will be found on page 7 of the calendar. The resolution was introduced by the Senator from New Mexico [Mr. JONES].

Mr. JONES of New Mexico. Mr. President, the revenue act which was last passed required that information be furnished in the returns of corporations as to the proportionate share of the earnings of corporations which was distributed in dividends. Some four or five weeks ago I addressed a letter to the Secretary of the Treasury requesting that information with respect to the returns of business for the calendar year of 1922 be included in the returns which were filed in the spring of 1923. The Secretary informed me that the information had not been tabulated. It may be seen at once that the information is very important at this particular time, when we are proposing to revise the revenue system of the country. So I have simply asked that the Treasury Department compile the information which it has and put it in form which will be of the most beneficial character to the Senate. In the form in which I have requested the information it would be especially desirable.

The Treasury Department has already arranged the various groups and classifications of corporate industries. Senators have all, doubtless, received that information. It covers, however, only the income for the year 1921. The Treasury Department has divided the corporate industries of the country into various groups, and has divided those groups into different classes, embracing 165 different classes of industry—not groups but classes—and it has given for that year the incomes of those various groups and classes. What I am now asking for is that the department shall, with respect to each class, inform us the percentage of income which has been retained and is undistributed by corporations. I have asked that information by gradations of 10 per cent, so as to show the number of corporations in the different classes which have distributed less than 10 per cent; the number of corporations in the classes which have distributed more than 10 per cent and less than 20 per cent; and so on up the list. The information is, indeed, desirable; and I can see no possible objection to the Senate having it. It would certainly be most valuable.

Mr. SMOOT. Mr. President, when the Senator from New Mexico submitted his resolution and asked for its immediate consideration, I objected to his request. I have asked the

department about what the cost of obtaining the information will be, for I know there have been resolutions passed by the Senate, compliance with which has cost \$50,000, and when the information was received it was never heard of afterwards. I am not going to object to the adoption of this resolution, because I myself should like to have the information for which it calls. I think it is information which ought to be in the possession of every Senator, provided it may be secured within a reasonable time and can be done without excessively high cost. In the form in which the resolution is drawn it applies to only one year, while when I first heard the resolution read I thought it applied to three years, and I knew that such information could not be obtained, because for some of the years it would be impossible to furnish it. However, Mr. President, I have no objection to the adoption of the resolution in its present shape.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution was agreed to.

SOVIET GOVERNMENT OF RUSSIA.

The PRESIDING OFFICER. Morning business is closed, and the calendar under Rule VIII is in order.

Mr. LODGE. Mr. President—

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. LODGE. Mr. President, before beginning what I am about to say I ask to have printed as an appendix to my remarks a memorandum relating to the press laws of Russia.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

(The memorandum will be found as an appendix to Mr. LODGE's remarks.)

Mr. LODGE. During the course of my remarks there are some quotations, several of them rather long, which I think it will not be necessary for me to read in their entirety. I ask, however, that they may be printed in full in my remarks.

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

Mr. LODGE. Mr. President, the resolution introduced by the Senator from Idaho and referred to the Committee on Foreign Relations, with the understanding made on the floor that the subject should be investigated, really presents only one question. The resolution declares that "the Senate of the United States favors the recognition of the present Soviet Government of Russia." The sole question involved, therefore, is whether, in the opinion of the Senate, the Soviet Government of Russia ought to be recognized by the Government of the United States. The power of recognition, as we all know, rests wholly in the hands of the Executive. It is on this single question that I propose to speak to-day. What I desire to show is that the so-called Russian Soviet Republic should not be recognized at this time by the Government of the United States, because the Russian Government, directly or indirectly, in one form or another, is making efforts to cause disorder and dissension among the American people and advocating actions and agitation which if successful would result ultimately in the radical alteration and perhaps the destruction of our present form of constitutional government, their immediate purpose being to get possession of the labor unions of the United States. I shall base my argument entirely on public records and documents which are before the world to be examined by anyone who will take the trouble to do so. I do not think many people have made this examination, but none the less the records which I shall quote have all been made public. My argument will contain no secret or anonymous reports of any kind.

The first and essential point is to begin by understanding just what constitutes in reality the Government of Russia—I mean the real Government—and who the men are who control it. I therefore present at the outset a table which I have had prepared with great care, showing the different organizations which constitute the real Government of Russia and the names of the officials of that Government, which I ask leave to have printed in the Record at this point. I shall not read the table. I have had it printed on a sheet for the convenience of the Senate, so that by glancing at it the Senate may see exactly the point I make.

The PRESIDING OFFICER. Without objection, the table will be printed in the Record.

[The table referred to appears on page 594.]

Mr. LODGE. I also desire to present the following brief statement in explanation of these various divisions and offices of the Government of Russia:

All-Russian Congress of Soviets: A congress of soviets from the various local soviet organizations throughout the country. It is the supreme authority in Soviet Russia. Meets annually and elects an All-Russian Central Executive Committee, which exercises all the powers of the All-Russian Congress when the latter is not in session.

All-Russian Central Executive Committee: The supreme authority in periods between the holding of the annual congresses and supreme legislative, administrative, and controlling body, technically speaking, in Soviet Russia. Appoints the Soviet of People's Commissars.

Let me pause here a moment to call your attention to the following facts in connection with the definitions I have just given: The political bureau and the central committee of the Russian Communist Party—which, as I shall presently show, is the controlling body of the Russian Government—and the All-Russian Central Executive Committee representing the All-Russian Congress, which is also a subdivision of the Russian Soviet Republic, and the central executive committee of the Federation of Soviet Republics are all composed of precisely the same persons. This group, 11 in number, control and represent the Government of Russia in all its three divisions. They are the Government of Russia. Take Zinoviev, about whom there has been some discussion. He is a member of the controlling committee of all three branches of the Russian Government. He directly represents all three, including, of course, the Russian Soviet Republic. He is also president of the executive committee of the Communist International and a member of the presidium of the executive committee, or inner directorate, of the same body. No man, except Lenin and Trotsky, holds positions of such power or represents so fully the entire Russian Government in all its three divisions as Zinoviev.

Soviet of People's Commissars: The supreme executive body in Soviet Russia. In a general way may be likened to our Cabinet officers. It is composed of the heads of the principal administrative departments of State.

Soviet of Labor and Defense: A small body composed of the heads of the seven most important administrative departments, together with a representative of the trades-unions. Its duties are to coordinate and develop the activities of all the departments of State in the interest and defense of the country and of economic reconstruction. In practice it actually functions as a committee of the Soviet of People's Commissars.

Central Committee of Russian Communist Party: The governing and controlling body of the Russian Communist Party. It is elected at the annual congresses of the party.

Commissariat: Corresponds to our executive departments.

Commissars: Chiefs of the various executive departments.

Vice Commissars: Assistant chiefs of the executive departments.

Presidium of the All-Russian Central Executive Committee: A small body elected by the All-Russian Central Executive Committee. Carries on the current work of the All-Russian Central Executive Committee.

Local Executive Committees: Supreme local authorities. They are elected by the local soviets and carry out the decisions and decrees of the central authorities at Moscow.

Russian Socialist Federal Soviet Republic is made up of 8 autonomous republics and 13 autonomous regions.

You will see by examining the table that there may be said to be six divisions in the Soviet Government of Russia, for in that Government all those divisions take part, and when I explain it I think it will be made obvious where the real power is and who the men are who hold that real power in their hands.

The first division of the organization which constitutes the Government of Russia is the Russian Communist Party, and that has two subdivisions, the political bureau and the central committee.

Then comes the Russian Soviet Republic, which is nominally the body with which we are supposed to deal and which we are asked to recognize. It consists of four subdivisions: The Soviet of People's Commissars, the All-Russian Central Executive Committee, the presidium of the central executive committee, and the Soviet of Labor and Defense.

The third division is the Federation of Soviet Republics, consisting of four autonomous republics, which are the Russian Socialist Federal Soviet Republic, the Ukrainian Socialist Soviet Republic, the White Russian Socialist Soviet Republic, and the Caucasian Socialist Federal Soviet Republic (Georgia, Azerbaidzhan, and Armenia).

Those associated republics comprise a large part of Russia. The Ukraine is the most populous and the richest part of Russia, a great wheat region. White Russia extends between the Polish border and Moscow, roughly. The line of march of Napoleon's armies, when he invaded Russia, was along the railroad which leads from Warsaw to Moscow. The boundaries of the Ukraine and White Russia have never been exactly defined, so far as I can find out; but those are the portions of Russia, as we see it on the map, which have these separate autonomous republics. The Caucasian Soviet Republic comprises, as I have said, Georgia, Azerbaidzhan, and Armenia, and lies to the extreme southeast of Russia, in the region of the Caucasus. They are remote, and, I think, sparsely populated Provinces.

The federation has four subdivisions: The central executive committee, the presidium of central executive committee, the Soviet of People's Commissars, and the Soviet of Labor and Defense. This body, when it meets in Congress, which is known as the All-Russian Congress of Soviets, includes in its membership the high officials of the Soviet of People's Commissars, who may roughly be described as the department officers, and is supposed to be the supreme authority in Soviet Russia. That Congress is almost entirely composed of members of the Communist Party, which I shall describe later. I will give a list of the Congresses from November, 1918, to December 22, 1922, which is the last of which I have any official record. In the first Congress, the earliest that it is necessary to speak of here, there were 950 delegates, 933 of whom were Communists and 17 non-Communists, the percentage of Communists being 97. (From stenographic report of the Sixth All-Russian Congress of Soviets, page 179.)

The second Congress which I have examined had 1,002 delegates, 970 of whom were Communists and 32 non-Communists, the Communist representation being 96 per cent. (See *The Economic Life*—a Russian publication—of December 10, 1919.) In the Congress of December 3, 1920, there were 1,728 delegates, 1,614 of whom were Communists and 114 non-Communists, the representation of Communists being 93 per cent. (From *Pravda* (Truth) of December 31, 1920. This is the organ of the Central Committee of the Russian Communist Party, published in Moscow.) The Congress which met in December, 1921, had 1,631 delegates, of whom 1,522 were Communists and 109 non-Communists, the representation of Communists being 93 per cent. (From *Economic Life* of December 29, 1921.) The last Congress of which I have a record is that of December, 1922, composed of 1,217 delegates, of whom 1,154 were Communists and 63 non-Communists, the representation of Communists being 94 per cent. (From *Izvestia*—Bulletin or News—of December 28, 1922. This publication, which is an official organ of the Government, carries in large letters at the immediate right of the name the following: "Central Executive Committee of the Union of Soviet Socialist Republics and All-Russian Central Executive Committee of the Councils (Soviets) of Workmen's, Peasants', and Red Army Deputies.")

These figures show the complete control of the Congresses by the Communist Party, whose total numbers did not much exceed 700,000 out of a total population of 120,000,000 and whose membership has since decreased to approximately 400,000. In other words, these figures prove the supreme control of the Communist Party of Russia in the Congresses which are supposed to represent the voters who support the Government. I shall analyze this membership more fully later.

The last three of the six divisions of the Russian Government are minor divisions, the Communist International, which is the organization of the Third International in Russia, the Third International being supposed to be, and in some respects correctly so, representative of a number of other nations. This has two subdivisions, the central executive committee and the presidium of the executive committee. Then there is the Russian Labor Union, with its presidium of central soviets.

The last of the six divisions is the Trade Union International, of which they have as a subdivision only an executive committee.

There are also two subordinate organizations, which do not appear in the table but are under the parent organizations given in the table, and I will describe them here because, although not a controlling force, they are part of the organization.

The first is the League of Communist Youth. This organization was established under the aegis of the soviets to unite the most revolutionary elements of the working youth and bring them into the class struggle. It has to-day a membership of about 400,000 and includes both sexes between the ages of 14 and 22. These members are also trained for their future membership in the Communist Party. Similar organizations are being effected in all countries of the world. In the United States the "Union of Labor Youth of America" has a formal organization, and held its second annual congress in the summer of 1923. On this occasion it sent a fraternal telegram to the Russian Communist Youth. According to the *Moscow Izvestia* of July 19, 1923, the American congress "has unanimously approved the experiments of your organization work in the factory germs and villages. * * * We hope the day is near when we shall victoriously march hand in hand with you against our common enemy."

The congress of the International Union of Youth is still held in Moscow, usually in conjunction with the congresses of the Third International. At these congresses the American "Union of Labor Youth of America" is represented by appointed delegates. At the international congress at Moscow, the American delegate, Carr, reported that in the United States the American Union carried on the economic struggle conjointly with the American Communist Party and that the union considers the factory "germ-cells" suitable for work among proletarian juveniles. (See *Moscow Pravda*, December 12, 1922.) Zinoviev, who spoke at the congress, urged that the young generation should be brought up in the spirit of a united international Communist Party. The young must "think internationally." I shall call attention, as I now do in this instance and as I proceed, to the various bonds of connection between Russian and American organizations.

The other is the Red International of Trade Unions, which grew out of a "Provisional International Soviet of Trade and Productive Unions" founded at the second congress of the Third International at Moscow, held in July, 1920.

Its purpose was to fight the Amsterdam Federation of Trade Unions (called the "Yellow Federation"), and to supplement the Third or Communist International, acting as a sort of preparatory school thereto. The only condition necessary for a trade union to join is complete dissociation from the Amsterdam Federation.

Writing in the March, 1921, number of the Communist International, Zinoviev says:

The work of these two congresses (i. e., the Red International of Trade Unions and the Third Congress of the Third or Communist International) * * * must be connected by an internal unity. The one supplements the other.

The first congress of the Red Trade Unions met in July, 1921, at the close of the third congress of the Third or Communist International. Its first meeting was called before the end of the sittings of the third congress of the Communist International and many of the same delegates attended both. It claimed at that time 16,000,000 members. The best-known labor organization in America belonging to it is the I. W. W. It was arranged that one member of the Red International was to be a member of the Third International.

Both the Red International of Trade Unions and the Third International attempted to make capital out of the Ruhr troubles for the world revolution. Lozovsky, president of the executive committee of the Red International, writes in an article in No. 25 of the Communist International: "Naturally the Communist International and the Red International of Trade Unions instantly set to work to collect all the revolutionary forces available in Europe for a united front." The first step was to attempt to call a one day's strike, followed by a call to a conference in the Ruhr region, actually held at Frankfurt in February, 1923. One of the concrete proposals debated at the conference was the formation of a workers', i. e., communist, government in Germany.

This illustrates their activities in other countries.

That the Red International of Trade Unions is one of the instruments of the Moscow "interlocking directorates" for use

THE GOVERNMENT OF RUSSIA.

RUSSIAN COMMUNIST PARTY.		RUSSIAN SOVIET REPUBLIC.				FEDERATION OF SOVIET REPUBLICS.			
Political Bureau.	Central Committee.	All-Russian Central Executive Committee.	Presidium of Central Executive Committee.	Soviet of People's Commissars.	Soviet of Labor and Defense.	Federation Central Executive Committee.	Presidium of Central Executive Committee.	Soviet of People's Commissars.	Soviet of Labor and Defense.
Lenin Kamenev Trotsky Rykov Tomskey Stalin Zinoviev Rudzutak (A) Kalinin (A) Molotov (A) Bukharin (A)	Lenin Kamenev Trotsky Rykov Tomskey Stalin Zinoviev Rudzutak Kalinin Molotov Bukharin	Lenin Kamenev Trotsky Rykov Tomskey Stalin Zinoviev Rudzutak Kalinin Molotov Bukharin	Kamenev Rykov Tomskey Stalin Rudzutak Kalinin (P)	Lenin (P) Kamenev (VP) Rykov (VP)	Lenin (P) Trotsky Rykov (VP)	Lenin Kamenev Trotsky Rykov Tomskey Stalin Zinoviev Rudzutak Kalinin Molotov Bukharin	Kamenev Rykov Tomskey Stalin Rudzutak Kalinin (P)	Lenin (P) Kamenev (VP) Trotsky Rykov (VP)	Lenin (P) Kamenev Trotsky Rykov
* * *	* * *	* * *	* * *	* * *	* * *	* * *	* * *	* * *	* * *
	Tsiurupa Dzerzhinsky Sokolnikov Radek Smirnov, A. P. Andreyev	Tsiurupa Dzerzhinsky Sokolnikov Radek Smirnov Andreyev Lozovsky Enukidze Smidovich Sapronov Kuibyshev Schmidt Vladimirov Serebriakov Avanesov Kursky	Tsiurupa Sokolnikov (A) Smirnov Andreyev Enukidze Smidovich Sapronov Kuibyshev Vladimirov Serebriakov (A) Avanesov (A) Kursky	Smirnov Kuibyshev Vladimirov Kursky	Tsiurupa Dzerzhinsky Lozovsky	Tsiurupa Dzerzhinsky Sokolnikov Radek Smirnov Andreyev Lozovsky Enukidze Smidovich Sapronov Kuibyshev Schmidt Vladimirov Serebriakov Avanesov Kursky Piatakov Chubar Rakovsky Petrovsky Manuilsky	Kamenev Rykov Tomskey Stalin Rudzutak Kalinin (P) Enukidze Smidovich Sapronov Kuibyshev Schmidt Vladimirov (A) Serebriakov (A) Avanesov (A) Kursky Rakovsky Petrovsky Manuilsky	Tsiurupa (VP) Dzerzhinsky Sokolnikov Kuibyshev Schmidt Vladimirov (A) Serebriakov (A) Avanesov (A) Piatakov (A) Chubar (VP) Rakovsky (A)	Tsiurupa Dzerzhinsky Sokolnikov Piatakov
	Yakovenko Beloborodov	Kiselev Evdokimov Lutovinov Melnichansky Dogadov Smirnov, I. N. Zalutsky Krassin Chicherin Krzhizhanovsky. Komarov Lunacharsky Pozern Brukhanov Sosnovsky Frumkin Tolokontsev Antipov Kutuzov Bogdanov Rogov Janson	Yakovenko Beloborodov (A) Lutovinov (A) Zalutsky (A) Komarov (A) Pozern Sosnovsky (A) Tolokontsev (A) Kutuzov (A) Rogov	Kalmanovich Yakovenko Beloborodov Kiselev Lunacharsky Bogdanov Bakhtov Semashko	Kalmanovich Kiselev Bogdanov Bakhtov	Kiselev Evdokimov Lutovinov Melnichansky Dogadov Smirnov Zalutsky Krassin Chicherin Krzhizhanovsky. Komarov Lunacharsky Pozern Brukhanov Sosnovsky Frumkin Tolokontsev Antipov Kutuzov Bogdanov Rogov Semashko Khydyr-Allah Cherviakov Lapse Seniushkin Uglanov Sulimov Ordzhonikidze Mikhailov Mikoyan Leshevitch Voroshilov Zelensky Kvirin Kirov Korotkov Kubiak Nogin, etc., etc.....	Kiselev Evdokimov Lutovinov Melnichansky Dogadov Smirnov Zalutsky Krassin Chicherin Krzhizhanovsky. Komarov Lunacharsky Pozern Brukhanov Sosnovsky Frumkin (A) Tolokontsev Antipov Kutuzov Bogdanov Rogov Khydyr-Allah Narimanov Cherviakov Maasnikom Kohn Takhahaya Ordzhonikidze Mikhailov Ugarov Popov Voroshilov Zelensky Kirov Korotkov Nogin etc., etc.....	Smirnov Krassin Chicherin Brukhanov Frumkin (A) Orkhalashvili (VP) Litvinov (A) Sklyansky (A) Borisov (A) Dovgalevsky (A) Lobachev (A) Popov (A)	Krzhizhanovsky.
	Kharitonov	Kharitonov	Khydyr-Allah Nogin (A) Mendevich (A)			Semashko Khydyr-Allah Cherviakov Lapse Seniushkin Uglanov Sulimov Ordzhonikidze Mikhailov Ugarov Popov Voroshilov Zelensky Kirov Korotkov Nogin etc., etc.....	Khydyr-Allah Narimanov Cherviakov Maasnikom Kohn Takhahaya Ordzhonikidze Mikhailov Ugarov Popov Voroshilov Zelensky Kirov Korotkov Nogin etc., etc.....	Orkhalashvili (VP) Litvinov (A) Sklyansky (A) Borisov (A) Dovgalevsky (A) Lobachev (A) Popov (A)	
	Franze Ukhanov Uglanov Sulimov	Lapse Seniushkin Uglanov Sulimov							
	Ordzhonikidze Mikhailov Mikoyan Leshevitch Voroshilov Zelensky Kvirin Kirov Korotkov Kubiak	Ordzhonikidze Mikhailov Mikoyan Popov Voroshilov Zelensky Dovgalevsky Sklyansky Korotkov Kubiak Nogin, etc., etc.....	Total 270.				Total 371.		

P=President.

VP=Vice President.

A=Alternate.

Chiefs of important State administrative organs:

President of State Plan Commission.....	Krzhizhanovsky
President of All-Russian Union of Cooperatives (Centrosoyuz).....	Hinchuk
President of Chief Concession Committee of Federation.....	Piatakov
Public Prosecutor of Soviet Russia.....	Kursky
Assistant Public Prosecutor.....	Krylenko
Chief of State Political Administration (Gpu-Cheka).....	Popov
Chief of Central Statistical Administration.....	Popov
President of Central Control Commission.....	Kuibyshev

COMMUNIST INTERNATIONAL.		RUSSIAN LABOR UNION.	TRADE UNION INTERNATIONAL.
Executive Committee.	Presidium of Executive Committee.	Presidium of Central Soviet.	Executive Committee.
Lenin(A)			
Trotsky(A)		Rykov Tomsky	Tomsky
Zinoviev (P)	Zinoviev	Rudzutak	Kalinin
Bukharin	Bukharin		
* * *	* * *	* * *	* * *
Radek	Radek	Andreyev Lozovsky	Lozovsky
		Schmidt	
		Evdokimov Lutovinov Melnichansky Dogadov	Melnichansky Dogadov
		Antipov	Janson
		Lepse Seniushkin Ugarov	
and 30 Foreign Representa- tives.	and 9 Foreign Representa- tives.		

in bringing about the world revolution, including a revolution in the United States, may be seen from the following:

Kalinin, "President" of the Union of Soviet Republics, is a member of the executive committee of the Red International; alternate in the political bureau of the Russian Communist Party (the inner controlling organ of the party); member of the central committee of that party; president of the central executive committee of the Russian Soviet Republic; an important member of the Russian Soviet Government which we are asked to recognize.

Tomsky, member of the executive committee of the Red International, besides also holding the same or similar positions to those held by Kalinin in all the organizations mentioned, is, in addition, member of the central soviet of All-Russian Trade-Unions. He, too, is a member of the Russian Soviet Government we are asked to recognize.

Lozovsky, who is on the executive committee of the Red International of Trade-Unions, is also a member of the presidium of the central Soviet of Labor and Defense of the Russian Soviet Republic. You will observe that all these men are members of the controlling executive committee of the Red International of Trade-Unions and members of the Russian Soviet Government.

Now, I wish to examine in some detail the actual membership of the bodies which form the Russian Government, of which I have already given the list. Any Senator who will take the trouble to look over the table which I have presented and compare the names and the arrangement of the names in the different lists, confining his inquiry for the present to the names of chief importance, which are given first in the table in the space set off by stars and which are those of the men who really govern Russia, will see at once a system of interlocking directorates which would be accepted at once by any court or any jury in this country as demonstrated without any further inquiry. It is a system of interlocking directorates formed with a thoroughness and completeness which is very striking, and those interlocking directorates constitute the real Government of Russia. All power is theirs. For what one does all are responsible. In the presence of these facts it is to my mind absurd to say that the division headed "Russian Soviet Republic" really governs Russia. That is merely one of the divisions and not the most important.

You will notice that the president of the Federation of Soviet Republics, the head of the political bureau and of the central committee of the Russian Communist Party, and the President of the Russian Soviet Republic is Lenin. He is also president of all the other organizations. Lenin, of course, is known to the world but I will give a brief account of him for convenience.

Lenin (Vladimir Ilyich Ulianov) was born on April 10, 1870, and is the son of a governmental counselor and a hereditary noble. His brother, Alexander, was executed in 1887 for participating in a conspiracy against Alexander III. He attended the University of Kasan in 1887, from which institution he was expelled. In 1895 he made his first journey to Germany and was arrested in Petrograd in the same year for socialist agitation and was banished for three years to eastern Siberia. In 1900 he went abroad and began his career as a socialist leader. During the next 17 years he was prominent in the series of socialist congresses and conventions. During this period he met most of the revolutionary leaders of Europe.

He is president of the Soviet of People's Commissars of the Federation of Soviet Republics; president of the Soviet of Labor and Defense of the Federation of Soviet Republics; a member of the political bureau of the Russian Communist Party; a member of the central committee of the Russian Communist Party; president of the Soviet of People's Commissars of the Russian Soviet Republic; president of the Soviet of Labor and Defense of the Russian Soviet Republic, and an alternate member of the central executive committee of the Communist International.

Kamenev (L. B.) is vice president of the Soviet of People's Commissars of the Federation of Soviet Republics; a member of the presidium of the central executive committee of the Federation of Soviet Republics; a member of the Soviet of Labor and Defense of the Federation of Soviet Republics; a member of the political bureau of the Russian Communist Party; a member of the central committee of the Russian Communist Party; vice president of the Soviet of People's Commissars of the Russian Soviet Republic; and a member of the presidium of the central executive committee of the Russian Soviet Republic. He was born in Tiflis, and from 1904 onward was actively engaged in political work in the Moscow group of the Russian Social Democratic Labor Party. From 1910 to 1912 he engaged in literary pursuits in France

and in the latter year attended the "General Conference of the Party" convoked by Lenin at Prague. He was condemned to exile as a result of an antiwar speech he made in 1914. After the outbreak of the Russian Revolution in 1917, he became a member of the Petrograd Soviet. In 1920 he was sent to England as head of the Soviet peace delegation and engaged in Bolshevik propaganda in that country. In 1921 he was appointed president of the emergency commission for the supply of capitals established by the Council of Labor and Defense to take special measures in regard to the serious fuel crisis. He is considered to be one of the chief intellectual forces of the Bolshevik movements.

You will observe, if you follow this list of leaders, the number of key positions each one holds in their organizations which constitute the Government of Russia.

Trotsky (L.), the most powerful man in the Russian Government next to Lenin and probably the best known, is a member of the Soviet of People's Commissars of the Federation of Soviet Republics; a member of the Soviet of Labor and Defense of the Federation of Soviet Republics; a member of the political bureau of the Russian Communist Party; a member of the central committee of the Russian Communist Party; a member of the Soviet of Labor and Defense of the Russian Soviet Republic; and an alternate member of the central executive committee of the Communist International. Trotsky was born in 1877 in the Government of Kherson, of Jewish parentage, arrested at the age of 22, at Odessa, on account of his connection with the South Russian Workmen's League, and banished for four years to Siberia. In the third year of his exile, he escaped and appeared in the revolution of 1905. As president of the Petrograd Council of Workmen, he was arrested and exiled to eastern Siberia for life. He escaped after six months and disappeared abroad. During the succeeding 10 years he lived in France, Switzerland, Austria, Germany, and New York City, supporting himself by journalism. At the beginning of the war he was in Paris editing a Russian socialist paper and steering a middle course between Menshevism and Bolshevism, and later was in New York. He returned to Russia just previous to the revolution of 1917.

Let me say once for all that the accounts which I give of these men are all official and all taken from public records.

Rykov (A. I.) is a member of the presidium of the central executive committee of the Federation of Soviet Republics; a member of the Soviet of Labor and Defense of the Federation of Soviet Republics; a member of the political bureau of the Russian Communist Party; a member of the central committee of the Russian Communist Party; vice president of the Soviet of People's Commissars of the Russian Soviet Republic; a member of the presidium of the central executive committee of the Russian Soviet Republic; vice president of the Soviet of Labor and Defense of the Russian Soviet Republic; and a member of the presidium of the central soviet of the Russian Labor Union.

He was born in 1881 of peasant parentage. He specialized in foreign languages and was instrumental in organizing the Bolshevik group of the Russian Social Democratic Party. He may be considered as one of the "pre-1905" group of the then Bolshevik faction of the Russian Socialist Democratic Labor Party. He was for many years closely associated in this respect with Lenin, Zinoviev, and Kamenev. Under the soviet régime he has been assigned primarily to economic posts.

Tomsky (M. P.) is a member of the presidium of the central executive committee of the Federation of Soviet Republics; a member of the political bureau of the Russian Communist Party; a member of the central committee of the Russian Communist Party; a member of the presidium of the central executive committee of the Russian Soviet Republic; a member of the presidium of the central soviet of the Russian Labor Union; and a member of the executive committee of the Trade Union International.

He is reported to have undergone a period of penal servitude previous to the February revolution in 1917. He appeared as one of the defenders of the accused in the trial of the social revolutionaries in 1922.

Stalin (I. V.) is a member of the presidium of the central executive committee of the Federation of Soviet Republics; a member of the political bureau of the Russian Communist Party; a member of the central committee of the Russian Communist Party, and a member of the presidium of the central executive committee of the Russian Soviet Republic.

Stalin is of Georgian origin. He was formerly principal organizer of the Bolshevik section of the Russian Social Democratic Labor Party and a collaborator of Lenin. He was twice exiled to the Vologda Province and once to Siberia. As People's Commissar for Nationalities in 1918, he was associated

with soviet endeavors to set on foot subversive propaganda in the east. In 1920 he attended the communist congress in Baku and negotiated with Mustapha Kemal in Armenia.

Zinoviev is a member of the political bureau of the Russian Communist Party; a member of the central committee of the Russian Communist Party; a member of the All-Russian Central Executive Committee of the Russian Soviet Republic, as already explained; and the president of the central executive committee of the Communist International. He is of Ukrainian origin, and was born in 1883. In his early youth he came under Lenin's influence. He suffered imprisonment during the days of the old régime, and lived abroad after his release. During the 10 years immediately preceding the war, he was one of the most active members of the Bolshevik Central Committee. From 1914 until 1917 he edited with Lenin the Social Democrat in Switzerland. He may be considered as a faithful mouthpiece of Lenin. Zinoviev is one of the most powerful men in the Government of Russia and is said to be one of the most ruthless. It is he who by the offices which he holds in the Communist Party and the Communist International is at the head of all propaganda in foreign countries.

Rudzutak (J. E.) is a member of the presidium of the central executive committee of the Federation of Soviet Republics; an alternate member of the political bureau of the Russian Communist Party; a member of the central committee of the Russian Communist Party; a member of the presidium of the central executive committee of the Russian Soviet Republic; and a member of the presidium of the central soviet of the Russian Labor Union. He is of Lettish origin. Has been connected in the past with the railway administration of Russia and is considered of low intelligence. His progress, however, in the Communist Party has been rapid and he is considered by some as one of the most prominent younger communists. He was a member of the Soviet Russian delegation to the Genoa conference in 1922.

Kalinin (M. I.) is the president of the presidium of the central executive committee of the Federation of the Soviet Republics; an alternate member of the political bureau of the Russian Communist Party; a member of the central executive committee of the Russian Communist Party; the president of the presidium of the central executive committee of the Russian Soviet Republic; and a member of the executive committee of the Trade Union International. He was born in 1875, by origin a peasant of the Province of Tver, worked as an apprentice in a factory in Petrograd, and entered the ranks of the Social Democratic Party in 1898. In 1899 he was arrested and exiled to the Caucasus. Exiled from the Caucasus to Reval. In 1903 arrested by the Reval authorities and exiled to eastern Siberia. In 1912 he was exiled from Moscow and deprived of the right to live in all industrial centers. In 1917 he was again arrested and sentenced to exile to Siberia. The revolution saved him. He takes great interest in the activities of the department of propaganda among the peasantry.

Molotov is an alternate member of the political bureau of the Russian Communist Party, and a member of the central committee of the same party. But little is known of Molotov. He is reported to be one of the more progressive younger communists, of the same type as Rudzutak.

Bukharin (N. I.) is a member of the political bureau of the Russian Communist Party; a member of the central committee of the Russian Communist Party; and a member of the central executive committee of the Communist International. He is the son of a counselor of the Russian court, and was a member of the former Russian Social Democratic Labor Party. He was arrested in 1902 and exiled to Archangel. After 1917 he became a member of the Petrograd Soviet, and later a member of the old Russian Central Executive Committee. He may be regarded as a leader of the Communists of the Left. He contributes freely to soviet newspapers and is the author of the Communist Programme and Economics of the Transitory Period. He is strongly opposed to the granting of concessions to foreigners.

Chicherin (George) is a member of the Soviet of People's Commissars, and of the federation of the central executive committee, of the Federation of Soviet Republics; and a member of the All-Russian Central Executive Committee of the Russian Soviet Republic. He is practically the Secretary of State of the Russian Soviet Republic and the correspondence with our Government has been conducted through him. He is a pure Russian of good family. In 1907 he was a member of the central committee of the Berlin Social Democratic Party. He was expelled from Germany in 1908. During the first years of the war he lived in London and was closely connected with the British Socialist Party. After the Brest-

Litovsk treaty he succeeded Trotski as Commissar for Foreign Affairs. He is considered an indefatigable worker and a close friend of Lenin.

I know how tiresome it is to go through these lists, but my object is to illustrate the power of these men. The 11 men whose names I have read are the Government of Russia. With the exception of Chicherin, they are all members of the four controlling branches of the Russian Government. They are all members of the political bureau of the Russian Communist Party, of the central committee of the Russian Communist Party, of the All-Russian Central Executive Committee of the Russian Soviet Republic, and all members of the Federation of Soviet Republics.

I shall not analyze these tables further. The names I have given and which, with the exception of Chicherin's, appear on the lists in the space above the stars, are those of men holding positions in most of the organizations which constitute in reality the Government of Russia. The four I have read are the four controlling organizations, but these men are in the other committees also. They are all members of soviets, either general or local. I have given the offices and the career of these men who are at the head of the real Government of Russia, and I call attention to the fact that there is one body on which with one exception, Chicherin, they all appear—they all appear on four, as I have already pointed out—and that is the political bureau and the central committee of the Russian Communist Party. I mention those because they are the most powerful committees. This shows what undoubtedly is the case that the Russian Communist Party is the controlling force throughout the Russian Government. This small group of men is absolutely in control of the Russian Communist Party and they are found in every key position in all the other divisions and subdivisions of the Russian Soviet Government. That is the point to bear in mind. These men are the Government of Russia. They are not merely the heads of one branch of the Government; they are the heads and the controlling force of all parts. They are the Government, and therefore they are responsible for all that is done, whether by the Federated Republics, by the Russian Soviet Republic, or by the Russian Communist Party, which controls them all.

Now let me consider this very important point a little more fully, because it is necessary to understand, as will be seen by anyone who studies these lists of names, that the Russian Communist Party is the dominant power in the Russian Government. I have already called attention to their control of the congresses of soviets and their control of the elections, despite the fact that it appears that the membership of the Russian Communist Party has never exceeded 700,000 out of a total population of 120,000,000.

I have not attempted to go into all the details of the election system of Russia. It is a very complicated one. Most of the voting is done simply by local soviets. They have a series of elections. There was a table, I may say, setting that all out with great fullness and clearness, submitted in 1919 in the House by Representative FRENCH, of Idaho.

We are dealing with an oligarchical organization which is of the highest efficiency. It is needless to say that it is a tyranny of the most absolute kind. Russia has never been governed by anything but a tyranny and never by a tyranny more thorough or more ruthless than the present one. I am not unmindful of the debt of gratitude we owe to Russia for her attitude during the Civil War, but at that time the Russian people had no voice whatever in the Government or in its foreign policy. The action which Russia took on that occasion was the action of the Emperor Alexander II. It was he who took the position which broke up the attempt of the Emperor Napoleon III to form a combination against us. It was he who sent the Russian fleet to New York. It was his Government which sold us the Territory of Alaska. He was the Czar who freed the serfs in 1861 and who later was killed in the streets in 1881 by a Nihilist bomb. I have no desire whatever in what I say to reflect on the Russian people. I have been in Russia and I judged from what I saw that they are naturally a kindly people but profoundly ignorant, and the peasants, the muzhiks, are really the Russian people. They seemed to me, as I saw them, very religious and very devout. Owing probably to their illiteracy, and perhaps racially, they are given to what one may call mass thinking. It is seen in their history, both in political and more especially in religious movements. When an idea gets into the minds of any considerable body of them they appear to pass entirely beyond control and are indifferent to life, whether their own lives or the lives of others. It must be difficult to rouse the Russian people to any general movement, but when they are aroused I should think them not only formidable but dangerous. They have

never had any share in the Government. They have never made their power really felt until the government of communists and Bolsheviks undertook to take their land. Then they rose and made their feelings known with such force that the communist government retreated, and we had that period represented by Krassin when there was an apparent movement toward what they called the capitalistic system, and what we should call free government, in which the rights of the people are fully respected and which the people themselves really control by their own votes the government of the country.

Krassin is now one of the leading men in Russia, and is a man of distinguished ability. He is charged with the duty of seeing government officials and diplomatic representatives of different countries in Europe and was sent abroad for the purpose of impressing upon the rest of the world the fact that Russia was turning toward conservative government. He is a member of the Soviet of People's Commissars, and of the federation of the central executive committee of the Federation of Soviet Republics; and a member of the All-Russian Central Executive Committee of the Russian Soviet Republic. In a speech made during the twelfth congress of the Russian Communist Party Krassin said:

The basic task of the foreign policy of the soviet power consists first, in the "loosening" of the world revolution, in securing the maximum conditions guaranteeing peace, i. e., recognition *de jure*, and in obtaining economic aid, loans, credits, etc. The world revolution follows a laborious path; we have no miraculous means to "loose" it. The most efficacious way of "loosening" the world revolution and aiding it is the strengthening of the soviet state, the labor-peasant state. (Pravda, April 20, 1923.)

Throughout I give the source and authority for quotations of any kind.

The Pravda is the organ of the Communist Party.

Now, if we examine the membership of the higher local governmental organizations, we find the same condition of affairs. Of the 1,436 members of the executive committees of 58 Provinces, 1,295, or 90 per cent, are Communists (Izvestia, April 22, 1923). All the members of the controlling bodies of the Soviet Government are members of the Russian Communist Party. This is true both in regard to the Federation Soviet Government and the Government of the Russian Soviet Republic, one of the four Republics entering into the composition of the soviet federation. Of the 27 members, including both commissars and vice commissars of the Federation Soviet of People's Commissars, the supreme executive authority, 27 are members of the Russian Communist Party; of the 19 members of the presidium of the federation central executive committee, the supreme legislative authority in the Soviet Federation, 19 are members of the Russian Communist Party. Of the 15 members of the Soviet of People's Commissars of the Russian Soviet Republic, 15 are members of the Russian Communist Party.

Of the 17 members of the presidium of the All-Russian Central Executive Committee, 17 are members of the Russian Communist Party. In fact, there is not known of a case of a single member of the higher governmental organs, either in the federation or in the so-called Russian Soviet Republic, who is not a member of the Russian Communist Party. A fundamental fact to be borne in mind is the fact that the Communist Party is the only legal party in either Russia or the federation. The control exercised by the Russian Communist Party can be further illustrated by showing the position occupied by members of the central committee of the Russian Communist Party, the supreme governing body of that party, in the Soviet Government.

The higher the governmental organ, the greater the percentage of places occupied by members of the central committee. Of the 19 members of the presidium of the central executive committee, 9 are members of the central committee of the Russian Communist Party. Of the 15 members of the Soviet of People's Commissars, 9 are members of the central committee of the Russian Communist Party. Of the 9 members of the Soviet of Labor and Defense, probably the most important executive body in the Soviet Government, 8 are members of the central committee of the Russian Communist Party. Furthermore, the method of electing members of the All-Russian Central Executive Committee illustrates clearly the domination of the Communist Party: The regular practice is to read the list of candidates drawn up by the Communist group in the All-Russian Congress of Soviets, which list is then unanimously elected by the Congress.

There has never been any attempt by the Bolshevik leaders to conceal or mask the control of the governmental machinery by the Communist Party, and I should like here to call atten-

tion to some of their statements in that respect. "The party," said Zinoviev at the Twelfth Congress of Soviets, "must govern and guide in literally every sphere of our economic life." (Pravda, April 18, 1923.) Kamenev, speaking at the same congress, declared that "we have never drawn a line between soviet machine and party." (Pravda, April 20, 1923.) He denounces those who "no longer so foolish as to come with demands for a 'constituent assembly' or 'soviets without Communists,' were trying to sever the connection between the party and the State machinery, to get them apart." In a resolution of the congress adopted after hearing the report of the central committee (Pravda, April 20, 1923), it is stated that the congress hold that—

at the present moment the Russian Communist Party directs and must direct all the political, cultural work of the soviet organs, directs and must direct the activity of all economic organizations of the Republic. The task of the party is not only to distribute correctly its workers throughout the various branches of the Government, but also to verify and determine the very course of this work. The dictatorship of the labor classes can not be materialized in any other way than in the shape of the dictatorship of their vanguard—that is, the Communist Party.

This single statement of the last All-Russian Congress, and the one which follows, shows the control of the Government of Russia by the Communist Party.

Zinoviev, speaking in Petrograd on May 8, 1923, expressed in clear language the position of the Bolshevik leaders as to the relations of the party and the State, in view of the slumbering discontent of certain members at the complete domination of the governmental machinery by the party (Pravda, May 12, 1923). Asserting that it was a fundamental Communist principle that the dictatorship of the proletariat is impossible without the dictatorship of its vanguard—that is, without the dictatorship of its party (the so-called Soviet Government is, according to the soviet constitution, a dictatorship of the proletariat)—he goes on to point out what the word "State" means.

Speaking strictly scientifically, State means the aggregate of State institutions and organs concentrated as weapons and tools of compulsion in the hands of a governing class. But frequently by State is meant the country, the society. From both points of view it is necessary for the party to retain the State machinery in its hands, for only by this means can the proletariat wield the dictatorship in a peasant country.

Zinoviev then goes on to indicate the difficulties that would arise if the Mensheviks and Social-Revolutionists were legal parties. As to the suggestion that the economic apparatus of the Soviet Government should be exempted from the control of the party, he stated:

The party will not yield an inch, it will not permit itself to be pushed away from economic work. The party will go into every economic detail. It will appoint every economic worker, from the highest to the lowest. The party strongly objects to the suggestion that politics should be superseded by economics.

The Bolshevik leaders, therefore, are determined to maintain the complete control of the so-called Soviet Government machinery. "Party dictatorship," says Zinoviev, "is the lever which we can not let out of our hands."

The interrelationship of the organization of the Communist Party and of the machinery of the Soviet Government appears in many striking ways. At times it goes so far as to be almost actual identity. As a result of a decision of the twelfth congress of the Communist Party, held in April, 1923, the workmen's-peasants' inspection, an organ of the so-called Soviet Government whose function was to supervise, control, and criticize the work of the various departments and institutions of the so-called Soviet Government, has been practically amalgamated with the central control commission of the Communist Party, whose task it was to control party work in governmental institutions.

The duties of the president of the central control commission and of the workmen's-peasants' inspection were combined in one man, Kulbyshv. Not less than half the members of the central control commission are to be assigned to duties in the workmen's-peasants' inspection. The organization act covering the new commission directs the central control commission to see to it that all the soviet governmental organs pursue the policies laid down by the Russian Communist Party and keep the party informed in regard to everything that is going on in soviet institutions and in the public. It shall also assist the central control commission in watching over the development and enforcement of economic policy

and in selecting the directing staffs of party, state, and economic organizations. (Pravda, May 31, 1923.) Thus, the central control commission, a party institution, is to have the dominant voice in the reshaping of the workmen's-peasants' inspection, a very important Government institution which has now become a sort of branch of the central control commission. Here we have practically the amalgamation of a State organ and a party organ. In an article in the Rabochaya Moskva, of March 6, 1923, Lenin points out that the belief that a party institution can not at the same time be a soviet institution is an erroneous one. He expresses the conviction that the amalgamation of a soviet institution with a party organization, in the case of the workmen's-peasants' inspection, would bring only good results.

The control of the Communist Party also extends to the new soviet judicial system. One of the tasks of the central control commission is to look after the interest of members of the party who have fallen into the hands of the courts. In such cases "we have raised the question of the expediency and advisability of public trial in court lest we undermine the political authority of our comrades." (Report of Shkiratov at the twelfth congress of the Russian Communist Party). In the Izvestia of September 16, 1923, certain tribunals in the supreme court are instructed to send immediately information to corresponding party institutions, provincial committees, etc., concerning every member of the Communist Party who has been punished by the court. It is also proposed to submit to the supreme court monthly lists of members of the Communist Party who have been punished by the court with further information to the central committee of the Russian Communist Party.

As a further example of the interchangeability of party and soviet organs, it is interesting to note certain instances that occurred at the third session of the federal central executive committee of November, 1923. In the Izvestia of November, 1923, the following notice is inserted after a summary of the report of Sokolnikov, the Commissar of Finance: "The debates on the report of Comrade Sokolnikov are transferred to a meeting of the Russian Communist Party." It then goes on to say that "after Sokolnikov's speech the session is closed. Then commences a closed session of the Russian Communist Party at which Karzyanovski, the president of the State plan commission, delivers his speech." On the following day the Izvestia reports that—

the morning session was given over to debates on the three reports concerning industry, prices, and financial policy, and was conducted at a group session of the Communist Party and members of the central executive committee of the federation. At night committee meetings took place. This morning the debates continued at a closed session of the group of the Russian Communist Party.

To summarize:

First. The Russian Communist Party, therefore, exercises complete control which at times amounts almost to the identification of party and soviet organs.

Second. The Russian Communist Party and the so-called Soviet Government are controlled and dominated effectively by a small group technically known as the "political bureau (politbureau)."

The so-called Soviet Government, then, is absolutely controlled and dominated by the Russian Communist Party. What is the character and organization of this party which with little more than 400,000 party members controls a country of 120,000,000 inhabitants? To understand this it must first of all be realized that the Russian Communist Party, although numerically insignificant in comparison with the population of Russia, is a most highly organized group. The Communist Party is not a political party in the ordinary sense of the word. It can in no wise be compared to party organizations in the United States or in western Europe. It is a closely organized, rigidly disciplined, military corps of tried and trusted men picked with great care from the general body of professing communists and admitted into the party only after a year's probationary period, during which their loyalty is put to every conceivable test.

The members are bound together by a strict party discipline and taught to believe that a high responsibility attaches to them as communists for the defense and expansion of the revolution, whether by arms against external enemies, or against the present economic disorganization of Russia. At the party congress held in April, 1923, it was decided that for one year only industrial laborers were eligible to be enrolled in the party, and they must be seconded by two party members. All other applicants, it was decided, are to remain candidates for another year. (Pravda, April 28, 1923.)

After admittance into the party, the new members must survive periodic combings of the party roster, during which their records as practicing party members are minutely scrutinized. The slightest infraction of party regulations is sufficient to bring a culprit in disfavor (Pravda, May 20, 1923); actual disobedience is sufficient for ejection; and if guilty of delinquency or failure they are more severely punished than others who are not members of the party. Since 1921 the Communist Party has undergone a series of "cleansings" which have reduced it from a total membership of 658,093 to 410,000 in March, 1923. (Pravda, April 1, 1923.) The object of these "cleansings" is to eliminate all those who are not sincere communists. In 1922 all members of the intelligentsia who joined the party in 1919, 1920, and 1921 were excluded. (Pravda, April 1, 1923.) Of the 400,000 party members only 10,000 were members of the party prior to 1917. These are, as Zinoviev says, "the foundation layer, the old guard, the cement which binds the party together." (Pravda, March 6, 1923.) These are the men who hold the strategic positions and actually control the party. Of the 520 delegates, for instance, at the eleventh congress of the party, 386 were members of the party in 1917. (Pravda, April 1, 1923.) The delegates to the party conferences are carefully selected. (Pravda, May 12, 1923.)

Communists may be mobilized at any time of the day or night, and at any place. They may be shifted from Moscow to Chita and back without warning. In times of stress or danger the Kremlin calls out the party men to protect important posts or buildings as we summon militiamen. At the time of the Kronstadt revolt the burden of the fighting fell on the communists. The party also exercises a control over the private life of its members. As the proclaimed enemy of religion it forbids members to join any religious society. A very frequent cause of expulsion from the party is marriage in a church. (Pravda, July 29, 1923.) The party leaders continually emphasize the necessity of members taking an active part in the antireligion campaign (Izvestia, March 31, 1921; June 17, 1923) conducted by the party. Most remarkable is the intellectual discipline which embraces all from the Kremlin to the humblest members of the party. From Lenin down one uses the identical words, the same phraseology, and the same brand of reasoning. A change in theory made by the Bolshevik leaders to meet a new situation is at once reflected in all communist discussions. As soon as new dogmas and formulas issue from the Kremlin they are at once learned and used by the party masses. The intellectual discipline in the party is exemplified by the words of Stalin at the last Congress, who declared any freedom of opinion in the party would convert the party into "a talking shop." (Pravda, April 20, 1923.)

A conscious, determined effort is made to make the party an extremely powerful, mobile, and well-disciplined minority of the people, a close communist caste. The necessity of aiming at an exclusive communist caste is dictated by the conviction of the leaders that the broadening of the ranks of the party would inevitably be followed by anemia, as a result of which true communism would gradually wither away. Zinoviev particularly pointed out this danger in a speech at the eleventh congress on March 31, 1922:

Our party has the monopoly of legality. The danger of this monopoly is that a number of people are getting into the party who would go into the petty bourgeois parties if such existed. They are not coming into the party with bad intentions and are honest enough, but bring in bourgeois views. They are an active part of the population who would like to participate in the economic and political life of the country. We shall surely be the monopolists of the legality of any party in this country for a number of years to come. (Pravda, April 2, 1922.)

ORGANIZATION OF THE RUSSIAN COMMUNIST PARTY.

According to the statutes of organization of the party the supreme power in the party is exercised by the All-Russian congress of the Russian Communist Party, which elects an executive organ called "the central committee" of 40 members, who, it is stated, should by preference be "laborers more closely connected with the proletarian masses." (Pravda, April 28, 1923.) This body meets at least once every two months, and exercises the supreme power between sessions of the All-Russian Communist Party congress. Too unwieldy, however, to deal effectively with important questions which may arise, it forms in turn a small executive body which, since the eighth congress, has been called "the politbureau"—political bureau—in contradistinction to a similar small body called "the orgbureau"—organization bureau—which has charge of the party organization as such and of the assignment

of various duties to Communists. Lenin, in an article in the Pravda of January 25, 1923, states that: "The plenary session of the central committee of the party has already shown a tendency to become something like a supreme party conference. It assembles not oftener than once in two months and all current work is done by the political bureau and organization bureau and the secretariat." The politbureau since the twelfth congress consists of seven members and four alternates. (Pravda, April 28, 1923.) Previously it was composed of five members and three alternates. This body is the supreme directing force in the Communist Party and of the so-called Soviet Government. The functions of this body are practically unlimited. It decides all questions of domestic and foreign politics, nominates all important functionaries, and reviews all court decisions that have political importance.

STATEMENTS OF BOLSHEVIK LEADERS REGARDING POWERS OF POLITBUREAU.

There are many statements by Bolshevik leaders which testify to the all-controlling power exercised by this body. Lenin, in his report to the ninth congress of the Russian Communist Party on March 30, 1920, after referring to the division of labor between the politbureau, which considered political questions, and the orgbureau, which supervised the distribution of party forces, goes on to say: "Naturally, this division is to a certain extent artificial, being understood that it is impossible to conduct any policy * * * without making certain classifications." (Ninth Congress of Russian Communist Party, p. 5.) Consequently, every question of organization assumes a political significance and among us has grown up the practice that the opinion of one member of the central committee is sufficient in order that any particular question, by virtue of this or that consideration, be considered as a political question." Thus it only requires the proposal of one member to bring any subject to the political bureau for discussion. In referring to the work of the politbureau during the year under consideration, he says:

During that year much of the work of the politbureau has consisted of the current solution of all questions arising and having relation to policy, unifying the activity of all soviet and party institutions, all organizations of the working class, unifying and striving to direct all the work of the Soviet Republics, all questions of international, domestic, and foreign policy.

The fact that the political bureau not only controls the work of the party but also the policy and activity of the so-called Soviet Government is apparent in numerous utterances and writings of the Bolshevik leaders. In their mind there is no fundamental difference between party organizations and soviet institutions. We find over and over again that these terms are used interchangeably. In the last citation referred to above Lenin further on in his report states:

Each of us working in this or that party or soviet organization watches every day for any unusual developments in political questions, foreign and domestic. The decision of these questions, as it expresses itself in the form of decrees of the soviet power or in the activity of the party organizations was appraised by the central committee of the party.

Discussing in the Rabochaya Moskwava of March 6, 1923, the question as to whether a party institution can not be at the same time a soviet institution, Lenin writes:

The political bureau discusses from the party standpoint many large and small moves on our part in answer to the moves of foreign countries in order to avert, let us say, their tricks. Is not this flexible contact between a party and a soviet institution a source of great strength in our party? I think that since such contact proved to be most advantageous in the foreign policy, it might be just as good, if not even better, in regard to our Government apparatus as a whole.

This shows that relations with other nations are controlled by this political bureau, not by the Russian Soviet Republic, which is only a mouthpiece.

Lenin, in a speech at the eleventh congress of the Russian Communist Party (Pravda, March 29, 1922), clearly reveals the control of the political bureau over the so-called Soviet Government:

In conclusion I must touch upon the practical side of the question of our highest institutions and the relation of the party to them. There has arisen an incorrect relation between the party and soviet institutions, and in this regard there is complete unanimity of opinion. I pointed to one example how specific small matters drag along already in the political bureau. Formally the solution of this problem is very difficult, because the only legal party

among us controls the Government, and it is impossible to forbid a member of the party from complaining. Therefore, everything is dragged along from the Soviet of People's Commissars to the political bureau. I hope that the congress will devote the greatest attention to this question and will issue a decree to the effect that it is necessary to free the political bureau and central committee from minor matters and improve the work of the responsible officials. It is necessary that the people's commissars be responsible for their work and not so that in the beginning things go to the soviet of people's commissars and then to the political bureau.

At the last congress Kamenev, in replying to complaints of specialists that decisions resolved upon by specialists, engineers, and learned agriculturists are rejected by the political bureau, a "body of literary men," stated:

Yes, they do so because in the political bureau is concentrated at a given moment for a given limited period of time the entire political will and thought of the labor classes. (Pravda, April 20, 1923.)

PERSONNEL OF THE DOMINATING GROUP IN SOVIET RUSSIA.

The political bureau, then, controls both the activities of the Communist Party and the policy of the so-called Soviet Government. Who are these men that dominate the Communist Party and rule Russia? The present politbureau consists of: Lenin, Trotsky, Zinoviev, Kamenev, Stalin, Rykov, Tomsy, with four alternates: Rudzutak, Kalinin, Molotov, and Bukharin. Previously it consisted of five members—Lenin, Trotsky, Kamenev, Stalin, Krestinsky—and three alternates—Bukharin, Zinoviev, and Kalinin. The recent increase has taken place in accordance with the program of the Bolshevik leaders to take in fresh blood, "as the nucleus within the central committee which has become expert in management is already growing old and must be replaced." (Stalin, Pravda, April 19, 1923.) It is to be noted that seven of these men have been associated in the political bureau since the early days—namely, Lenin, Trotsky, Kamenev, Stalin, Zinoviev, Bukharin, and Kalinin. These are the men who carried out the October revolution and who control and dominate the soviet organizations which they have created as a result of that revolution.

To show how the political bureau controls the so-called Soviet Government, it is to be noted that this body has 6 members, including the president, of the presidium of the central executive committee of the Federation of Soviet Republics; 4 members, including the president and 2 vice presidents, of the Federation Soviet of People's Commissars; and 4 members, including the president, of the very important organ of 9 members called the Soviet of Labor and Defense, which controls the whole economic life of the country. The same situation exists in relation to the organs of the Russian Soviet Republic. Here the political bureau has 3 members, including the president and 2 vice presidents, of the Soviet of People's Commissars; 6 members, including the president, of the presidium of the central executive committee; and 3 members, including the president and vice president, of the Soviet of Labor and Defense. In a similar fashion the political bureau exercises control of the Russian trade union organization. It has 3 members, including the president, of the presidium of the central soviet of trade unions, the controlling body of that organization.

A few sentences in Lenin's report at the ninth All-Russian congress of the Russian Communist Party show us the relationship between the members in this small group:

Only thanks to the intimate acquaintance of members of this body among themselves, to the knowledge of the shades of opinion and to the mutual confidence was it possible to fulfill their tasks. Often it was necessary to decide complicated questions by a telephone conversation. Such simplification of work greatly helped. (Ninth Congress of Russian Communist Party, p. 6.)

The fact of the domination of both the Russian Communist Party and of the so-called Soviet Government by a very small group is shown very clearly if we study the proceedings, say, of the last five All-Russian congresses of the Russian Communist Party and the last five All-Russian Congresses of Soviets. In all these sessions, whether of the party organization or of the so-called Government, the same small group of individuals deliver the main reports and dominate the debates. The rank and file, and very few of them at that, are simply permitted to make a few brief remarks after the leaders have presented their ideas. If the debates are somewhat extensive, the rapporteur generally makes a second and concluding speech, in which he emphasizes and reiterates his former views and often presents the resolution to be adopted. The following table showing the speakers who presented the chief subjects under discussion at the last five All-Russian congresses of the

Russian Communist Party reveals the dominating influence of the members of the politbureau:

	VIII.	IX.	X.	XI.	XII.
Political report....	Lenin.....	Lenin.....	Lenin.....	Lenin.....	Zinoviev.
Organization report	.....	Krestinsky.	Krestinsky.	Molotov..	Stalin
Labor unions.....	.....	Bukharin..	Zinoviev..	Tomsy...	.....
Communist international report.	Zinoviev..	Radek.....	Zinoviev..	Zinoviev..	Bukharin.
Economic rehabilitation report.	.....	Trotsky...	Lenin.....	.....	Trotsky.
Party organization report.	Zinoviev..	.....	Lenin.....	Zinoviev..	.....
Military policy report.	Sokolnikov	Trotsky...	.....	Trotsky...	.....
Financial questions report.	.....	.....	.....	Sokolnikov	Kamenev.
Party program report.	Bukharin..	.....	.....	.....	.....
Work in villages...	Lenin.....	.....	.....	.....	.....
Women Communists	Kollant...	.....	.....	.....	.....
Communist youth..	Shatskin..	.....	.....	Safarov...	.....
Cooperatives.....	.....	Krestinsky.	.....	.....	.....
National questions.	.....	.....	Stalin...	.....	Stalin.
Division into regions.	.....	.....	.....	.....	Rykov.
Soviet Republic in capitalist surroundings.	.....	.....	Kamenev..	.....	.....

The following table, covering the last five All-Russian Congresses of Soviets, shows the preponderating rôle played by the same individuals. It is worthy of note that whenever some special subject assumed a particular importance, the report on that subject was invariably made by one of the members of the politbureau. For instance, at the seventh congress, Zinoviev made a report on the Communist International, which had been established a short time before the congress; at the eighth congress Trotsky made a report on the transportation situation, which assumed unusual gravity in 1920; at the ninth congress Kalinin reported on the famine, and at the tenth congress Stalin reported on the question of the establishment of the Federation of Soviet Republics, the most important question discussed at that congress.

	VI, 1918.	VII, 1919.	VIII, 1920.	IX, 1921.	X, 1922.
Report of Government. ¹	Lenin....	Lenin....	Lenin.....	Lenin.....	Kamenev.
Military situation	Trotsky...	Trotsky...	.....	Trotsky...	.....
Organization of soviet power.	Zinoviev..	Sapronov..	Zinoviev..	.....	.....
Economic policy.	.....	Rykov....	Rykov....	Kamenev..	Bogdanov.
Agriculture.....	.....	Tsiurupa..	Teodorovitch.	Osinsky...	Mesiatsev.
Financial policy.	.....	.....	.....	Krestinsky.	Sokolnikov
Transportation...	.....	.....	Trotsky...	.....	.....
Famine.....	.....	.....	.....	Kalinin...	.....
Establishment of federation.	.....	.....	.....	.....	Stalin
Communist International.	.....	Zinoviev..	.....	.....	.....
Cooperatives.....	.....	.....	.....	Hinchuk...	.....
Education.....	.....	.....	.....	.....	Lunacharsky.

¹ Report of All-Russian Central Executive Committee and Soviet of Peoples Commissars on Domestic and Foreign Policy.

III. RUSSIAN COMMUNIST PARTY CONTROLS THE COMMUNIST INTERNATIONAL.—THE COMMUNIST INTERNATIONAL WAS FOUNDED BY THE RUSSIAN COMMUNIST PARTY.

It is clear, therefore, that a small group of individuals controls both the Russian Communist Party and the so-called Soviet Government. The question now arises as to what is the relation between this small group and the Communist International which carries on the propaganda in the other nations. In the first place, it is a fact that the Communist International was convoked and created by the Russian Communist Party. This aspect is well summed up by Radek in a speech delivered at the ninth congress of the Russian Communist Party (Ninth Congress of Russian Communist Party, p. 47):

The Third International is the child of the Russian Communist Party. It was founded here in the Kremlin, on the initiative of the Communist Party of Russia. In our hands is the executive committee of the Third International, and therefore, until the political frontiers are eliminated which hinder our comrades from talking with us, the congress of the Communist Party is the place at which it is proper to bring up for discussion the results of the work of the Third International.

The Third International¹ was indeed the creation of the Russian Communist Party. Zinoviev points out in his report on the founding of the Third International, made at the eighth congress of the Russian Communist Party (Pravda, March 23, 1919), how the idea of a Third International had been proclaimed by the Bolsheviks in 1914, five years before it was realized; how a small group, detached from its party, proclaimed the Third International at a time when the vast majority of the working classes were seized with war enthusiasm. Zinoviev then goes on to relate the circumstances surrounding the establishment of the Third International and reveals the preponderating rôle played by the Russian Communist Party. The latter recognized that one party alone could not compose an international. It was necessary to have delegates at least from one other party. "If at our congress there were only representatives of the Russian Communist Party and the German communists, we would have the right to say that the Third International was formed." He goes on to relate how the German communists strongly insisted, even to making it an ultimatum, that there be held only a Conference of Communist Parties and that the Third International be not proclaimed (Pravda, March 27, 1919): "The central committee of our party considered the situation and considered it indispensable that we should immediately form the Third International."

In order, however, not to alienate the German communists, whose presence at the congress was so necessary, it was decided to postpone a definite solution of the question until the delegates met in Moscow. There the German delegates, as was foreseen, weakened and joined in the proclamation of the Third International. "The spiritual leadership in founding the Third International," says Zinoviev, "belongs absolutely to the Russian Communist Party. * * * When the flower of the workers of the whole world came to us, the people who so recently lost their great leaders, Carl Liebknecht and Rosa Luxemburg, people who are the leaders of the most enlightened, intelligent, and organized part of the working class of the whole world, they with an open mind recognized that the spiritual guidance of the world revolution arising before our eyes should belong to the Russian Communist Party." Zinoviev then goes on to point out that the platform of the Communist International was largely based on theses drawn up by Lenin. He considers it a great honor for the Russian Communist Party that the seat of the Third International and its executive committee is the capital of the Soviet Republic. "Besides the spiritual leadership, we must aid our comrades in the cause of organization under extraordinary difficult circumstances, and I think that our party is bound to bring material forces to the aid of the workers of other countries and give them all necessary organizing support. What belongs to us belongs to all the workers international."

In an article in the Yearbook of the Communist International for 1923 a similar story is told of the founding of the Third International. The author points to the agitation of the Russian Bolsheviks in Switzerland during the World War, the so-called Zimmerwald Left, to establish a new Third International. "The Russian revolution," he says, "brought back to Russia the most active elements of the Zimmerwald Left and thus transferred here the center of gravity of the struggle for the founding of the Third International." This sentence expresses very well the international character of the doctrines and ideas of the Bolshevik leaders. The author then goes on to point out that: "The Russian Communist Party took upon itself the initiative of organizing the Communist International several months after the collapse of the Central Powers." The circumstances of the time were most favorable to the creation of the new organization: "An extremely strong revolutionary agitation seized the workers of all countries. In central Europe armed uprisings of the workers had taken place. The soil was ready for the founding of the Communist International and the necessity of its creation became an insistent need." In a bulletin of the executive committee of the Communist International No. 4 of December 23, 1921, Zinoviev has traced the various steps in the development of the Communist International. The first period, from Zimmerwald to the Russian Revolution, he characterizes as the "incubation period" of the Communist International. During this time the chief task was the spread of the new idea.

¹ Dates of the organizations of the Communist Internationals: The First International convened on September 28, 1864, at London; inaugural address written by Karl Marx. The Second International was held in Paris in 1889. The Third International was held at Zimmerwald and Kienthal, in Switzerland, in March, 1915. Successive congresses of this International are held in Moscow under the auspices of the soviets, since March, 1919.

In the beginning our party (Russian Bolsheviks) was nearly completely alone, when our party, in a manifesto of the central committee, printed in No. 33 of our central organ several weeks after the beginning of the imperialist war, raised the slogan of "Third International." "The Second International has died, defeated by opportunism. Down with opportunism and long live the Third International, cleansed not only of deserters but also of opportunism," thus wrote Lenin in his article, "The situation and problems of the Socialist International" at the end of October, 1914, and he continued, "The Third International faced the task of organizing the proletariat for revolutionary pressure on capitalist governments and for civil war against the bourgeoisie of all countries to secure political power and the victory of socialism."

Zinoviev then goes on to relate the struggles of the Zimmerwald Left to develop the idea of the Third International. He admits that at that time very few shared their views.

However, the work performed by the Zimmerwald Left was not done in vain. The seed that had been sown bore fruit. Already at the conference of Kienthal our ideas had more influence than at Zimmerwald. The Zimmerwald Left began to develop an organization. Our conference before our departure for Russia after the February revolution with the comrades from the left wing of the French, German, Swiss, and Swedish labor movement actually had the significance of the first preliminary conference of the Third International. From the spring of 1917 the slogan "For Third International" acquired in Russia greater and greater popularity. Before its birth the Third International bound its fate with the fate of the proletariat revolution in Russia. In proportion as that revolution was victorious the slogan "For Third International" clothed itself in flesh and blood. And in proportion as the proletariat revolution grew strong and firm and stable, the position of the Communist International strengthened itself throughout the whole world.

At the end of 1918 the central committee of the Russian Communist Party, which played the actual rôle of organizing the future Third International, addressed an open letter to the German Spartacists and to the Austrian communists. The cause of this letter was the calling by the English Labor Party of an international conference in Lausanne on January 6, 1919. The central committee of the Russian Communist Party refused to participate in the conference, at which social-patriots would be present, and called upon its adherents to join in that refusal. On January 24, 1919, the central committee of the Russian Communist Party addressed a direct invitation to the communists of the whole world to take part in the first congress of the Communist International. This proclamation was signed by the central committee of the Russian Communist Party and by the foreign bureaus of seven other groups.

Such were the antecedents of the Third or Communist International. The object for which the Bolsheviks called together their first international congress was to lay down a definite policy for the immediate establishment of the universal dictatorship of the proletariat. In their invitation to the congress the Moscow leaders declared that this dictatorship must be achieved by the mass action of the proletariat, which implied: (1) the seizure of the powers of government; (2) the disarmament of the bourgeoisie and the general arming of the proletariat; (3) the suppression of private property and its transfer to the proletarian state. Article 14 states:

The congress must lay the foundation of a common fighting organ which will be a uniting link and methodically lead the movement of the center for the Communist International, which subordinates the interests of the movement in every separate country to the common interests of the revolution on an international scale. (Izvestia, January 24, 1919.)

The first congress was attended by 36 delegates, of which one-half represented groups under Bolshevik control, 8 being delegates from the Russian Communist Party—Lenin, Trotsky, Zinoviev, Stalin, Bukharin, Chicherin, Obolensky, and Vorovsky; 5 were supposed to represent the united group of Eastern tribes of Russia, and 5 others various other groups in Russia, such as the German colonists in Russia, the Ukrainian Communist Party, etc. Needless to say, most of the so-called foreign delegates actually present were refugees living in Soviet Russia. At the opening session on March 4, 1919, the assembly decided to constitute itself as the first session of the Third International (Communist). (Pravda, March 15, 1919.) It is clear, then, that the establishment of the Third International was entirely the work of the Russian Communist Party in development of ideas of the leaders of that party which they had set forth long before they seized power in Russia.

THE COMMUNIST INTERNATIONAL IS CONTROLLED BY THE RUSSIAN COMMUNIST PARTY.

We have seen that the Third International was organized and created by the Russian Communist Party. The next important

fact to be noted is that this organization since its establishment has been controlled and dominated by that party. The first congress in a resolution on organization stated that the leadership of the Communist International is put into the hands of an executive committee composed of one representative each of the communist parties of the most important countries. The parties of Russia, Germany, Austria, Hungary, Balkan Federation, Switzerland, and Scandinavia are requested immediately to send their representatives. Parties of countries declaring their adhesion before the second congress of the Communist International meets shall receive a seat on the executive committee.

Until the arrival of foreign delegates the comrades of the country in which the executive committee has its seat take the burden on themselves. The executive committee elects a bureau consisting of five members. (Communist International, No. 1, May, 1919, p. 128.)

Where the controlling power lay and who actually dominated the organization of the Communist International are clearly revealed in the report of the executive committee made by Zinoviev at the second congress of the Communist International. Referring to the act of organization of the first congress, Zinoviev states:

Thus, besides the Russian party, six others should have sent immediately their representatives to the executive committee. However, circumstances were far from permitting all these parties to have their permanent representatives in Russia, where the executive committee was located. The German party has not once succeeded in sending a permanent representative to the executive committee. The representative of Austria has only recently arrived. The communist parties of Scandinavia have only now and then had their representatives on the executive committee. The communist federation of the Balkans has only recently been constituted and its representative only arrived in the spring of 1920. The Hungarian Communist Party has had a permanent representative on the executive committee. The Swiss communists were represented by Comrade Platten up to the time when he left Russia. * * * Thus the central committee of the Russian Communist Party and the comrades who have been specially delegated for this work have been obliged to charge themselves with nearly all the current work of the executive committee of the Communist International. The following members of the Russian Communist Party were delegated to the executive committee of the Communist International—Balabanov, Berzin, Bukharin, Vorovsky, Zinoviev, Karakhan, Klinger, Litvinoff, and others. Comrade Lenin, as well as other comrades, took part in the most important meetings jointly with delegates of the Russian Communist Party. Taking into consideration the external difficulties which prevented the other communist parties from sending their permanent representatives, the executive committee utilized every occasion of the arrival of a foreign comrade having authority in the matter to bring him into the labors of the executive committee, even if it were only for a relatively short time. * * * The function of the secretary of the executive committee of the Communist International was filled by Comrades Balabanov, Berzin, Vorovsky, and by Radek, who fills that office at the present time. The president is Comrade G. Zinoviev.

This report clearly shows how the Third International in the beginning was entirely in the hands of the Russian Communist Party, which utilized every possible occasion to give it an international character. In this same report appears the following very interesting statement in reference to the financial affairs of the Communist International:

At the first session of the executive committee of the Communist International it was decided that each party and each organization adhering to the Third International should pay a certain sum to the executive committee, but at the same meeting at which participated many comrades of different countries it had been decided to propose to the Russian Communist Party to take upon itself the principal charge of expenses necessitated by the work of the executive committee. This was dictated by the circumstances of our struggle in all Europe and by the precarious situation of fraternal parties in the different countries. Of course, the Russian Communist Party thought it its duty to welcome the proposal of the executive committee of the Communist International. The Russian workers who for 20 years had benefited from the fraternal aid of the workers of all countries were happy to be able to accord the same support to the world proletariat struggling in the midst of the greatest difficulties.

At the second congress of the Third International, which opened on July 19, 1920, a permanent constitution was drawn up and adopted. This constitution to a certain extent consecrated the de facto control of the Communist International by the Russian Communist Party in the first year of its existence. The following are pertinent extracts from that constitution:

ARTICLE V. The world congress elects the executive committee of the Communist International, which is the leading organ of the Com-

munist International during the periods between the congresses of the Communist International and which is accountable to the world congress only.

ARTICLE VIII. The chief burden of the work in the executive committee of the Communist International lies on the party of the country in which the executive committee resides, as decreed by the world congress. The party of that country shall have five representatives on the executive committee with a decisive vote. Besides this, from 10 to 12 of the largest communist parties shall each have one representative with a decisive vote on the executive committee; the list of such representatives shall be confirmed by the world congress of the Communist International. (Communist International (magazine), No. 13, p. 2373.)

The new executive committee elected in accordance with the constitution held its first meeting on August 7, 1920. It was composed of 19 members, of which 5 were Russians, as follows:

Country.	Delegates.	Alternates.
Russia.....	Zinoviev, Bukharin, Radek, Tomsy, and Kobetsky.	Lenin, Trotsky, Berzin, Stalin, Pavlovitch, Chicherin.
Germany.....	Levy.....	Mayer.
France.....	Rosmer.....	
England.....	Welch.....	
America.....	John Reed.....	
Italy.....	Serrati.....	
Austria.....	Steinhard.....	
Scandinavia.....	Fried.....	
Bulgaria.....	Shablin.....	
Yugoslavia.....	Milich.....	
Hungary.....	Rudniansky.....	Varga.
Near East.....	Sultan Zade.....	
Far East.....	Pak.....	
Finland.....	Maner.....	
Holland.....	Wynkoop.....	Yanson.

(Petrograd, Pravda, August 11, 1920.)

The executive committee elected in turn a smaller directing body called the presidium, which in fact exercised all the powers of the executive committee when it was not in session.

The members of this smaller body were Zinoviev, Bukharin, Kobetsky, Mayer, and Rudniansky. This small group, it is to be noted, contains three members of the Russian Communist Party out of five. In addition we have the fact that Zinoviev was elected president of the executive committee and Kobetsky was appointed secretary, thus placing the administrative apparatus of the Communist International openly and plainly in the hands of the Russian Communist Party.

How the new administrative organization elected at the second congress worked out in practice is shown in the report of Zinoviev delivered at the third congress of the Communist International on June 25, 1921. (Bulletin of Third Congress, No. 4, p. 71.)

From the first to the second congress we had administration which was recruited on the whole only out of members of the Russian Communist Party. It was not easy toward the conclusion of the second congress to demand from the parties that they delegate their representatives for a whole year to the executive committee. Thus comrades who took part in the second congress will remember that, for example, the representative of the German party and also other parties took position on the other hand that one should here in Moscow determine the delegates of the different parties for the executive and that these delegates should work here during the whole time. Now it is wished to leave the administration of affairs simply as hitherto to the Russian comrades. Only when we protested and insisted categorically on our demand was it decided by the congress that at least 10 of the brother parties should send their delegates to the executive committee.

The Russian leaders were apparently considerably perturbed by the thought that the international facade of the Third International would be destroyed if they were unable to draw at least some members of other parties to participate in the work of the administration. Zinoviev then proceeds:

Among us in the first year of the Communist International the administration was also not yet international and only during this year could we say with satisfaction that we had the beginnings of an institution which at least is composed of representatives from 10 or 12 parties and at least has attempted to conduct the labor movement in an international manner from the standpoint of the composition of its leadership.

Zinoviev then enumerates the number of sessions of the executive committee and the questions discussed therein and adds:

I must also add that, as nearly all of you know, besides the executive a smaller bureau has functioned which in recent times has consisted of seven comrades and which has frequently twice as many sessions as the executive itself.

Naturally the domination of the Communist International by the Russian Communist Party did not fail to provoke protests from members of more independent parties. At the fifth session of the third congress, for instance, Empel of the German communist workers had protested against the tactics of Comrade Zinoviev. He pointed out that mass demonstrations which are held on command on Sundays and holidays for Soviet Russia are of little value for revolutionary struggle.

With all our means we will pledge ourselves that Russia remains as a proletariat power, but the political and organization separation of the Third International from the system of Russian State politics is the goal toward which one must work if we wish to be just to the conditions of a west European revolution. That is a point which Comrade Zinoviev understands and says if you go further you will be out of the Third International. He refers to the telegram of our party which gives us plenipotentiary powers to leave the Third International. He concludes then if you are out of the Third International then you struggle against Russia. * * * We do not overlook for a minute the difficulties in which the Russian Soviet power has fallen through the delay of the world revolution, but we see at the same time the danger that out of these difficulties there will arise a contradiction between the interests of the revolutionary world proletariat and the momentary interests of Soviet Russia, apparent or real. In a committee meeting it has been declared that the Third International is not to be regarded as a tool of the soviet power, but rather the Russian Soviet power is to be considered as the strongest post of the Third International. We also are of opinion that it should be so, but we believe that if the contradictions between the vital interests of the Russian Soviet power and those of the Third International arise it would be the duty to hold within the Third International an open and friendly discussion. * * * On this point will we remain, but we will be sure always and everywhere to raise the sharpest opposition if we see that the policy of Soviet Russia falsely and through misunderstanding finds an outlet in a reformist policy of the Third International. At the same time we are convinced that such a policy is an opposition just as much to the true interests of Soviet Russia itself as to those of the world proletariat. (Bulletin of Third Congress, No. 5, p. 102.)

On the same day Gennari declared that:

Even in Russia itself, if our information is correct, a reaction has taken place against this lack of understanding and obstinacy. To be sure this movement will not be noticeable at the congress; Comrade Zinoviev is too skillful and clever an organizer of congresses for his views not to find constantly sure wide support. But already there shows itself in the international an extensive dissatisfaction with a personal dictatorship which actually is not a dictatorship of the proletariat but a caricature. We hope that it will be heard by those who ought to hear it. This Communist International can not be a monopoly of anybody and must live and develop itself and struggle in full knowledge of the whole situation in ample judgment of all proletarian activity.

Despite the discontent, the Russian Communist Party was able to carry through its program, chiefly with the support of those like Michalek, who declared that—

Our workers do not understand how one can draw a distinction between Soviet Russia, the Russian Communist Party, their tasks and the tasks of any party in West Europe. In this relation there exists for our workers no difference. The Russian Soviet power is our power; between Soviet Russia, its tasks and the tasks of the Communist International there is no distinction, no opposition, and can not be any. Who comprehends the thing differently is no communist.

The opposition manifested itself on the occasion of the adoption of the report of the committee on organization in regard to the composition of the small bureau. It was proposed to give the executive committee authority to appoint to the bureau delegates who were not members of the executive committee. The Russian delegation actively intervened and brought about the rejection of the proposal that the members of the small bureau be only elected from among the members of the executive committee, which would have to a considerable extent weakened the power of the executive of the Communist International.

According to a resolution on organization passed at the third congress on July 12, 1921, the executive committee was to consist of 32 members, of which Russia was to have 5, Germany, France, Italy, Czechoslovakia, and the League of Communist Youth 2 each, and the 17 other parties 1 each. The actual controlling power, however, was not to reside in the executive committee but rather in the small bureau whose members were selected by the executive committee. This bureau was composed of seven members who were elected at the first session of the new executive committee on July 13, 1921. (Activity of

the executive committee of the Communist International, July 13, 1921, to February 1, 1922, p. 7.)

The seven members were: Zinoviev, Radek, Bukharin, Gennari, Heckert, Souvarin, and Bela Kun. It is to be noted that three of the members are members of the Russian Communist Party and one, Bela Kun, a protégé of the Bolsheviks and a member of the All-Russian Central Executive Committee.

At the fourth congress of the Communist International, held in Moscow November–December, 1922, the question of reorganization again came into the foreground. It is the same problem that appeared at all the sessions of the Communist International—the problem of effectively retaining the power in the hands of the Russian Communist Party and at the same time erecting a façade of an international organization. In the report of the committee on reorganization of the organization made at the twenty-sixth session of the fourth congress on November 29, 1922, it was set forth clearly that the object of the new organization was designed to transform the existing organization conceived in a federalistic spirit into a centralized administration of an actual world Communist Party. (Bulletin of Fourth Congress, No. 26, p. 16.) The commission strongly condemned the practice of certain parties of sending delegates to the world congress with definite instructions, and it declared that “such instructions in future world conferences should be regarded as invalid.

The new organization is so designed, it is stated, as to create a unified central administration. The members of this central administration are to be elected by the world congress to carry out its instructions rather than to be conceived as delegated from individual parties. It is stated—

This decision has not been influenced by the agitation of those opponents of the Communist International who continually reiterate that the leadership of the Communist International lies in the hands of the Russians and that the Communist International worked only at the dictation of the Russians in the various sections and lands. That in no wise has been the reason for this proposal. On the contrary, we are convinced and speak quite openly, that it is a matter of fact for us that also in the future in the administration of the Communist International, in the presidium, and in the executive committee a stronger and, in fact, the strongest influence must be accorded to the Russian comrades, for they are those who in the field of the international class struggle have had the greatest experience, they are the only ones who actually have effected a revolution, and consequently in experience, as a result of their activities, are far superior to all delegates from other sections. On that account they must also in the future have a considerably stronger influence in the Communist International.

This extract very clearly sets forth the preponderating rôle played by the members of the Russian Communist Party in the work of the Communist International, a rôle which apparently meets with the approval of most of the foreign delegates. The new executive committee is to consist of 25 members and 10 candidates, all to be elected at the world congress. The executive committee is to elect a presidium of 9 to 11 members, which is to be considered as a sort of political bureau, as it is to concern itself with the solution of the political problems of the Communist International. There is also to be organized an organization bureau of seven members. This new body is to carry on the work in the various countries. The presidium, or political bureau, is the all-controlling body under the new organization.

To this political bureau all departments are subordinate and responsible. Yes, we have gone further and decided that all the most important departments must be directed by members of the presidium so that the organization bureau, the agitation of propaganda bureau, and the eastern department are directly subordinate to the presidium, while the other departments, such as the statistical department, etc., are subordinate to the organization bureau. (Bulletin of Fourth Congress, No. 27, p. 8.)

The object of the new organization is to create a closely organized central committee of one great international communist party, which is to be entirely under the control of the Russian Communist Party. Every attempt has been made to eliminate in so far as it was possible the influence of the individual member parties of the Communist International. Temporarily it is recognized that the members of the executive committee must be elected under certain considerations of the proposals of the various sections. It is hoped that in the near future the individual parties shall cease to exercise any influence as individual entities but merge their identity in one single Communist Party.

At the fourth congress Zinoviev was again unanimously reelected president of the executive committee of the Com-

munist International. The new executive committee consists of 34 members including alternates, as follows:

	Members.	Alternates.
Russia.....	Bukharin, Radek.....	Lenin, Trotski.
France.....	Frossard, Souvarin.....	Duret.
Germany.....	Zetkin, Hernal.....	Boetcher.
Czechoslovakia.....	Shmeral, Neurath.....	Muna.
Italy.....	Gennari, Gramsci.....	Bordhiga.
England.....	MacManus.....	Newbold.
America.....	Carr.....	Daymon.
Sweden.....	Heglund.....	
Norway.....	Scheffo.....	
Poland.....	Prukhnjak.....	
Finland.....	Kuusinen.....	
Balkans.....	Kolarov, Makkavel.....	
Australia.....	Harden.....	
South America.....	Stuermer.....	
South Africa.....	Andrew.....	
Eastern countries.....	Katayama, Safarov.....	Roy.
Communist Youth's International.....	Schueler, Schatzkin.....	

The actual direction of affairs does not lie in the executive committee, but rather in its presidium, which is at present composed of 12 members, as follows:

Zinoviev.	MacManus.
Radek.	Souvarine.
Bukharin.	Kuusinen.
Kolarov.	Neurath.
Clara Zetkin.	Shatskin.
Katayama.	Teraccini.

The predominating influence of the Russian Communist Party has continued to provoke discontent among other delegations. At the enlarged session of the executive committee held in Moscow in June, 1923, dissatisfaction was rife among the Scandinavian delegates. Bukharin reveals this in a speech which he delivered on June 18, 1923 (Izvestia, June 19, 1923):

Norwegian comrades make the following deductions: The chief leaders of the Communist International are Russians and have recourse preeminently to only Russian experience. The executive committee of the Communist International, says Bull, has ceased to see its principal task in the German revolution, and has transferred the center of gravity to the east in the interests of the foreign policy of Russia.

In the debates which followed the speech of Bukharin, Falk, of Norway, insisted on the independence of the party in local national questions, in the election of representatives to the executive committee of the Communist International, and on imperative mandates of delegates to the congress. It is to be noted that the three points brought up by the Norwegian delegate are just those in which the leaders of the Russian Communist Party are trying to eliminate all influence of the National Communist Party. In the same discussion, Stroom, of Sweden, declared:

We insist on freedom of action on questions of local character. We do not protest against the influence of Russian comrades in the Communist International; on the other hand, we welcome the fact that the guidance of the International is in their hands. (Izvestia, June 20, 1923.)

It is clear, therefore, that since the establishment of the Communist International the administrative apparatus has been entirely in the hands of the members of the Russian Communist Party. In addition to the spiritual leadership mentioned by Zinoviev, the Russian Communist Party has exercised also the actual material control of the activities of the Communist International.

PREDOMINATING ROLE OF THE RUSSIAN DELEGATION AT THE CONGRESSES OF THE COMMUNIST INTERNATIONAL.

The Russian Communist Party, then, created and founded the Communist International and since its creation has dominated and controlled its administrative machinery. The method by which this control has been exercised is reflected in the activities of the Russian delegates at the various congresses of the Communist International. If we examine the proceedings of these congresses we find that almost without exception the reports on the fundamental subjects under discussion have always been made by members of the Russian delegation, and furthermore, that members of that delegation have played a decisive part in the debates.

The second congress of the Communist International was held from July 19, 1920, to August 7, 1920. The congress was attended by 166 delegates with decisive votes. The Russian delegation consisted of 63 members; the next largest were

Norway with 8, England with 6, and Germany with 5. (Petrograd Pravda, July 28, 1920.) Examining the agenda we find that almost all the subjects contained on it were reported on by members of the Russian delegation, as follows:

1. Role and structure of a communist party before and after taking over of power by the proletariat..... Zinoviev.
2. Trade unions and factory mills committees..... Losovsky.
3. Questions of parliamentarism..... Bukharin.
4. National and colonial questions..... Lenin.
5. The agrarian question..... Mayer.
6. Conditions of admission to the III International..... Zinoviev.
7. By-laws and constitution of Communist International..... Kabakchiev.
8. Problems of organization..... Zinoviev.

International situation..... Lenin.

It is to be noted that of the leading addresses those on only two subjects were not delivered by members of the Russian delegation. Furthermore, an examination of the proceedings of that congress shows that the members of the Russian delegation took an important part in the debates—particularly if amendments were offered to proposals sponsored by the Russian delegation.

The third congress of the Communist International was held from June 22, 1921, to July 12, 1921. Two hundred and ninety-one delegates were present with a decisive vote, 219 with an advisory vote. (Pravda, June 26, 1921.) The Russian delegation was composed of not less than 59 members. The Russian delegation dominated the debates and proceedings of the third congress in the same manner as it had the second:

Report on activity of executive committee.....	Zinoviev.
Tactics of Third International.....	Radek.
Economic world crisis and new tasks of Communist International.....	Trotsky.
Tactics of Russian Communist Party.....	Lenin.
Red Trade Union International and Communist International.....	Zinoviev.
Cooperative movement.....	Meschtscheriakov.
League of Communist Youth.....	Münzenberg.
Women's movement.....	Clara Zetkin.
World economics.....	Varga.
Organization of Communist Party.....	Konen.

The following members of the Russian delegation actively participated in the debates: Radek, Lenin, Bukharin, Trotsky, Zinoviev, Losovsky, Rakovsky, and Kollontai. Especially noticeable was the interposition of the Russian delegation in the discussion of the organization of the small bureau when opposition developed to the proposal of the Russian delegation. Nevertheless, a vote had to be taken. Zinoviev stated with regret "that it was the only vote taken during the whole congress." (Bulletin of Third Congress, No. 24, p. 547.) All other resolutions were passed unanimously, a fact which testifies to the efficiency of the smoothness of the control exercised by the Russian delegation. The announcement by Zinoviev that speeches would only be translated into Russian reveals one of the attendant circumstances which facilitated the control of the congress by the Russian delegation. (Bulletin of Third Congress, No. 1, p. 8.) The method of voting also tended toward the same result. The following is the method of electing the presidium: "Has anyone any objection to this list? That appears not to be the case. The list is elected." (Bulletin of Third Congress, No. 2, p. 19.)

The fourth congress of the Communist International was held in Moscow from November 5, 1922, to December 9, 1922;² 340 delegates were present with decisive votes. The largest

² Executive Committee of the Communist International. Moscow Pravda, December 6, 1922.

President, Zinoviev.

	Members.	Alternates.
Russia.....	Bukharin, Radek.....	Lenin, Trotski.
France.....	Frossard, Souvarin.....	Duret.
Germany.....	Zetkin, Hernal.....	Boetcher.
Czechoslovakia.....	Shmeral, Neurath.....	Muna.
Italy.....	Gennari, Gramsci.....	Bordhiga.
England.....	MacManus.....	Newbold.
America.....	Carr.....	Daymon.
Sweden.....	Heglund.....	
Norway.....	Scheffo.....	
Poland.....	Prukhnjak.....	
Finland.....	Kuusinen.....	
Balkans.....	Kolarov, Makkavel.....	
Australia.....	Harden.....	
South America.....	Stuermer.....	
South Africa.....	Andrew.....	
Eastern countries.....	Katayama, Safarov.....	Roy.
Communist Youth's International.....	Schueler, Schatzkin.....	

delegation was that of the Russian Communist Party with 75 members; the next largest were the German and French with 23 members each; the Italian with 21; and the League of Communist Youth and Trade Union International with 20 each; both of the latter had many Russian members. (Bulletin of Fourth Congress, No. 13, p. 1.) The proceedings of the fourth congress were dominated in a fashion similar to those of the third by members of the Russian delegation. All the important reports were presented by members of the Russian Communist Party:

Activity of executive committee	Zinoviev.
New economic policy of Soviet Russia	Lenin.
Russian revolution	Trotsky.
The offensive of capital	Radek.
Program of International and of Communist Party	Bukharin.
Task of communists in trade unions	Losovsky.
Cooperatives	Mestscheriakov.
Question of French Communist Party	Trotsky.
League of Communist Youth	Schiller.
Women's movement	Clara Zetkin.
Agrarian question	Varga.
Workingmen's help	Münzenberg.
Agrarian question	Billings.

The Russian delegation, as usual, took a large part in the debates. Opposition was overawed whenever it appeared, usually by a formal pronouncement, in the name of the Russian delegation, and in such cases the presidium would express the opinion that their proposal be accepted without discussion. (Bulletin of Fourth Congress, No. 18, p. 9.)

We have seen, therefore, that the Communist International was created by the Russian Communist Party, and that the administration of that organization from its inception has been controlled and dominated by that party. This control has been facilitated by many attendant circumstances, such as, for instance, the fact that many of the so-called foreign delegates are supported by the soviet power, and dependent upon it in fact for their existence, such as Bela Kun, Rosmer, Stutchka, Markhlevsky, etc. In addition to this, there is the tremendous personal prestige of the Bolshevik leaders, a prestige recognized by foreign delegates as justifying their leadership in the revolutionary international movement. Furthermore, there is the financial dependence of the Communist International on the soviet power, inasmuch as it has no resources of its own. There can be no doubt but that the Communist International has been almost entirely financed by the soviet leaders. All these considerations only help to emphasize the fact that the Communist International is in fact a creation and tool of the Russian Communist Party.

IV. INTERDEPENDENCE OF THE SO-CALLED SOVIET GOVERNMENT, THE THIRD INTERNATIONAL, AND THE RUSSIAN COMMUNIST PARTY.

The soviet régime and the Communist International are, then, both controlled and dominated by the same small group of individuals who form part of the political bureau of the Russian Communist Party. Such is the actual condition of affairs. The relationship between the so-called Soviet Government and the Third International is neither fortuitous nor accidental. As Steklov writes: "The close organic and spiritual bond between the Soviet Government and the Communist International can not be doubted." (Izvestia, November 7, 1922.) This bond arises not merely from the fact that there exists a mutual solidarity of material interests, but rather from the fact that they are both products of the same idea. They represent to a certain extent coordinate organs whose functions are different. As Chicherin writes:

The Communist Party stands at the head of a great state. As a government it enters into relations with all other governments and establishes with them firm, friendly relations; it defends the vital political and economic interests of its republics. It carries on a state policy determined by the interests of the workers. State policy and party policy are strictly differentiated. The fate of the Communist movement, the success and trials of Communist Parties, have to do with the sphere of activity of other organs. (International Life, November 7, 1922, p. 4.)

The function, then, of the so-called Soviet Government is to govern Russia; the function of the Communist International is to carry out the policy of the party abroad. But although it is possible in a certain measure to delimit their functions, on the other hand it is impossible to dissociate them, for the interests of all are identical. "In the same degree as the existence and stability of Soviet Russia are of importance to the III International, the strengthening and development of the Communist International is of great moment to Russia." (Steklov, Izvestia, November 7, 1922.) Or as Zinoviev put it, in his re-

port at the fourth congress of the Communist International (Bulletin of Fourth Congress, No. 2, p. 22)—

You know that one has often blamed us in that the International is merely a tool of the Russian Soviet Republic. There are even many friends who make such assertions. It is, to be sure, clear that an important and very close interdependence exists between the first proletarian Republic and the Communist Party which fights against the bourgeoisie—such an interdependence should exist and must exist. From our communistic standpoint it is clear that the Communist International is important for Soviet Russia and vice versa. It would be laughable to ask who has the advantages, who is subject and who is object. It is the foundation and the roof of one building. One belongs to the other.

The Third International can be compared to the spiritual head of the Russian Communist Party, and the so-called Soviet Government to the secular arm of that party in the country by whose exploitation it maintains the International. The Russian Communist Party is the body that unites them. Or, as Kamenev in a speech before the Moscow Soviet (Pravda, November 9, 1922), said:

The soviet state and the Communist International are the two fighting organizations of the proletariat. One fights to seize the state apparatus—the other has already taken into its hands that apparatus and carries on the work of realizing a communist society.

The interdependence of the Soviet Government and the Communist International manifests itself in many ways. In the first place, it is evidenced in the importance attached in official soviet governmental circles to the congresses and activities of the Third International. According to the Izvestia of November 3, 1922, on the day following the opening of the last congress of the Communist International, there was held a joint session of the congress and the recently elected Petrograd Soviet. There are many instances of similar close relationship between the Communist International and soviet organs. In the second place, it reveals itself in the facilities accorded to the activities of the Communist International.

The proceedings of the Communist International, its proclamations and propaganda appear in the official organs of the so-called Soviet Government. There are instances also of propaganda of the Communist International being published in the official Government printing offices. The use of the wireless and telegraph has also been granted to the Communist International. The decree establishing governmental censorship of all publications expressly exempts from the censorship all publications of the Communist International. Meetings of the congresses of the Communist International and of the executive committee are held in governmental buildings. The Izvestia of November 3, 1922, reports the holding of a plenary session of the executive committee of the Communist International in the Kremlin, which houses the executive departments of the so-called Soviet Government. According to the most recent directory of the city of Petrograd, the Petrograd section of the executive committee of the Communist International is located in the Smolny of Petrograd which houses a large number of official organizations of the soviet régime. (All Petrograd, 1922, p. 233.) Publications of the executive committee of the Communist International usually bear the place mark "Smolny."

The intimate connection between the so-called Soviet Government and the Communist International is manifested in the fact that the leading officials of the so-called Soviet Government actively participate in the conferences and congresses of the Communist International. Of the 75 Russian delegates to the last congress of the Communist International, 60 were members of the All-Russian Central Executive Committee, which is the supreme governing body of Soviet Russia in the intervals between the annual All-Russian Congresses of Soviets. This same delegation included 6 of the 18 members of the Soviet of People's Commissars, the supreme executive body in Soviet Russia; it also included 6 of the 9 members of the Soviet of Labor and Defense, a very important executive body composed of the chiefs of the most important executive departments. Furthermore, if we note the individuals of the Russian delegation that play a predominating rôle at the congresses of the Communist International, we see that six of them are members of the political bureau—Lenin, Trotsky, Zinoviev, Bukharin, Kallnin, and Kamenev—the same men who, as we have seen above, dominate the Communist Party and the so-called Soviet Government. Four of these six occupy the most important executive positions in the soviet régime.

The relationship between the Soviet Government and the Communist International is effected through the Russian Communist Party in the political bureau by means of interlocking directorates of four principal coordinated institutions—

the Russian Communist Party, the Communist International, the Red International of Trade Unions, and the so-called Soviet Government. It is worthy of note that each of these institutions is represented in the political bureau, the Communist International by Zinoviev, the Red International of Trade Unions by Tomsky, and the so-called Soviet Government by Kamenev. In addition, Trotsky may be considered as representing the army and navy, which is of fundamental importance in the Bolshevik edifice. The seven members of the politbureau of the Russian Communist Party divide the work of the so-called Soviet Government and of the Communist International between themselves as follows: Three are members of the central executive committee of the Communist International, four are members of the presidium of the central executive committee, four are members of the Soviet of People's Commissars, and four are members of the Soviet of Labor and Defense.

The functional interdependence of the Communist International and the so-called Soviet Government and the Russian Communist Party is evidenced both in the activities and the writings of the responsible leaders of these organizations. At times the Communist International appears to be in their minds subordinate to the Soviet Government; at other times the relationship appears to be the reverse. As an instance of the latter, it is a fact that at the third congress of the Communist International the new economic policy adopted by the so-called Soviet Government in the spring of that year was presented for the approval of the Communist International, which adopted a formal resolution commending the policy adopted by the Russian Communist Party in Russia. Lenin again reported at the fourth congress of the Communist International in November, 1922, also on the policies adopted by the Russian Communist Party for the Soviet Government, and on their relation to "the prospects of world revolution." (Moscow, Pravda, November 15, 1922.) The same relationship appears in the comments of Steklov on the statements of Kolarov made at the constituent congress of the union of social soviet republics: "In its (the Communist International) person the international proletariat has morally sanctioned with its signature the agreement of the Soviet Republics of Eastern Europe." (Izvestia, December 31, 1922.) On the occasion of the fifth anniversary of the institution of the Red army, the executive committee of the Communist International addressed formal greetings to the Red Army in which it referred to the latter as "an organization of international proletariat." (Izvestia, February 24, 1922.)

I think I have shown that the Russian Soviet Republic with which we nominally have relations and which we are asked to recognize is simply but one branch of the Government of Russia and not the controlling branch. It furnishes, however, a convenient opportunity for those who would like to relieve the Russian Soviet Republic of its activities, condemned by the world generally, to say that things which are done and controlled by the other and dominant branches of the government are not done by the Government of Russia. Everything that has been done by any one of the three branches of that government—the Federation of Soviet Republics, the Russian Soviet Republic, and the Communist Party, and the greatest of these is the Communist Party—has been done by the Government of Russia. There is no escaping that fact. The other divisions are all appendages of the first three which I have mentioned. I think I have shown who the men are who control all these organizations and who control Russia and who are the real government of Russia. Their names are practically summarized in the political bureau of the Russian Communist Party. It is a very formidable and highly organized system of government—arbitrary, unscrupulous, and efficient. I could go on almost indefinitely in giving examples of their work and their intentions in regard to other countries, in which the Third International is more or less active, but I shall content myself with a few examples, first, as to their general intentions and their activities in countries other than ours, and second, with a few examples of their intentions and activities in the United States.

At the twelfth congress of the Russian Communist Party, Kamenev introduced the following resolution:

(c) The congress declares to the Communist International that its Russian section considers that its prime duty now, more than ever, is to help with all its force, the brotherly parties of other countries in their struggle for communism under the experienced leadership of the Communist International. (Izvestia, April 21, 1923.)

Pravda, the organ of the central committee of the Russian Communist Party, as it frankly states on its title page, printed, on September 23, 1923, an article entitled "Can counter-revolution or revolution be made to order at any given time," from which I quote the following paragraph:

The Communist Party can seize power not as a result of utilizing revolutionary movement by standing to one side, but only as the result of direct and immediate political organizing and military-technical guidance of the revolutionary masses both in the period of long preparation and at the very moment of the decisive overthrow. For that reason, therefore, the Communist Party has nothing to do with the great liberal law to the effect that revolutions grow and are not made and consequently can not be determined at any given time. From point of view of onlooker that is true, but from point of view of leader it is absurd and nonsense. * * * Revolution possesses the powerful forces of improvisation, but its improvisations never benefit fatalists, dreamers, and fools. The tokens of victory are correct political judgment, organization, and will to deliver the decisive blow.

The following is from a report to the communist delegates of the Tenth All-Russian Congress of Soviets, as published in Izvestia on December 29, 1922:

What would happen if the revolution in Europe should be delayed for a very long time, say for several decades? Europe would be eliminated completely as a cultural force. * * * It may be too strong an expression to speak of the collapse of Europe, but it must be said that in event of too long delay in the coming of revolution in Europe there would take place inevitably a prolonged economic disintegration and then it would be possible that the revolution in America would break out before that in Europe and America would take Europe in tow. There are not adequate grounds for such a prognosis, however. In Russia, between the periods of the first and second revolutions, between 1905 and 1917, one had a comparatively short interval, and it is possible that in Europe, which is now passing through its 1905, the interval will not be long and may be shorter. * * * If the soviet authority were to perish, then the proletariat revolution in Europe would be delayed for many decades; but we shall stand firmly at our post and try to decide the question in the course of the next years if not in the next months. * * * Get closer to the reserves, i. e., to the masses. Whatever storm breaks out the stormy petrels of the impending proletarian victory, the soviet frontier is the trench beyond which the counter-revolution will not advance and in which we shall remain at our posts until the reserves shall come up to unfurl the red flag of the European socialist alliance of soviet republics as the forerunner of the world alliance of proletarian republics.

Chicherin, Commissar of Foreign Affairs of the Federation of Soviet Republics, in a speech at the Agricultural Exposition in Moscow on September 18, 1923, said:

We must not forget that if the political reactionaries should usurp the political power in Germany, finding in this the support of political reaction throughout the world, this would constitute a new menace to ourselves and we must therefore be prepared for new dangers and new strife. * * * We must be on the alert; we must regard the extreme reaction in Germany and try to penetrate its ruses and intrigues. Not for a moment must we forget that we are the only Red Republic or, rather, Federation of Republics. * * * We can safely say that we have already conquered for ourselves the new region—the region of emancipated labor—and that we have already entered upon that era when we are to be the vanguard of the masses of toilers and when soon perhaps our régime will become the régime of all countries.

The following is from a speech made by Radek at the graduation of Red commanders of the Moscow military training establishments, as published in Izvestia of September 19, 1923. Radek is a member of the central executive committee of the Russian Communist Party and a member of the executive committee of the Communist International. He said:

Many think that the movement before which we now stand consists only of a revolutionary outburst in Germany, and that Germany is approaching a new period of grapple between the bourgeoisie and working class. But the case is not so. The coming revolution in Germany is only part of new great world conflicts which we are approaching, and the cause of these conflicts is the complete bankruptcy not only of the German bourgeoisie but the bankruptcy of the bourgeoisie of all Europe and, if the question is considered not only from the point of view of immediate perspective, the bankruptcy of the world bourgeoisie. * * * Red commanders, you are not accustomed to make many words when an order is given, nor need I use many words to explain to you the actual situation. Go back to the army and teach them not only things military but broaden their minds. Be not merely military commanders but also bearers of the idea that when the hour comes and there will be no other way for us, the workmen-peasant will respond to the call of the Soviet Government with the words, "We are ready."

Bukharin, who, in addition to his other offices under the Government of Russia, is editor of the Pravda, the official organ of the Russian Communist Party, said in a speech delivered at a meeting of the Tiflis organization of the Georgian Communist Party, as printed in Izvestia of September 9, 1923:

The question of seizure of power by the German workers is a question of the next few weeks. The significance of the German revolution is very great, as in case of its success it will result in world revolution, and in case of failure—the Union of Soviet Republics will again be surrounded by the strengthened forces of reaction which will strive to make Germany a starting point for campaign against us.

The following telegram was sent by Tomsy to striking transport workers of Barcelona, Spain, and was published in Pravda on June 23, 1923. Tomsy, as I have shown, holds many important offices in the Government and is one of the prominent leaders in Russia.

The Russian proletariat follows with interest the heroic struggle of the Barcelona proletariat which is continuing in spite of terror and repression. The All-Russian Central Soviet of Trade Unions encourages and stimulates you to continue the struggle and sends you 50,000 pesetas as a token of solidarity. Long live proletarian Spain! Long live the international solidarity of workmen!

(Signed) TOMSKY,
President of the All-Russian
Central Soviet of Trade Unions.

As an evidence of the power of the Communist Party in the Government of Russia I give the following extract from the account of the solemn session of the Moscow Soviet as printed in Pravda on November 9, 1922:

Comrade Kamenev says that the soviet state and Communist International are two fighting organizations of the proletariat. One fights to seize the state apparatus—the other has already taken into its hands that apparatus and carries on the work of realizing a communist society.

For us, Russian workers, the Communist International is the torch, the standard, the source of hope and expectation. We fight under its standard.

The Communist International is the chief channel of communication, organization, and agitation in the United States.

The Moscow Izvestia of February 24, 1923, contains greetings to the Red army, on its fifth anniversary, from the executive committee of the Communist International.

The following are extracts:

The whole world of exploiters hates you, soldiers of the Red army, but trembles before you, knowing as it does that you are ready to defend the proletarian revolution in all countries; that you are a detachment of the international proletariat.

Long live the armed detachment of the world communist revolution—the Red army!

In connection with the activities of the communists in the United States I give the following extract from a speech made by Ludwig Erwin Katterfield, alias J. Carr, at the fourth congress of the Communist International, which he attended as American delegate, on November 11, 1922:

American imperialism, with its surplus of war gains wrung from the working class, is utilizing the broken-down condition of Europe to make fresh conquests. In Europe it is directing its forces once more against Soviet Russia in the hope of undermining the soviet power. The path to this new attempt is over the bodies of the enslaved German workers, who are to be bought with food furnished to the murderous Seeket military dictatorship. In Asia, American imperialism is penetrating farther into the heart of China, where it is securing a strangle hold on its resources and industries. The earthquake in Japan, which has seriously weakened Japanese imperialism, is opening up the door for American encroachments, which must surely lead to war. In South and Central America and in Mexico, American imperialism is in the heyday of its expansionist policies, whose aim is the acquirement of large sources of raw material and the extension of fields of investment for Wall Street and American industrialists.

New, fearful wars menace the whole world as a result of the machinations of American imperialism. It is the duty of the American workers to watch well the acts of their capitalists. They must prevent any interference with the struggle of the German workers to obtain their freedom. They must fight against attempts to embroil the American workers in new wars for the sake of capitalist profits. It will be the duty particularly of the communists to mobilize the proletariat of the United States against the coming wars.

To perform this and the many other tasks confronting the party the central executive committee of the Workers Party has rightfully conceived as the most important step the establishment of an *English communist daily* in the United States. This daily must become the medium for reaching the widest masses of the workers and mobilizing them for militant action in protection of their rights and in securing final control of power. The struggles in the United States are among the bloodiest in the world. The power of the capitalist press is tremendous. The workers have no real expression throughout the country and hence are exposed to misrepresentation and distortion of fact,

which is one of the methods that the capitalist class of America employs in order to crush the labor movement. The communist daily must become the organ not of the revolutionists alone, but of the whole working class. Hence the whole strength of the party must be mobilized for the establishment of the daily, which should be the forerunner of more revolutionary dailies in other parts of the country.

To accomplish this task and to put the daily on a sound basis the membership must be drawn into close relationship with one another. The language federations constituting the party are a necessity and yet are a hindrance to uniform action of the membership. The language federations are essential for propaganda among the foreign-born workers and must be retained for that purpose. Within the party, however, there should be created international branches comprising all the membership, regardless of language. Thus members of all nationalities and negro workers will be grouped in uniform branches and work together on the problems confronting the party. This will produce greater mobility and lead to the inner harmony that is fundamental to all communist action.

In an industrial country, like the United States, the shops and mills are the centers of activity. It is obvious, therefore, that *the shop must be the basis of all party work*. Even though the factories are infested with spies placed there by the capitalists, thus rendering work difficult, the basic unit of the party must be the *shop nucleus*. This will enable us to gather the workers on the job, where they feel most keenly the capitalist and the force of the Government.

The excellent work that has been done by the communists in the left wing of the labor movement of the United States demonstrates that if all the comrades were members of trade-unions the work would increase manifold. We must repeat the decision of the last session of the enlarged executive committee, to the effect that it is the duty of all communists to join the trade-unions and be active in their work. The convention of the Workers Party must take steps to get the comrades into the unions. This is one of its main tasks, and one not to be neglected.

The propaganda that the Workers Party has conducted during the past year has been most effective. As a result, the ideas of communism and the communist movement are the center of discussion both among the workers and the capitalists. Despite the savage attempts of the American bourgeoisie to instill fear into the minds of American workers at the suggestion of communism, and to point to the achievements of American democracy as the highest that mankind can aspire to, the actions of the American capitalist class and the capitalist government in the past two years have opened the eyes of the workers.

The strikes of 1922 taught them the *true* meaning of capitalist democracy; it also taught them that the communists are feared and persecuted by the capitalist class merely because they are the most powerful spokesmen of the working class and the most valiant fighters in its interests.

We had received from the third congress the instructions: "Into the masses." It is true that in America there was for a long time no conception of the tasks of the Communist Party. But now there are a very few comrades in America, so successful has been the propaganda under the above watchword, who, as Comrade Radek would say, consider it their duty to "wander alone apart under the stars until the beautiful morning when the red sun of revolution will shine in their face." Now, nearly every member of the party understands that it is the task of the party to work among the masses, but it must not restrict its activities to its party comrades but it must extend to the different organizations of the laboring classes. Nobody in the American party is opposed to this solution.

From reports in the possession of the Department of State, Carr is merely one of many aliases used by Ludwig Erwin Katterfield, a prominent American communist, who, on his own statement, has been engaged in radical activities for the past 17 years.

Katterfield, alias Carr, is a naturalized American of German origin. He arrived in this country on January 17, 1893, landing at the port of New York on the steamer *Friesland*. He proceeded immediately to Kansas, receiving his education at the public schools in Topeka, and later at Washburn College, Topeka, 1902–1908.

The following is an extract from a speech by Trotsky, delivered in Moscow on October 20, 1922:

Comrade Trotsky stated that he was asked by one of the cells of the Moscow organization in what country it would be most advantageous to have a proletarian revolution. He answered, in the United States, the richest country, with well-developed industry, and possessing half of the world's gold reserve, half of the wealth of the world; secondly, in England, with its less-developed and concentrated industry. Russia, if not the last country as far as economic development and cultural level is concerned, in any case occupies one of the last places in this respect, and in spite of this fact the revolution broke out in our backward country. We can not say at present what are the perspectives of social revolution in the United States and

other countries. We must admit, however, that in other countries the working class is less prepared for revolution. In Russia our party gave the ideal example how one must seize the governmental apparatus, how to keep it and secure it in the arms of the working class. (Moscow Izvestia, October 21, 1922.)

The American branch of the Communist International is the Workers Party of America, the party to whom Zinoviev addressed his recent instructions, which have now been published in the press of the country. The Workers Party of America publishes a weekly periodical and is now preparing to publish their own daily communist newspaper. This weekly journal, which may be purchased on the news stands in many of the larger cities, is, according to the date line which appears thereon, "published weekly by the central executive committee, Workers Party, 1009 North State Street, Chicago, Ill."

C. E. Ruthenberg, the executive secretary of the central executive committee of the Workers Party, now gives out the following letter from the executive committee of the Communist International to the Workers Party of America, dated July 12, 1923:

JULY 12, 1923.

To the Workers Party of America.

DEAR COMRADES: The convention of the Workers Party of America is taking place at a time when world reaction is preparing another blow against the international proletariat. Gathered like ravens over the bodies of the working class of Germany, the imperialist powers of France, England, and America are making their plans to divide the spoils in Germany and reduce the working class to the position of coolies. The capitalists of Germany have established their military dictatorship and are ready to cooperate with the foreign imperialists, provided they are guaranteed part of the booty.

In several states of Europe fascism holds the workers in its bloody grip. Italy, Spain, and Bulgaria are in the throes of the wildest reaction. The white terror rules in Finland, Rumania, and Hungary.

In Soviet Russia alone the rule of the workers and peasants is unshaken despite the many attempts that have been made to destroy it. The soviet power is consolidating itself more and more, and to-day stands invincible to the plots and intrigues of the reactionary capitalist governments and counter-revolutionary emigrés.

The vast sentiment for communism that the Workers Party has aroused must be organized. Your central executive committee acted right in inaugurating a campaign for membership. This campaign must be a matter of discipline. Each member of the party must be pledged to secure one or more new members for the party. The Workers Party must increase its membership several times before it will become the factor in the proletarian movement of the United States that the communists are destined to become.

The Workers Party has applied communist tactics correctly in seeking a united front of all forces to fight the capitalist system in the United States. It has sought a united front not only on the economic but particularly on the political field. That Gompers and the reactionary trade union officialdom oppose it because of their antiquated, treacherous policy of "rewarding the friends and punishing the enemies of labor" in the capitalist parties; that the socialists, having renounced every revolutionary idea and lined up with the reactionary forces of the country, also oppose it; and that a few so-called "progressive" trade union leaders of the Middle West have betrayed the workers and gone over to Gompers; that they denounce the ideas they once stood for and therefore also oppose the united front—is creating the best basis for the united-front policy. This treachery has been and will remain one of the chief reasons why the workers of America still are the prey of the capitalist parties of America. This treachery, however, will show the workers so much the more clearly the necessity of the united front. It will also demonstrate to them that the communists, who are the only militant exponents of the united front, are not only their best friends but the only ones in the United States who understand the political needs of the working class.

The organization of the Federated Farmer-Labor Party was an achievement of primary importance. The coming together of the militant farmers and workers for the attainment of political power against the control of the capitalist parties revealed an awakening consciousness and a rising spirit no longer to tolerate political domination by the bourgeoisie. In the Federated Farmer-Labor Party are organized only a small portion of the militant workers and farmers. The united front of all proletarian and farmers' parties and organizations for the fight against capitalism is the demand of the hour. The communists must spare no effort to bring this about.

This is all the more necessary in view of the presidential election of 1924. The labor parties and farmer-labor parties that have been formed in 29 States must be consolidated into a united front; they must put up joint proletarian candidates. They must fight as a united body against the reaction that is bound to set in after the elections. They must be prepared to support this united front with their economic power. The chaos in the working-class movement must

be ended. This is the task of the communists, a task they are performing with great effect.

There is one problem to which the American communists have not applied themselves with sufficient energy, viz, that of American imperialism. The huge profits from the war and the exploitation of foreign markets have enabled the American bourgeoisie to penetrate deeper into the Latin-American countries. The recent declaration of Secretary of State Hughes to the effect that the interpretation of the Monroe doctrine must be left exclusively to the discretion of America, is already bearing fruit. The recognition of Mexico is merely a trick to give American capitalists greater control over the resources of Mexico and, in case of "trouble," afford the American Government an excuse for intervention "in protection of American property and interests." The conflict in Cuba, which will also probably end with an intervention, the continued military occupation of Haiti and Santo Domingo, the muzzling of Nicaragua, Panama, and Colombia, the loans to the numerous South American states, the increasing economic exploitation of these countries, and the rising revolt in the Philippines, indicate that American imperialism intends to conquer the Western Hemisphere and force the colonies under complete control.

This is a problem of vital importance to the American working class. Fearful imperialist wars face the country. The bourgeoisie is making ready. The Government is perfecting its military machinery; General Pershing is demanding a larger army. The communists must sound the alarm and prepare the workers for resistance to these bloody schemes. The communist must point out that the illegal organizations of the capitalist class, the spies, and especially the Ku Klux Klan and American Legion, are a product of the foresight of the capitalists, and are openly sponsored by the Government of the United States. The capitalists are prepared to crush any attempt to interfere with their plans.

These, comrades, are the vital problems that confront the party. To propagate them and organize the workers for action will demand the concentrated strength of the whole party membership.

We greet the third convention of the Workers Party and have confidence that the party will line up the workers of America with the revolutionary workers of the world in the struggle against capitalism and for the establishment of a workers' and farmers' government.

With communist greetings,

(Signed)

EXECUTIVE COMMITTEE,
COMMUNIST INTERNATIONAL.
W. KOLAROW, General Secretary.

This letter has great importance, for it demonstrates at this very moment the close connection between the Communist International and the Workers Party of America. The Communist International, as has been shown, is dominated by the Russian Communist Party, and that party dominates and controls the so-called Russian Soviet Republic and the whole Russian Government. In other words, the communists' propaganda in America comes directly from the Government we are asked to recognize.

In further confirmation of the present activities of the Russian Government in promoting agitation designed ultimately to weaken present constitutional Government of the United States I give the following article from the Pravda, of Moscow, December 14, 1923. It is a communication from G. Zinoviev, president of the Petrograd Soviet, president of the Communist International, member of the All-Russian Central Executive Committee and member of the Federation Central Executive Committee, addressed to the American communists:

TO AMERICAN COMMUNISTS.¹

The advent of a daily communist newspaper in the English language in America is a great event not only for the American labor movement but also for the whole Communist International. And that is particularly so because the advent of that newspaper was preceded by protracted serious work of American communists among the masses, by the collection of funds among the workers, by long agitation among the trade-unions, etc. The American workers whose thoughts and ideas for many years have been dominated by Gompers and Hillquit are beginning now to bestir themselves and rally around the Young American Communist Party. To collect from among the workers the funds necessary for the issue of a great daily newspaper in the English language in America is no easy matter. The American comrades with perseverance, energy, and success have worked at this problem. We warmly compliment them on their first success.

We recall vividly how 10 or 11 years ago, under the leadership of Lenin, we began the same work in Russia, how by kopecks and pennies the advance guard of the Russian workers collected the necessary means in order to publish the first daily Bolshevik newspaper, "Pravda," in Petrograd, how Comrade Lenin put his heart and soul in that task,

¹ Written at the request of American comrades for the first number of the daily communist newspaper (in English) "Daily Worker," which will appear from January 1, 1924, in New York.

how he personally kept count of the number of workers' groups which had answered the appeal of the Bolsheviks and brought their mite for the first daily communist newspaper. That was a great work, that was real preparation for victory of our revolution. From such a point of view the American workers must view their task.

The labor movement in America is comparatively very young. American capitalism is the strongest in the whole world.

"We know that aid from you, comrades, American workers, will come, but not quickly, for the development of the revolution in different countries proceeds under different forms at different tempo (and can not proceed otherwise)."

Thus wrote Comrade Lenin to the American workers on August 20, 1918, in his well-known letter to American workers. Since that time, however, five years have passed. American communists in 1918 were solitary figures in the working class of America. Now it is not so. Through the efforts of the best part of the American revolutionists a serious influence among the broad masses of workers of America has been won for communism. The first successes were especially difficult. In the future the work undoubtedly will go faster.

It is quite natural that the American communists have concentrated their activities above all in the labor class, in its trade-unions. From here only was it possible to begin the work of revolutionary enlightenment of the American proletariat and the rallying of it under the standard of communism. Those successes which the American communists have had hitherto in the American labor movement (the uniting of the left wing) in no way can be called little. But it is yet more important that the American communists are able alone among the first to raise and bring forward practically the question of work among the peasants (small farmers). This fact best of all testifies to the great vitality of American communism.

You must not conceal from yourselves the fact that in some sections of the Communist International the traditional Social-Democrat attitude to the peasantry is still very strong. The Communist International was begotten from the womb of the Second International. There is nothing astonishing in the fact that individual communist parties still pay abundant tribute to Social-Democrat traditions, especially in the question of the relation to the peasantry. The Social-Democrat parties of the Second International were even in the best times essentially guild parties which had not placed before themselves the problem of actually overthrowing the domination of capitalism, but had confined themselves to only struggling for the partial amelioration of the position of the working class within the confines of capitalism. And this guild Menshevik tradition more than all lets itself be known now in the question of the relation to the peasantry.

Not so long ago we happened to have a talk with some prominent workers in the communist movement of Rumania. The Rumanian comrades have conquered the majority of the trade-unions. For that, honor and glory to them. Their merit is especially great because they have to carry on the work under a hail of repressions from the side of the united landlords, bourgeoisie, and yellow Social-Democrats. Tens of Rumanian communists have been shot and tortured to death in Rumanian jails, many languish in life imprisonment. For simple communist agitation any comrade risks his head. To conquer in such a situation the majority of the trade-unions is a great service. But from the conversation with the same Rumanian comrades it was perfectly clear that our comrades as yet do not see the problems of revolutionary work among the peasantry. And that is the condition in such a country as Rumania where the peasantry forms the majority of the population.

Such a condition you will encounter quite often in other countries. Work among the laborers, in the trade-unions, etc.—that is for us the customary thing; here we are at home. But work among the peasantry, that we forget. Such a state of affairs also exists in countries with a predominating peasant population, such as Italy. This to a considerable degree was the cause in its time of the mistakes of the Bulgarian communists. In this respect sinned for a certain time the German Communist Party, etc.

The first international conference of peasants which took place recently in Moscow met with a far greater response than any of us could expect—in particular, in Germany (by virtue of the fact that there the general situation is extremely revolutionary) and, as it is reported, also in America. Already now it is completely clear that that first international conference of peasants has a huge significance, and that the efforts applied to its convocation are being repaid a hundredfold.

Whoever desires to aid the Communist Party to become not a guild organization, defending only the narrow "class" interests of the proletariat, but a party of proletariat revolution of socialist upheaval, of the hegemony of the proletariat, such a person must, after having established a workers' party, direct its attention also to the conquest of the peasantry.

In this respect the American communists first felt out the new path. The American communists have founded the Farmer-Labor Party (preserving, to be sure, their communist proletariat party as an

independent organization). Not everywhere and not always will precisely this form prove the most suitable. But in any case the experiment initiated in this respect in America deserves serious study by and assiduous attention from the whole international communist movement.

The failure to appreciate properly the rôle of the peasantry is the fundamental original sin of international Menshevism. The essence of Bolshevism consists just in this, that it has clothed in flesh and blood the idea of dictatorship of the proletariat, that it has begun to transform into actuality the hegemony of the proletariat in the revolution, and precisely for that reason it seeks an ally in the person of the indigent peasantry (in America, small farmer), which with correct tactics on our part will aid the proletariat to fulfill its historical mission.

The chief differences between Russian Bolsheviks and Mensheviks in their last analysis come down also to the question of the peasantry. The Mensheviks have not understood and do not understand the rôle of the peasantry. Even very "left" Mensheviks in 1905 who imagined that they were more left than Bolshevism, did not understand at all the revolutionary significance of the peasant movement, and in the matter spoke opportunistic prose. Nearly all the differences among the Russian Bolsheviks during the six years of the proletariat revolution come down fundamentally to the same: Part (very small) of the comrades sometimes even now fail to appreciate the rôle of the peasantry, and do not understand the deep revolutionary, and together with it the deep realistic presentation of the question of the peasantry which Bolshevism in the person of Comrade Lenin gave to that problem already 20 years ago.

Let the American comrades with still greater energy labor to conquer before all the hearts of the American proletariat, to snatch the American working class and its labor unions out of the tenacious dead embrace of Gompers and other agents of capital. But let the foremost American workers with unwavering energy labor at the same time to win over to the side of the workers the small farmers. At the first possibility the American comrades must establish a special mass communist newspaper for small farmers—a newspaper which will count its readers by hundreds and hundreds of thousands. The experiment which you have initiated in having assisted the creation of the Labor-Farmer Party is being followed attentively by every thinking communist in Europe and in the whole world.

Every success of yours fills all of us with pride.

"We know that the European proletariat revolution can not burst into flame in the next few weeks, however quickly it may ripen in the most recent times. We stake on the inevitability of the world revolution, but that does not at all mean that we, like fools, stake on the inevitability of the revolution in a definite short period of time. We have seen two great revolutions, 1905 and 1917, in our own country, and we know that revolutions are not made to order nor by agreement. Notwithstanding that, we know thoroughly that we are invincible—for the world proletariat revolution is invincible."

So wrote Comrade Lenin to you in the above-mentioned letter. You undoubtedly will agree with us, comrades, that these words of the teacher remain entirely in force.

(Signed) G. ZINOVIEV.

I can not undertake to give all these things. They are very well worth studying, for they show just what is being done in this country; but I will read this as showing the temper and intention.

On February 15, 1923, the *Izvestia*—that is the official organ of the Government of the Russian Soviet Republic—printed the following letter from Trotsky, who, I need not repeat, is probably, next to Lenin, the most powerful man in Russia, and a member of all these government committees. The letter was addressed to an American communist named Mackay, a negro, and I think it is worthy of consideration as an example of the work which is being done or planned here by the Russian Government through the Third International or their own Communist Party.

Trotsky says:

The training of black agitators is the most important revolutionary problem of the moment. This problem becomes more complicated in the United States of America on account of the abominable stupidity and race hatred among the privileged circles of the working class itself, which do not want to recognize negroes as brethren in labor and struggle. * * * One of the most important methods of struggle against this capitalistic corruption of minds is to waken the human dignity and revolutionary protest among the black slaves of American capital. This work can be best carried on by devoted and politically educated negro revolutionists. Naturally the work must not assume the character of black chauvinism, but must be carried on in a spirit of solidarity among all laborers regardless of the color of their skin. I am at a loss to say what are the most expedient organization forms for the movement among American negroes because I am not familiar

with the concrete conditions and possibilities, but the organization forms will be found as soon as sufficient will for action is displayed.

Mr. OVERMAN. Mr. President, may I inquire the name of the negro to whom that letter was addressed?

Mr. LODGE. A man named Mackay.

Mr. OVERMAN. Where does he reside; and does the Senator know what position he holds in this country, if any?

Mr. LODGE. I do not. I can have him looked up, I imagine. I have heard him spoken of as a negro.

I have a large number of proclamations made by the Third International and the Communist Party which I have left out altogether. They are very interesting as showing the general purposes of the International and of the Communist Party.

Mr. WATSON. Mr. President, may I ask the Senator whether any one of those refers specifically to propagandizing the United States?

Mr. LODGE. It does.

Mr. NORRIS. Mr. President, may I ask the Senator if he can give us the address of this negro to whom Trotsky is alleged to have written this letter?

Mr. LODGE. I do not allege that Trotsky wrote it. It was published in the official newspaper of the Government of the Soviet Republic.

Mr. NORRIS. All right; put it that way. What is the date of it?

Mr. LODGE. I gave the date.

Mr. NORRIS. Does that publication give the full name of the man and his post-office address here?

Mr. LODGE. I do not think so; but it would be very easy to look that up if the Senator is curious about it.

Mr. NORRIS. Yes; I am curious about it.

Mr. LODGE. He exists, I know. The date on which it was published was February 15, 1923.

Mr. NORRIS. Does that give the post-office address and the full name of the man?

Mr. LODGE. Of the negro?

Mr. NORRIS. Yes.

Mr. LODGE. No. I do not know that the *Izvestia* printed his full name. I think I can find his name. Mackay has been a delegate to some of their conferences. I think his name is published in some of the lists I have here. I know he is a leader among them. There is another man in Baltimore whose name I will also get.

The Red Trade Union International in an appeal to the Industrial Workers of the World, translated from the Moscow *Trud* of August 31, 1922, says:

The executive committee (of the Trade Union International) declares:

"We stand for the union of revolutionary elements with the masses of the labor organizations already existing. This would help the laboring classes to realize the idea of a united front against their bloodthirsty enemy—against American capitalism."

"More than in other countries," continues the appeal, "the workmen of America must be aware of the importance of a united front of labor. The Red International of Trade Unions decided to invite you to our second congress, in spite of the position taken by your leaders."

The Senator from Indiana asked me about the proclamation. Here is one.

The Red Trade Union of Industrial Workmen of the World issued the following proclamation (translation from the *Izvestia* of March 9, 1923):

In connection with the strike in Portland the executive committee of the Red Trade Union has sent the following telegram to the executive committee of the Industrial Workmen of the World:

The Red Trade Union is closely watching the heroic struggle of the I. W. W. against the fierce persecution by the agents of capital in San Pedro and Los Angeles. We welcome the workmen of the sea transport, members of I. W. W., and the International Association of Harbor Workers, in the joint struggle in Portland.

The Red Trade Union expresses its solidarity and support of millions of members of revolutionary trade unions, that are joining in the unanimous and manly struggle of the members of I. W. W. against the attacks of the California capitalists. The Red Trade Union is convinced that the revolutionary elements of the labor movement in America will in every way support their struggling comrades.

With revolutionary compliments,

LOZOVSKY.

It would occupy too much of the time of the Senate for me to go into all the information which is available on the activities of the Russian Communist Party and the Third International in the United States, but Senators will find a very full account of those activities in a pamphlet, containing six articles, prepared by the United Mine Workers of America, which show

the attempt of the communists to seize the control of American labor organizations. I have asked to have the pamphlet printed as a Senate document. It is very well prepared and is a close study of the work of the communists in this country, and shows what they have undertaken to do. The United Mine Workers have been in actual contact and contest with these communist attempts and the articles give a very vivid picture of the forces which the mine workers have had to encounter among the members of their own union. They also show a large expenditure of money in this country by the communists. I call attention particularly to the following statements from the pamphlet, which may be found on pages 55 and 56:

The dangers that lie in the future are in the seemingly harmless and innocuous expedients with which the communists have learned to cloak and conceal their true aims and purposes. One of these is the plot to compel recognition of Soviet Russia by the Government of the United States, with the establishment of diplomatic relations between the two countries.

No greater victory short of the overthrow of the Federal Government itself could be won by the communist organization in this country than to bring about recognition of the soviet régime in Russia by this Government. Experience has demonstrated that wherever the Soviet Government goes, it goes for propaganda. If diplomatic relations were established with this country, the soviet régime would be the sole beneficiary.

A recognized government is entitled to a consulate in every city, and a consular staff may be as large as desired and may do about what it wants to do. In the light of their past activities, the first thing that the soviets might be expected to do in the United States, if accorded recognition, would be to establish "consulates," with large propaganda staffs, in all of the leading cities. The present "underground" revolutionary organization centered around the Communist Party of America would then be able to come to the surface and start its work with renewed impetus in the open.

With the diplomatic doors opened to them the soviets could bring in men and money in such numbers and sums as they desired. While the possibility of their overthrowing the American Government is not to be conceded, one of the major lines of defense against them and their revolutionary designs and purposes would be removed; they would be afforded unlimited opportunities for their revolutionary work, and energies that are sorely needed for constructive effort in America would be diverted and dissipated in fighting the serpent in the house.

Establishment of diplomatic relations with the communists, with consulates in whatever cities they wished to put them, would give them unlimited opportunities for attacking the labor unions and trade organizations, and create an active recognized revolutionary machinery in this country against which the unions and the Government would have little or no protection.

Every effort has been exerted by the communists in the last five years to get control of the labor unions. With Soviet Russia given diplomatic recognition the unions that have so far successfully combated their inroads would be placed virtually at their mercy, and made doubly vulnerable to the assaults and attacks of the Red hosts at Moscow.

Deportations of alien communists would be halted, and the Red agents of Moscow when arrested in this country could demand the "protection" of the consulates and diplomatic emissaries of the Communist International.

The communists have a strong organization in the vicinity of Bellaire, Ohio, from which much of their revolutionary activity is being carried on. A soviet consulate could be established there. They have boasted that they instigated and carried out what took place at Herrin, Ill. They could establish a consulate at Herrin. They have used dynamite and shotguns in southwestern Pennsylvania. They might have consulates at Pittsburgh, Uniontown, Connellsville, and Johnstown. They might establish a "consulate" in every industrial center in this country.

In further demonstration of the feeling of American labor unions in regard to this movement I desire to read a letter written by Mr. Samuel Gompers, president of the American Federation of Labor, and published in the newspapers of December 19, 1923. Mr. Gompers condemns in the most vigorous terms the soviet approach for negotiations with the Government of the United States and states labor's position as being one of unqualified opposition to any relations with what he terms the "Soviet terrorism." He makes clear his belief that any compromise with the soviets is a victory for them and he likens their efforts to involve democratic governments in negotiations as similar to the customary policies of outlaws and brigands.

In view of the unwarranted diversity of opinion in our own country concerning President Coolidge's references to Soviet Russia [said Mr. Gompers], and in view of the declarations of friendship for the soviet autocracy expressed by certain Senators and Representatives otherwise

progressive, it is imperative that American labor make unmistakably clear its condemnation of the extraordinary and audacious proposal of the Chicherin note that free America enter into "negotiations" with the soviet terrorism.

In his message to Congress President Coolidge used the following clear and unmistakable language:

"Whenever the active spirit of enmity to our institutions is abated; whenever there appear works meet for repentance; our country ought to be the first to go to the economic and moral rescue of Russia."

This policy does not differ a hair's breadth from that of President Wilson or President Harding—except that it is even more strongly and clearly expressed.

Nevertheless Commissar Chicherin addressed his note to President Coolidge, asking for negotiations based on "mutual nonintervention" and "mutual trust."

Any compromise with the soviet terrorism is a victory for the soviets. Outlaws and brigands commonly act upon that principle. They also understand that on fundamentals the soviets can not compromise—unless with the deliberate intention of violating their agreement. The world has had enough of "scraps of paper."

President Coolidge and Secretary Hughes are well acquainted with this "enemy of our institutions." The President pledges himself that he will not barter away for the privilege of trade any of "the cherished rights of humanity" nor "make merchandise" of "American principles."

The soviet exists to wage war on "American institutions and principles." Its constitution, its official publications, the speeches of its chief officials are shot through with this primary intention. Aside from the shoals of secret agents and the gold it has sent to overthrow our Government and our social order, the very existence of such an enemy régime—known to every revolutionist—gives stimulation and encouragement to every subversive element in this country. The fact that the soviets must appeal in this country mainly to the ignorant, to the perverted element of our intelligentsia, or to newcomers unfamiliar with our institutions and American principles is beside the point. There is no danger whatever of soviet revolution in this country. That is utterly irrelevant; America can not willingly permit the loyalty of a part of its citizenship to be deliberately weakened or destroyed by a pretended friendly power.

The hope and encouragement held out to the forces of destruction throughout the world is not more momentous than the hostility to America and all other nonsoviet nations taught in Russia through the soviet monopolized press, the communist propaganda which is the foundation of the soviet schools, and the exceptionally violent anti-foreign propaganda so systematically and thoroughly carried out in the Red army.

No self-respecting government could for one moment submit to any such attacks, even if they did not threaten grave consequences. But they are a serious menace. There is a menace when the effort is made to drill a whole people to hate all nations which do not humbly obey their own dictators, to believe every conceivable vilification of these nations, to demand that they abandon all their chief institutions and the lessons of their history, and to look forward to aiding by money and arms in the violent overthrow of all governments differing radically from their own.

Those who wish us to "barter American principles" for material advantages now assert that soviet "cessation of propaganda within the United States" will put an end to all this. It would do nothing of the kind. It would not touch the active enmity which is interwoven with every communist-soviet activity in Russia, and it would have little effect on the soviet stimulation and encouragement of the destructive elements in this country.

To discuss "mutual nonintervention" with a régime that is built upon the intervention principle would imply a degree of ignorance and credulity on the part of the United States. It would also imply that there was need that America should pledge itself to nonintervention. This suggestion could not be offered by any sincere or friendly government.

The world has been made familiar with the repeated official public statements of leading soviet officials that they would not keep faith with "bourgeois" or "capitalist"; that is, nonsoviet governments. An organization which would once accept such statements from its leaders as representing its views could scarcely be trusted thereafter. All further declarations of intention to keep faith are thus discounted and denied in advance.

But the situation is far more serious than this. The entire soviet structure, constitution, state documents, official doctrine as taught in the official press, schools, and Red army, teach that the so-called "proletarian" régime can not be bound by any agreements made with nonsoviet governments and that such governments will always violate directly or indirectly, publicly or secretly, any agreements they may sign. To discuss the possibility of "mutual trust" with a régime resting on such foundations would be not only futile but an encouragement to its antisocial, communistic, and antidemocratic machinations.

Negotiations can not be entered into until the soviet government first declares its intention to reverse all these policies, and then, during a period sufficiently long to wipe out their effects, actually does reverse them in practice. The first step would be to declare before the world that all such hostile policies and practices have constituted a grievous and unjustified wrong to the United States. All constitutional, legal, and so-called Communist Party rules or declarations embodying such hostility would then have to be specifically withdrawn. The so-called Communist Party is not a party at all, but the soviet government. The Communist International would have to be disbanded by its Russian Communist Soviet masters and no secret substitute body organized to take its place.

After these first steps the soviet régime would have to show by its acts for a reasonable period that they are intended to be permanent. This, of course, it can not do.

There is this one unforgettable fact which we have always to keep in mind and which the peoples in all free countries must always keep in mind: The soviet government, the Russian Communist Party, the Communist International, the Red Labor International, the various bureaus, commissions, and organizations, are all one fabric, inseparable in fact, no matter how they may be juggled and rearranged on paper by the group which holds mastery over them all.

Our case is not against any one of these alone—not against the Soviet Government singly, the so-called Russian Communist Party singly, the Communist International singly, the Red Labor International singly, but against one and all, individually and collectively, whatever may be their momentary title or alleged function. And they never have had nor can have any separate existence apart from each other. They come from one destructive parentage, they are endowed with one autocratic character, they breathe one consuming hatred for democracy, they have their roots in one foul soil in which no healthy society can exist.

And, I am constrained to add, the communist machine must remain at war with free peoples and their institutions as long as it lives. It denies freedom of every kind; its hostility to freedom and free institutions is inherent and can not be obliterated except with the demise of the whole communist structure. We are unable to comprehend any possibility of free people entering into any kind of fellowship with this great organized enmity to freedom and democracy. We can comprehend no fellowship with a Russian government until there comes into being a Russian government founded upon the freely expressed will of the Russian people, for whom we have and have always had the most sincere friendship, made manifest through a suffrage which is in no way controlled or restricted by the present dictatorship, which spurs the suffrage and the public will as of no moment and as having no valid right to existence.

We are free people, believing in the institutions of freedom and valuing them as we value life itself. We have witnessed the growth of a great moral structure and a great social structure upon this foundation of freedom, through which human life has come to mean something altogether different from what it can ever mean where there is no freedom.

To offer, by our voluntary action, any hope or any opportunity to those who are sworn to destroy freedom and who must by virtue of their very philosophy continue in that course until the end, would be to cast aside our faith and the faith of our fathers in the institution of human freedom. We believe authority must be based upon the freely expressed will of the people who are to be governed before it can properly ask or rightly receive our recognition and mutual intercourse.

Upon reading Secretary Hughes's response to the Russian note after the above statement had been prepared, President Gompers expressed himself as pleased with the note and as thoroughly in accord with its repudiation of the advances made by Chicherin.

Mr. Gompers is well known throughout the United States. I have frequently disagreed with him and with some of his policies, but no one questions his ability or his loyalty to the cause of American labor as he sees it. For many years he has fought socialism and its doctrines in the American Federation of Labor. He was most thoroughly loyal to the United States during the Great War, and I think I am correct in saying that he expressed himself as favoring the Swiss system of military service. Above all, I believe him to be a thorough American in his feelings, and however much I may disagree with some of his opinions or with some of the acts and opinions of the United Mine Workers of America, the fact remains that the American Federation of Labor and its various organizations are American organizations and are not controlled by any foreign bodies. I am in favor of the American organizations against the world, and I do not want to see them put under control of the Third International or of the Russian Communist Party, whose activities, I think, are not only dangerous but poisonous.

The Senator from Nebraska the other day held up to derision the fear that our Government was in danger. I do not think that the Government of the United States is in the slightest

danger at this time, nor, so far as I know, does anyone else, but I do not wish it ever to be in danger. The violent language used by the Third International does not matter; it is the doctrines they teach and the control they are seeking, beginning with our labor unions, which are to be considered. The men who have met this movement face to face think it serious, but however much or however little it has succeeded the Government from which it emanates and which is devoted to those principles ought not to be recognized by the United States. We have no desire to meddle in the government of any other country. That is a well-established principle. It is not our concern what kind of a government the Russian people have. That question is not involved here at all. It is, however, one thing to refuse to meddle with the government of another country, and it is quite another thing to refuse to recognize a Government which we believe is hostile to us not only in the doctrines which they preach, but in their activities among our people. We do not send representatives to Russia to try to induce them to change their form of government or to plot against it, but, on the other hand, we do not propose to permit them to send their emissaries here to plot against our Government and to preach among our people doctrines which we believe to be dangerous to civilization.

In the provision of our existing immigration law, which is an old provision, specifying what classes of aliens shall be excluded from admission into the United States appears the following clause:

Anarchists, or persons who believe in or advocate the overthrow by force or violence of the Government of the United States, or of all forms of law, or who disbelieve in or are opposed to organized government, or who advocate the assassination of public officials, or who advocate or teach the unlawful destruction of property; persons who are members of or affiliated with any organization entertaining and teaching disbelief in or opposition to organized government, or who advocate or teach the duty, necessity, or propriety of the unlawful assaulting or killing of any officer or officers, either of specific individuals or of officers generally, of the Government of the United States or of any other organized government, because of his or their official character, or who advocate or teach the unlawful destruction of property.

That is the policy of the United States, as already expressed.

It will be seen from that provision that we exclude from admission to the United States people imbued with anarchy and the desire to destroy all government. I do not think we exclude them because we think there is a danger of anarchy in this country, or of them destroying our Government. If a passenger is found on a steamship stricken with smallpox, he is taken off and placed in quarantine and the ship may be held until it is considered safe to allow her to proceed to her pier. Nobody imagines that if a man or woman afflicted with smallpox should escape from the ship and land in this country that the country would be desolated by an epidemic of smallpox. It might result in the spread of the disease here and there, but we are practically all vaccinated and are as thoroughly protected as any people can be against smallpox. At the same time it would be criminal folly not to take from the ship anyone afflicted with that disease and thus prevent any danger of its spreading. In the same way we quarantine cases of leprosy. I do not think there is any danger that this country is going to become a nation of lepers, but it would be sheer madness if we did not take every possible step to guard against that hideous disease.

The question of immediate danger to the Government of the United States by revolution or insurrection is not, I repeat, the point here. The question is whether you are going to permit the spread of a pestilence through the country. It might have but little effect, but I think it is wiser to guard against it. A very sure way of permitting it to spread is by recognizing the people who are undertaking to spread doctrines that would strike at the very foundations of free organized society and seek to destroy all the principles which have made the United States what it is to-day—the best, freest and most prosperous country in the world. I think the time has not yet arrived to recognize the Government of Russia as it at present exists.

There is something more at stake here than trade. There is nothing now to stop trade with Russia. The reason we do not have business with Russia is because that country is producing no surplus, either of manufactures or agricultural products which gives them a chance to pay for our exports to them. Trade is impossible and is found so in practice. But no trade is worth endangering what is far more important, the basic principles of American freedom or the welfare of the American people. As the President has said:

Our Government does not propose, however, to enter into relations with another régime which refuses to recognize the sanctity of international obligations. I do not propose to barter away for the privilege

of trade any of the cherished rights of humanity. I do not propose to make merchandise of any American principles. These rights and principles must go wherever the sanctions of our Government go.

With that statement I am in entire accord. The doctrines which the representatives of Russia are preaching here to-day are not in accordance with the beliefs or the principles of the American people, and in my judgment it is no time to give the Soviet Government of Russia the official recognition and approval of the United States and invite official representatives to come among us and under the diplomatic shield seek to break up our own labor organizations, attack American laws and American freedom, and kindle the flame of riot and disorder throughout our country. "Obsta principiis" is an ancient and wise rule never more needed than here at this moment when we are asked to give recognition not to a people or to a country but to a Government—an active and insidious enemy working under our flag against all the beliefs and institutions which Americans hold most precious.

APPENDIX.

OCTOBER 11, 1923.

"FREEDOM OF THE PRESS" IN SOVIET RUSSIA.

One of the most striking characteristics of the Bolshevik régime in Russia is the frank repudiation of those rights which are considered in western Europe as essential to the development of modern civilization, such as freedom of speech, freedom of assembly, and freedom of association. From the very beginning the principle of freedom of speech has been severely criticized by the Bolshevik theorists. In practice, since the beginning of 1919 the freedom of the press has ceased to exist. Not only is the author unable freely to express his opinions but even the publisher finds his right to print and sell books very strictly limited.

Censorship of the press: All printed matter published in Soviet Russia, with the exception of publications of the Communist International, the Russian Communist Party, the State Publishing Office and the Supreme Political Educational Committee, the *Izvestia* of the All-Russian Central Executive Committee, and the scientific works of the Academy of Science, must bear the "visé" of the Supreme Literature and Publishing Administration or that of its local organs. (Decree of Soviet of People's Commissars of June 6, 1922, "On Organization of Supreme Literature and Publishing Administration" (*Glavlit*). Compilation of Decrees, 1922, No. 461.) This latter department, known as "Glavlit" and attached to the Commissariat of Education, was established by a decree of June 6, 1922, and is charged with the—"preliminary examination of all matter intended for publication or distribution, whether in manuscript or in print, periodical or non-periodical, photographs, pictures, maps, etc., the issue of permits for the publication of individual works and of periodical and nonperiodical press organs, and the compilation of lists of publications prohibited for sale and distribution." (Art. 2, *ibid.*)

The extent of the latitude accorded to Glavlit in carrying out its task may be realized from the fact that it is authorized to— "prohibit the publication and distribution of printed matter (a) containing propaganda against the soviet power; (b) revealing military secrets of the Republic; (c) arousing public opinion by spreading false information; (d) arousing nationalistic and religious fanaticism; (e) having a pornographic character." (Art. 3, *ibid.*)

The decisions of the Glavlit are enforced by the State Political Administration (formerly Cheka), which, according to article 10 of the decree of June 6, 1922, is charged with the task of preventing the distribution and circulation of publications prohibited by the Glavlit and its organs, exercising control and supervision over printing shops, customs and border stations, preventing the importation from abroad and circulation within the territory of Soviet Russia of prohibited literature, supervising the sale of Russian and foreign literature, and seizing books prohibited by the Glavlit and its organs. It is specifically stated that in regard to individual publications not appearing on lists issued by the Glavlit, the State Political Administration shall ascertain from the Glavlit whether the circulation of the publication in question is permitted or prohibited. Every printing shop is required to submit to the organs of censorship five copies of each publication immediately after it has been printed. (Art. 12, *ibid.*)

Such is the legal basis for the present censorship of the press in Soviet Russia, which the Bolshevik leaders regard as of vital importance in the maintenance of the dictatorship of the proletariat.

Newspapers: The Bolshevik leaders have not been content with simply suppressing publications which they consider inimical to their régime but have from the very beginning sought to concentrate the daily press entirely in their own hands, as they fully realize the importance of newspapers "in adapting the psychology of the masses to the new communist régime." (Report of Preobrazhensky at Tenth Congress of Russian Communist Party, Russian Press Review, March 22, 1921, p. 7.) This policy was inaugurated in 1917 with the confiscation and seizure for the Bolshevik organs of the best typographic

presses and the prohibition of advertisements except in soviet newspapers. (Decree of Soviet of People's Commissars of December 4, 1917, "On State Monopoly of Printing Advertisements." Compilation of Decrees, 1917-18, No. 22.) The efficacy of the Bolshevik control of the press is shown by the fact that the editors of practically all newspapers and periodicals, with the possible exception of the Anarchist, the anarchist weekly, are members of the Communist Party and many of them members of the Government. (Report from Riga, 1923, No. 1270, p. 20.) In this respect it can be said that the Communist Party has not only the monopoly of legality but also the monopoly of publicity. At the Fourth Congress of Press Workers held in Moscow, in February, 1923, there were present 239 delegates, of whom all but 28 were communists. (Moscow Pravda, February 11, 1923.) In general only the official organs of the central executive committees, the people's commissariats, the local soviets, the labor unions, the communist international and the Communist Party are able to appear. According to an article published in the Moscow Izvestia of May 5, 1923, there were, on April 1, 1923, 545 newspapers in the Federation of Soviet Republics, with a total circulation of 1,882,000. Of these 174 were dailies and 166 appeared from two to three times weekly. In Moscow there are 28 papers, of which the most important is the Izvestia, the organ of the Central Executive Committee of the Union of Soviet Socialist Republics and of the All-Russian Central Executive Committee, with a circulation of approximately 180,000; the Pravda, official organ of the central committee and Moscow Committee of the Russian Communist Party, with a circulation of 80,000; Gudok, organ of the central committee of the Union of Railway Transport Workers, with a circulation of 100,000; Economic Life, organ of the Soviet of Labor and Defense, with a circulation of 45,000; Rabochaya Gazeta, organ of the central committee of the Russian Communist Party, with a circulation of 145,000, intended for circulation among the industrial workers; Blednota, organ of the central committee of the Russian Communist Party, with a circulation of 49,000, intended for circulation among the peasants. (Circulation figures taken from Izvestia of May 5, 1923.)

With the inauguration of the new economic policy an attempt was made to put the press on a commercial basis by reestablishing payment for newspapers and by reviving the right to print advertisements. Nevertheless, the cost of paper and printing expenses are so high that in spite of the constant increase in advertising and subscription rates, the soviet press, with few exceptions, has not been able to exist without the assistance of the state. A decree of January 24, 1922 (decree of All-Russian Central Executive Committee, "On Placing All Organs of Periodical Press on a Commercial Basis," Compilation of Decrees, 1922, No. 111), legalizes this state of affairs by providing that deficits incurred by soviet newspapers shall be met by a subsidy from the budget of the Commissariat of Internal Affairs.

Rosta: With the object of more effectively controlling the dissemination in the soviet state of political and economic information from abroad and the furnishing of information abroad concerning political and economic conditions in Soviet Russia, all soviet information agencies were merged by a decree of September 7, 1922 (decree of All-Russian Central Executive Committee, "On Establishing of Russian Telegraph Agency," Compilation of Decrees, 1922, Nos. 728 and 729), into one central information organ known as the Russian Telegraph Agency, or Rosta. This agency is authorized to collect and distribute by all means of communication news and information. For this purpose it is empowered to establish agents and correspondents abroad and throughout the Soviet Federation. It is administered by a soviet of five persons appointed by the All-Russian Central Executive Committee. (Art. 3, *ibid.*) Deficits of the Rosta are covered by subsidies from the All-Russian Central Executive Committee. (Art. 4, *ibid.*) It is authorized to conclude agreements with telegraph agencies abroad and enter into contracts with state organizations and private persons. According to the Russian Information and Review of January 27, 1922, published by the soviet trade delegation in London, the Rosta in 1922 reached understandings with the Wolff Agency (German) and the United Press (American) for the exchange of news. The information in the Russian press to-day is chiefly derived from messages from Rosta correspondents at home and abroad. From the above one can realize how effectively the Bolshevik authorities control through the censorship, the Rosta, and their monopoly of the daily press the information that reaches the masses of the Russian people.

General publishing: The Bolshevik control of general printing and publishing has largely been realized through the State Publishing Office, which was formed by the merging of the publishing departments of the various governmental institutions, soviets, and cooperative organizations into one office under the Commissar for Education. (Decree of All-Russian Executive Committee, "On State Publishing Office," Compilation of Decrees, 1919, No. 244.) One of the chief activities of this institution has been the propaganda of the "October ideas" and the furnishing of the necessary literature to the various Government institutions. (Moscow Pravda, February 8, 1923, report of Meshcheriakov.) On July 2, 1923, the State Publishing Office was recognized as the state apparatus for the publication and distribution of printed matter,

enjoying the rights of a state trust, and an attempt was made to place it on a commercial basis. (Moscow Pravda, July 17, 1923.) According to a report by Meshcheriakov at the Fourth Congress of Press Workers, in February, 1923, the State Publishing Office was then "giving first attention to the publication of schoolbooks. Next place in the publications of the State Publishing Office is occupied by the Marxist political literature. With the view of making this literature less expensive, the State Publishing Office is subsidized by the Government." (Moscow Pravda, February 8, 1923.)

In this sphere of general printing and publishing the Bolshevik Government does not quite enjoy the monopoly which it has in the daily press. Since the inauguration of the new economic policy it has relaxed its control in so far as the commercial phases of publication are concerned by permitting the opening of private printing establishments under certain conditions. By decree December 2, 1922, the opening of printing concerns is permitted to state institutions, cooperative and public organizations, and to private persons on the grant of permits by the administrative departments of the provincial and district executive committees with the approval of the Provincial Soviet of People's Economy. (Decree of Soviet of Labor and Defense of December 2, 1922, "On Opening and Control of Printing Establishments," Compilation of Decrees, 1922, No. 1019.) Every copy of printed matter, whether issued by a Government, public, cooperative, or private printing press, must bear the name and address of the enterprise and, if subject to censorship, the permit of the censor. (Art. 9, *ibid.*) The Government press, however, still dominates the field of general publishing, inasmuch as the output of the private publishing institutions is very small. At the Fourth All-Russian Congress of Press Workers, held in Moscow in February, 1923, it was stated that "most of the private printing establishments were in Moscow and Petrograd. The circulation of the books published by them is quite insignificant in comparison with that of the publications of the State Publishing Office, and in general they publish chiefly 'nonserious' books and small pamphlets." (Moscow Pravda, February 8, 1923.) According to data in the Moscow Izvestia of April 27, 1923, the State Publishing Office turns out 75 per cent of the total printed matter.

Publications appearing in Russia to-day may be divided into the following groups:

- (a) Publications of the Government (central or local organs);
- (b) Publications of the Russian Communist Party;
- (c) Publications of the Communist International;
- (d) Publications of the Union of Communist Youth;
- (e) Publications of the trade-unions;
- (f) Publications of the cooperatives, which in general are nonpolitical publications;
- (g) Publications of the anarchist group in Moscow; and
- (h) Miscellaneous publications, which consist of periodicals and books published generally in semiprivate presses, usually under the editorship of prominent Bolshevik leaders and by virtue of special permission from the Glavlit.

The few private periodical reviews which have been authorized by the State Publishing Office discuss only questions of art, theater, literature, or natural sciences. The discussion of political or philosophic questions in noncommunist publications has not been tolerated. In connection with the publication of books it is to be remembered that by a decree of November 26, 1918, all published and unpublished scientific, literary, musical, or artistic works may, by resolution of the People's Commissariat of Education, be considered the property of the Russian Socialist Federated Soviet Republic, and that by a similar resolution of the People's Commissariat of Education all works of any dead author may be declared the property of the Soviet Republic, and that works so nationalized can be published only by the People's Commissariat of Education or by other soviet institutions. (Decree of Soviet of People's Commissars of November 26, 1918. Compilation of decrees, 1917-18, No. 900.)

In accordance with this decree the Commissariat of Education declared on January 18, 1923, a permanent state monopoly of the publication of the works of 47 named Russian authors, including all the best known. (Moscow Izvestia, March 21, 1923.) The works of these authors may be published only by the State Publishing Office itself, or elsewhere with its permission. The State Publishing Office has also the first right to the publication and republication of all textbooks, teaching manuals, etc., for all kinds of educational and pedagogical institutions. (Decree of Soviet of People's Commissars of March 2, 1922, "On the Method of Publishing School Books," Compilation of Decrees, 1922, No. 231.) By a decree of November 22, 1922, all state institutions and undertakings are obliged to have literature which they need published exclusively in Russia through the State Publishing Office with the assistance of cooperative or private presses if necessary. (Decree of Soviet of People's Commissars of November 22, 1922, "On the Prohibition to State Institutions and Undertakings to Publish Necessary Literature Abroad." Compilation of Decrees, 1922, No. 976.)

Censorship of news sent abroad by foreign correspondents in Russia: In general it may be said that all messages of foreign correspondents filed at the foreign commissariat must receive the approval of the

censor. Although theoretically a correspondent could file a telegram direct with the telegraph office, there is little likelihood that it would be sent. If it were sent and contained anything to which the censor might find objection, the correspondent would probably be expelled from Russia. The severity of the censorship has varied considerably. During the famine it was to some extent relaxed. Recently the strictness of the censorship seems to have been somewhat revived. It is reported that several American correspondents have recently left Russia because they were unable to send out uncensored dispatches. After the execution of Monsignor Butchkevich, and following a protest by three American correspondents, Litvinov is said to have stated that thereafter only statements of fact would be subject to censorship, and that a free expression of views and opinions might be sent out. There seems little doubt but that whenever it seems necessary to the Bolshevik leaders an effective censorship will be imposed for so long a period as the authorities deem necessary.

Thus not only the reading public in Russia has its literature censored by the Bolshevik Government, and, accordingly, can read only what in the opinion of Bolshevik leaders will not prejudice the interests of the dictatorship of the proletariat, but also through the Rosta and the censorship of news sent abroad by foreign correspondents in Russia the soviet régime is able to censor the information concerning Soviet Russia which is placed before the outside world.

Mr. BORAH obtained the floor.

The PRESIDING OFFICER (Mr. MOSES). The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which is the election by roll-call ballot of a chairman of the Committee on Interstate Commerce. The Chair holds the matter to be a debatable question, and the Senator from Idaho may be heard upon it.

Mr. BORAH. Mr. President, I have no intention of undertaking to answer the able argument of the Senator from Massachusetts [Mr. LODGE]. I could not do so without more time for thought and consideration than can be given to it while listening to its delivery. There are some observations, however, which I desire to make at this time upon the subject which is now before the Senate—that is to say, really before the Senate, whether technically so or not.

I find myself in perfect accord with the message delivered by the President upon the Russian question, quoted by the Senator from Massachusetts and so warmly indorsed by the Senator. The President announced certain fundamental propositions which were essential in his opinion to be considered and disposed of before our Government could enter into friendly relations with Russia. Among the things which the President mentioned were not the form of government, the character of government, nor the character of the gentlemen who may be presiding over the Soviet Republic of Russia. I do not propose to-day to discuss at any length their character of government nor the character of the men who preside over that government. I think it wholly immaterial, however interesting it may be as a historical fact, but I desire to confine myself to what seems to me to be the issue before the country, before the State Department and the President, and before the Senate for the consideration of its approval or disapproval.

The President in his message said:

I do not propose to barter away for the privilege of trade any of the cherished rights of humanity.

We certainly are all in accord with that principle. No such proposition has been made and I presume none will be made.

I do not propose to make merchandise of any American principles.

We are equally in accord with that announcement. If I did not believe that the recognition of the Soviet Government of Russia would tend to bring about a better condition throughout the world and thereby the enhancement and the strengthening of the principles in which we believe, I should not, of course, be so enthusiastic as I am in the cause.

These rights and principles must go wherever the sanctions of our Government go.

But while the favor of America is not for sale, I am willing to make very large concessions for the purpose of rescuing the people of Russia.

Then follow the three propositions which the President announced as necessary for consideration and disposition before any action upon our part in the way of a final recognition of Russia could be had.

Already encouraging evidence of returning to the ancient ways of society can be detected. But more are needed. Whenever there appears any disposition to compensate our citizens who were despoiled and to recognize that debt contracted with our Government,

not by the Czar but by the newly formed Republic of Russia, whenever the active spirit of enmity to our institutions is abated, whenever there appear works meet for repentance, our country ought to be the first to go to the economic and moral rescue of Russia. We have every desire to help and no desire to injure. We hope the time is near at hand when we can act.

The settlement of the claims which our citizens have against the Government of Russia by reason of confiscation of their property, the recognition and the adjustment of the debt, and the abatement of any activities which may indicate an unfriendly feeling or disposition toward our Government, are the things which the President designated as necessary for consideration. When a disposition was disclosed upon the part of the Russian Government to deal with these matters the President declared that we ought to be the first to go to the economic and moral rescue of Russia.

We all desire apparently the same thing—settlement of the claims, adjustment of the debt, and abatement of propaganda if it exists. There is only one matter of controversy between us, as I understand it, and that is whether the time has arrived when it is wise and proper that we should enter into negotiations with the Russian Government to see if these things can be accomplished. No one advocates the recognition of the Russian Government without the adjustment of these controverted questions. The question is, How are they to be adjusted?

Has the time arrived when it is safe and when it is proper to enter into negotiations to achieve the end which we all desire to see achieved? Certainly we are not accomplishing it by the course which we are pursuing now. Six years have passed, and no debt has been recognized, so far as permanent recognition is concerned, nor settled. No claims have been adjusted, and the contention is that propaganda is more rife at this time than it has been at any time. It therefore presents to us the question of whether we can deal with the situation as other nations have dealt with it, and dealt with it satisfactorily to accomplish their desired ends.

Sixteen nations have now recognized or established trade relations with Russia. So far as I have been able to examine, and I think I have practically all of them upon my desk, the specific matters of the adjustment of claims and the control of propaganda have been covered, and so far none of the 16 nations has regarded any violation of the agreements as sufficient to justify a protest upon the part of the respective governments.

Several months ago this identical question came forward for discussion between Italy and the Government of Russia, and, as I shall either read later or place in the Record without reading, the Russian Government made a statement with reference to propaganda and with reference to other matters which were charged against it as disliked by the Italian Government; and now the Italian Government, satisfied with the situation, has its representatives in Moscow concluding a treaty recognizing the Government of Russia.

Last March statements were made by the Russian Government to the English authorities along the same line, and even Curzon, who has been most unfriendly to the Soviet Government, accepted the statement, and now the new English ministry, as we are advised by press dispatches coming in to-day, will among its first acts recognize the Soviet Government of Russia. In all probability before this month shall have ended there will be some 18 governments or more which have recognized the Government of Russia, doing business with it, having adjusted its debts and its difficulties, and satisfied with the situation.

As the matter, therefore, presents itself to me it is simply a question of whether the time has arrived when we should take up negotiations with the Russian Government. After delivery of the President's message the representative of foreign affairs of the Soviet Government, Mr. Chicherin, referring specifically to the President's message, announced his willingness to take up those matters for consideration and adjustment. I shall not stop to read his message or his statement, but I call attention to one sentence in it. After recurring to the question of debts and of the claims and of propaganda and declaring his willingness to take those matters up for adjustment and settlement on friendly terms and upon the principle of non-interference in the respective Governments in their internal affairs, he said the Russian Government was ready to go as far as it was possible for it to go compatible with its dignity and its interest to achieve these ends. Was not this a disposition to settle the debts and to settle the claims and, if propaganda was in existence and has continued, to abate it entirely or so far as such things can be controlled?

The President said that whenever a disposition was disclosed upon the part of the Russian Government to do certain

things, this Government ought to be the first to go to the moral and economic rescue of Russia. So we are resolved to the proposition that the character of the Government and the character of the men, if we take the view of the able Senator from Massachusetts, are such that we could not accept their declaration or their agreement or their treaty even if it were made. Of course, if that be the view of the administration, it is not so indicated, as I take it, in the President's message. If that be the view of the administration, certainly this matter is at an end.

But think for a moment what we are requiring. We are by such a declaration requiring that the Soviet Government change its form of government, that it change the men who are at the head of the Government, that it change the internal policies of the Government, because it is contended that the internal policies of the Government reveal the international purposes and tendencies of the Government, and that we can not afford to deal with it as long as those policies obtain.

That is a rule which has never been invoked in the whole history of our international affairs. Mr. Woolsey very correctly says in his international law that the recognition of a government neither approves nor disapproves of the form of government that the people may have with whom we are seeking to deal; that it is neither approval nor disapproval of their internal affairs.

Henry Clay declared that recognition of a government had nothing to do with the character of the people of the government; that it was the recognition of a fact, to wit, that a government exists and that with that government we must deal if we are to have relationship with that nation at all. The recognition of this Government neither approves nor disapproves of the doctrines of Mr. Trotsky or Mr. Lenin or Zinoviev. The recognition of this Government neither approves nor disapproves of communism. The whole question is whether the international relationship can be made such as to protect our rights and interests, to wit, the debts, the claims, and the question of propaganda, and make secure and safe those people of ours who desire to do business with Russia. If that be true, then it is wholly immaterial how many of these men are revolutionists or believe in the idea of world revolution.

If it were true that the recognition of a government required a conformity, to a measure at least, to our ideas and principles known as Americanism, what nations of the earth would we be able to recognize and do business with?

Mr. LODGE. Mr. President—

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

Mr. BORAH. Yes; I gladly yield.

Mr. LODGE. I expressly stated we had nothing to do with their business. I stated that familiar international policy.

Mr. BORAH. Yes; I know.

Mr. LODGE. I made but one point, the sole point, that the Government, whatever its own views might be, was meddling with our internal affairs.

Mr. BORAH. The Senator said in his close that we had nothing to do with their internal affairs, but I would leave it to almost any colleague in the Senate that the entire argument of the Senator was based upon the proposition of the character of the Government, the character of the citizen—

Mr. LODGE. Oh, no.

Mr. BORAH. The Senator called attention, for instance, to the character of Zinoviev, his beliefs and his doctrines, and then he said this man is a member of the Government which we are asked to recognize. What did he mean by that?

Mr. LODGE. I said that because it has been denied that he was a member of the Government.

Mr. BORAH. But the Senator from Massachusetts did not only say that this man is a member of the Government—

Mr. LODGE. The Senator from Idaho himself denied that this man was a member of the Government.

Mr. BORAH. But the Senator from Massachusetts said this man is a member of the Government holding these beliefs and which we are asked to recognize. What did the Senator intend to have us understand by that?

Mr. LODGE. I said as plainly as I possibly could that I cared nothing about what their Government was, and it would not interfere with our recognizing them no matter what their Government; that I objected to one thing, and that is that the agencies which they control are engaged in trying to change our Government; and to that I do object.

Mr. BORAH. Yes; I also object to it.

Mr. BROOKHART. Mr. President—

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

Mr. BORAH. I yield.

Mr. BROOKHART. I should like to inquire what, in international law, is the legal status between the Government of the United States and the Soviet Government at this time?

Mr. BORAH. Under international law there is no status.

Mr. BROOKHART. Is the status peace or is it war?

Mr. BORAH. The status, in fact, seems to be a spirit of enmity or of war, especially on the part of our Government.

Mr. BROOKHART. If it be a status of war, have they not the legal right, under international law, to meddle in our Government, and even to destroy it if they wish to? Is not that the doctrine of war?

Mr. LODGE. Mr. President—

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

Mr. BORAH. I yield.

Mr. LODGE. The Senator from Idaho is as well aware as I am that the failure to recognize a government is not an act of war.

Mr. BORAH. No; but I say—

Mr. LODGE. It does not establish a status of war.

Mr. BORAH. I said a spirit of enmity.

Mr. LODGE. The Senator from Iowa [Mr. BROOKHART] asked what the status was.

Mr. BORAH. I said there was no legal status.

Mr. LODGE. The Russians have never been at war with us or we with them. That status has never existed.

Mr. BROOKHART. What in international law is the legal status between us and the Soviet Government?

Mr. LODGE. There is no status except that we do not recognize their Government; that is all. We have no minister there and they have none here.

Mr. BORAH. Mr. President, I do not care to yield in order to have a purely academic proposition discussed.

The PRESIDING OFFICER. The Senator from Idaho declines to yield further.

Mr. BORAH. The President raises no question as to the form of government or as to the character of government; as a practical man he is interested in three propositions; and, as I intimated a moment ago, I desire to submit what remarks I have to make around the question of whether the time has arrived when we can deal with the Soviet Government and protect our rights as we desire to have them protected.

The present Government of Russia, Mr. President, has been in existence for about six years; it has withstood attacks from within and attacks from without; it has been four times invaded by men who were munitioned and financed by foreign governments; but it is now the established Government in Russia. So far as I have been able to learn, no one who has visited Russia believes that that Government is in any likelihood of falling or that it is to be supplanted by any other government.

A great deal has been said about the people of Russia not supporting the Government, but whenever the test has come it has clearly appeared that the people of Russia are behind that Government. It is quite true, as the able Senator said, that a few men govern Russia; that has been true in all times in the past; but it did not interfere with our recognition of Russia. It is true now, undoubtedly, that a few men govern Russia; and no other form of government under the present condition of the affairs of Russia could exist for a fortnight if that were not true. The question is, however, whether the people of Russia are in sympathy with the present Government of Russia; and certainly, when Wrangell and Denikin and Kolchak and Yudenich were testing the question as to whether the people of Russia were supporting that Government, there was left no doubt in the mind of anyone as to where the sympathies of the Russian people were.

I do not contend that the people of Russia are satisfied with the present Government. They expect that, by the process of evolution, it will be worked out to a better conclusion than that at which it has now arrived; but they are utterly opposed, in my opinion—and I shall quote many to that effect before I close—to the substitution of any other form of government or any other government or to the breaking down of the present Government. They prefer to see the process of evolution accomplish what they desire—that is, the establishment of a reasonably free government as rapidly as it can be established.

Eighty-five per cent of the people of Russia are peasants. They have believed from the beginning, and they believe now, that any government which may take the place of the present Russian Government will deprive them of their homes and their lands, and, therefore, the 85 per cent who represent the peasantry of Russia have been in full sympathy with the present Government from the beginning. It ought not to be forgotten while we are talking about communism and who controls Russia, as to whether the Soviet Government controls the

Communist Party or the Communist Party controls the Soviet Government, that as a matter of fact those who have shaped the policy of Russia more materially and substantially than anyone else have been the peasantry of Russia. While they may not be represented at the council tables of the Communist Party or represented in the Government of Russia in the sense that they have their representatives elected and sitting there, the fact remains that they have shaped the policy of Russia with reference to the economic affairs more than has the communistic government or the Communist Party. It was because of the position of the peasantry, who are individualists, as much so as is the American farmer, that Lenin and the Soviet Government and the Communist Party changed their entire economic policy in the spring of 1921, and, as I shall show by material which I will print in the RECORD, Lenin stated that he was compelled to make the change in order to meet the demands of the peasantry of Russia. It was the Russian peasant, therefore, who drove the Russian Government away from communism and drove it to state capitalism, where it is to-day, and not the Communist Party or the Soviet Government itself which really led in that contest.

While on this subject permit me to suggest a test of the question as to who controls the Russian Government, whether the Communist Party controls the Government or the Government controls the party. Zinoviev and the ultracommunists were quite opposed to the policy of Lenin in 1921. They said it was starting back to capitalism; that it was contrary to the fundamental principle upon which they had built their proletarian government or revolution; and that it would only be a matter of a short time, the first step having been taken, until they would be back in the hands of the capitalists of the country. Zinoviev opposed it to the extent of his power; but Lenin, answering, said, "This is a condition with which we deal. Proletariat government or communism lies far in the future. We must take the situation as we find it." Thus he took it. Who controlled the policy in that encounter?

Mr. WATSON. Mr. President, would it trouble the Senator if I should interrupt him?

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

Mr. BORAH. I would rather finish my statement, if the Senator will permit me, and at the close of my remarks I shall be glad to answer any question the Senator may submit.

Mr. WATSON. Very well.

Mr. BORAH. What is the situation in Russia to-day? What is the real test of a government? It does not make any difference whether it is communistic or what it is; what is the real test? It is that of maintaining order, of protecting life. Is there anyone who contends that the present Government of Russia does not maintain order and does not protect life, and that security in that country is not quite as safe as it is in this country?

All witnesses—the able Senators who have visited that nation, as well as visitors from different parts of the country—seem to be united on that proposition. The Soviet Government is the only semblance of authority in Russia. Let me ask you, my friends, suppose the present Government of Russia breaks down, suppose the Secretary of State by refusing to deal with them brings sufficient moral influences to bear upon the other nations of the earth as to break down the soviet form of government, what is to take its place; what is to be substituted, and what is to be the condition of the masses in whom the President correctly expresses a deep interest? I repeat, the only semblance of authority there now is the Soviet Government, and when it disappears, if it should break, chaos and misery untold and indescribable must inevitably follow for years to come in Russia. If there is anything which is clear to all who know conditions in Russia, it is that the peasantry of Russia now in possession of their homes and of their lands will never yield to any dynasty or power which would seem to threaten them in their rights. So the moment that we break down the present Government of Russia, that moment we are going to see in Russia the chaos which prevailed during the first two years after the establishment of the present form of government there.

I wish at this point to call attention, Mr. President, to the expressions of some men who have visited Russia, whose opinions I would rather accept than an irresponsible, uncertified, and, in a large measure, unidentified message from some unknown person in Russia with reference to revolutionary propaganda in this country. I am not going to ask you to-day to listen to anyone who could be charged with being in sympathy with the Russian form of government or who might be

biased in favor of communism or who might desire to see any such policy established in this country. I am going to call your attention to men in responsible positions who have visited Russia, studied it upon the ground, became acquainted with Lenin and Trotsky, and have reported back, and some of whose reports have been sent to the Department of State in an official way.

I read first from former Governor Goodrich, of Indiana, who was there under the direction of Mr. Hoover, who had an opportunity to study the situation for months, and who became intimately acquainted with Lenin and Trotsky and the other members of the Russian Government. I think, perhaps, coming from Indiana, as he does, he would be conceded to be about as keen a judge of a political situation as could be found anywhere in the country. [Laughter.] In addition to that, he is a leading Republican, and not only a Republican, but is regular, which of course makes him right. [Laughter on the floor and in the galleries.]

The PRESIDING OFFICER. The Senator from Idaho will suspend while the Chair warns the occupants of the galleries that it is contrary to the rules of the Senate to make any expression of approval or disapproval. If the rule can not be obeyed, the galleries will have to be cleared.

Mr. BORAH. Governor Goodrich says:

The Russian Socialist Federated Soviet Republic has just completed the fifth year of its stormy career. Since the date of its birth in November, 1917, it has had many difficulties to overcome. It has fought against the Central Powers and the Poles, French, English, Japanese, Czechoslovaks, Cossacks, and even the Americans have invaded its territory.

Denikin, Kolchak, Wrangell, Yudenich, and numerous other White leaders, backed by foreign gold, have marched up and down the country, destroying railroads and bridges, ravaging, burning, and carrying away livestock, taking many of her chief cities, and reaching at one time even to the gates of Petrograd. Never claiming the support of a majority of the people, frankly admitting that their Government was dictatorship of the proletariat, they have beaten down all opposition and to-day are so firmly entrenched in power that no one familiar with the conditions in Russia will contend seriously that there is any hope of changing the government through counter-revolution, but generally will concede that whatever changes may come to pass will come only through the orderly processes of evolution.

This is not a pleasant statement for the social revolutionists, nor for the remnant of the old imperialist class, who are getting more and more out of touch with their native land and never again can go back and wield any influence in its affairs. The imperialists may meet in Paris as often as they like and may elect a successor to the late Czar, but he will never wear the crown. There is no demand whatever for the restoration of the monarchy. Russia is through with the Romanoffs and their kind forever. She knows that by their graft and bureaucratic inefficiency they cost her the victory in the Russo-Japanese war, and she has not forgotten how they sent millions of half armed, ill-equipped Russian boys to slaughter against the deadly German military machine.

Governor Goodrich has upon numerous occasions, in public print and in public addresses, stated that the people of Russia were in sympathy with the present Government; that it was there to stay. He has also stated that he regards Lenin and Trotsky as men who will keep their word and their contract, and with whom we can safely deal. Governor Goodrich, as I understand it, made a report to the State Department in 1921 covering the questions of debts, of claims, the settlement of them, the question of propaganda, and advising along these lines.

I read from another gentleman, namely, Mr. Bush, of New York, a leading business man and capitalist of that city. Perhaps no one in this country would be less likely than Mr. Bush to sympathize with the communistic theory of government, or would be more sensitive to the protection of the rights of property, or more regardful of the dignity and interests of our Government in its effort to protect property. He visited Russia, as he frankly stated, with his mind made up in a large measure as to the character of the Government and the character of these men who were at the head of the Government. While he was in Moscow last summer he made this statement, which was printed in the New York Times:

It is inevitable that the two great countries of Russia and America must do business together sooner or later, said Irving T. Bush. So, as a business man, I came here to see for myself what the prospects were. Speaking generally, my impressions are not unfavorable.

There are three points in particular which I wish to emphasize:

First. That all I can see and find out convinces me of the stability of the Soviet Government.

Second. That in my short stay in Moscow I had an opportunity to talk with the real leaders of Russia—Trotski, Kameneff, Chicherin, and others.

Third. That I was able to talk to them quite frankly and without mincing words.

That the outward appearance of things here surprised me goes without saying.

I ask your particular attention to this sentence:

I make bold to assert that not one man in America in ten thousand has any idea of the order and generally good conditions prevailing here. But I think the improvement goes deeper. The Russian leaders strike me as intelligent, courageous, and sincere in their desire to better the Russian people. They have also great power, but undoubtedly lack experience, especially business experience, which will come only with time.

As to immediate prospects of Russo-American business, it seems that America on the whole is not a market for such commodities as Russia is now able to produce. We will take their furs and caviar, but their market for grain, flax, etc., is Europe. Similarly, it is likely that Russia will prefer to buy what she needs for the next few years in the cheaper markets of Germany, England, and the rest of Europe than in America.

But if you consider the physical and economic aspects of Russia you see at once what opportunities there are for American capital, enterprise, initiative, and technic. This country to-day, speaking broadly, is in the same position as America 60 years ago, with immense undeveloped natural resources. Nothing could be more valuable to Russia than American cooperation, based on our own experience in this work of development.

I find that, thanks to the American relief administration, Russians not only have a friendly and grateful feeling toward America, but a profound conviction that Americans are "on the level" and prepared to play fair with Russia, and that when they give their word they keep it. This sentiment is even more important than the general idea on the part of Russians that the admission of American enterprise to Russia is not dangerous because America has no political or territorial aspirations to any part of Russian territory such as might be entertained by some great European powers.

Do not such statements as these seem to make it reasonable that if these people were sitting around a table in negotiation the question of claims and of debts and of propaganda could be better and more satisfactorily adjusted, more in harmony with peace and better conditions throughout the world, than by holding absolutely aloof and treating them as outlaws among the nations of the earth? Does it seem at all improbable that we could come to a satisfactory arrangement with people who impress such men as Goodrich and Bush as being sincere and able and friendly toward the American Government? Would it be any more difficult than our dealings, through treaty relations, with the dictator of Turkey?

We had claims against Turkey. We did not say to Turkey: "Pay your debt, pay your claims, and after that we will recognize you." Although the blood upon the hands of the Turks was not yet dry from the massacre in northern Asia, we entered into treaty obligations with them providing for the appointment of a committee to settle the claims, and are now preparing to sit with the Turks and do precisely what the Soviet Government is willing to do—to sit around the table and adjust the differences between us.

Is it any different than the condition which confronted us with reference to Mexico? We had not repudiated any debt to Mexico; we had not incurred any obligation, as we contended. Mexico had destroyed American property and had destroyed the lives of American citizens. We did not say to Mexico: "Pay for the lives of these citizens, pay for their property, satisfy the debt which you owe us, and then we will recognize you." We said to Mexico: "Although human life has been sacrificed and millions of dollars' worth of property destroyed, we will appoint a committee on claims to adjust these matters with you."

Before we went into the war with Germany, Germany had sunk our ships, taken the lives of our citizens, and destroyed millions of dollars' worth of property, and at a time, as I said, when we were at peace with Germany. Did we say to Germany, "Before we will recognize your Government or deal with you you must pay for these lives which you took without cause, for the property which you willfully destroyed, and for the injury which you caused. You must satisfy us that your faith in the future is one upon which we can rely"? Certainly not. We made a treaty which provided for a claims commission, and upon that commission we placed a German, or consented to his going. All that was proper.

There is something behind this proposition other than the character of the gentlemen who preside over the destiny of Russia.

Sir Phillip Gibbs, the well-known British war correspondent and author, upon returning from the famine valley of the Volga, where he had gone as commissioner of the British relief committee, said:

Russia has given up communism. On October 17 last Lenin made one of the most remarkable speeches that a statesman ever made. This man, who had established communism over a nation of 150,000,000 people, this ruthless fanatic, this terrible brain, now admitted in terms sufficiently brutal that the whole business had been a ghastly failure.

Communism has failed in Russia. Since October 17 the whole system has been swept away. Lenin has put in force a code of "new rules," and these are the old rules of capitalism.

I read from another gentleman—Colonel Haskell. Colonel Haskell was in Russia under Mr. Hoover. He had the distribution of \$20,000,000 of the American taxpayers' money and, I think, some \$40,000,000 in addition to that. He did his work with signal efficiency and credit. He was brought in contact with every part of Russia, the different subdivisions of Russia, and the leading rulers of Russia. He had his men scattered in every part of the country. When he came back he made a report to Mr. Hoover, and in this report, a copy of which I have, he says:

Communism is dead and abandoned, and Russia is on the road to recovery. The realization by the Russian people that the strong American system was able and contained the spirit to save these millions of strangers from the death that had engulfed them must have furnished food for thought.

"Communism," about which we are distressed at this time, says Colonel Haskell, who was long in Russia, "is dead and abandoned."

Mr. STERLING. Mr. President—

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

Mr. BORAH. I do.

Mr. STERLING. May I ask the Senator what is the date of that?

Mr. BORAH. Is is dated the 28th of last August.

Is it not safer to found a foreign policy upon the statements of such men as Haskell, Goodrich, Bush, and scores of others I might name, some of whom are sitting in this Chamber—is it not safer to found a foreign policy upon the views which they have, the facts which they have discovered, the diagnosis which they have made, than upon some derelict piece of propaganda which has been sent out by some confused brain in Russia?

Doctor Nansen, giving his view of conditions in Russia, says:

The curve is steadily going up while those of the rest of Europe are going down. I look for the time in the very near future when Russia will be one of the mainstays of Europe, when she shall have recovered from the conditions under which she has labored since the revolution.

I now quote from ex-Secretary of the Interior Fall, who was in Russia on a business errand:

The leaders of the present Russian Government are men of great ability, undoubted courage, and sufficient honesty to make them admit their mistakes. They have grasped conditions as they are, and are endeavoring to work out plans for Russia and her people that are absolutely necessary for her future. They are seeking capital wherever they can find it, and expert advice in the running of the factories, mines, etc.

Undoubtedly the overthrow of the so-called Czarist government, which was a stench in the nostrils of the world, has given the people of Russia the opportunity to work out their own salvation and to enjoy a certain degree of liberty and equality they never before had.

One of the most remarkable conditions I have ever known is that these same leaders who preached communism, and now admit their mistake, have the support of the majority of the Russian people in their plans to carry out an entire change of front. At the present time there is no concerted opposition to the present government of Russia, and among the masses it is strongly supported.

Let us go for a few moments to the consideration of the question of propaganda. Naturally, everyone is opposed to foreign governments propagandizing this country, I do not care what the subject is or what the intent or motive may be. It was very distasteful to me when I read in the debate in the House of Commons that England had expended \$150,000,000 for propaganda in this country. It is a thing we resent. As the able Senator from Massachusetts said, we are not uneasy about our Government being overthrown, but the spreading of propaganda

by foreign governments is one of the things which we do not for a moment brook.

I do not see, however, what progress is being made toward stopping this propaganda. I do not think it is at all serious, either as to the amount spent, the extent of the propaganda, or as to the effect of it. It was claimed in 1919 that we had in this country some 6,000 communists. I think that was out of all proportion to the fact; I do not think we had anything like that number. But it is now contended by those who have made an investigation, both by those who are communists and those who are not, that we have in this country less than 4,000 communists. Certainly the propaganda is not having any effect in the country. Certainly it is not disturbing the situation.

The second question is, How can we best deal with it? The Senator from Massachusetts thinks, apparently, that the moment we recognize the Soviet Government an additional opportunity will be given to the Soviet Government to introduce its propaganda, and, as he said, under the shield of the protection which is extended to the official representatives of a government, they could carry on their propaganda. I think it would be infinitely easier to deal with it, if it actually exists, when we had our representatives in Moscow, and they had their representatives here, assuming that good faith was behind them upon their part; and even if it were not, we certainly could deal with it more effectively than we are now doing. It could be more easily dealt with than under the present circumstances. The other Governments which have recognized Russia and taken up this question of propaganda, including it in their treaties and contracts, have dealt with it to their satisfaction much more effectively after the treaty signing than before, and there is no reason why we should not be able to do so, in my opinion.

What is the situation with reference to it in this country? Let me call attention to a letter which I have here from the Department of Justice. I will first state in a general way what it is.

Some months ago parties wrote to the Department of Justice asking that proceedings be taken against parties in this country whom they alleged to be in communication with the Soviet Government, and who, they believed, were seeking to overthrow our Government through agents in Russia and their agents here, and especially calling attention to what is known as the Logan Act. I have two letters upon my desk in which there is an answer made to that by the Department of Justice. One of them is dated as late as August of last year. The Department of Justice declared, in answer to this, that there was no evidence with the Department of Justice upon which to found any proceedings of the kind, stating, to use their own language, that they had observed this slush which was being fed out to the community in regard to these things, the activities of these people, but that in the Department of Justice there was no evidence, no specific charge, that no individuals were named, and that there was no information upon which they could proceed. In my opinion, that states the situation.

The propaganda may be sufficient upon which to found a foreign policy, but it is not sufficient upon which to found an indictment. When you come to introducing it, there is not a scintilla of propaganda given to our attention to-day by the able Senator from Massachusetts which could pass the test of an objection in a court as to its authenticity. There is not a piece of testimony which thus far would be admitted by a court as establishing the fact of an interference on the part of that government. These reports may be true or they may not, but the Department of Justice, after its investigation, declared that there was no evidence upon which to found a proceeding.

I want to refer to a historic incident with reference to propaganda for just a moment. Senators will remember that George Washington was President of the United States in 1792 and for several years thereafter. On the 18th of May—if I am not mistaken as to the date—1793, he wrote a letter to his Cabinet asking them to convene upon the next day, and in the meantime he wished them to consider the question of the recognition of the improvised revolutionary government of France. Upon the next day they met.

Reflect for a moment upon the men who sat around that Cabinet table. There was Washington, at the head of the Government. There was Alexander Hamilton, perhaps in many respects the greatest genius who ever had to do with the science of government. There was Thomas Jefferson, one of the wide-ranging political philosophers of the world. They were three of the ablest men in one of the most remarkable periods of American history.

What was the Government of France which they were going to recognize? The Government of France at that time consisted of what was known as the Committee of Public Safety, composed of nine men. There was no law in France save their will. There was no rule of action save that which they designated. There was no legislative body save these nine men. There were no courts save such courts as they recognized.

These nine men were the sovereign power of France. At the head of these nine men sat Danton. Beside him sat Barras, later to be followed by Robespierre, and at that session, upon the 19th day of May, 1793, after less than an hour of consideration, that Cabinet voted to recognize the improvised revolutionary government of France.

Only a short time before that recognition Genêt had landed at Charleston, and immediately he established a prize court and immediately began to send out to seize ships for the prize court, and immediately began to preach his doctrine of revolution, or Jacobinism, in this country.

His trip from Charleston to Philadelphia was an ovation, with banquets and mass meetings. That was as thoroughly a propagandizing a proposition as anything which could be revealed at this time.

Washington, however, recognized Genêt, recognized that Government of France, and the propaganda which was initiated in this country ceased in a very short time thereafter. When Genêt continued his activities Washington quietly asks that he be recalled, and he was recalled; but Washington dealt with the matter in a broad way; he did not refuse to recognize the Government or break off recognition because of the activities of Genêt or because of his propaganda.

But in England Pitt and Fox continued to debate the matter for years, and the propaganda which had threatened America, and which was spreading the doctrine of revolution, intimating that Washington was a monarchist, and that the Government did not represent the people, and which had ceased in this country, continued its course in England during the next 10 or 12 years, and I shall put into the RECORD a statement of Mr. Asquith, made a few months ago in the House of Commons, in which he said in effect: "It will not do to refuse to recognize Russia, because it is said she is red-handed and that the people are irresponsible and are circulating propaganda. We tried that in 1792 and 1793 and the years following, and it was a fearful mistake. Let us not make that mistake again."

And, in my opinion, as I said a few moments ago, the present Government of Russia will be recognized by Great Britain during the present month.

Mr. President, there is one particular form of propaganda to which I want to call attention, what the Senator from Massachusetts referred to incidentally as an antireligious movement in Russia. There is no subject upon which so much has been circulated as the question of the antireligious movement in Russia, and it is now being revived. We are informed that a number of articles are soon to appear, written by one who claims to be familiar with the matter, showing how this religious persecution is again being inaugurated. I am going to call attention to a few facts in regard to it in order that we may see the source of the propaganda, the animus of the propaganda, and the determination to prevent the American people from knowing the real facts in regard to the situation.

I read first from Doctor Hartman, the editor of the Zion's Herald, of Boston, who was in Russia and studied the situation on the ground. He is a celebrated divine and editor of a well-known religious organ. Writing upon this subject on June 6, 1923, Doctor Hartman said:

On May 6, in Petrograd, we attended a session of the Sunday school of the Methodist Episcopal Church. The room was packed with fully 300 persons, mostly children. This teaching of religion and the practice of religion has been going on without interference or interruption every Sunday since the revolution in 1917.

No one will contend that Doctor Hartman is not a man of intelligence, and I venture to say that the able Senator from Massachusetts will not contend that he is not a man of character and great ability. He was there for the purpose of ascertaining the facts in regard to the so-called antireligious movement upon the part of the leaders of Russia. He tells us over his signature last June that religious teachings and practices have gone on in Russia without interference, and every Sunday, since the revolution of 1917.

Again, he said:

Why do not the Bolsheviks shoot Sister Anna—

One of their missionaries—

for teaching religion? Simply because she has kept clear of anti-government agitation and has never countenanced counter-revolution. When church work is conducted in this manner, the Government puts no obstacles in the way and religious leaders are perfectly safe.

They do not interfere with people on account of their religious beliefs or practices.

* * * In view of the mass of false reports on the Russian situation, such as the foregoing, how can the outside public get any idea of the truth?

Again Doctor Hartman said:

There are approximately 400 churches in Moscow holding services as usual without any interference whatever. We were told that the crowds of worshipers had been growing tremendously during the last year or so.

The Russian communists are incurable enthusiasts on the subject of education. Indeed, they seem to be almost fanatical as they talk about "fighting on the education front." They are determined to abolish illiteracy.

Doctor Hartman said further:

I am amazed at the stories going out of Russia which are without foundation. I am particularly astonished at those reports about the Russian church and the alleged attempt of the soviets to annihilate religion.

Bishop Nuelson, of the Methodist Church, in a letter addressed to me, said:

As far as I was able to observe, the present Government in Russia is as firmly established as any government in Europe. I do not look for a revolution but I do expect that a gradual evolution will take place. I did not find anybody in Russia who looked forward to a revolution, even among those who were quite outspoken in their criticism. One of the American newspaper correspondents whom I met in Moscow had just returned from a trip through the greater part of the country, and he said to me, with reference to the Government, "There is not a crack in sight."

I do not think that anything is gained by refusing to recognize the Soviet Government. The two pivotal points in the whole European situation are Russia and Germany. As long as those two countries can not recover we shall have no stability in the economic life of Europe. Whatever may have happened during the days of the revolution and the following period of terror—and there is no question that terrible things have taken place, just as they took place in every revolution—I discovered that the people think they have reached the turning of the road and can begin now constructive work.

I have not the impression that the Government is maintaining itself merely by terrorizing the people. That was the case for a while, but it does not seem to be so now. I took the opportunity to converse with a great many people, representing different classes of society, and I did not at all gain the impression that these people were afraid of expressing their opinions and were fearing acts of terrorism on the part of the Government.

Whether we like the Russian Government or not, I think it is futile to wait for an overthrow, and I think we can advance the process of reconstruction best by recognizing the Government and taking a helpful, sympathetic attitude. I think the moral effect would be tremendous, and I think they would be open to advice and suggestion from us.

Rev. Edgar Y. Molins, of Kentucky, upon his return from Stockholm, Sweden, where he was elected president of the Baptist World Congress, declared that the United States alone exceeds Russia in the number of Baptists, and that while Russia had, in 1914, 100,000 Baptists she now has 2,000,000. If there be religious persecution in Russia, verily, the blood of the martyrs is the seed of the church.

Rev. Lyman Mills has said:

Of the firmness of the Government in its seat of power there is never a question. Whatever else we may say, we can truthfully say that the soviets have reestablished internal order. This is the first year of peace since the Great War started. The people are apathetic; they have had enough of war, people and Government, and they naturally look askance at any move to overthrow anything. We agree with an observant reporter of a great American daily, "There is no crack in sight."

I state it as a fact the world need have no fear that the public art treasures of Russia have left the country. Unlike the French Revolution, the Russian, which resembles it in many respects, seems determined not to allow its art treasures to leave the country. When I visited the Imperial Library, now the State Library, at Petrograd I was especially eager to see the rare old manuscripts, whose presence in the city I wished to verify. Aside from the fact that some slight

damage had resulted from the failure to heat the building for nearly two years, everything was in order, the manuscripts were in place, and but one valuable Koran had somehow disappeared. We asked for the famous old Sinaiticus Manuscript discovered by Tischendorf and supposed to be in the library. We were shown the steel case in which it was kept and a faithful photographic reproduction. That would hardly satisfy, and so the bishop and I suggested that as many in America supposed such priceless treasures were lost or sold it would be a real privilege actually to see it, in order to assure critics of the soviets that it was really there. Permission was immediately granted. The old keeper got out the secret key, unlocked the steel box, and slowly unwrapped the coverings, and there was the manuscript. The old gentleman fondled its leaves as though it could speak, and I myself touched the priceless pages. We also saw that the treasures of the Kremlin at Moscow and the Hermitage at Petrograd were in place.

National propaganda and injudicious international censorships have about robbed men of the possibility of sane judgment on world relationships. There is probably no other situation anywhere to-day which is so little known, and hence so thoroughly misunderstood, as Russia.

When Bishop Nuelson and I started for Russia we had the usual ideas gathered from rumors. The despoiling of the churches by the soviets had everywhere created the impression that religion was being thrust down, that the churches were not only being robbed of their jewels under the specious plea that the money would go to feed the starving, but also that the buildings themselves were being systematically plundered and ruined. Furthermore, the last report we heard as we passed through Germany was that the soviets had prohibited the importation of Bibles. And yet here were two Methodist itinerants—a bishop and a Sunday-school secretary—en route to the land where religion was supposed to be taboo. We had played no tricks on the authorities; we were known as Methodist preachers going to inspect our churches in Russia, and backed by generous relief work done by our denomination in the last two years.

We made it a point not only to see our own church work at Petrograd, but also to talk with the Baptist and the Lutheran leaders, and especially to get in closest possible touch with the present governing body of the Holy Orthodox Church.

It will be of interest to Methodists to note that we found our own property absolutely intact. Dr. George A. Simons, our pastor in Petrograd, came away from Russia in 1920, leaving behind most of his personal possessions, such as furniture and books, in the parsonage. Not one book or stick of furniture has been disturbed; the silver communion service is there and was used by us. Deaconess Sister Anna Eklund remained alone in the parsonage for over two years and maintained our Sunday services without interruption. I talked with some of the women, who told me that they sometimes assisted Sister Anna in reading a sermon. This they did unmolested. We saw where wooden houses had stood—that is, we saw the cellar holes. Everything had been carried away for fuel. Our building and the fence were of wood, and they are intact. We wish to record also that while there for two Sundays we conducted divine services, administering the sacrament of the Lord's Supper, preaching freely as in America, and Bishop Nuelson also ordained four Russians as Methodist preachers.

We did not see or hear of any wanton destruction of church buildings. On our second day in Petrograd we visited the cathedral and Isaac's Church, entered freely, and found people worshiping in buildings that did not show any traces of vandalism. The little wayside shrines so familiar to travelers were open and in some instances thronged with praying people. At Moscow we visited the marble cathedral near the Kremlin, found everything apparently normal, and attended a most deeply spiritual service where the full four or five hour ritual was carried through with beautiful music and an elaborately robed and efficient corps of clergy as celebrants. As far as we could see, the churches have suffered little if any destruction, and religious observances are conducted in the Orthodox Church apparently unmolested. Nowhere had the holy icons (flat paintings, which take the place of the images in the Roman Church) been replaced by any images of "Reason," as in the French Revolution.

The answers were given emphatically and without the least hesitation. Never in the history of the church under the Czar did they have greater liberty to develop than now. Their group is called "The Living Church" and stands for perfect liberty in expression and in the development of the forms of worship and service for which the new life of Russia calls.

As for the prohibition of Bibles, we traced that down, and one day in speaking with the leader of the evangelical movement, who has an office in Petrograd, we asked as to the truth of the report we had read in Germany about the refusal to allow Bibles to be imported into Russia. He had just received a consignment of Bibles from Estonia, and pointed out that some petty official had interfered at Petrograd, but that he had a letter on his desk from the Government at Moscow counteracting this subordinate's action, and the Bible was still free to do its work in Russia.

Of course, Mr. President, there were those who were connected with the established church of Russia who were

prosecuted, and I am perfectly willing to admit, if it is desired, that they were persecuted. It was natural and almost inevitable, in view of the fact that the established church was a part of the old régime. Nevertheless when we examine the trials with reference to the priest who was executed and examine the facts with reference to Tikhon, whatever may have been in the minds of the prosecutors, the charge was that of treason, of alliance with a foreign power, of receiving money and support from a foreign power, and of organizing a counter-revolution. No true American citizen would for a moment condone the prosecution or the persecution of a man because of his religious opinion. It is an unfortunate thing in this country that that insidious, sinister influence is coming to the front here. There is a tendency to intolerance, to proscribe men because of religious belief. I believe every man or woman has the right to worship God according to the dictates of his or her conscience. All we require is that our citizens shall obey the law and be loyal to the Government. Every man who loves his country and believes in the fundamental principles of our Government should set his face like flint against religious persecution, and nothing which I say to-day shall be construed as condoning the practice of any government which persecutes men because of race or religion.

But I believe that a fair investigation, a fair and impartial consideration of the facts, will disclose that the Russian Government as a government is not prosecuting men or persecuting men because of their religious beliefs; that whatever prosecutions have taken place against those who are members of the church were upon the belief and in the belief that they were members of a counter-revolutionary movement and were using the church as a cloak of their religion for the purpose of protecting themselves in their efforts.

As an illustration of propaganda, some time last summer there appeared in perhaps all of the great leading dailies a story to the effect that Tikhon, the noble priest of Russia, had been imprisoned and while in prison his food had been poisoned, and that he had died a martyr to his belief. Now the only difficulty with that story was that the next day or two after he had been poisoned and died, as alleged, he gave an interview outside of the prison which was published the next day in the same papers. I am told now, in fact I have seen a copy of the propaganda or part of it that is soon to appear in the papers of the country, that Tikhon is again to be poisoned, and that he is again in prison, and that the persecution has been revived.

I do not know—no man can know all the details nor separate all the false from the true facts in this matter. It is not within the power of human mind to do so. In all these criminalizations and recriminations who can tell what the exact facts are? But when I find men of the character of those to whom I have addressed my attention to-day, who see the situation and who state it as they see it, I am led to believe that the time has come when we can better serve the cause of humanity, the cause of Christianity, the cause of peace, by dealing with those people as 16 to 18 other nations have than by treating them as outlaws. May I ask the Christian people of this country who are interested in preventing these persecutions, how are they going to prevent it? Has our policy during the last six years, if their statements of fact be true, prevented it?

When these priests were upon trial we lodged a protest, as I understand, in Berlin which was to be sent to the Russian Government. Naturally, it would have very little effect, coming from a power which was treating them as outlaws, to be advised as to how they should deal with their internal affairs. Is it not infinitely better and liable to be far more successful to deal with this situation as other nations are dealing with it than to permit it to go this course, if their theory be correct? Because certainly under the present policy no protection is being extended, according to their own theory, to those who are being persecuted.

The Senator from Massachusetts read extensively from the United Mine Workers of America and a letter from Mr. Gompers. I do not know the leader of the United Mine Workers personally. I know Mr. Gompers very well and respect him greatly. I have no personal controversy with either of the gentlemen; but I have at least a basketful of literature in my office, and I suspect every other Senator in the Chamber has, written and signed by eminent attorneys representing great interests in the country describing the United Mine Workers of America, their organization, their purpose, their ultimate aim, the objects which they would attain in this country.

Everyone knows that they have been charged with designs and purposes with reference to established order and government and the rule of law in this country quite equal to anything which Zinoviev seems to have in his mind. The United Mine Workers would think it very unjust to their organization

and to the large class of American citizens who belong to the organization if we should construe their purposes and their objects, their aims and their endeavors, in the light and in accordance with the mass of propaganda which has been in circulation in this country for the last six or eight months. They are charged with wholesale murder; they are charged with organizing for the purpose of browbeating and destroying men who own property and of destroying and taking possession of the property; they are charged with the purpose of taking absolute control of the mines of this country; and every aim and object and purpose which might be deemed to be in contravention of what we conceive to be the American principle is laid at the door of the American Mine Workers. It ought to be sufficient admonition and warning to the able leader of the Mine Workers not to pass judgment upon any man or any class of men until that man and those men at least are given a hearing.

You can give me Zinoviev's lectures and speeches; I will put them down by the side of the statements of these lawyers and those whom they represent; and no man can tell the difference as to the ultimate result in this country between the two policies. I do not say this as a justification of the things which have been said by these lawyers; but the propaganda is there, and the statements have been made, and made by men far more responsible than is the Russian leader against whom we make complaint. I do not believe, so far as the Soviet Government itself is concerned, that it has fathered any part of this propaganda since the declaration of Mr. Lenin with reference to the new economic policy in the spring of 1921.

The whole theory was changed, the whole policy was changed; and, whatever individuals or irresponsible parties may have done, I can not get my consent, upon any evidence which has been adduced thus far, to believe that the Soviet Government itself has inaugurated, initiated, sustained, or maintained or encouraged any such proceeding. However, I repeat, suppose it has; it is infinitely the better that we should deal with it as other governments are dealing with it than to pursue the method by which we are now dealing with it.

I wish to say just a word, Mr. President, as to why I have been interested from the beginning with reference to the Russian situation. I am not interested in communism; I am not interested in socialism. A very distinguished American socialist in an article published in yesterday's newspapers intimated that there is a very close relationship between Mr. Steklov's thoughts and mine. Well, the gentleman who wrote that article and his doctrine, and Mr. Steklov, whoever he may be and whatever he may be, and his doctrine are about the same to me. I do not speak disrespectfully personally of the gentleman, because I know the writer and respect him, but I refer to his doctrines, his teachings. The difference between the author of yesterday's doctrine of socialism and Steklov's doctrine of communism, so far as this Government is concerned, is the difference between creeping paralysis and instant death. Steklov's doctrine would destroy our Government instantly, and the author of yesterday would comfort us with a lingering death. I do not believe in either one of them; but I look beyond that proposition, Mr. President. I wish to see if it is possible to adopt a course and a policy which will tend to minimize, destroy, and eliminate both theories. There is just one form of government in which we here believe, in which I believe, and that is the blessed old Republic which was established in 1789. I believe, as Washington believed, that the best way to maintain American principles is to extend the doctrine of Americanism in so far as we can by precept and example. Outlawry of a nation accomplishes nothing.

As Washington said in his letter in 1793—after he had recognized the French Government and for which he was criticized—in his opinion, while it was a bloody road over which the French people were traveling, it was the only road over which they could travel away from Bourbonism and to a sound democracy. Therefore, even at a time when the guillotine was operating every morning, when massacres had taken place a few months before, when the King had been beheaded a few months before, and the Queen had been beheaded a few months afterwards, he extended to them the recognition of the young Republic. Twelve years afterwards Charles James Fox stood up in the House of Commons and said, in effect: After 12 years of futile experience, we are compelled to follow the precedent and the example of the great republican leader of the west and to recognize the Republic which we refused to recognize years ago.

I venture to say to-day, without essaying the rôle of a prophet, that the time will come, and at no distant date, when this Republic will recognize the present Government of Russia.

She will accept her as she sits there in possession of one-sixth of the earth's surface, with 140,000,000 people under her control, the richest nation in undeveloped natural resources in the world. When she does so this propaganda will seem, as we look back upon it, fatuous and ephemeral; this threat, supposed or real, to overthrow the American Republic will seem absurd; this turmoil and this strife will have an end, and the whole of Christendom will be served. So long, however, as 140,000,000 people are outlawed; so long as a great nation is estranged; so long as she sits there upon the border of Europe menacing the peace of the world, there can be no peace in Europe; there can be no lifting of the crushing burden of armaments by the very fact that she is outlawed, and without peace in Europe there can be little peace anywhere else in the world.

(Matter referred to in speech and for which leave was asked to print):

DEPARTMENT OF JUSTICE,
Washington, D. C., November 13, 1923.

EBEN W. BURNSTEAD,
Secretary, Massachusetts Civic Alliance,
Box 1335, Boston, Mass.

SIR: I have your letter of November 2 with respect to the enforcement of the Logan Act. There has been a great deal of "slush" coming to my attention with reference to this act, but not one single person has submitted a concrete statement of facts, nor have I in any way been able to get a statement of facts to show violation of the Logan Act. If you have any data in your possession which indicates a violation of the Logan Act, please forward it to this department, or better, take it to the United States attorney at Boston.

Respectfully,
For the Attorney General.

(Signed) JOHN W. H. CRIM,
Assistant Attorney General.

EXHIBIT III.

DEPARTMENT OF JUSTICE,
Washington, D. C., December 4, 1923.

EVERETT P. WHEELER, ESQ.,
27 William Street, New York City.

SIR: I have your letter of November 30 inclosing a copy of your article reprinted from The American Journal of International Law and note the discussion in your letter with respect to the interpretation of section 5 of the United States Criminal Code. Both your letter and your article are interesting, but what this department needs, and what it has never had, is some evidence to act on. No names of American citizens alleged to have offended this section have been submitted to this department. No verbal or written correspondence has been submitted to this department. No facts constituting intercourse have been submitted to this department.

If you will submit detailed evidence giving the names of the citizens, the correspondence or intercourse, the measure or conduct of the foreign government, the dispute or controversy, which are necessary to be plead in an indictment, this department will be, as it always has been, glad to take appropriate action.

All that it has ever had from your association is letters or papers of the character of your letter of November 30, which amount to no more than academic discussions of section 5 of the Criminal Code. In such letter you state:

"I know that you have under consideration the question as to whether the act of Congress, section 5 of the Criminal Code, applies to criminal correspondence with a foreign government which has not been recognized by the United States."

Without submitting one single fact showing any criminal correspondence, you then proceed to discuss a number of cases which you feel throw light on an interpretation of this law. One fairly definite complaint was made to this department before I came here, and the Attorney General held that the facts involved did not constitute an offense.

Your society can render a very much greater service if it will submit detailed facts as to the conduct of definite individuals rather than general discussions of whether or not the law ought to be enforced. Of course the law should be enforced, but it can not be enforced without knowing at least the name of some one to prosecute.

Respectfully,

(Signed) JOHN W. H. CRIM,
Assistant Attorney General.

Mr. Asquith recalled an historical episode which is equally pertinent: "It is no good saying that we must not deal with these people because they are red-handed and that sort of thing. As my right honorable friend, the member for Carnarvon Boroughs, has said, we made

exactly the same mistake in connection with the French Revolution. They were regicides, they were atheists, they shut up the churches, they disestablished and disendowed the clergy, which in those days was almost regarded as a capital crime, and we were foolish enough, our Government was foolish enough, to suspend relations with them for years, with the result that misunderstandings multiplied, the gulf that separated us widened, and Europe was plunged into what was up to that date the most desolating war in history. Do not let us make the same mistake again."

REVOLUTIONARY PROPAGANDA. GENERAL STATEMENTS.

Commissar of Foreign Affairs Chicherin to the Governments of Great Britain, France, Italy, Japan, and United States, in reply to the Prinkipo invitation, February 4, 1919:

"As for the complaints frequently expressed in the Entente press with regard to the international revolutionary propaganda of the Russian Soviet Government, that Government declares that it is ready, if necessary, to include in the general agreement with the Entente powers the obligation not to interfere in their internal affairs, pointing out, however, that it can not limit the freedom of the revolutionary press." (Russian-American Relations, p. 302.)

Commissar of Foreign Affairs Chicherin to the Italian ambassador, Washington, replying to the note of Secretary Colby of August 10, 1920:

"If the Russian Government binds itself to abstain from spreading communist literature, all its representatives abroad are enjoined scrupulously to observe this pledge. * * * That the elementary economic needs of the peoples of Russia and of other countries demand normal relations and an exchange of goods between them is quite clear to the Russian Government, and the first condition of such relations is mutual good faith and nonintervention on both parts." (Soviet Russia, Vol. III, p. 383.)

Russian trade representative in Italy, Vorovsky, to the Italian Government, February 27, 1923:

"With regard to the Communist International, which is a political association having its central offices in Moscow, it constitutes an organization completely independent of the Russian Government, which is not united to it by any bond or any engagement. In its activities, and those for which it is responsible, it is limited by the common law of the Republic. This organization in its public declarations expresses solely its own point of view; the Soviet Government is in no way responsible for the declarations and the actions of this organization, just as no other Government is responsible for the actions of political parties working in its territory in conformity with its laws." (Information and Review, official journal of the Russian trade delegation, London, March 10, 1923.)

Note from the Vice Commissar for Foreign Affairs Litvinov to the British Minister for Foreign Affairs September 27, 1921:

"The Russian Government desires to take advantage of this occasion to affirm once more, as it has frequently done before, that the fact that the Third International, for perfectly obvious reasons, chooses Russia as the country in which its executive committees reside—Russia being the only country that allows full liberty for the spread of communist ideas, as well as personal liberty to communists—and also the fact that certain members of the Russian Government, in their capacity as private individuals, belong to this executive committee are no more to be taken as a basis for declaring that the Third International and the Russian Government are identical than the fact that the Second International, constantly in session at Brussels, and including among the members of its executive committee the Belgian Minister Vanderhelde, may prove the identity of the Second International with the Belgian Government.

"Furthermore, the executive committee of the Third International consists of 31 members, of whom only 5 are Russians, 3 of whom do not belong to the staff of the Russian Government." (Soviet Russia, Vol. V, p. 261.)

SPECIFIC PLEDGES.

Anglo-Russian trade agreement, March 16, 1921:

"The present agreement is subject to the fulfillment of the following conditions, namely:

"(a) That each party refrains from hostile actions or undertakings against the other and from conducting outside of its own borders any official propaganda, direct or indirect, against the institutions of the British Empire or the Russian Soviet Republic, respectively. * * *

"It is understood that the term 'conducting any official propaganda' includes the giving by either party of assistance or encouragement to any propaganda conducted outside its own borders." (Preamble.) (Soviet Russia, Vol. IV, p. 374.)

Russo-German trade agreement, May 6, 1921:

"The representations of the two parties and the persons employed in these representations shall rigorously limit their actions to the tasks provided for in the present agreement; specifically they shall abstain from all propaganda directed against the Government or the institu-

tions of the country in which they are stationed." (Art. XV.) (Soviet Russia, Vol. V, p. 13.)

Russo-Norwegian trade agreement, September 2, 1921:

"The members of the delegations and their staffs engage themselves to abstain from any political propaganda and not to interfere with the internal affairs of the respective country." (Art. VIII.) (Soviet Russia, Vol. V, p. 224.)

Russo-Polish treaty of peace, March 18, 1921:

"The parties mutually agree that they will fully respect the sovereignty of the other party and that they will refrain from any interference in its internal matters, from any agitation, propaganda, any form of intervention or any assistance thereto." (Art. V.) (Soviet Russia, vol. 4, p. 478.)

Russo-Italian trade agreement, December 26, 1921:

"The present convention is conditioned upon the fulfillment of the following conditions:

"That both of the parties shall abstain from any act or attempt hostile to the other party and shall abstain from carrying on outside their own boundaries any direct or indirect propaganda against the institutions of the Kingdom of Italy or of the Russian Soviet Government.

"By the term 'carrying on propaganda' we include assistance or encouragement given by either party to any propaganda whatsoever conducted outside of its own boundaries. * * *

"The two parties obligate themselves immediately to give all necessary instructions to the agents or other persons subject to their authority in order that they may conform to the above-stated conditions." (Preamble.) (Soviet Russia, vol. 6, p. 58.)

Note to the Italian Government from the Russian trade representative in Italy, Vorovsky, February 27, 1923:

"Having informed my Government of our conversation, I have been formally authorized to declare that the Russian Government has never been and is not now engaged in and will not in the future engage in any propaganda hostile to the institutions of Italy. This is undertaken not only in virtue of the engagements assumed under paragraph A of the preamble to the preliminary accord between Italy and Russia, dated December 26, 1921, but also of Russia's sincere desire for a closer and more friendly rapprochement with Italy, with which country Russia has so many common interests—political, economic, and cultural.

"The change of government in Italy early in November last has not in any way modified the attitude already adopted by my Government, since the latter does not consider that it has the right to intervene in the internal affairs of Italy or to pronounce on the type of government which might be suitable for that country." (Information and Review, official journal of the Russian trade delegation, London, March 10, 1923.)

Russo-Finnish treaty of peace October 14, 1920:

"Both states pledge themselves to a mutual state of peace and to maintain good neighborly spirit." (Art. 1, Soviet Russia, vol. 4, p. 68.)

Russo-Persian treaty February 26, 1921:

"Recognizing the right of each people to the free and unhindered settlement of its political fate, each of the high contracting parties disclaims and will strictly refrain from interference in the internal affairs of the other party." (Art. 4, Soviet Russia, vol. 4, p. 426.)

DEBTS.

Commissar of Foreign Affairs Chicherin to the Governments of Great Britain, France, Italy, Japan, and the United States in reply to the Prinkipo invitation February 4, 1919:

"In view of the particular importance which is attached not only by the press but also by the numerous declarations of the representatives of the Entente Governments to the question of Russian loans the Soviet Government first of all declares its readiness to make concessions in this matter to the demands of the Entente powers. It does not refuse to recognize its financial obligations to its creditors who are subjects of the Entente powers, leaving the precise formulation of the manner in which this point is to be enforced to the special treaties, the elaboration of which is to be one of the tasks of the proposed negotiations." (Russian-American Relations, p. 298.)

Declaration of recognition of claims, signed by Sir Robert S. Horne for the British Government and L. Krassin for the Russian Government, at London, March 16, 1921:

"At the moment of signature of the preceding trade agreement both parties declare that all claims of either party or of its nationals against the other party in respect of obligations incurred by the existing or former Governments of either country shall be equitably dealt with in the formal general peace treaty referred to in the preamble.

"In the meantime, and without prejudice to the generality of the above stipulation, the Russian Soviet Government declares that it is liable to pay compensation to private persons who have supplied goods or services to Russia for which they have not been paid." (Soviet Russia, Vol. IV, p. 377.)

Note to foreign powers from the Commissar of Foreign Affairs Chicherin October 28, 1921:

"The Soviet Government declares that it is firmly convinced that no people is obliged to pay the price of the chains which have been imposed upon it during centuries.

"But in its unshakable determination to come to a full accord with the other powers, the Russian Government is inclined to consent in this matter to several essential and highly important concessions.

"In this it is meeting the wishes of the numerous small holders of Russian bonds (especially in France), for whom the recognition of the Czarist debt is a matter of vital interest.

"For these reasons the Russian Government declares itself ready to recognize the obligations toward other states and their citizens which arise from state loans concluded by the Czarist Government before 1914, on the express condition that there shall be special conditions and facilities which will make it possible to carry out this undertaking." (Soviet Russia, Vol. V, p. 260; Vol. VI, p. 32.)

Note from the Commissar of Foreign Affairs to the Russian trade representative at London, November 12, 1921:

"We consider the question of Russia's indebtedness to be only a specific phase of the general problem of the rehabilitation of Russia, and of the still more important problem of the economic rehabilitation of the whole world. We therefore propose that each partial question touching the Russian loans should be investigated in connection with the problem as a whole, with which the whole world is faced and which requires a general consideration at the conference proposed by the Russian Government * * *.

"In view of this standpoint taken by us toward the Czarist debts, we believe that in declaring our readiness to recognize the loans of the period before the war we are making an extremely important concession, and the actual aim of this concession is to smooth the way for a full agreement, for economic collaboration in common tasks, in the field of production and exchange." (Soviet Russia, Vol. VI, p. 32.)

Mr. William G. Bullitt, member of the staff of the American Commission to Negotiate Peace, testifying before the Senate Committee on Foreign Relations, September 12, 1919:

"I was sent to Moscow to obtain an exact statement of the terms that the Soviet Government was ready to accept, and I received on the 14th (March, 1919) the following statement from Chicherin and Litvinov * * *. The Soviet Government undertook to accept this proposal, provided it was made by the allied and associated governments not later than April 10, 1919. The proposal reads as follows (reading):

"* * * The allied and associated governments, taking cognizance of the statement of the Soviet Government of Russia, in its note of February 4, in regard to its foreign debts, propose as an integral part of this agreement that the Soviet Government and the other governments which have been set up on the territory of the former Russian Empire, and Finland, shall recognize their responsibility for the financial obligations of the former Russian Empire to foreign states, parties to this agreement, and to the nationals of such states."

Mr. Bullitt's testimony continued:

"On reaching Helsingfors I sent a telegram to the mission at Paris: 'Most secret, for the President, Secretary Lansing, and Colonel House only,' in which I said that in handing me the statement which I have just read, Chicherin and Litvinov had explained that the executive council of the Soviet Government considered itself absolutely bound to accept the proposals made therein, provided they were made on or before April 10, and under no conditions would they change their minds. * * *

"I also explained that Chicherin and all the other members of the Government with whom I had talked had said in the most positive and unequivocal manner that the Soviet Government was determined to pay its foreign debts, and I was convinced that there would be no dispute on that point."

Regarding his report, containing the above proposal by the Soviet Government, Mr. Bullitt testified:

"I handed copies of this personally to Secretary Lansing, Colonel House, General Bliss, and Mr. Henry White, and I handed a second copy, for the President, to Mr. Lansing." (Hearings before the Committee on Foreign Relations, United States Senate, Sixty-sixth Congress, first session; Treaty of Peace with Germany, vol. 2.)

FOREIGN PROPERTY RIGHTS.

Declaration of recognition of claims, signed by Sir Robert S. Horne for the British Government, and L. Krassin for the Russian Government, at London, March 16, 1921:

"At the moment of signature of the preceding trade agreement both parties declare that all claims of either party or of its nationals against the other party in respect of obligations incurred by the existing or former governments of either country shall be equitably dealt with in the formal general peace treaty referred to in the preamble.

"In the meantime, and without prejudice to the generality of the above stipulation, the Russian Soviet Government declares that it is liable to pay compensation to private persons who have supplied

goods or services to Russia for which they have not been paid." (Soviet Russia, vol. 4, p. 377.)

Decree of the Council of People's Commissars, signed V. Ulianov (Lenin), chairman, Moscow, April 11, 1921:

"In connection with the signing of the trade agreement between the Russian Socialist Federal Soviet Republic and Great Britain on March 16 the Council of People's Commissars has decided:

"* * * To instruct the governing board of the supreme council of public economy, pursuant to paragraph 2 of the declaration of claims annexed to the agreement, to adopt the necessary measures for determining the quality and proportion of goods belonging to British citizens taken under control by the Soviet Government." (Soviet Russia, vol. 4, p. 472.)

Declaration of claims annexed to the Russo-Italian trade agreement, signed by Marchese Della Torretta, Minister of Foreign Affairs of Italy, and Vorovsky, Russian trade representative, at Rome, December 26, 1921:

"The Russian Soviet Government declares that it recognizes in principle its own responsibility for the payment of compensation to private persons who may have furnished goods or service to Russia that may still remain unpaid." (Soviet Russia, vol. 6, p. 58.)

Russo-Finnish treaty of peace, October 14, 1920:

"The Russian Government agrees to return to the former owners all ships owned by Finnish citizens or companies enjoying the right of domicile in Finland, which were confiscated by the Russian Government during the World War without any compensation to their owners, as well as Finnish ships which without compensation have become the property of the Russian state. (Art. XXIII.)

"Finnish citizens and companies or associations enjoying domicile rights in Finland have in regard to their property in Russia, as well as to their claims and other demands from the Russian state or its state institutions, the same rights and privileges as Russia has granted or will grant to the citizens of the most-favored country." (Art. XXVIII.) (Soviet Russia, vol. 4, p. 70.)

Russo-Polish treaty of peace, March 18, 1921:

"Russia and Ukraine are to return to Poland the following, brought into Russia or Ukraine since January 1, 1772: (a) War trophies, (b) libraries, books, archeological collections, archives, art objects, all collections and accumulations of historical, national, archeological, educational, or general cultural value. * * * There are to be returned also educational and school laboratories, cabinets, and collections taken from the beginning of the war to October 1, 1915. (Art. XI.)

"Each of the contracting parties recognizes that the Government property found on the territory of one and subject to return to the other is incontestably the property of the latter. (Art. XII.)

"Poland is to receive for her share in the reserve fund of the government bank of the former Russian Empire the sum of 30,000,000 rubles in gold coin or ingots within a period of one year from the date of the ratification of the treaty. (Art. XIII.)

"The return to Poland of the property of municipal organs and institutions, of juridical and private persons who left Poland either voluntarily or under compulsion between August 1, 1914, and October 1, 1915. For property destroyed Poland receives adequate compensation. (Art. XV.)

"Russia and Ukraine agree to present to Poland a statement of deposits and balances by Polish citizens in Russian or Ukrainian nationalized or liquidated credit institutions, and also in the government institutions and banks. Russia and Ukraine extend to Polish juridical and private persons all the rights enjoyed by them at the time the deposits were made, equal to the rights of Russian juridical and private persons." (Soviet Russia, Vol. IV, p. 478.) (Art. XVII.)

Russo-Norwegian trade agreement, September 2, 1921:

"Both Governments declare that they will not initiate nor support any steps with a view to attach or take possession of any funds, goods, or movable or immovable property belonging to the other or its nationals lawfully imported into or acquired in the respective countries after the conclusion of this agreement." (Art. IV, Soviet Russia, Vol. V, p. 224.)

Anglo-Russian trade agreement, March 16, 1921:

"Merchandise, the produce or manufacture of one country imported into the other in pursuance of this agreement, shall not be subject therein to compulsory requisition on the part of the Government or of any local authority." (Art. XI, Soviet Russia, Vol. IV, p. 374.)

Note from the Russian Government to the representatives of the British, French, and Italian Governments at Genoa, March 15, 1922:

"The Council of the People's Commissars considers as a practical problem the application in Russia in the interests both of the country and the rest of the world of the technical capacity and material resources of foreign states where industry has been more fully developed. The Council of People's Commissars have therefore guaranteed by a decree of November 22, 1920 (C. of L. 1920, art. 421), the property of those holding concessions in Russia against any sort

of nationalization, requisition, or confiscation, and have thus given them various privileges which will allow them to carry on their businesses without hindrance.

"The reestablishment of property in industry, and of private initiative in production generally, naturally involves the same principles in commerce. A series of decrees of the central executive committee and of the People's Commissars has established full liberty for private commercial transactions, the ban on private trade having been removed." (C. of L., 1921, arts. 149, 212, and 350.)

CONTRACTUAL RELATIONS.

The Russian Soviet Government has had contractual relations with two American institutions, the American Red Cross and the American Food Administration.

Col. Raymond Robins, American Red Cross commissioner in Russia from June, 1917, to June, 1918, states:

"In my experience for over six months as the unofficial representative of the American Government in Russia every promise and engagement and obligation made by the Soviet Government was strictly fulfilled. This was my experience and the experience of my successor in Russia, Major Wardwell." (Interview, February 23, 1923.)

An agreement between the Soviet Government and the American Relief Administration was signed at Riga, August 20, 1921.

Mr. Herbert Hoover, director of the American Relief Administration, when asked by the correspondent of the Russian Telegraph Agency regarding the fulfillment by the Soviet Government of its contracts with the American Relief Administration, replied:

"I appreciate the great efforts they have made to cooperate with us." (January 30, 1923.)

Colonel Haskell, the director of the American Relief Association operations in Russia, cabled from Moscow to the American Relief Association in New York March 6, 1923:

"Much better understanding now with Government on all questions affecting American Relief Association operations. Closer and friendlier cooperation. Every reason to feel that the Riga agreement will be fully met by the Soviets, whose difficulties are real. Conferences with Radek, Litvinov, Krassin, Kullin, and Kamenev indicate their sincere desire to assist us. All express appreciation and promise us friendly and effective cooperation as long as we may be in Russia."

Fridtjof Nansen, high commissioner of the Geneva Conference on the Russian famine, addressing the International Labor Conference of the League of Nations, November 12, 1921, said:

"Six weeks ago I pointed out to the assembly of the League of Nations that I had been to Russia; that I had seen the authorities of the Soviet Government; that I had made with them an agreement with which I was satisfied, and with which everyone who has seriously examined it was satisfied, and was sure that relief given for the famine areas would actually reach the starving people. We were satisfied that the Soviet authorities would, to the best of our belief, do everything in their power to assist and promote whatever work of relief might be begun." (Extract from Provisional Record, League of Nations, International Labor Conference, third session, Geneva, No. 17, November 12, 1921.)

Mr. KING. Mr. President, I wish to give notice that following the morning hour on the day after to-morrow, if agreeable to the Senate, I shall address the Senate upon conditions in Russia.

Mr. LENROOT. Mr. President, I shall now occupy only a few minutes of the time of the Senate in making one or two observations upon the speech of the able Senator from Idaho.

I had assumed when this matter came before the Senate prior to the holiday recess, and the resolution expressing the sense of the Senate that the existing Russian Government should be recognized was referred to the Committee on Foreign Relations, that at that time a clear-cut issue was made by the Senator from Idaho himself, who, I understood, either denied or questioned, first, the existence of propaganda in this country at this time, emanating from Moscow, seeking ultimately to overthrow our form of government; and, secondly, questioned any responsibility of the present Soviet Government of Russia for such propaganda as may have existed, if any did exist. I had supposed that was the issue; I had supposed that was the question which the Committee on Foreign Relations was to take up and investigate; but we find to-day that the Senator from Idaho, in replying to the speech of the Senator from Massachusetts, has not met that issue nor attempted to do so, except to the extent of occupying about one minute in the latter portion of his speech in referring to that question. On the contrary, the able speech of the Senator from Idaho to-day has proceeded upon the theory of accepting the existence of such propaganda and accepting the responsibility of the Soviet Government for it, but suggesting that if we desire it stopped in the United States, the way to stop it is to recognize the existing Government of Russia.

The Senator from Idaho also inferentially charged bad faith upon the part of the administration in inviting, as he says, negotiations, but when the invitation of President Coolidge was accepted, the Secretary of State, Mr. Hughes, brutally shut the door in the face of the Russian foreign minister.

Mr. BORAH. Mr. President—

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

Mr. LENROOT. I yield.

Mr. BORAH. I did not refer to the reply of Secretary Hughes at all; I never mentioned it in my speech. Neither did I in any sense, in the slightest degree, charge bad faith upon the part of the President.

Mr. LENROOT. I am very glad to accept the statement, because I want to analyze the language the Senator from Idaho undertook to construe, in which he attempted to show that President Coolidge had, in fact, invited the Russian Government to negotiate.

Mr. BORAH. The Senator from Idaho did not say that the President had invited negotiations; the Senator from Idaho said that the President had laid down three propositions with which the Senator from Idaho was in hearty accord.

Mr. LENROOT. Yes; but the Senator in attempting to construe the language of the President gave it a construction which, I am sure, on reflection he will concede was not accurate.

The Senator from Idaho said—and he will correct me if I am mistaken—that the President laid down three propositions. The Senator from Idaho stated that the President said whenever there appears any disposition to do certain things, then we ought to go to the economic and moral rescue of Russia. But these are the propositions which the Senator from Idaho laid down: First, reading the language of the President—

Whenever there appears a disposition to compensate our citizens who were despoiled, and to recognize that debt contracted with our Government, not by the Czar but by the newly formed Republic of Russia—

And then the Senator construed the language of the President to be "whenever there appears any disposition to abate the active spirit of enmity to our institutions," then we should go to the economic and moral rescue of Russia. That, however, is not what the President said. The President said:

Whenever there appears any disposition to compensate our citizens who were despoiled, and to recognize that debt contracted with our Government, not by the Czar but by the newly formed Republic of Russia—

And then the President said, not "whenever there is a disposition to abate the active spirit of enmity," but his language is:

Whenever the active spirit of enmity to our institutions is abated—

A positive statement, not a disposition to abate, not something upon which there might be negotiations, but whenever the thing is done—

Whenever there appear works meet for repentance—

Then, he says—

our country ought to be the first to go to the economic and moral rescue of Russia.

So that a part of the program is dependent upon negotiations, but the part with reference to propaganda, with reference to hostility to our institutions, is not dependent in any way upon negotiations. Of course the Senator from Idaho and other Senators may take the position that whether Russia should abate an active spirit of hostility to our institutions here should be a matter of negotiation; I do not. One of the most fundamental rules of international law, as every Senator knows, is that no nation has any right to interfere with the internal affairs of another or seek to secure a change of the form of government in that other nation.

Mr. BROOKHART. Mr. President—

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

Mr. LENROOT. I do.

Mr. BROOKHART. When a state of war exists between nations, how about that?

Mr. LENROOT. Oh, we are not talking about a state of war now.

Mr. BROOKHART. The last state that we had with Russia was one having armies there operating against the present Russian Government. Since that time it has not changed by any recognition, or anything of that sort.

Mr. LENROOT. So, then, the position of the Senator from Iowa is that by reason of that occurrence it is perfectly proper and legitimate for Russia to attempt to overthrow this Government. The Senator can take that position if he chooses.

Mr. BROOKHART. No; that is not my position; but since we are in a position of war, the Senator's criticism has no weight.

Mr. LENROOT. We are not in a position of war.

Mr. BROOKHART. It does not go at the proposition as one friendly nation would with another friendly nation.

Mr. LENROOT. Does the Senator think Russia is justified in this propaganda?

Mr. BROOKHART. No; I do not think they are doing it.

Mr. LENROOT. Oh, that is another question.

Mr. BROOKHART. I think it is the most ridiculous argument I have ever heard coming from full-grown men.

Mr. LENROOT. Of course, unless one examines the facts, one might naturally make the statement that was just made by the Senator from Iowa.

Mr. BROOKHART. Let us notice the facts, then.

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

Mr. LENROOT. I am not going into a discussion of that question, because the Senator from Idaho did not discuss it, and I do not care to go into a discussion of the responsibility of the present Government of Russia for the propaganda that admittedly is going on in this country to-day. It is going on, of course; even the Senator from Iowa must admit that; but he may deny that the Russian Government is responsible for it.

Mr. BROOKHART. I have never met any of it anywhere. It may be going on, but I have been in half or two-thirds of the States, and I have never met any of it anywhere.

Mr. LENROOT. That is a very convincing reply.

Mr. President, what was Secretary Hughes's reply to the proposal of the foreign minister of Russia? He said:

There would seem to be at this time no reason for negotiations. The American Government, as the President said in his message to the Congress, is not proposing to barter away its principles. If the soviet authorities are ready to restore the confiscated property of American citizens or make effective compensation, they can do so.

That is the first proposition. Does the Senator from Idaho think that should be a matter of negotiation?

Mr. BORAH. What is that?

Mr. LENROOT. Whether they should restore the confiscated property of American citizens. Is it not one of the fundamental duties of nations not to confiscate the property of the nationals of another?

Mr. BORAH. Why, certainly it is; but if the confiscation takes place, and it is now past, that is water under the wheel. How are you going to arrive at the amount of damages?

Mr. LENROOT. Ah!

Mr. BORAH. Wait just a moment. How are you going to arrive at the amount of damage that has been done or the amount that is to be paid?

Mr. LENROOT. By negotiation.

Mr. BORAH. Yes.

Mr. LENROOT. Exactly; and there is nothing inconsistent with that in Secretary Hughes's statement. Of course, when you come to arriving at the amount of damages, if the damaged party is unwilling to accept the sum offered by the Russian Government, then it would become a matter of negotiation.

Mr. BORAH. But how would the Senator now have Russia restore this property without negotiation? How would they do it? This property has passed off the earth. It is not there any more, lots of it. They have to pay for it.

Mr. LENROOT. Very well.

Mr. BORAH. How would the Government of Russia restore it, and what amount would they restore?

Mr. LENROOT. So far as the property in existence is concerned, of course the property itself could be restored. So far as the property is destroyed, the Government would do what any other government would do, namely, invite those whose property was destroyed to present their claims to that Government.

Mr. BORAH. Did we do that way with Germany?

Mr. LENROOT. We were at war with Germany—

Mr. BORAH. How does that change the situation?

Mr. LENROOT. And we made a treaty with reference to the claims of the different citizens.

Mr. BORAH. Exactly. Does the Senator think that submarines are more desirable than propaganda?

Mr. LENROOT. Does not the Senator distinguish between relations between two countries which are at war and relations between two countries which are not at war?

Mr. BORAH. Exactly; but when it comes to settling the amount of damage which has been done by submarines, or the amount of damage which has been done by propaganda, or by confiscation, what is the difference between the two propositions? How are you going to arrive at the amount which the Government is to pay?

Mr. LENROOT. We arrived first, because we were in a state of war with Germany, at a recognition by treaty with Germany of their responsibility for the amount; did we not?

Mr. BORAH. Yes.

Mr. LENROOT. And then, when it came to arriving at the figures, it became a matter of negotiation.

Mr. BORAH. Germany acknowledged in principle her liability for the damage.

Mr. LENROOT. Yes. Russia has not done that, however, and that is what Secretary Hughes is talking about.

Mr. BORAH. Exactly; but Mr. Chicherin says that they are prepared to do that very thing.

Mr. LENROOT. But they have not done it. That is the point. There is property in Russia to-day, not property that has been destroyed, but in existence, that the so-called Russian Government is to-day controlling, over which that Government is exercising control and dominion. The Senator will not deny that it would be easy enough, if they were acting in good faith, as an evidence of their good faith, first to restore that property.

Mr. BROOKHART. Mr. President—

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

Mr. LENROOT. No; I do not yield.

The PRESIDING OFFICER. The Senator declines to yield.

Mr. LENROOT. Mr. President, suppose that the Congress of the United States should pass an act, signed by the President, and it becomes a law, confiscating the property of all aliens in the United States.

Mr. BORAH. We came very near doing that.

Mr. LENROOT. No; we did not. Does the Senator think that that would be a subject of negotiation? Does not the Senator think that this Government would very promptly revoke that act unless it wanted a severance of all diplomatic relations with the country the property of whose nationals we had confiscated?

Mr. BORAH. Mr. President, the Senator laid stress upon the word "disposition." The Senator will admit that the word "disposition" does relate to the question of payment of the claims and the payment of the debts.

Mr. LENROOT. Exactly.

Mr. BORAH. The President said that whenever a disposition is disclosed upon the part of this Government to settle these claims or to pay these claims, the Government of the United States should go far to help ameliorate the economic and moral status of the people of Russia. When Chicherin replied, having called attention to the President's message, that he was ready to go as far as any government could go for the purpose of achieving that end, was that a disposition?

Mr. LENROOT. No; not when they have property there that they could have evidenced their disposition by restoring to the rightful owners.

Mr. President, the Senator admits the duty of that Government, if it would occupy a place in the family of nations, to restore that property; and yet it is holding in its hands to-day that property and wants to negotiate with reference to its restoration! That is not a disposition such as the President had reference to—of course not.

He then goes on to say:

If the soviet authorities are ready to restore the confiscated property of American citizens or make effective compensation, they can do so.

If the soviet authorities are ready to repeal their decree repudiating Russia's obligations to this country and appropriately recognize them, then can do so.

It requires no conference or negotiations to accomplish these results, which can and should be achieved at Moscow as evidence of good faith.

Is it the Senator's position that before Russia shall fulfill any obligations which it has under international law it shall be a matter of barter and bargain and trade?

But it is said that Russia had claims against us that ought to be considered in any disposition of the indebtedness that we claim to us from her.

Mr. BORAH. Who says so?

Mr. LENROOT. I do not say the Senator said so.

Mr. BORAH. Very well.

Mr. LENROOT. That may well be; but the present Russian Government has a decree repudiating those debts, and Secretary Hughes suggests that one of the things that it might do as evidence of its good faith is to repeal that decree. It does not require any negotiations for that.

Mr. BORAH. Of course, Mr. President, if the Russian Government should follow the precedents which are now established, what she could do would be to recognize the debt and then pay no further attention to it.

Mr. LENROOT. That might be; and I rather expect that if we ever do get an adjustment, so far as an acknowledgement of the indebtedness is concerned, it will have just about the same effect.

But, again, it is going to a question of good faith upon the part of the officials who, the Senator from Idaho insists, should be recognized to-day. It is easy enough for them to repeal the decree of repudiation; it is easy enough for them to recognize the indebtedness to the United States, and then set up as an offset, if they choose, such damages as they feel they have incurred by reason of any act of the United States.

Then Secretary Hughes goes on:

Most serious is the continued propaganda to overthrow the institutions of this country. This Government can enter into no negotiations until these efforts directed from Moscow are abandoned.

So, Mr. President, there is no inconsistency between the President's message and the note of Secretary Hughes. They are in entire harmony; and the first requisite demanded by this administration is that Russia show some evidence of good faith by doing these things that it is its plain duty to do if it would occupy a place in the family of nations.

Only a moment more at this time, Mr. President, because, as I say, the question of the responsibility of the present Government of Russia for this propaganda does not seem to be in issue here to-day. At least there has been no attempt to reply to the speech of the able Senator from Massachusetts [Mr. LODGE] upon that subject, and we find the contention now made that we ought to recognize Russia because if we do so recognize her the propaganda now going on in this country probably will cease when otherwise it may go on in increasing force. So the proposition seems to be, Mr. President, that if we recognize Russia, enter into diplomatic relations with her, and enable her to put a consulate in every city in America if she chooses, spreading them everywhere, that act, making it much easier for them to disseminate their propaganda, will be more likely to cause the propaganda to cease. That is merely a matter of opinion, Mr. President. Any Senator, any American citizen can form his own opinion upon that subject.

I do not intend to argue it; but I was rather surprised to find the distinguished Senator from Idaho arguing this afternoon that the fact that some sixteen or eighteen nations in Europe had recognized Russia was a strong reason why we should do so. No Senator in this body has more eloquently proclaimed the duty of the United States to decide its own course with reference to foreign relations, irrespective of the action of any other nation, than has the distinguished Senator from Idaho. I agreed with him when the question of our entry into the League of Nations was before us, and I agree with him now, that it is our duty to decide that question in accordance with what we believe will be best for America, and because other nations may have seen fit to recognize Russia is no more persuasive to me, sir, than the fact that other nations have seen fit to enter into the League of Nations, which at the time that matter was before us had no influence upon my distinguished friend.

Mr. President, at some later time, should the issue be really raised as to the responsibility of the present Government of Russia for the propaganda now going on in this country, I shall take occasion to speak at some length upon this subject, but at present I only desire to read one paragraph from a letter which every Senator and Member of the House of Representatives has received, admittedly coming from Moscow, the responsibility of which primarily is admittedly with the Third International, not three years ago, not two years ago, not prior to 1921, but within the last 30 days, the authenticity of which is vouched for by the executive secretary of the Workers Party of America, Mr. Ruthenberg. Did the Senator from Massachusetts put that into the Record in his address to-day?

Mr. LODGE. Yes; I put it in.

Mr. LENROOT. It has already been put into the Record, but I want to call attention to one paragraph, and one only. This document, coming from Moscow, signed by the executive committee of the Third International, and, as we think can be established, on the responsibility of the present Soviet Government of Russia, because they are one and the same thing, says of the United States:

Fearful Imperialist wars face the country. The bourgeoisie is making ready. The Government is perfecting its military machinery. General Pershing is demanding a larger Army. The communists must sound the alarm and prepare the workers for resistance to these bloody schemes.

If the Russian Government is responsible for that, under what theory is such a government entitled to recognition by any government?

Mr. BORAH. For fear I have not already done so, I now ask permission to insert some printed matter in the Record in connection with my remarks.

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

Mr. BORAH. I submit a resolution which I ask may lie on the table. I shall not call it up until to-morrow.

The resolution (S. Res. 114) was read and ordered to lie on the table, as follows:

Resolved, That the Secretary of State is requested, if not incompatible with the public interests, to send to the Senate the following reports made during the last six years touching Russian affairs:

Reports of William Boyce Thompson, Col. Raymond Robins, General Graves, Gov. J. P. Goodrich, Major Slaughter, and Major Faymonville.

CHAIRMANSHIP OF INTERSTATE COMMERCE COMMITTEE.

The PRESIDING OFFICER. The pending question is the election, by roll-call ballot, of a chairman of the Committee on Interstate Commerce.

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

The PRESIDING OFFICER. The Secretary will call the roll.

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

Adams	Fletcher	Lodge	Shipstead
Bayard	Frazier	McKellar	Shortridge
Borah	George	McKinley	Simmons
Brandeggee	Gerry	McNary	Smith
Brookhart	Glass	Mayfield	Smoot
Broussard	Gooding	Moses	Spencer
Bursum	Greene	Neely	Stanfield
Cameron	Hale	Norbeck	Stephens
Capper	Harris	Norris	Sterling
Caraway	Heflin	Oddie	Swanson
Copeland	Howell	Overman	Trammell
Couzens	Johnson, Minn.	Owen	Underwood
Curtis	Jones, N. Mex.	Pepper	Wadsworth
Dial	Jones, Wash.	Phelps	Walsh, Mass.
Dill	Kendrick	Pittman	Walsh, Mont.
Edwards	Keyes	Ralston	Watson
Fernald	King	Reed, Pa.	Weller
Ferris	Ladd	Robinson	Wheeler
Fess	La Follette	Shppard	Willis
	Lenroot	Shields	

The PRESIDING OFFICER. Seventy-nine Senators having answered to their names, a quorum is present, and the Secretary will call the roll.

The reading clerk proceeded to call the roll.

Mr. DILL (when his name was called). I have a pair with the junior Senator from Vermont [Mr. DALE]. If he were present, he would vote for Mr. CUMMINS and I would vote for Mr. SMITH. In his absence I withhold my vote.

Mr. GLASS (when his name was called). I have a general pair with the junior Senator from Connecticut [Mr. McLEAN]. In his absence I withhold my vote. If permitted to vote, I would vote for Mr. SMITH, and if he were present, he would vote for Mr. CUMMINS.

Mr. KENDRICK (when his name was called). I have a general pair with the senior Senator from Illinois [Mr. McCOMICK], which I transfer to the senior Senator from Louisiana [Mr. RANSDELL], and vote for Mr. SMITH.

Mr. OVERMAN (when his name was called). I have a general pair with the senior Senator from Wyoming [Mr. WARREN], who is not present. If he were present, he would vote for Mr. CUMMINS. I have procured a transfer of my pair to the senior Senator from Missouri [Mr. REED], who is absent, and I vote for Mr. SMITH.

Mr. SIMMONS (when his name was called). I am paired with the Senator from Oklahoma [Mr. HARRELD]. Being unable to obtain a transfer I withhold my vote. I am unable to say how the Senator from Oklahoma would vote. If I were permitted to vote, I would vote for Mr. SMITH.

Mr. TRAMMELL (when his name was called). On this vote I am paired with the senior Senator from Rhode Island [Mr. COLT]. If he were present, he would vote for Mr. CUMMINS and I would vote for Mr. SMITH. In the absence of the senior Senator from Rhode Island I withhold my vote.

The roll call was concluded.

Mr. FLETCHER (after having voted for Mr. SMITH). I have a general pair with the senior Senator from Delaware [Mr. BALL], who is absent. I transfer that pair to the Senator from Arizona [Mr. ASHURST] and allow my vote to stand.

Mr. PHIPPS. Mr. President, may I inquire if the bell was in operation and rung? Some Senators have reported that the bell was not in operation in their rooms. It was not in operation in my room at least, and I fear not in others.

Mr. STERLING. It did not ring in my room.

Mr. CURTIS. I was requested to announce that the Senator from West Virginia [Mr. ELKINS] is paired with the Senator from Mississippi [Mr. HARRISON]; also that the junior Senator from Kentucky [Mr. ERNST] is paired with the senior Senator from Kentucky [Mr. STANLEY].

The ballot resulted—for Mr. CUMMINS 27, for Mr. SMITH 32, for Mr. COUZENS 12, for Mr. FESS 1, as follows:

FOR MR. CUMMINS—27.

Brandeggee	Fess	McNary	Smoot
Bursum	Greene	Moses	Spencer
Couzens	Hale	Oddie	Stanfield
Curtis	Keyes	Pepper	Sterling
Edge	Lenroot	Phipps	Wadsworth
Fernald	Lodge	Reed, Pa.	Weller
	McKinley	Shortridge	

FOR MR. SMITH—32.

Adams	Fletcher	McKellar	Sheppard
Bayard	Gerry	Mayfield	Shields
Broussard	Glass	Neely	Stephens
Caraway	Harris	Overman	Swanson
Copeland	Heflin	Owen	Underwood
Dial	Jones, N. Mex.	Pittman	Walsh, Mass.
Edwards	Kendrick	Ralston	Walsh, Mont.
Ferris	King	Robinson	Wheeler

FOR MR. COUZENS—12.

Borah	Gooding	Jones, Wash.	Norbeck
Brookhart	Howell	Ladd	Norris
Frazier	Johnson, Minn.	La Follette	Shipstead

FOR MR. FESS—1.

Willis

The PRESIDING OFFICER. Whole number of Senators voting, 72; necessary for a choice, 37. One Senator has named Mr. FESS, 12 Senators have named Mr. COUZENS, 27 Senators have named Mr. CUMMINS, and 32 Senators have named Mr. SMITH. There is no choice. Another ballot will be taken and the Secretary will call the roll.

The reading clerk proceeded to call the roll.

Mr. FLETCHER (when his name was called). Making the same announcement as on the last vote with reference to my pair and transfer, I vote for Mr. SMITH.

Mr. KENDRICK (when his name was called). Making the same announcement as to the transfer of my pair, I vote for Mr. SMITH.

Mr. OVERMAN (when his name was called). Making the same announcement as to my pair with the Senator from Wyoming [Mr. WARREN] and its transfer to the Senator from Missouri [Mr. REED], I vote for Mr. SMITH.

Mr. TRAMMELL (when his name was called). Making the same announcement with regard to my pair, I withhold my vote. If permitted to vote, I would vote for Mr. SMITH.

The roll call was concluded.

Mr. GLASS. Repeating the announcement which I made on the previous ballot, I withhold my vote.

Mr. DILL. Repeating the announcement of my pair with the Senator from Vermont [Mr. DALE], I withhold my vote.

Mr. CURTIS. I was requested to announce that the Senator from West Virginia [Mr. ELKINS] is paired with the Senator from Mississippi [Mr. HARRISON], and that the junior Senator from Kentucky [Mr. ERNST] is paired with the senior Senator from Kentucky [Mr. STANLEY].

The ballot resulted—for Mr. CUMMINS 30, for Mr. SMITH 34, for Mr. COUZENS 12, for Mr. FESS 1, as follows:

FOR MR. CUMMINS—30.

Brandeggee	Fess	McNary	Spencer
Bursum	Greene	Moses	Stanfield
Cameron	Hale	Oddie	Sterling
Couzens	Harrell	Pepper	Wadsworth
Curtis	Keyes	Phipps	Watson
Edge	Lenroot	Reed, Pa.	Weller
Fernald	Lodge	Shortridge	
	McKinley	Smoot	

FOR MR. SMITH—34.

Adams	George	Mayfield	Simmons
Bayard	Gerry	Neely	Stephens
Broussard	Harris	Overman	Swanson
Caraway	Heflin	Owen	Underwood
Copeland	Johnson, Minn.	Pittman	Walsh, Mass.
Dial	Jones, N. Mex.	Ralston	Walsh, Mont.
Edwards	Kendrick	Robinson	Wheeler
Ferris	King	Sheppard	
Fletcher	McKellar	Shields	

FOR MR. COUZENS—12.

Borah	Frazier	Jones, Wash.	Norbeck
Brookhart	Gooding	Ladd	Norris
Capper	Howell	La Follette	Shipstead

FOR MR. FESS—1.

Willis

The PRESIDING OFFICER. Whole number of Senators voting, 77; necessary for a choice, 39. One Senator has named Mr. FESS, 12 Senators have named Mr. COUZENS, 30 Senators have named Mr. CUMMINS, and 34 Senators have named Mr. SMITH. There is no choice. Another ballot will be taken.

EXECUTIVE SESSION.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 15 minutes spent in executive session the doors were reopened and (at 4 o'clock and 30 minute p. m.) the Senate adjourned until to-morrow, Tuesday, January 8, 1924, at 12 o'clock meridian.

EXTRADITION TREATY WITH ESTHONIA.

In executive session this day the following treaty was ratified, and, on motion of Mr. LODGE, the injunction of secrecy was removed therefrom:

To the Senate:

To the end that I may receive the advice and consent of the Senate to ratification, I transmit herewith a treaty providing for the extradition of fugitives from justice, which was signed between the United States and Esthonia at Tallinn on November 8, 1923.

CALVIN COOLIDGE.

THE WHITE HOUSE.

The PRESIDENT:

The undersigned, the Secretary of State, has the honor to lay before the President, with a view to its transmission to the Senate to receive the advice and consent of that body to ratification, if his judgment approve thereof, a treaty providing for the extradition of fugitives from justice, concluded between the United States and Esthonia at Tallinn on November 8, 1923.

Respectfully submitted.

CHARLES E. HUGHES.

Accompaniment: Treaty as above.

DEPARTMENT OF STATE,

Washington, December 10, 1923.

The United States of America and Esthonia, desiring to promote the cause of justice, have resolved to conclude a treaty for the extradition of fugitives from justice between the two countries, and have appointed for that purpose the following plenipotentiaries:

The President of the United States of America: Mr. Frederick W. B. Coleman, envoy extraordinary and minister plenipotentiary. And the Government of the Republic of Esthonia: Mr. Frederick Akel, Minister for Foreign Affairs.

Who after having communicated to each other their respective full powers, found to be in good and due form, have agreed upon and concluded the following articles:

ARTICLE I.

It is agreed that the Government of the United States and the Government of Esthonia shall, upon requisition duly made as herein provided, deliver up to justice any person who may be charged with or may have been convicted of any of the crimes specified in article 2 of the present treaty committed within the jurisdiction of one of the high contracting parties, and who shall seek an asylum or shall be found within the territories of the other: *Provided*, That such surrender shall take place only upon such evidence or criminality as according to the laws of the place where the fugitive or person so charged shall be found would justify his apprehension and commitment for trial if the crime or offense had been there committed.

ARTICLE II.

Persons shall be delivered up according to the provisions of the present treaty who shall have been charged with or convicted of any of the following crimes:

1. Murder, comprehending the crimes designated by the terms parricide, assassination, manslaughter, poisoning, or infanticide.

2. The attempt to commit murder.

3. Rape, abortion, carnal knowledge of children under the age of 12 years.

4. Abduction or detention of women or girls for immoral purposes.

5. Bigamy.

6. Arson.

7. Willful and unlawful destruction or obstruction of railroads, which endangers human life.

8. Crimes committed at sea: (a) Piracy, as commonly known and defined by the law of nations or by statute; (b) wrongfully sinking or destroying a vessel at sea or attempting to do so; (c) mutiny or conspiracy by two or more members of the crew or other persons on board of a vessel on the high seas for the purpose of rebelling against the authority of the cap-

tain or commander of such vessel or by fraud or violence taking possession of such vessel; (d) assault on board ship upon the high seas with intent to do bodily harm.

9. Burglary, defined to be the act of breaking into and entering the house of another in the nighttime with intent to commit a felony therein.

10. The act of breaking into and entering the offices of the Government and public authorities, or the offices of banks, banking houses, savings banks, trust companies, insurance and other companies, or other buildings not dwellings with intent to commit a felony therein.

11. Robbery, defined to be the act of feloniously and forcibly taking from the person of another goods or money by violence or by putting him in fear.

12. Forgery or the utterance of forged papers.

13. The forgery or falsification of the official acts of the Government or public authority, including courts of justice, or the uttering or fraudulent use of any of the same.

14. The fabrication of counterfeit money, whether coin or paper, counterfeit titles or coupons of public debt, created by national, State, provincial, Territorial, local, or municipal governments, bank notes or other instruments of public credit, counterfeit seals, stamps, dies, and marks of State or public administrations, and the utterance, circulation, or fraudulent use of the above-mentioned objects.

15. Embezzlement or criminal malversation committed by public officers or depositaries.

16. Embezzlement by any person or persons hired, salaried, or employed to the detriment of their employers or principals.

17. Kidnaping of minors or adults, defined to be the abduction or detention of a person or persons, in order to exact money from their families or any other person or persons, or for any other unlawful end.

18. Larceny, defined to be the theft of effects, personal property, or money.

19. Obtaining money, valuable securities, or other property by false pretenses or receiving any money, valuable securities, or other property knowing the same to have been unlawfully obtained.

20. Perjury or subornation of perjury.

21. Fraud or breach of trust by a bailee, banker, agent, factor, trustee, executor, administrator, guardian, director, or officer of any company or corporation, or by anyone in any fiduciary position.

22. Crimes and offenses against the laws of both countries for the suppression of slavery and slave trading.

23. Willful desertion or willful nonsupport of minor or dependent children.

24. Extradition shall be granted for the crimes and offenses as specified above, only subject to the condition that the crime or offense committed is punishable under the laws of both of the high contracting parties at least by imprisonment with or without hard labor.

25. Extradition shall also take place for participation in any of the crimes before mentioned as an accessory before or after the fact, provided such participation be punishable by imprisonment by the laws of both the high contracting parties.

ARTICLE III.

The provisions of the present treaty shall not import a claim of extradition for any crime or offense of a political character, nor for acts connected with such crimes or offenses; and no person surrendered by or to either of the high contracting parties in virtue of this treaty shall be tried or punished for a political crime or offense. When the offense charged comprises the act either of murder or assassination or of poisoning, either consummated or attempted, the fact that the offense was committed or attempted against the life of the sovereign or head of a foreign state or against the life of any member of his family shall not be deemed sufficient to sustain that such crime or offense was of a political character or was an act connected with crimes or offenses of a political character.

ARTICLE IV.

No person shall be tried for any crime or offense other than that for which he was surrendered.

ARTICLE V.

A fugitive criminal shall not be surrendered under the provisions hereof when, from lapse of time or other lawful cause, according to the laws of both of the contracting parties the criminal is exempt from prosecution or punishment for the offense for which the surrender is asked.

ARTICLE VI.

If a fugitive criminal whose surrender may be claimed pursuant to the stipulations hereof be actually under prosecution, out on bail, or in custody for a crime or offense committed in

the country where he has sought asylum, or shall have been convicted thereof, his extradition may be deferred until such proceedings be determined, and until he shall have been set at liberty in due course of law.

ARTICLE VII.

If a fugitive criminal claimed by one of the parties hereto shall be also claimed by one or more powers pursuant to treaty provisions on account of crimes committed within their jurisdiction, such criminal shall be delivered to that State whose demand is first received.

ARTICLE VIII.

Under the stipulations of this treaty neither of the high contracting parties shall be bound to deliver up its own citizens.

ARTICLE IX.

The expense of arrest, detention, examination, and transportation of the accused shall be paid by the Government which has preferred the demand for extradition.

ARTICLE X.

Everything found in the possession of the fugitive criminal at the time of his arrest, whether being the proceeds of the crime or offense, or which may be material as evidence in making proof of the crime, shall so far as practicable, according to the laws of either of the high contracting parties, be delivered up with his person at the time of surrender. Nevertheless the rights of a third party with regard to the articles referred to shall be duly respected.

ARTICLE XI.

The stipulations of the present treaty shall be applicable to all territory wherever situated belonging to either of the high contracting parties or in the occupancy and under the control of either of them during such occupancy or control.

Requisitions for the surrender of fugitives from justice shall be made by the respective diplomatic agents of the high contracting parties. In the event of the absence of such agents from the country or its seat of government, or where extradition is sought from territory included in the preceding paragraphs other than the United States or Estonia, requisitions may be made by superior consular officers. It shall be competent for such diplomatic or superior consular officers to ask and obtain a mandate or preliminary warrant of arrest for the person whose surrender is sought, whereupon the judges and magistrates of the two Governments shall respectively have power and authority, upon complaint made under oath, to issue a warrant for the apprehension of the person charged, in order that he or she may be brought before such judge or magistrate, that the evidence of criminality may be heard and considered, and if on such hearing the evidence be deemed sufficient to sustain the charge, it shall be the duty of the examining judge or magistrate to certify it to the proper executive authority, that a warrant may issue for the surrender of the fugitive.

In case of urgency the application for arrest and detention may be addressed directly to the competent magistrate in conformity to the statutes in force.

The person provisionally arrested shall be released, unless within two months from the date of arrest or commitment in Estonia or United States, respectively, the formal requisition for surrender with the documentary proofs hereinafter prescribed be made as aforesaid by the diplomatic agent of the demanding Government or, in the absence, by a consular officer thereof.

If the fugitive criminal shall have been convicted of the crime for which his surrender is asked, a copy of the sentence of the court before which such conviction took place, duly authenticated, shall be produced. If, however, the fugitive is merely charged with crime, a duly authenticated copy of the warrant of arrest in the country where the crime was committed, and of the depositions upon which such warrant may have been issued, shall be produced, with such other evidence or proof as may be deemed competent in the case.

ARTICLE XII.

In every case of a request made by either of the high contracting parties for the arrest, detention, or extradition of fugitive criminals, the appropriate legal officers of the country where the proceedings of extradition are held shall assist the officers of the Government demanding the extradition before the respective judges and magistrates, by every legal means within their power, and no claim whatever for compensation for any of the services so rendered shall be made against the Government demanding the extradition, provided, however, that any officer or officers of the surrendering Government so giving assistance who shall, in the usual course of their duty, receive no salary or compensation other than specific fees for services performed by them, in the same manner and to the same

amount as though such acts or services had been performed in ordinary criminal proceedings under the laws of the country of which they are officers.

ARTICLE XIII.

The present treaty shall be ratified by the high contracting parties in accordance with their respective constitutional methods and shall take effect on the date of the exchange of ratifications which shall take place at Washington as soon as possible.

ARTICLE XIV.

The present treaty shall remain in force for a period of 10 years, and in case neither of the high contracting parties shall have given notice one year before the expiration of that period of its intention to terminate the treaty, it shall continue in force until the expiration of one year from the date on which such notice of termination shall be given by either of the high contracting parties.

In witness whereof the above-named plenipotentiaries have signed the present treaty and have hereunto affixed their seals. Done in duplicate at Tallinn this 8th day of November, 1923.

F. W. B. COLEMAN. [SEAL.]
FR. AKEL. [SEAL.]

EXTRADITION TREATY WITH LATVIA.

In executive session this day the following treaty was ratified, and, on motion of Mr. LODGE, the injunction of secrecy was removed therefrom:

To the Senate:

I transmit herewith, to receive the advice and consent of the Senate to ratification, a treaty for the extradition of fugitives from justice, concluded between the United States and Latvia on October 16, 1923.

CALVIN COOLIDGE.

THE WHITE HOUSE, December 11, 1923.

The PRESIDENT:

The undersigned, the Secretary of State, has the honor to lay before the President, with a view to its transmission to the Senate to receive the advice and consent of that body to ratification, if his judgment approve thereof, a treaty between the United States and Latvia providing for the extradition of fugitives from justice, signed at Riga on October 16, 1923.

Respectfully submitted.

CHARLES E. HUGHES.

DEPARTMENT OF STATE,
Washington.

The United States of America and Latvia, desiring to promote the cause of justice, have resolved to conclude a treaty for the extradition of fugitives from justice between the two countries and have appointed for that purpose the following plenipotentiaries:

The President of the United States of America: F. W. B. Coleman, envoy extraordinary and minister plenipotentiary of the United States at Riga; and

The President of the Republic of Latvia: Germain Albat, minister plenipotentiary, secretary-general for foreign affairs;

Who, after having communicated to each other their respective full powers, found to be in good and due form, have agreed upon and concluded the following articles:

ARTICLE I.

It is agreed that the Government of the United States and the Government of Latvia shall, upon requisition duly made as herein provided, deliver up to justice any person who may be charged with, or may have been convicted of, any of the crimes specified in Article II of the present treaty, committed within the jurisdiction of one of the high contracting parties, and who shall seek an asylum or shall be found within the territories of the other: *Provided*, That such surrender shall take place only upon such evidence of criminality as according to the laws of the place where the fugitive or person so charged shall be found would justify his apprehension and commitment for trial if the crime or offense had been there committed.

ARTICLE II.

Persons shall be delivered up according to the provisions of the present treaty who shall have been charged with or convicted of any of the following crimes:

1. Murder, comprehending the crimes designated by the terms parricide, assassination, manslaughter when voluntary, poisoning, or infanticide.
2. The attempt to commit murder.

3. Rape, abortion, carnal knowledge of children under the age of 12 years.

4. Abduction or detention of women or girls for immoral purposes.

5. Bigamy.

6. Arson.

7. Willful and unlawful destruction or obstruction of railroads, which endangers human life.

8. Crimes committed at sea:

(a) Piracy, as commonly known and defined by the law of nations or by statute;

(b) Wrongfully sinking or destroying a vessel at sea or attempting to do so;

(c) Mutiny or conspiracy by two or more members of the crew or other persons on board of a vessel on the high seas for the purpose of rebelling against the authority of the captain or commander of such vessel, or by fraud or violence taking possession of such vessel;

(d) Assault on board ship upon the high seas with intent to do bodily harm.

9. Burglary, defined to be the act of breaking into and entering the house of another in the nighttime with intent to commit a felony therein.

10. The act of breaking into and entering the offices of the Government and public authorities, or the offices of banks, banking houses, savings banks, trust companies, insurance and other companies, or other buildings not dwellings with intent to commit a felony therein.

11. Robbery, defined to be the act of feloniously and forcibly taking from the person of another goods or money by violence or by putting him in fear.

12. Forgery or the utterance of forged papers.

13. The forgery or falsification of the official acts of the Government or public authority, including courts of justice, or the uttering or fraudulent use of any of the same.

14. The fabrication of counterfeit money, whether coin or paper, counterfeit titles or coupons of public debt, created by National, State, provincial, Territorial, local or municipal governments, bank notes or other instruments of public credit, counterfeit seals, stamps, dies, and marks of State or public administrations, and the utterance, circulation, or fraudulent use of the above-mentioned objects.

15. Embezzlement or criminal malversation committed within the jurisdiction of one or the other party by public officers or depositaries, where the amount embezzled exceeds \$200 or Latvian equivalent.

16. Embezzlement by any person or persons hired, salaried, or employed, to the detriment of their employers or principals, when the crime or offense is punishable by imprisonment or other corporal punishment by the laws of both countries, and where the amount embezzled exceeds \$200 or Latvian equivalent.

17. Kidnaping of minors or adults, defined to be the abduction or detention of a person or persons, in order to exact money from them, their families or any other person or persons, or for any other unlawful end.

18. Larceny, defined to be the theft of effects, personal property, or money, of the value of \$25 or more, or Latvian equivalent.

19. Obtaining money, valuable securities or other property by false pretenses or receiving any money, valuable securities or other property knowing the same to have been unlawfully obtained, where the amount of money or the value of the property so obtained or received exceeds \$200 or Latvian equivalent.

20. Perjury or subornation of perjury.

21. Fraud or breach of trust by a bailee, banker, agent, factor, trustee, executor, administrator, guardian, director, or officer of any company or corporation, or by anyone in any fiduciary position, where the amount of money or the value of the property misappropriated exceeds \$200 or Latvian equivalent.

22. Crimes and offenses against the laws of both countries for the suppression of slavery and slave trading.

23. Willful desertion of minor or dependent children.

24. Extradition shall also take place for participation in any of the crimes before mentioned as an accessory before or after the fact, provided such participation be punishable by imprisonment by the laws of both the high contracting parties.

ARTICLE III.

The provisions of the present treaty shall not import a claim of extradition for any crime or offense of a political character, nor for acts connected with such crimes or offenses; and no person surrendered by or to either of the high contracting parties in virtue of this treaty shall be tried or punished

for a political crime or offense. When the offense charged comprises the act either of murder or assassination or of poisoning, either consummated or attempted, the fact that the offense was committed or attempted against the life of the sovereign or head of a foreign state or against the life of any member of his family shall not be deemed sufficient to sustain that such crime or offense was of a political character, or was an act connected with crimes or offenses of a political character.

ARTICLE IV.

No person shall be tried for any crime or offense other than that for which he was surrendered.

ARTICLE V.

A fugitive criminal shall not be surrendered under the provisions hereof, when, from lapse of time or other lawful cause, according to the laws of the place within the jurisdiction of which the fugitive may be found, the criminal is exempt from prosecution or punishment for the offense for which the surrender is asked.

ARTICLE VI.

If a fugitive criminal whose surrender may be claimed pursuant to the stipulations hereof be actually under prosecution, out on bail, or in custody for a crime or offense committed in the country where he has sought asylum, or shall have been convicted thereof, his extradition may be deferred until such proceedings be determined, and until he shall have been set at liberty in due course of law.

ARTICLE VII.

If a fugitive criminal claimed by one of the parties hereto shall be also claimed by one or more powers pursuant to treaty provisions, on account of crimes committed within their jurisdiction, such criminal shall be delivered to that state whose demand is first received.

ARTICLE VIII.

Under the stipulations of this treaty, neither of the high contracting parties shall be bound to deliver up its own citizens.

ARTICLE IX.

The expense of arrest, detention, examination, and transportation of the accused shall be paid by the Government which has preferred the demand for extradition.

ARTICLE X.

Everything found in the possession of the fugitive criminal at the time of his arrest, whether being the proceeds of the crime or offense or which may be material as evidence in making proof of the crime, shall, so far as practicable, according to the laws of either of the high contracting parties, be delivered up with his person at the time of surrender. Nevertheless, the rights of a third party with regard to the articles referred to shall be duly respected.

ARTICLE XI.

The stipulations of the present treaty shall be applicable to all territory, wherever situated, belonging to either of the high contracting parties or in the occupancy and under the control of either of them during such occupancy or control.

Requisitions for the surrender of fugitives from justice shall be made by the respective diplomatic agents of the high contracting parties. In the event of the absence of such agents from the country or its seat of government, or where extradition is sought from territory included in the preceding paragraphs, other than Latvia or the United States, requisitions may be made by superior consular officers. It shall be competent for such diplomatic or superior consular officers to ask and obtain a mandate or preliminary warrant of arrest for the person whose surrender is sought, whereupon the judges and magistrates of the two Governments shall respectively have power and authority, upon complaint made under oath, to issue a warrant for the apprehension of the person charged, in order that he or she may be brought before such judge or magistrate, that the evidence of criminality may be heard and considered, and if on such hearing the evidence be deemed sufficient to sustain the charge it shall be the duty of the examining judges or magistrate to certify it to the proper executive authority, that a warrant may issue for the surrender of the fugitive.

In case of urgency the application for arrest and detention may be addressed directly to the competent magistrate, in conformity to the statutes in force.

The person provisionally arrested shall be released, unless within two months from the date of arrest in Latvia, or from the date of commitment in the United States, the formal requisition for surrender, with the documentary proofs hereinafter prescribed, be made as aforesaid by the diplomatic agent of the demanding Government or, in his absence, by a consular officer thereof.

If the fugitive criminal shall have been convicted of the crime for which his surrender is asked, a copy of the sentence of the court before which such conviction took place, duly authenticated, shall be produced. If, however, the fugitive is merely charged with crime, a duly authenticated copy of the warrant of arrest in the country where the crime was committed, and of the depositions upon which such warrant may have been issued, shall be produced, with such other evidence or proof as may be deemed competent in the case.

ARTICLE XII.

In every case of a request made by either of the high contracting parties for the arrest, detention, or extradition of fugitive criminals the appropriate legal officers of the country where the proceedings of extradition are had shall assist the officers of the Government demanding the extradition before the respective judges and magistrates by every legal means within their power; and no claim whatever for compensation for any of the services so rendered shall be made against the Government demanding the extradition: *Provided, however,* That any officer or officers of the surrendering Government so giving assistance who shall, in the usual course of their duty, receive no salary or compensation other than specific fees for services performed, shall be entitled to receive from the Government demanding the extradition the customary fees for the acts or services performed by them, in the same manner and to the same amount as though such acts or services had been performed in ordinary criminal proceedings under the laws of the country of which they are officers.

ARTICLE XIII.

The present treaty shall be ratified by the high contracting parties in accordance with their respective constitutional methods, and shall take effect on the date of the exchange of ratifications, which shall take place at Riga as soon as possible.

ARTICLE XIV.

The present treaty shall remain in force for a period of 10 years, and in case neither of the high contracting parties shall have given notice one year before the expiration of that period of its intention to terminate the treaty it shall continue in force until the expiration of one year from the date on which such notice of termination shall be given by either of the high contracting parties.

In witness whereof the above-named plenipotentiaries have signed the present treaty and have hereunto affixed their seals. Done in duplicate at Riga this 16th day of October, 1923.

[SEAL.]

F. W. B. COLEMAN.

[SEAL.]

G. ALBAT.

EXTRADITION TREATY WITH SIAM.

In executive session this day the following treaty was ratified, and, on motion of Mr. LODGE, the injunction of secrecy was removed therefrom:

To the Senate:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith a treaty between the United States and Siam, for the extradition of fugitives from justice, signed at Bangkok on December 30, 1922.

CALVIN COOLIDGE.

THE WHITE HOUSE, December 11, 1923.

THE PRESIDENT:

The undersigned, the Secretary of State, has the honor to lay before the President, with a view to its transmission to the Senate to receive the advice and consent of that body to ratification, if his judgment approve thereof, a treaty between the United States and Siam, for the extradition of fugitives from justice, signed at Bangkok on December 30, 1922.

Respectfully submitted.

CHARLES E. HUGHES.

DEPARTMENT OF STATE,

Washington, December 10, 1923.

The United States of America and Siam, desiring to promote the cause of justice, have resolved to conclude a treaty for the extradition of fugitives from justice, between the two countries, and have appointed for that purpose the following plenipotentiaries:

The President: Edward E. Brodie, envoy extraordinary and minister plenipotentiary of the United States to Siam, and

His Majesty the King: His Royal Highness Prince Devawongse Varopakarn, Minister for Foreign Affairs.

Who, after having communicated to each other their respective full powers, found to be in good and due form, have agreed upon and concluded the following articles:

ARTICLE I.

It is agreed that the Government of the United States and the Government of Siam shall, upon requisition duly made as herein provided, deliver up to justice any person over whom they respectively exercise jurisdiction who may be charged with, or may have been convicted of, any of the crimes specified in Article II of the present treaty committed within the jurisdiction of one of the high contracting parties, and who shall seek an asylum or shall be found within the territories of the other; *Provided*, That such surrender shall take place only upon such evidence of criminality as according to the laws of the place where the fugitive or person so charged shall be found would justify his apprehension and commitment for trial if the crime or offense had been there committed.

ARTICLE II.

Persons shall be delivered up according to the provisions of the present treaty who shall have been charged with or convicted of any of the following crimes:

1. Murder, comprehending the crimes designated by the terms parricide, assassination, manslaughter when voluntary, poisoning, or infanticide.

2. The attempt to commit murder.

3. Rape, abortion, carnal knowledge of children under the age of 12 years.

4. Abduction or detention of women or girls for immoral purposes.

5. Bigamy.

6. Arson.

7. Willful and unlawful destruction or obstruction of railroads which endangers human life.

8. Crimes committed at sea:

(a) Piracy, as commonly known and defined by the law of nations or by statute.

(b) Wrongfully sinking or destroying a vessel at sea or attempting to do so.

(c) Mutiny or conspiracy by two or more members of the crew or other persons on board of a vessel on the high seas for the purpose of rebelling against the authority of the captain or commander of such vessel, or by fraud or violence taking possession of such vessel.

(d) Assault on board ship upon the high seas with intent to do bodily harm.

9. Burglary, defined to be the act of breaking into and entering the house of another in the nighttime with intent to commit a felony therein.

10. The act of breaking into and entering the offices of the Government and public authorities, or the offices of banks, banking houses, savings banks, trust companies, insurance and other companies, or other buildings not dwellings with intent to commit a felony therein.

11. Robbery, defined to be the act of feloniously and forcibly taking from the person of another goods or money by violence or by putting him in fear.

12. Forgery or the utterance of forged papers.

13. The forgery or falsification of the official acts of the Government or public authority, including courts of justice, or the uttering or fraudulent use of any of the same.

14. The fabrication of counterfeit money, whether coin or paper, counterfeit titles or coupons of public debt, created by National, State, provincial, Territorial, local, or municipal governments, bank notes or other instruments of public credit, counterfeit seals, stamps, dies and marks of State or public administrations, and the utterance, circulation, or fraudulent use of the above-mentioned objects.

15. Embezzlement or criminal malversation committed within the jurisdiction of one or the other party by public officers or depositaries, where the amount embezzled exceeds \$200 or Siamese equivalent.

16. Embezzlement by any person or persons hired, salaried, or employed, to the detriment of their employers or principals, when the crime or offense is punishable by imprisonment or other corporal punishment by the laws of both countries, and where the amount embezzled exceeds \$200 or Siamese equivalent.

17. Kidnaping of minors or adults, defined to be the abduction or detention of a person or persons, in order to exact money from them, their families, or any other person or persons, or for any other unlawful end.

18. Larceny, defined to be the theft of effects, personal property, or money, of the value of \$25 or more, or Siamese equivalent.

19. Obtaining money, valuable securities, or other property by false pretenses, or receiving any money, valuable securities, or other property knowing the same to have been unlawfully obtained, where the amount of money or the value of the property so obtained or received exceeds \$200 or Siamese equivalent.

20. Perjury or subornation of perjury.

21. Fraud or breach of trust by a bailee, banker, agent, factor, trustee, executor, administrator, guardian, director, or officer of any company or corporation, or by anyone in any fiduciary position, where the amount of money or the value of the property misappropriated exceeds \$200 or Siamese equivalent.

22. Crimes and offenses against the laws of both countries for the suppression of slavery and slave trading.

23. Willful desertion or willful nonsupport of minor or dependent children.

24. Extradition shall also take place for participation in any of the crimes before mentioned as an accessory before or after the fact, provided such participation be punishable by imprisonment by the laws of both the high contracting parties.

ARTICLE III.

The provisions of the present treaty shall not import a claim of extradition for any crime or offense of a political character, nor for acts connected with such crimes or offenses; and no person surrendered by or to either of the high contracting parties in virtue of this treaty shall be tried or punished for a political crime or offense. When the offense charged comprises the act either of murder or assassination or of poisoning, either consummated or attempted, the fact that the offense was committed or attempted against the life of the sovereign or head of a foreign state or against the life of any member of his family shall not be deemed sufficient to sustain that such crime or offense was of a political character, or was an act connected with crimes or offenses of a political character.

ARTICLE IV.

No person shall be tried for any crime or offense other than that for which he was surrendered.

ARTICLE V.

A fugitive criminal shall not be surrendered under the provisions hereof, when, from lapse of time or other lawful cause, according to the laws of the place within the jurisdiction of which the crime was committed, the criminal is exempt from prosecution or punishment for the offense for which the surrender is asked.

ARTICLE VI.

If a fugitive criminal whose surrender may be claimed pursuant to the stipulations hereof be actually under prosecution, out on bail, or in custody for a crime or offense committed in the country where he has sought asylum, or shall have been convicted thereof, his extradition may be deferred until such proceedings be determined and until he shall have been set at liberty in due course of law.

ARTICLE VII.

If a fugitive criminal claimed by one of the parties hereto shall be also claimed by one or more powers pursuant to treaty provisions, on account of crimes committed within their jurisdiction, such criminal shall be delivered to that state whose demand is first received.

ARTICLE VIII.

Under the stipulations of this treaty neither of the high contracting parties shall be bound to deliver up its own citizens.

ARTICLE IX.

The expense of arrest, detention, examination, and transportation of the accused shall be paid by the Government which has preferred the demand for extradition.

ARTICLE X.

Everything found in the possession of the fugitive criminal at the time of his arrest, whether being the proceeds of the crime or offense, or which may be material as evidence in making proof of the crime, shall, so far as practicable, according to the laws of either of the high contracting parties, be delivered up with his person at the time of surrender. Nevertheless, the rights of a third party with regard to the articles referred to shall be duly respected.

ARTICLE XI.

The stipulations of the present treaty shall be applicable to all territory, wherever situated, belonging to either of the high contracting parties or in the occupancy and under the control of either of them during such occupancy or control.

Requisitions for the surrender of fugitives from justice shall be made by the respective diplomatic agents of the high contracting parties. In the event of the absence of such agents from the country or its seat of government, or where extradition is sought from territory included in the preceding paragraphs, other than the United States or Siam, requisitions may be made by superior consular officers. It shall be competent for such diplomatic or superior consular officers to ask and obtain a mandate or preliminary warrant of arrest for the person whose surrender is sought, whereupon the judges and magistrates of the two Governments shall respectively have power and authority, upon complaint made under oath, to issue a warrant for the apprehension of the person charged, in order that he or she may be brought before such judge or magistrate, that the evidence of criminality may be heard and considered, and if, on such hearing, the evidence be deemed sufficient to sustain the charge it shall be the duty of the examining judge or magistrate to certify it to the proper executive authority, that a warrant may issue for the surrender of the fugitive.

In case of urgency the application for arrest and detention may be addressed directly to the competent magistrate in conformity to the statutes in force.

The person provisionally arrested shall be released, unless within two months from the date of arrest in Siam, or from the date of commitment in the United States, the formal requisition for surrender, with the documentary proofs herein-after prescribed, be made as aforesaid by the diplomatic agent of the demanding Government or, in his absence, by a consular officer thereof.

If the fugitive criminal shall have been convicted of the crime for which his surrender is asked, a copy of the sentence of the court before which such conviction took place, duly authenticated, shall be produced. If, however, the fugitive is merely charged with crime, a duly authenticated copy of the warrant of arrest in the country where the crime was committed, and of the depositions upon which such warrant may have been issued, shall be produced, with such other evidence or proof as may be deemed competent in the case.

ARTICLE XII.

In every case of a request made by either of the high contracting parties for the arrest, detention, or extradition of fugitive criminals, the appropriate legal officers of the country where the proceedings of extradition are had shall assist the officers of the Government demanding the extradition before the respective judges and magistrates by every legal means within their power; and no claim whatever for compensation for any of the services so rendered shall be made against the Government demanding the extradition: *Provided, however*, That any officer or officers of the surrendering Government so giving assistance who shall, in the usual course of their duty, receive no salary or compensation other than specific fees for services performed, shall be entitled to receive from the Government demanding the extradition the customary fees for the acts or services performed by them, in the same manner and to the same amount as though such acts or services had been performed in ordinary criminal proceedings under the laws of the country of which they are officers.

ARTICLE XIII.

The present treaty shall be ratified by the high contracting parties in accordance with their respective constitutional methods and shall take effect on the date of the exchange of ratifications, which shall take place at Bangkok as soon as possible.

ARTICLE XIV.

The present treaty shall remain in force for a period of 10 years, and in case neither of the high contracting parties shall have given notice 1 year before the expiration of that period of its intention to terminate the treaty, it shall continue in force until the expiration of 1 year from the date on which such notice of termination shall be given by either of the high contracting parties.

In witness whereof the above-named plenipotentiaries have signed the present treaty and have hereunto affixed their seals.

Done in duplicate at Bangkok this 13th day of December, 1922.

[SEAL.]
[SEAL.]

(Signed) EDWARD E. BRODIE.
(Signed) DEVAWONGSE.

NOMINATIONS.

Executive nominations received by the Senate January 7, 1924.

COAST AND GEODETIC SURVEY.

To be junior hydrographic and geodetic engineers with relative rank of lieutenants (junior grade) in the Navy, by promotion from aid with relative rank of ensign in the Navy.

August Hans Wagener, of Maryland, vice W. T. Coombs, promoted.

Henry Edward Finnegan, of New York, vice J. A. Bond, promoted.

Arthur Watts Skilling, of Massachusetts, vice W. M. Scaife, promoted.

Donald Wood Taylor, of Massachusetts, vice C. D. Meaney, promoted.

James Francis Downey, jr., of Massachusetts, vice R. R. Moore, promoted.

Harry Louis Bloomberg, of New York, vice Douglas Karr, retired.

Robert Winn Byrns, of Ohio, vice C. K. Green, promoted.

John Aloysius Bond, of the District of Columbia, to be hydrographic and geodetic engineer with relative rank of lieutenant in the Navy, by promotion from junior hydrographic and geodetic engineer with relative rank of lieutenant (junior grade) in the Navy, vice A. G. Katz, resigned.

To be aids with relative rank of ensigns in the Navy, by promotion from deck officer.

Henry Ward Tyler, of New York, vice W. O. Manchester, promoted.

Charles Duncan Baker, of Nevada, vice L. B. Clore, promoted.

Alfred Ogram, of Georgia, vice G. H. Dell, promoted.

Frank Larner, of Kansas, vice E. P. Morton, promoted.

Thomas Bernard Reed, of Kansas, vice D. B. Pheley, promoted.

Jacob Acil Kibler, of Kansas, vice C. M. Thomas, promoted.

Victor Addison Bishop, of New York, vice P. H. White, resigned.

Edward Murtone Denbo, of Indiana, vice E. B. Roberts, promoted.

Jack Chester Sammons, of Kentucky, vice A. J. Hoskinson, promoted.

Robert Walker Knox, of Washington, vice Max Leff, promoted.

Henry Arnold Karo, of Nebraska, vice D. E. Whelan, jr., promoted.

George Livingston Anderson, of Virginia, vice L. C. Wilder, promoted.

Aids with relative rank of ensigns in the Navy, by promotion from junior engineer.

Frederick Gurnee Outcalt, of New Jersey, vice Herman Odessey, promoted.

Charles Pierce, of Massachusetts, vice L. O. Stewart, promoted.

Hibbert Morse Hill, of Minnesota, vice W. H. Overshiner, promoted.

PROMOTIONS IN THE REGULAR ARMY.

To be colonels.

Lieut. Col. George Edward Ball, Quartermaster Corps, from December 24, 1923.

Lieut. Col. Reuben Smith, Infantry, from December 30, 1923.

Lieut. Col. Russell Potter Reeder, Coast Artillery Corps, from January 1, 1924.

To be lieutenant colonels.

Maj. John Burhyte Wilmot Corey, Field Artillery, from December 19, 1923.

Maj. George Allen Taylor, Field Artillery, from December 24, 1923.

Maj. Ralph Emerson Herring, Coast Artillery Corps, from December 30, 1923.

Maj. John Albert Paegelow, Air Service, from January 1, 1924.

To be majors.

Capt. Edwin Alexander Bethel, Corps of Engineers, from December 19, 1923.

Capt. John French Conklin, Corps of Engineers, from December 23, 1923.

Capt. Alfred Laing Ganahl, Corps of Engineers, from December 24, 1923.

Capt. John Easter Harris, Corps of Engineers, from December 28, 1923.

Capt. William Frazier Tompkins, Corps of Engineers, from December 30, 1923.

Capt. Douglas Hamilton Gillette, Corps of Engineers, from January 1, 1924, subject to examination required by law.

To be captains.

First Lieut. Carroll Harper Newell, Infantry, from December 19, 1923.

First Lieut. Harry Thurber, Quartermaster Corps, from December 23, 1923.

First Lieut. Louis Arthur Witney, Infantry, from December 24, 1923.

First Lieut. Ade Orrill, Infantry, from December 28, 1923.

First Lieut. Oscar Glenn Stevens, Infantry, from December 29, 1923.

First Lieut. John Alfred Gilman, Quartermaster Corps, from December 29, 1923.

First Lieut. William Thomas Brock, Infantry, from December 30, 1923.

First Lieut. John Edward Langley, Corps of Engineers, from January 1, 1924.

To be first lieutenants.

Second Lieut. Raymond Clegg Barlow, Infantry, from December 19, 1923.

Second Lieut. Frank Greene Davis, Infantry, from December 23, 1923.

Second Lieut. Emmett James Bean, Infantry, from December 24, 1923.

Second Lieut. Donald Allen Fay, Infantry, from December 28, 1923.

Second Lieut. Charles Henry Noble, Cavalry, from December 29, 1923.

Second Lieut. Walter Towle O'Reilly, Field Artillery, from December 29, 1923.

Second Lieut. Kenneth Pierce, Infantry, from December 30, 1923.

Second Lieut. Charles Henry Bryan, Cavalry, from January 1, 1924.

APPOINTMENT IN THE REGULAR ARMY.

To be chaplain.

Rev. John Richard Carroll, of New York, to be chaplain with the rank of first lieutenant, with rank from December 26, 1923.

APPOINTMENTS BY TRANSFER IN THE REGULAR ARMY.

ORDNANCE DEPARTMENT.

Maj. James Kirk, Air Service, with rank from July 1, 1920.

FIELD ARTILLERY.

Capt. George Philip Seneff, Infantry, with rank from July 1, 1920.

COAST ARTILLERY CORPS.

Maj. Sherman Miles, Field Artillery (detailed in General Staff), with rank from May 21, 1920.

PROMOTIONS IN THE NAVY.

Commander Lloyd S. Shapley to be a captain in the Navy from the 8th day of June, 1923.

Commander John C. Fremont to be a captain in the Navy from the 13th day of November, 1923.

The following-named lieutenant commanders to be commanders in the Navy from the 8th day of June, 1923:

Charles R. Clark.

Harold V. McKittrick.

Lieut. George D. Hull to be a lieutenant commander in the Navy from the 29th day of July, 1923.

Lieut. Paul Hendren to be a lieutenant commander in the Navy from the 16th day of September, 1923.

Lieut. Henry M. Briggs to be a lieutenant commander in the Navy from the 16th day of October, 1923.

Lieut. Joseph Y. Dreisonstok to be a lieutenant commander in the Navy from the 1st day of November, 1923.

Lieut. (Junior Grade) Robert S. Smith, jr., to be a lieutenant in the Navy from the 1st day of August, 1922.

Lieut. (Junior Grade) Van Rensselaer Moore to be a lieutenant in the Navy from the 3d day of December, 1922.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 8th day of June, 1923:

Frank I. Hart.

John G. Cross.

Lawrence K. Beaver.

Ensign Carl E. Wiencke to be a lieutenant (junior grade) in the Navy from the 22d day of April, 1922.

Ensign Harold R. Holcomb to be a lieutenant (junior grade) in the Navy from the 1st day of June, 1922.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 4th day of June, 1923:

Delbert L. Conley.
John T. McDermott.
Lloyd A. Dillon.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 5th day of June, 1923:

Howard H. Hubbell. Paul E. Howard.
Frederick G. Kahn. William W. Cone.
Ralph B. Hunt. Forrest H. Wells.

The following-named boatswains to be chief boatswains in the Navy, to rank with but after ensign, from the 2d day of July, 1923:

Arthur A. Travis.
Henry Plander.

The following-named boatswains to be chief boatswains in the Navy, to rank with but after ensign, from the 24th day of September, 1923:

William M. Casstevens. Charles A. Leonard.
Thomas J. Leitch. Peter H. Scribante.
William A. Spencer. Clarence I. Bailey.
Patrick F. Powers. Harry E. Kiser.
Frederick Kidston.

The following-named gunners to be chief gunners in the Navy, to rank with but after ensign, from the 2d day of July, 1923:

Maurice M. Rodgers. Philip A. Wilson.
Allen J. Gahagan. Arthur Boileau.

The following-named gunners to be chief gunners in the Navy, to rank with but after ensign, from the 24th day of September, 1923:

William J. Collum. Herman Kanger.
Frederick P. Yost. Roscoe C. Reese.
Wallace C. Schlaefer. Joseph A. Perry.
Ralph S. Lunney. Charles V. Hart.
Gardwood Marshall. Harold T. Bryant.

The following-named machinists to be chief machinists in the Navy, to rank with but after ensign, from the 2d day of July, 1923:

Henry E. Rung.
Leonard W. Johnson.

The following-named machinists to be chief machinists in the Navy, to rank with but after ensign, from the 24th day of September, 1923:

Walter H. England.
John S. Glover.

Pay Clerk William H. Gardner to be a chief pay clerk in the Navy, to rank with but after ensign, from the 26th day of July, 1923.

The following-named pay clerks to be chief pay clerks in the Navy, to rank with but after ensign, from the 24th day of September, 1923:

John F. Marsden. James P. Gallagher.
Charles L. Elkins. Clyde S. Martin.
Lawrence B. Greason. William A. Swanson.
Robert B. Miller. Waldo L. Waters.
Roscoe W. Beard.

Commander Walter N. Vernon to be captain in the Navy from the 3d day of December, 1923.

Lieut. (Junior Grade) Charlie S. East to be a lieutenant in the Navy from the 7th day of July, 1923.

Lieut. (Junior Grade) Arthur P. Spencer to be a lieutenant in the Navy from the 30th day of June, 1923.

MARINE CORPS.

Maj. Robert O. Underwood to be a lieutenant colonel in the Marine Corps.

Selden B. Kennedy to be a major.
Miles R. Thacher to be a major.
Marion B. Humphrey to be a major.
Erwin Mehlinger to be a captain.
James B. McHugh to be a second lieutenant.

POSTMASTERS.

ALABAMA.

John E. Buzbee to be postmaster at Jasper, Ala., in place of N. S. Coleman. Incumbent's commission expired July 28, 1923.

ARIZONA.

William F. Haas to be postmaster at Naco, Ariz. Office became presidential October 1, 1923.

ARKANSAS.

William E. Hill to be postmaster at Norphlet, Ark. Office became presidential July 1, 1923.

CALIFORNIA.

Peder P. Hornsyld to be postmaster at Solvang, Calif. Office became presidential October 1, 1923.

COLORADO.

Eben H. Bebee to be postmaster at Cripple Creek, Colo., in place of L. T. Britton, deceased.

CONNECTICUT.

Allen C. Bennett to be postmaster at West Willington, Conn. Office became presidential July 1, 1923.

ILLINOIS.

Percy W. Armstrong to be postmaster at Glencoe, Ill., in place of R. A. Pate. Incumbent's commission expired January 11, 1919.

INDIANA.

Edmond M. Wright to be postmaster at North Salem, Ind., in place of D. D. Warring, deceased.

John A. Jones to be postmaster at Marion, Ind., in place of W. D. Moss, resigned.

Edmund H. Imes to be postmaster at Westville, Ind. Office became presidential July 1, 1923.

Elizabeth Hatfield to be postmaster at Centerville, Ind., in place of C. M. Cook. Incumbent's commission expires January 23, 1924.

Romain C. Campbell to be postmaster at Butler, Ind., in place of J. B. Russell. Incumbent's commission expired July 28, 1923.

IOWA.

George C. Parsons to be postmaster at Perry, Iowa, in place of H. A. Nash. Incumbent's commission expired August 5, 1923.

KANSAS.

Harry W. Adams to be postmaster at Elkhart, Kans., in place of H. J. Davis, removed.

Clarence R. Aten to be postmaster at Dodge City, Kans., in place of H. F. Schmidt, resigned.

Patrick H. Lindley to be postmaster at Havana, Kans. Office became presidential October 1, 1923.

Frank B. Myers to be postmaster at Americus, Kans., in place of J. M. Elliott. Incumbent's commission expired January 23, 1921.

KENTUCKY.

Ola Barbee to be postmaster at Adairville, Ky., in place of L. P. Maxey, resigned.

Ira C. Byerley to be postmaster at Paducah, Ky., in place of J. J. Berry. Incumbent's commission expired October 3, 1922.

Ransom B. Martin to be postmaster at Hartford, Ky., in place of J. S. Glenn. Incumbent's commission expired August 20, 1923.

David N. Welch to be postmaster at Berea, Ky., in place of L. C. Adams. Incumbent's commission expired August 20, 1923.

Anna M. Sisk to be postmaster at Allensville, Ky., in place of A. M. Sisk. Incumbent's commission expired August 20, 1923.

MAINE.

Carlos A. Goldthwait to be postmaster at Biddeford Pool, Me., in place of F. O. Goldthwaite, deceased.

MARYLAND.

Lafayette Ruark to be postmaster at Westover, Md. Office became presidential October 1, 1923.

Hattie B. H. Moore to be postmaster at Marydel, Md. Office became presidential October 1, 1923.

MASSACHUSETTS.

Walter L. Tower to be postmaster at Dalton, Mass., in place of E. G. Pike, deceased.

MICHIGAN.

Murl H. DeFoe to be postmaster at Charlotte, Mich., in place of M. E. Miller, deceased.

Harvey W. Raymond to be postmaster at Baraga, Mich., in place of F. W. Hild. Incumbent's commission expired July 28, 1923.

Della M. Butler to be postmaster at Wolverine, Mich., in place of M. D. McPhee. Incumbent's commission expired July 28, 1923.

MINNESOTA.

Frederick A. Scherf to be postmaster at Red Wing, Minn., in place of L. C. Stromberg, removed.

August Olson to be postmaster at Meadowlands, Minn. Office became presidential October 1, 1923.

Jennie M. Payne to be postmaster at Goodridge, Minn. Office became presidential October 1, 1923.

Charles J. Johnson to be postmaster at Garfield, Minn. Office became presidential October 1, 1923.

Louis O. Lund to be postmaster at Farwell, Minn. Office became presidential October 1, 1923.

August Wenberg to be postmaster at Dunnell, Minn. Office became presidential April 1, 1922.

Ottocar Sobotka to be postmaster at Pine City, Minn., in place of J. M. Collins. Incumbent's commission expired August 29, 1923.

John Briffett to be postmaster at Lake Benton, Minn., in place of J. B. Hughes. Incumbent's commission expired July 28, 1923.

Egbert J. Sutherland to be postmaster at Chatfield, Minn., in place of E. J. Sutherland. Incumbent's commission expired July 28, 1923.

MISSISSIPPI.

Bessie S. Williams to be postmaster at Tunica, Miss., in place of F. J. Barlow, removed.

Francis C. Hayden to be postmaster at Vaughan, Miss. Office became presidential April 1, 1923.

Mary E. Ratliff to be postmaster at Shaw, Miss., in place of F. L. Ratliff. Incumbent's commission expired August 5, 1923.

Daisy G. Delmas to be postmaster at Moss Point, Miss., in place of Hattie McLeod. Incumbent's commission expired July 28, 1923.

Alfred F. Cook to be postmaster at Leakesville, Miss., in place of A. F. Cook. Incumbent's commission expired July 28, 1923.

MISSOURI.

Lulu Schweer to be postmaster at Mount Washington, Mo., in place of M. F. Walker, resigned.

John F. Hooley to be postmaster at Pleasant Hill, Mo., in place of E. I. Idol. Incumbent's commission expired August 12, 1923.

Clyde H. Turner to be postmaster at Mansfield, Mo., in place of W. A. Black. Incumbent's commission expired November 19, 1923.

NEW JERSEY.

Richard T. Beak to be postmaster at Shrewsbury, N. J. Office became presidential October 1, 1923.

John P. Adair to be postmaster at Highlands, N. J., in place of J. P. Adair. Incumbent's commission expired November 21, 1922.

NEW YORK.

Otto K. Wasmuth to be postmaster at Turin, N. Y., in place of E. B. Higby, resigned.

Veva B. Christian to be postmaster at Cranberry Lake, N. Y., in place of E. W. Lothian, deceased.

Norman D. Higby to be postmaster at Constableville, N. Y., in place of W. W. McConnell, resigned.

John J. Hull to be postmaster at Clintondale, N. Y. Office became presidential April 1, 1923.

Arthur Decker to be postmaster at Goshen, N. Y., in place of Charles Fitzpatrick. Incumbent's commission expired August 5, 1923.

Harry L. Hedge to be postmaster at Glen Cove, N. Y., in place of J. A. Neafsey. Incumbent's commission expired November 19, 1923.

Henry P. Wilcox to be postmaster at Cohocton, N. Y., in place of F. J. Land. Incumbent's commission expired August 29, 1923.

Ernest K. Hudson to be postmaster at Castleton, N. Y., in place of J. W. McKnight. Incumbent's commission expired September 10, 1923.

Adam Metzger to be postmaster at Callicoon, N. Y., in place of C. F. Bergner. Incumbent's commission expired August 29, 1923.

NORTH DAKOTA.

Christopher O. Trytten to be postmaster at Wildrose, N. Dak., in place of M. E. Robison, removed.

Bernhard C. Hjelle to be postmaster at Mercer, N. Dak. Office became presidential July 1, 1922.

Donald B. McDonald to be postmaster at Maxbass, N. Dak. Office became presidential October 1, 1923.

Nellie E. Gagner to be postmaster at Lignite, N. Dak. Office became presidential October 1, 1923.

Edna B. Johnson to be postmaster at Landa, N. Dak. Office became presidential July 1, 1923.

OHIO.

Ira R. Kneisly to be postmaster at Osborn, Ohio, in place of H. E. Fisher, resigned.

Charles T. Cline to be postmaster at New Matamoras, Ohio, in place of J. I. Norris, resigned.

OKLAHOMA.

Louis G. Scott to be postmaster at Stroud, Okla., in place of W. G. Pardoe, jr., resigned.

John A. Norris to be postmaster at Okeene, Okla., in place of J. M. Casper, resigned.

William H. Jones to be postmaster at Kiefer, Okla., in place of D. T. Spry, resigned.

Maude S. Chambers to be postmaster at Jenks, Okla., in place of A. N. Click, resigned.

Calvin C. Wilson to be postmaster at Henryetta, Okla., in place of J. W. Orendorff, resigned.

Isom P. Clark to be postmaster at Heavener, Okla., in place of J. B. Pope, resigned.

Frederick M. Deselms to be postmaster at Guthrie, Okla., in place of Frank Olsmith, deceased.

Ira A. Sessions to be postmaster at Grandfield, Okla., in place of J. C. Eversole, resigned.

Thomas H. Henderson to be postmaster at Fort Cobb, Okla., in place of W. T. Hughes, removed.

Downey Milburn to be postmaster at Coweta, Okla., in place of R. R. Morris, removed.

Frank C. McKinney to be postmaster at Yukon, Okla., in place of T. C. Shacklett. Incumbent's commission expired September 13, 1922.

Floyd Marty to be postmaster at Wirt, Okla., in place of Claud Hannon. Incumbent's commission expired January 27, 1923.

Virgil T. Gannoway to be postmaster at Tuttle, Okla., in place of L. E. Brown. Incumbent's commission expired November 8, 1923.

Howard Morris to be postmaster at Soper, Okla., in place of E. A. Ingle. Incumbent's commission expired August 29, 1923.

William P. Harris to be postmaster at Saskwa, Okla., in place of W. M. Cummings. Incumbent's commission expired August 29, 1923.

Mary E. L. Allen to be postmaster at Ramona, Okla., in place of P. H. Dalby. Incumbent's commission expired August 29, 1923.

Charles H. Johnson to be postmaster at Pawnee, Okla., in place of P. R. Calvert. Incumbent's commission expired August 29, 1923.

John H. Shufeldt to be postmaster at Nowata, Okla., in place of J. W. McCracken. Incumbent's commission expired August 29, 1923.

Jesse T. Webb to be postmaster at Locust Grove, Okla., in place of W. B. Willis. Incumbent's commission expired August 29, 1923.

Roy Sherman to be postmaster at Lexington, Okla., in place of W. J. Stevens. Incumbent's commission expired August 29, 1923.

Noah B. Hays to be postmaster at Keota, Okla., in place of R. D. Donham. Incumbent's commission expired August 29, 1923.

Alfred J. Canon to be postmaster at Hinton, Okla., in place of W. B. Pickett. Incumbent's commission expired August 29, 1923.

James O. Dowdy to be postmaster at Haskell, Okla., in place of C. C. Cantrell. Incumbent's commission expired August 29, 1923.

Leroy J. Myers to be postmaster at Dustin, Okla., in place of C. R. Lockhart. Incumbent's commission expired August 29, 1923.

John W. Brookman to be postmaster at Coyle, Okla., in place of G. E. Wandell. Incumbent's commission expired August 29, 1923.

William G. Reese to be postmaster at Commerce, Okla., in place of J. M. Coday. Incumbent's commission expired September 13, 1922.

John R. McIntosh to be postmaster at Chelsea, Okla., in place of W. J. Pointer. Incumbent's commission expired August 29, 1923.

R. Julian Miller to be postmaster at Bokchito, Okla., in place of H. L. Story. Incumbent's commission expired October 13, 1923.

William S. Sibley to be postmaster at Arnett, Okla., in place of B. A. Clark. Incumbent's commission expired September 13, 1922.

James K. Malone to be postmaster at Allen, Okla., in place of S. C. Burnett. Incumbent's commission expired August 29, 1923.

OREGON.

Josephine T. Stark to be postmaster at Sutherlin, Oreg., in place of C. A. Stark, deceased.

Georgie B. Lappe to be postmaster at Valsetz, Oreg. Office became presidential July 1, 1923.

Lyle B. Chappell to be postmaster at North Bend, Oreg., in place of J. T. McGuire. Incumbent's commission expired August 29, 1923.

PENNSYLVANIA.

May Hoadley to be postmaster at Tunkhannock, Pa., in place of J. B. Henning, resigned.

Mathilda Grubbs to be postmaster at Curtisville, Pa., in place of W. F. Leister, resigned.

J. Herbert Evans to be postmaster at Mather, Pa. Office became presidential October 1, 1923.

Nathaniel E. Lyons to be postmaster at Cheat Haven, Pa. Office became presidential October 1, 1923.

David P. Stokes to be postmaster at Blain, Pa. Office became presidential October 1, 1923.

Gene M. Besignani to be postmaster at Jessup, Pa., in place of M. F. Lawler. Incumbent's commission expired August 5, 1923.

PORTO RICO.

Fernando Montilla to be postmaster at San Juan, P. R., in place of R. A. Rivera, removed.

SOUTH CAROLINA.

Jefferson M. Davis, jr., to be postmaster at Pinewood, S. C. Office became presidential October 1, 1923.

Lottie G. Myers to be postmaster at Pamplico, S. C. Office became presidential October 1, 1923.

Jesse W. Chisolm to be postmaster at Garnett, S. C. Office became presidential October 1, 1923.

Neely J. Smith to be postmaster at Ridgeville, S. C., in place of P. A. Salvo, resigned.

SOUTH DAKOTA.

Philip H. Bitzer to be postmaster at Tolstoy, S. Dak. Office became presidential July 1, 1923.

TENNESSEE.

Joe Sims to be postmaster at Lawrenceburg, Tenn., in place of L. N. Lumpkins. Incumbent's commission expired October 24, 1922.

TEXAS.

Henrietta Fricke to be postmaster at Brenham, Tex., in place of B. I. Connor. Incumbent's commission expired August 15, 1923.

VERMONT.

Edward H. Willis to be postmaster at Pittsford, Vt., in place of A. A. Durkee, removed.

Carl W. Jillson to be postmaster at Whitingham, Vt. Office became presidential April 1, 1923.

Murray K. Paris to be postmaster at Lyndon, Vt. Office became presidential October 1, 1920.

VIRGINIA.

Rodney F. Woodward to be postmaster at Marshall, Va., in place of G. J. Russell. Incumbent's commission expired August 15, 1922.

WASHINGTON.

Hugh M. Thompson to be postmaster at Selah, Wash., in place of Arthur Warren, resigned.

Retta M. Richards to be postmaster at Finley, Wash., in place of W. L. Angell, resigned.

Daniel L. Jackson to be postmaster at Port Gamble, Wash. Office became presidential October 1, 1923.

Charles A. Fiedler to be postmaster at Newport, Wash., in place of G. T. Heslin. Incumbent's commission expired August 29, 1923.

WEST VIRGINIA.

Dovie Varney to be postmaster at Edgerton, W. Va. Office became presidential April 1, 1923.

WISCONSIN.

Matthias R. Munson to be postmaster at Prairie du Chien, Wis., in place of T. J. Bergen, resigned.

Thomas A. Lowerre to be postmaster at Delafield, Wis., in place of A. M. Powers, removed.

Claire A. Lynn to be postmaster at Mount Hope, Wis. Office became presidential October 1, 1923.

Melvin H. Schlytler to be postmaster at Wittenberg, Wis., in place of Kathryn Meisner. Incumbent's commission expired October 24, 1922.

Mourits Mortenson to be postmaster at Stratford, Wis., in place of J. J. Kaiser. Incumbent's commission expired August 29, 1923.

George H. Herzog to be postmaster at Racine, Wis., in place of G. H. Herzog. Incumbent's commission expired August 29, 1923.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 7, 1924.

ATTORNEY GENERAL OF PORTO RICO.

Herbert P. Coats to be attorney general of Porto Rico.

COLLECTOR OF CUSTOMS.

Earl C. McFarland to be collector of customs at Portland, Oreg.

UNITED STATES MARSHAL.

Rolla Duncan to be United States marshal, district of Montana.

APPOINTMENT IN THE REGULAR ARMY.

GENERAL OFFICER.

To be brigadier general.

Col. William Power Burnham, Infantry.

POSTMASTERS.

ARKANSAS.

George W. Stanfield, Corning.

Bessie Beville, Kensett.

Abram J. Hansberry, Ozark.

COLORADO.

Mary E. McCormick, Penrose.

Laura Mohler, Towner.

DELAWARE.

Stephen W. Miller, Camden.

Jehu F. Hudson, Georgetown.

William H. Morris, Greenwood.

John F. Phillips, Rehoboth Beach.

DISTRICT OF COLUMBIA.

William M. Mooney, Washington.

ILLINOIS.

Bryce E. Currens, Adair.

Lewis B. Tuthill, Anna.

Hugh Martin, Argenta.

Alexander C. Huston, Ashland.

Esther V. Wheeler, Ashmore.

Frank Gain, Astoria.

Fred W. Pitney, Augusta.

John H. Holthaus, Aviston.

Raymond Phillips, Beecher City.

Alwine E. Rowe, Bellewood.

William Hughes, Bement.

Lewis A. Roberts, Blandinsville.

Harry C. Murphey, Blue Mound.

Russell S. Brown, Brighton.

Bernice I. Bryant, Browning.

William F. Lammers, Buckley.

Della M. Green, Cambria.

Alice Jenkins, Carriers Mills.

S. Elmer Simpson, Carrollton.

Cecil W. Bishop, Carterville.

Edward R. Boswell, Carthage.

Oscar Siggins, Chebanse.

William R. Barnstable, Chesterfield.

Thomas R. Pearce, Chillicothe.

Roy L. Waldruff, Chrisman.

John W. Dye, Christopher.

Thomas F. Wharrie, Coal City.

Herbert D. Short, Coffeen.

Georgia W. Cooper, Congress Park.

Mabel G. Holmes, Cornell.

Guy H. McKelvey, Coulterville.

Robert L. Endicott, Crossville.

Fred E. Flessner, Cullom.

Ruby Moak, Cypress.

Carroll C. Porter, Dahlgren.

George A. Kraus, Danvers.

Lawrence M. Birch, Danville.

William W. Taylor, Divernon.

Louis O. McKerrow, Elmwood.

William E. Mickle, Emden.

Homar Darst, Eureka.

Glenn S. Wade, Farina.

Hulda G. Sherman, Ferris.

Perry Westerfield, Frankfort Heights.

John C. Reuter, Freeburg.

George J. Patterson, Genoa.

Bennett F. Henderson, Georgetown.

Charles O. Selfridge, Good Hope.

Thomas M. Jones, Goreville.
 John R. Hanlon, Grant Park.
 George F. Batty, Greenfield.
 Elmer L. Trowbridge, Green Valley.
 Charles H. Derry, Greenview.
 Silas H. Rich, Gridley.
 John H. Brill, Hampshire.
 Olive Whitworth, Harvel.
 Adam P. Brown, Henry.
 Leo M. Stoecklin, Highland.
 Ina R. Stout, Hopedale.
 Lora Johnston, Hudson.
 Horace J. Boozell, Ipava.
 William Sutton, Kempton.
 Joseph V. Campeggio, Ladd.
 William T. Bedford, La Salle.
 Joel H. Boyd, Lincoln.
 William R. Gaddis, Lomax.
 Daisy M. Uphaus, Macon.
 Arthur H. Simmons, Marseilles.
 John W. Lewis, Marshall.
 Mayme F. Brooke, Matteson.
 Margaret T. Layne, Menard.
 George E. Whitmore, Mendota.
 Ulysses E. Smith, Metropolis.
 Clark Dale Smith, Milan.
 Marion F. Stewart, Moweaqua.
 Frank H. Creswick, Mulberry Grove.
 Eugene S. McIntyre, National Stock Yards.
 John F. Johnson, New Douglas.
 Lydia Drain, Oconee.
 James H. Faley, jr., Ohio.
 Robert R. Banta, Oquawka.
 Lewis E. Selby, Pekin.
 Charles B. Switzer, Piper City.
 Sherman Burnett, Pittsburg.
 Reuben D. Coffin, Pleasant Plains.
 Homer H. Cravens, Plymouth.
 Charles W. Ong, Pontiac.
 Myron J. Yoltos, Port Byron.
 Benjamin F. Bosley, Ransom.
 J. Clyde Wilson, Richmond.
 Ted Henderson, Ridge Farm.
 Samuel M. Combs, Ridgway.
 Hugh A. J. McDonald, Rock Island.
 Miller S. Roosa, Rockport.
 Robert L. Shroyer, St. Francisville.
 Albert B. Thompson, Saybrook.
 Joseph R. Atkinson, Sidell.
 William J. Parsons, Silvis.
 Rollin A. Gouwens, South Holland.
 Charles DeKeuster, South Pekin.
 George W. Menzimer, Stockton.
 Charles E. McPheeters, Sullivan.
 Henry Bailey, Tamaroa.
 Walter E. Skelton, Toluca.
 John P. Mathis, Vienna.
 James G. Baker, Waltonville.
 Ernst W. Loehr, Waterloo.
 Clara M. Smith, Weldon.
 Louis J. Neltner, West Chicago.
 Ralph K. Crawford, West Point.
 Henry J. Busefink, West Salem.
 William D. Shuck, Williamsville.
 Arthur P. Welborn, Woodlawn.

IOWA.

John C. Dow, College Springs.

KANSAS.

Renus A. Jordan, Claflin.
 Frank A. Moore, Tribune.

LOUISIANA.

Thomas L. Ducrest, Broussard.
 J. Rodney Murrell, Church Point.
 Robert M. Johnson, Colfax.
 John A. Moody, Cotton Valley.
 Ralph M. Menetre, Covington.
 Edward H. Tullis, Destrehan.
 Vera M. Canady, Eros.
 George W. Taylor, Franklin.
 George W. Varnado, Franklinton.
 Edward F. Crawford, Gretna.
 John E. Johnson, Harrisonburg.
 Katherine J. Moynagh, Harvey.
 Ella A. McDowell, Hodges.

Claude H. Wallis, Houma.
 Shep B. Hanes, Jena.
 Fred E. Callaway, Jonesboro.
 Lilha B. Brown, Lecompte.
 Elson A. Delaune, Lockport.
 Esther Malmstadt, Ludington.
 William R. Morgan, Mandeville.
 Dennis Gomez, jr., Marrero.
 Edwin J. Le Blanc, Melville.
 Melvin P. Palmer, Morgan City.
 James H. Gray, Pollock.
 Simon Kahn, Raceland.
 Chester C. Heinemann, Rayville.
 Samuel L. Barksdale, Ruston.
 Novilla T. King, Simsboro.
 Walter B. Eisely, Tallulah.
 Samuel A. Fairchild, Vinton.
 Robert J. Rasbury, West Monroe.
 Isidore A. Currault, Westwego.

MARYLAND.

Walter A. Aaronson, Aberdeen.
 William L. Marcy, Annapolis.
 Brenta F. Wallace, Bethesda.
 Frank L. Spitzer, Brunswick.
 Eva L. Mitzel, Cardiff.
 John N. Bennett, Chestertown.
 Charles H. Johnson, Edgewood.
 Elizabeth L. Edwards, Glenarm.
 Luther Bennett, Goldsboro.
 James O. Wilson, Hebron.
 William J. Lyon, Hughesville.
 Jessie P. Smith, Luke.
 William Marshall, Lonaconing.
 David H. Hastings, Lutherville.
 George S. Stevens, Millington.
 Charles R. Wilhelm, Monkton.
 Ivey S. Callaway, Mount Rainier.
 Webster Ravenscroft, Oakland.
 Elmore H. Owens, Perryville.
 William S. Schoolfield, Pocomoke City.
 Allan Urie, Rock Hall.
 James J. Shoemaker, Sandy Spring.
 Guy M. Coale, Upper Marlboro.

NEBRASKA.

John S. Myers, Grant.
 Frederick A. Mellberg, Newman Grove.
 James C. Elliott, Westpoint.

NEW JERSEY.

Charles W. Brophy, Skillman.

NEW MEXICO.

Louis L. Burkhead, Columbus.

OHIO.

Charles R. Ames, Bryan.
 John Roth, Excello.
 Charles O. Eastman, Wauseon.

OKLAHOMA.

Mary McCutcheon, Schuler.

PENNSYLVANIA.

Harvey J. Smoyer, Clairton.
 Flora A. Smith, Smithfield.

RHODE ISLAND.

George W. Warren, Bristol.
 Frank A. Rixford, Woonsocket.

TEXAS.

Vivian B. Boone, Fabens.
 William N. Moore, Fort Worth.

VIRGIN ISLANDS.

Leslie C. Brothers, St. Thomas.

WASHINGTON.

William G. Powell, Aberdeen.
 Louis H. Gurnsey, Addy.
 Charles P. Stapp, Anacortes.
 Fred H. Tonkin, Black Diamond.
 Mark Harris, Brush Prairie.
 Allison C. Presson, Buena.
 Katherine A. King, Carbonade.
 Eliza F. Head, Cathlamet.
 Judd C. Bush, Chehalis.
 Julius C. Raaberg, Clarkston.
 Louis E. Wolfe, Concrete.

Arthur B. Cass, Connell.
 Will T. Howard, Coupeville.
 William W. Woodward, Darrington.
 Herbert P. Fisher, Garfield.
 Edwin R. Larson, Hamilton.
 Tillman E. Kamerer, Hanford.
 Stella F. Fix, Kapowsin.
 Charles C. Mulligan, Kirkland.
 Ernest R. Anderson, La Center.
 Margaret J. Chilberg, La Conner.
 Curtis B. Bay, Lynden.
 Carl M. Jensen, Manson.
 Andrew H. Byram, Millwood.
 Anna M. Robertson, Montesano.
 James C. Blevins, Naches.
 Hazel P. MacVicker, Port Blakely.
 George W. Edgerton, Puyallup.
 John W. Cowdery, Rainier.
 Lovilla R. H. Bratt, Richmond Beach.
 Fred B. Goldsworthy, Rosalia.
 James Lane, Roslyn.
 Charles M. Perkins, Seattle.
 Thomas F. Laurenson, Sequim.
 Warren P. Cressy, South Bend.
 Robert O. Logsdon, Sprague.
 Emmett V. Fleming, Springdale.
 Albert C. Sly, Stevenson.
 James H. Adams, Waitsburg.

WISCONSIN.

John Mehl, Alma.
 Carl L. Christianson, Bloomer.
 Sidney C. Goff, Elkhorn.
 Thomas A. Walby, Hudson.
 Theodore B. Ottum, Macfarland.
 William A. Devine, Madison.
 Walter F. Martin, Mukwonago.
 George L. Leverenz, New Holstein.
 Nellie I. McGill, Oregon.
 Ernest P. G. Schlerf, Oshkosh.
 Robert I. Dugdale, Platteville.
 Henry J. LaGrandeur, Somerset.
 Frank I. Conner, Sun Prairie.
 Lewis H. Cook, Wausau.
 Herman C. Gralow, Woodville.

WITHDRAWALS.

Executive nominations withdrawn from the Senate January 7, 1924.

MEMBER OF UNITED STATES SHIPPING BOARD.

Edward P. Farley, of Illinois, to be a member of the United States Shipping Board.

POSTMASTER.

Charles C. Sommers to be postmaster at Clifton Heights, in the State of Pennsylvania.

HOUSE OF REPRESENTATIVES.

MONDAY, January 7, 1924.

The House met at 12 o'clock noon.

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

We most humbly ask Thee, our Heavenly Father, for Thy richest blessings to rest upon our beloved country, upon its Representatives in Congress, and upon him who presides over its deliberations. Direct them, O God, in their manifold duties and in their nation-wide responsibilities. Enable us always to subject ourselves to the blessed influences of Thy Spirit, who is the guiding intelligence of all that is great and good in the being of man. We ask all to the honor and glory of Thy holy name. Amen.

The Journal of the proceedings of Thursday, January 3, 1924, was read and approved.

EXTENSION OF REMARKS.

Mr. JOST. Mr. Speaker, I introduced this morning a resolution to postpone action upon the soldiers' bonus legislation until such time as an adequate pension system has been provided and enacted. I ask unanimous consent to insert in the RECORD an interview of mine appearing in yesterday's New York Times, which expresses my view upon that subject.

The SPEAKER. The gentleman from Missouri asks unanimous consent to extend his remarks in the RECORD by inserting therein an interview with himself, which appeared yesterday in the New York Times, relative to the soldiers' bonus legislation. Is there objection?

Mr. SNELL. Mr. Speaker, for the present I object.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Craven, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 1539. An act extending the time for the construction of a bridge across Fox River by the city of Aurora, Ill., and granting the consent of Congress to the removal of an existing dam and to its replacement with a new structure;

S. 1374. An act to authorize the Norfolk & Western Railway Co. to construct a bridge across the Tug Fork of the Big Sandy River at or near a point about 1½ miles west of Williamson, Mingo County, W. Va., and near the mouth of Turkey Creek, Pike County, Ky.;

S. 1368. An act granting the consent of Congress to the State of South Dakota for the construction of a bridge across the Missouri River between Walworth County and Corson County, S. Dak.;

S. 801. An act granting the consent of Congress to the construction, maintenance, and operation by the Valley Transfer Railway Co., its successors and assigns, of a railroad bridge across the Mississippi River between Hennepin and Ramsey Counties, Minn.;

S. 1367. An act granting the consent of Congress to the State of South Dakota for the construction of a bridge across the Missouri River between Brule County and Lyman County, S. Dak.;

S. 1170. An act to authorize the highway commission of the State of Montana to construct and maintain a highway bridge across the Yellowstone River at or near the city of Glendive, Mont.;

S. 604. An act to authorize the construction, maintenance, and operation of a bridge across the St. Francis River, near St. Francis, Ark.;

S. 603. An act to extend the time for constructing a bridge across the White River at or near the town of Des Arc, Ark.; and

S. 1540. An act granting the consent of Congress to the city of Aurora, Kane County, Ill., a municipal corporation, to construct, maintain, and operate certain bridges across Fox River.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 603. An act to extend the time for constructing a bridge across the White River at or near the town of Des Arc, Ark.; to the Committee on Interstate and Foreign Commerce.

S. 604. An act to authorize the construction, maintenance, and operation of a bridge across the St. Francis River near St. Francis, Ark.; to the Committee on Interstate and Foreign Commerce.

S. 801. An act granting the consent of Congress to the construction, maintenance, and operation by the Valley Transfer Railway Co., its successors and assigns, of a bridge across the Mississippi River between Hennepin and Ramsey Counties, Minn.; to the Committee on Interstate and Foreign Commerce.

S. 1170. An act to authorize the highway commission of the State of Montana to construct and maintain a bridge across the Yellowstone River at or near the city of Glendive, Mont.; to the Committee on Interstate and Foreign Commerce.

S. 1367. An act granting the consent of Congress to the State of South Dakota for the construction of a bridge across the Missouri River between Brule County and Lyman County, S. Dak.; to the Committee on Interstate and Foreign Commerce.

S. 1368. An act granting the consent of Congress to the State of South Dakota for the construction of a bridge across the Missouri River between Walworth County and Corson County, S. Dak.; to the Committee on Interstate and Foreign Commerce.

S. 1374. An act to authorize the Norfolk & Western Railway Co. to construct a bridge across the Tug Fork of the Big Sandy River at or near a point about 1½ miles west of Williamson, Mingo County, W. Va., and near the mouth of Turkey Creek, Pike County, Ky.; to the Committee on Interstate and Foreign Commerce.

S. 1539. An act extending the time for the construction of a bridge across Fox River by the city of Aurora, Ill., and granting

the consent of Congress to the removal of an existing dam and to its replacement with a new structure; to the Committee on Interstate and Foreign Commerce.

S. 1540. An act granting the consent of Congress to the city of Aurora, Kane County, Ill., a municipal corporation, to construct, maintain, and operate certain bridges across Fox River; to the Committee on Interstate and Foreign Commerce.

INDIAN AFFAIRS.

Mr. SNYDER. Mr. Speaker, I ask unanimous consent to have printed in the form of a public document a report upon Indian matters that pertains to a conference which was held in the month of December last, attended by 100 citizens who were called together by the Secretary of the Interior for the purpose of discussing Indian matters pertaining to all of the Indians in the United States.

The SPEAKER. The gentleman from New York asks unanimous consent to print in the form of a public document the proceedings of a certain conference referred to. Is there objection?

Mr. SNELL. Mr. Speaker, reserving the right to object, I think the gentleman ought to make a fuller explanation of just exactly what he intends and in what way it pertains to the House.

Mr. SNYDER. Mr. Speaker, I think this is very important, and I ask attention for just a moment or two. Those who are familiar with Indian affairs know that we had very intensive Indian problems before the Committee on Indian Affairs all during the last session of Congress. There is still a great deal of interest upon the part of many people throughout the United States in the matter of the way the affairs of the Indians are being handled, to such an extent that last summer the Secretary of the Interior decided to select 100 representatives throughout the United States, including scholars, scientists, Indian uplifters, and heads of the various Indian societies, and those men and women came together here and held a conference. Among those attending that conference was so prominent a citizen as William Jennings Bryan. A conference was held, and a report has been made, and accompanying that report are addenda containing full information of much interest to the Members of this House, as well as to the public generally, and if we can get this printed in the shape of a pamphlet which can be distributed among the people and among the Members of the House, I think much benefit will result.

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

Mr. SNYDER. Yes.

Mr. GARRETT of Tennessee. Has there been an estimate of the cost made of this?

Mr. SNYDER. In my judgment the pamphlet will be about 50 pages. I think it is very important. I can get an estimate upon the cost of it if the gentleman thinks it is necessary. We are going to have very intensive Indian investigations this winter, and this would give information to those who are little informed with respect to these problems.

Mr. KING. Is there anything in this report in the nature of propaganda for the furtherance of any policy?

Mr. SNYDER. Nothing except this: Of course there is a movement upon the part of some people to do away with the Bureau of Indian Affairs. This report will show that such a policy would be absolutely absurd, and that the Bureau of Indian Affairs has been and is doing a wonderful work for the Indians throughout the United States.

The SPEAKER. Is there objection?

Mr. HOWARD of Nebraska. Mr. Speaker, as a member of the Committee on Indian Affairs—or at least my name has been so reported, although I have not had any recognition as such by my chairman—is the gentleman willing to say to me that this document contains no bureaucratic propaganda?

Mr. SNYDER. I have read the document in full, and while it does not criticize adversely the Bureau of Indian Affairs, it does not give that bureau a boost.

Mr. HOWARD of Nebraska. I am not objecting so much to adverse criticism as I am to favorable comment.

Mr. SNYDER. And for the benefit of the gentleman who is a member of the Committee on Indian Affairs—

Mr. HOWARD of Nebraska. So reported.

Mr. SNYDER. There will be a meeting of the committee soon.

Mr. HOWARD of Nebraska. How soon?

Mr. SNYDER. So that the gentleman can then get proper recognition from the chairman, and I hope he will have a pleasant time while serving as a member of that committee.

Mr. HOWARD of Nebraska. I would be glad to meet with the gentleman most any time.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS.

Mr. GARNER of Texas. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD, and may I say in connection with that request that I have been allowed 30 minutes to-day in which to address the House, but my physical condition on account of having been ill for the last two days will probably not enable me to do so. I therefore ask to extend my remarks in the RECORD, so that what I would have had to say will appear to-morrow morning.

Mr. SNELL. Are these the remarks the gentleman expected to deliver to-day?

Mr. GARNER of Texas. I would say to the gentleman that they will consist of the statement which the Democrats of the Committee on Ways and Means gave to the press to-day, amplified by some figures taken from the Treasurer's report, and from the report of the Secretary of the Interior, as well as some expression of the Secretary of the Interior.

The SPEAKER. Is there objection?

There was no objection.

Mr. BLANTON. Mr. Speaker, in that connection, I think the gentleman's remarks should go in the RECORD in regular type. If they are put in 6-point type, nobody will be able to read them.

Mr. GARNER of Texas. Mr. Speaker, I ask unanimous consent that my remarks may be printed in the RECORD in 8-point type.

The SPEAKER. Is there objection?

There was no objection.

SUSPENSION OF RULES.

Mr. LITTLE. Mr. Speaker, by direction of the Committee on Revision of the Laws I move to suspend the rules and read the title only and pass the bill (H. R. 12) entitled, "A bill to consolidate, codify, revise, and reenact the general and permanent laws of the United States in force December 2, 1923," in 10,747 sections, and the supplement as finally approved by the committee and printed under its direction pursuant to law, a copy of which is in the possession of the Clerk.

The SPEAKER. The gentleman will send up his motion, which the Clerk will report.

The Clerk read as follows:

Mr. LITTLE moves to suspend the rules and read the title only and pass the bill (H. R. 12) entitled, "A bill to consolidate, codify, revise and reenact the general and permanent laws of the United States in force December 2, 1923," in 10,747 sections, and the supplement as finally approved by the committee and printed under its direction pursuant to law, a copy of which is in the possession of the Clerk.

The SPEAKER. Is a second demanded?

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

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

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The gentleman from Kansas is entitled to 20 minutes, and the gentleman from North Carolina is entitled to 20 minutes.

Mr. LITTLE. Mr. Speaker, there is no man anywhere in the United States who has in his possession any book in which he can find the general and permanent laws of the United States as they existed when this Congress assembled unless he has a copy of this bill to establish a code. There are two sets of Federal laws published by private publishers and three sets of annotated Federal statutes so published. I think that 75 per cent of those publications are the law, and the rest of it has been or it still is, but not general or permanent. There are some omissions from them which will be found in this proposed code. When you produce those books in court you do not know whether they are the law or not. They merely enable you to locate in the Federal books the law of the land. Every citizen is supposed to know the law and be subject to it, and it is the duty of a great Government like this to place its official statement of the law at his command. The annotated statutes, in my judgment, are very valuable to the legal profession. Two of the great firms which print the annotated statutes have arranged parallel tables of the proposed code sections and their own equivalent sections, by which you can immediately utilize all the annotations they have placed before the bench and the bar whenever you have this proposed legislation. If Congress should authorize the publication of such tables with the index

to the Code of the Laws of the United States, if it is enacted, it will add immensely to its value. When the Revised Statutes were adopted and you had them in your hand, you knew that it was the law. If the proposed code of the laws is so adopted, you will know that you have the law before you as made by Congress, which, of course, can never be the situation when you read from any statute privately published.

Mr. BEGG. Mr. Speaker, will the gentleman permit a question?

Mr. LITTLE. Yes.

Mr. BEGG. Are we to understand that in this proposition that is being submitted it is verbatim as the law is; there is no attempt to change any law?

Mr. LITTLE. That is exactly what the committee is endeavoring to lay before you. In 1896 a commission was appointed to prepare the Revised Statutes. They received \$105,000 for giving seven years to the work and reported to the Committee on Revision of Laws in the House, of which Benjamin F. Butler was then chairman. The committee found that they had greatly revised, amended, and, as they thought, improved the law with so many changes that it would be quite impossible to pass the bill. The committee then employed a lawyer named Thomas F. Durant, who gave about a year to cutting out all amendments and restoring the bill to the original law, when it passed. In 1897 another such commission was appointed, who drew \$150,000 for working at a new bill for 10 years. When reported to the House Revision of the Laws Committee, the committee declined to make a favorable report on it at all. When the gentleman from Kansas became chairman of this committee he learned these facts and decided to attempt just what they accomplished in 1874—that is, to present the law, good and bad, just as Congress made it—and so we present this Code of the Laws of the United States, which is simply an orderly arrangement of all existing general and permanent law. Much of the criticism is by those who insist on having the law rewritten to suit themselves, which the committee has wholly declined to do.

There is now in this country a profession of legal hack writers, who never practiced law but constantly seek employment to write legislation for legislators in a hurry. Such men provided the revision of 1873 and the revision of 1897, which were cast aside without any serious consideration at all, because impossible, and cost enormous sums. Those men persistently seek to induce legislators to throw aside this proposed bill and permit them to write at their own sweet will a new set of laws, which might include a few jokers which might prove very valuable to those who would profit by them. Those men are behind much of this criticism of which I shall tell you herein. Those men could not possibly assemble the laws of this land and codify them any more than they could write a brief for the Supreme Court, with all its necessary study. But anybody with a typewriter who is allowed to run his fancy can rewrite any law and really dream that he is improving it. To present to you the law as you made it and assemble it each in its proper place, is a work that requires legal training, intense application, painstaking industry, and experienced scholarship. These men merely want a job for which they are wholly unequipped.

Mr. WINGO. Will the gentleman yield for a question.

Mr. LITTLE. Yes.

Mr. WINGO. As I understand, this is the identical bill passed at the last session of Congress, with the exception that you bring up the existing law to December 1 last?

Mr. LITTLE. Except we have made a few corrections in the old bill.

Mr. WINGO. In other words, where you find there were errors in your former bill you corrected them, if you had overlooked any, and you bring it down to date?

Mr. LITTLE. We did not overlook any, but we find occasionally printers' mistakes, and we brought it down from March 4, 1919, to December 2, 1923.

Mr. WINGO. In other words, it is work to which a great deal of attention has been given by the gentleman's committee for the last four years, and it is as near a perfect codification as it is possible for the human mind to assemble?

Mr. LITTLE. I think I can safely say to the gentleman that this big book, if it goes into the Federal statutes, will have a smaller percentage of errors in it than any such book ever printed. [Applause.]

In order to actually reach all Federal general and permanent legislation, a man must read 39 different books issued by the Congress of the United States as Statutes at Large, being volumes 18 to 42, inclusive, and beginning with the Revised Statutes. In this book we have simply brought together in an orderly arrangement the exact provisions of existing law. The

material in this book is the law now, but scattered through many books.

When this bill becomes a law, approved by the President, any man with about \$5 will be able to have in his office all the laws of the United States, general and permanent, in force when this session of Congress met. At the present time 90 per cent of the people of the United States practically have no actual access to its laws or any reasonable opportunity to reach them, and no lawyer in the United States can have an assembly of these laws unless he has 39 different books or a copy of this bill, in which the laws are arranged so as to be readily found. When this bill is passed any lawyer can turn in a few moments to each and every provision of the law.

So far as I know, there is no claim by anybody that any part of the law is omitted from this book. There are a few suggestions that certain sections should be omitted. Every such claim has had the careful examination of several able and scholarly lawyers, and everything has been omitted from the book that ought to be omitted and everything in it is there because it is the law and should be there. There is no suggestion by any lawyer that ever tried a lawsuit, so far as I can learn, that anything should be omitted that has been placed in the book.

The claim is made that the critics have discovered mistakes in 214 sections of this book out of 10,747. Every criticism has been carefully examined by the best talent, and not one of the charges against the 214 sections is correct. There were 253 errors in the Revised Statutes which were corrected by law. This book is four times as extensive as the Revised Statutes, and if we made as many mistakes in proportion as they did we would have over a thousand errors in the book. There has never been any pretense by all combined of any such an array. If every claim as now advanced were correct, we could make the changes and have the book ready in 10 days' time. When we produce such a book as that, every friend of his country will avail himself of the opportunity to help lay its laws before his fellow citizens.

Mr. KINCHELOE. Will the gentleman yield?

Mr. LITTLE. I will.

Mr. KINCHELOE. I agree with the gentleman that it is one of the most important bills this Congress ought to pass. What I wanted to ask the gentleman is, Is this bill practically the same as the bill that passed the last House?

Mr. LITTLE. Yes; except that we have added four years' work to it—four years of law made since March 4, 1919.

Mr. KINCHELOE. The gentleman remembers that the Senator from Kentucky, who was chairman of the Committee on Revision of the Laws in the Senate [Senator ERNST], placed a speech in the RECORD the last time, in which he accuses—well, I will not say that, but in which he says that there are many hundreds of mistakes in the gentleman's bill, and I was wondering whether the gentleman and the Senator from Kentucky have come any nearer to an agreement since then?

Mr. LITTLE. I have not discussed it with him, but I have discussed it on the floor here quite frequently, and the gentleman will find my remarks following his, the next day.

Mr. KINCHELOE. I read both, but I was wondering whether you were any nearer to an agreement as to the correctness of the bill?

Mr. LITTLE. The bill is just as right now as it was then, and it was right then. [Applause.]

Mr. KINCHELOE. The reason I asked the gentleman—I am frank to say I, of course, do not know which of the two knows the most about it—but I was simply calling attention of the gentleman to the disagreement between him and the distinguished Senator from Kentucky.

Mr. LITTLE. The committee has carefully prepared a complete report covering each of these details, and I suggest the gentleman get a copy and read it. The gentleman employed at the other end of the Capitol to write the criticisms on this bill was employed by our committee in preparing it and discharged necessarily. He found no mistakes in it, as you will see by an examination of our report. He has presented his own errors of judgment only. He has not named one section that should now be omitted. He has not suggested one that was not in the bill when he criticized it. Fortunately for the bill the able and careful men who assisted in the preparation of this bill did not agree with his views of what he wanted the law to be and for that reason it is now correct.

Mr. MILLER of Washington. Will the gentleman yield for a question?

Mr. LITTLE. I will.

Mr. MILLER of Washington. What is the understanding of the gentleman by which this law can be distributed among the people and read among the people?

Mr. LITTLE. It will be sold for about \$5. If this code should never pass the Senate, it will well be worth \$50 to any lawyer who has any business in the Federal courts. There is no private statute that compares with it in accuracy and completeness, and just as it stands, with the indorsement of the House, it is better entitled to the consideration of the courts than any other book in existence which purports to give the Federal laws. John H. Wigmore, author of *Wigmore on Evidence*, has as high a reputation for legal scholarship and accuracy as any man who writes the English tongue. January 15, 1923, he wrote the Senate committee concerning this bill to make a code:

During the past year I have used the copy of it in preparing a new edition of my *Treatise on Evidence*, and have been through every page of the work and find it entirely satisfactory.

On January 21, 1921, a very able and scholarly lawyer, former Secretary of War Newton Baker, wrote the chairman concerning the code bill and said:

Senator Matt Carpenter's speech, to which you direct my attention, of course correctly states the answer to the difficulty always raised in the enactment of a great piece of codifying legislation. If we wait until perfection is achieved and the possibility of error removed, we never get the code. In the meantime practicing lawyers, judges, and district attorneys all over the United States are making vastly many more errors by reason of the fact that they have to rely upon an uncoded mass of legislative enactment, through which it is impossible even with the greatest industry to trace out the existing state of law.

On March 24, 1921, Judge Jacob Trieber, of the Arkansas district of the Federal court, wrote the chairman of the committee:

I can not express my admiration for this work. People, especially the bench and bar, owe you a debt of gratitude which can never be repaid. How you found time with your other congressional duties to do this work I am unable to understand. I have read in the *CONGRESSIONAL RECORD* your remarks when you presented your report on the act and also the remarks made by other Members of the House, which show that your work is being appreciated by the Members who have examined it.

JACOB TRIEBER,
United States District Judge.

Mr. GRAHAM of Illinois. Will the gentleman permit me to ask a question?

Mr. LITTLE. Yes.

Mr. GRAHAM of Illinois. What is the idea; will the Government itself print and authorize the edition and put it on sale or will it be done through one of these law firms?

Mr. LITTLE. Yes; it will be done as with the Revised Statutes.

Mr. GRAHAM of Illinois. How was that?

Mr. LITTLE. The Government sells all the Statutes at Large. This book will be simply one of the Statutes at Large. The book will sell for about \$5, and may be bought from the Government, as every other Statute at Large. This code will be a very well arranged volume and very convenient to use. If you turn to the *CONGRESSIONAL RECORD* of April 10, 1920, page 5005, I think you will find that the chairman of the Subcommittee on Appropriations, Hon. Bascom Slemp, then stated that the gentleman from Kansas, chairman of the revision committee, by discovering one blunder in making unauthorized appropriations had saved the taxpayers \$288,500. The chairman has thus saved in the course of making this bill \$572,500, which will pay every expense made so far or that will accrue when this bill is completed and published and will make for the Government a clean profit of over \$500,000, a record unchallenged in the annals of parliamentary procedure.

Mr. MOORE of Virginia. Mr. Speaker, may I ask the gentleman that he tell the House that he proposes to bring in a supplemental bill that will cover the point suggested by my friend from Illinois, and a great many other features, in respect to the indexing, in respect to the publication, so far as the report will be freely distributed, and in respect to the price at which it will be sold to the general public, and so forth?

Mr. LITTLE. The gentleman is correct. That bill is already in process of preparation, and that will be done, just as was done in 1874. When this bill is passed any lawyer can in a few moments turn to each and every provision of the law. So far as I know, I will say to the gentleman, there is no claim by anybody that any part of the law is omitted from this bill. If there is such a claim, I have not seen it. There are a few suggestions that certain sections should be omitted. Every such claim has had careful examination of several able and scholarly lawyers, and everything has been omitted from this

bill that ought to be omitted, and everything that is in it is there because it is the law and should be there. There is no suggestion by any lawyer that ever tried a lawsuit, so far as I know, that anything should be omitted that is placed in the book.

Mr. KINCHELOE. The gentleman understands that I am not standing as sponsor for the Senator from Kentucky.

Mr. LITTLE. I was not referring to that. We are not permitted under the rules to refer to Senators here except when we speak in complimentary terms, which I can not conscientiously do in this particular instance.

Mr. KINCHELOE. I was just referring to what a dilemma we should be in when there was a difference between such distinguished gentlemen.

Mr. LITTLE. There is no important difference of opinion. They take exception to only 214 sections out of 10,000 sections. There were 253 mistakes in the revision of the statutes in 1874, which were corrected by law. This book is four times as big as that was. If we had a thousand errors in this bill there would not be as big a percentage of errors in it as there was in that. The critics say now they have discovered errors in 214 sections. Every section has been examined by capable lawyers, and not one of the criticisms as to the 214 is correct. The gentleman has anticipated me. The book is four times as extensive as the Revised Statutes. There has never been any pretense by anybody that there are as many mistakes in this book as there would be if it had the same percentage of mistakes as the codification of 1874.

There are 56 books of the Statutes at Large on your shelves. On behalf of the revisers and the committee who have labored intensively on this work for nearly five years, I assert that this book has a smaller percentage of errors in its pages than any of its 56 predecessors issued by the Congress of the United States in 134 years, and I appeal to the American people for a fair hearing and a square deal for this great code of all their laws, which I now lay before them for the third time with the unanimous approval of the representatives of 110,000,000 Americans who have dire need of this legislation and have waited for it for 50 years.

In the days of ancient Babylon the rulers published on columns of stone the laws of the land and erected the columns in each city, and as the Good Book tells us, the wayfaring man, though a fool, might read as he runs down the public roads. The people of Babylon had at their everyday and immediate command all the laws of their country and could always know what they were. That ancient State was far in advance of the United States of America in making its laws known to its citizenship. If this bill goes to our people, it will be found in every city, in every town, in every village where there is an attorney at law, and while even then our people can not be as readily informed of the law as were the citizens of Babylon, they will be better informed than they ever were before. We have 110,000,000 of people and not one of them, unless he has a copy of this bill, can turn to the law in any 24 hours and learn what it is.

A tyrant in an ancient city wrote a handsome code of its laws on columns of stone and placed them far above and out of the reach of his subjects who were still amenable to its penalties and still guided by its promulgations. That man's offense was mere petty larceny compared with the crime of him who shall prevent the establishment of this great code for 110,000,000 of people.

This bill first passed this House December 20, 1920, more than three years ago. If it had become a law at that time, it would have profited the bench and the bar and the litigants and the people generally of this country almost beyond imagination. To say that it would be worth a million dollars a year to these people is to state the case very mildly. In mere amount of time to be saved by the bench, the bar, and the clients, it is difficult to estimate high enough its value for the last three years if it had been in existence. When we add to that the good it would do by disseminating among the people a real knowledge of the legislation bearing on their conduct and on their business, it is difficult to conceive that any man would even pause a moment to challenge this great bill, even if there were hundreds of errors in it.

Let us suppose that when Hammurabi, 4,000 years ago, sent to one of his cities the column of his code, which now rests in Paris in the Louvre, he had entrusted it to an official who reached the conclusion that he had discovered a mistake in it and decided to cast it aside and leave the people with no code of his laws. They would have tied a millstone about his neck and cast him into the sea. How trifling would the wrongs he inflicted be as compared with the sins of a man who would deprive the American Republic for three years of the laws we

have been making for 134 years on the claim that there were in a bill of 2,500,000 words 214 or even 1,000 mistakes.

Every year the laws of the United States more and more become aggressively and individually important to all the business methods and living methods of 110,000,000 people. The time is now here when the conduct of our people and the business of the people is continuously searched and determined by Federal legislation. One can hardly imagine any sufficient number of petty errors that would justify a refusal to present these laws where the people, the bench, the bar, and the business of the country can find them.

During the Forty-first Congress when the bill was under way in the House, Roscoe Conkling, Charles Sumner, Thomas F. Bayard, and Matt Carpenter were members of the Senate Committee on Revision of the Laws. When the Revised Statutes reached the Senate of the United States in 1874, Conkling, Carpenter, Stewart of Nevada, Alcorn of Mississippi, and Matt Ransom, of North Carolina, were on the Senate committee to which the Revised Statutes bill was sent. If those gentlemen had held that bill for 20 months without any investigation, and one day before the adjournment of that Congress had cast into the discard a bill which had received the unanimous indorsement of the American House of Representatives under the pretext of 253 mistakes, which it really contained, the American people would not have enjoyed for the last 49 years the advantages that sprang from that greatest code the world ever saw and the making of this bill would have been almost impossible.

In the time of Queen Elizabeth, Bacon undertook to present England with a code of its laws, and lesser men stood in his way with petty criticisms and England has never had such a code of its laws, which now, after centuries, still continue to be published in the Statutes of the Realm, very much like our Statutes at Large.

But for the industry and scholarship of the Members of this House who prepared and put through the Revised Statutes, this country would still be dependent after 134 years upon the Statutes at Large. During the first 84 years of this Republic the laws made by Congress, by authority of Congress, were published by Little & Brown, publishers and booksellers, of Boston. James Brown ran their bookstore and the publishing was done under the direction of Charles C. Little. The only authority we now have for those original laws is the first 17 volumes of the Statutes at Large, for which you are indebted to Charles C. Little. In 1874 this Congress determined to print its own laws, and began by assembling in the Revised Statutes and publishing in 1875 all the general and permanent laws still in existence then that had been made since the beginning of Congress. It was then fondly anticipated by the great men who put those Revised Statutes through—Conkling, Sumner, Carpenter, Stewart, Ransom, Butler, Poland, Lawrence, Saylor, Rockwood Hoar, and George F. Hoar and the rest—that the Government should always, so far as was within the bounds of possibility, maintain our laws at the high state they reached June 22, 1874, but nearly half a century went by before the possibility of that was again immediately within reach.

Eighteen months were first devoted to the preparation and presentation in the Sixth-sixth Congress of this legislation, and the entire task was covered in those 18 months down to the 4th of March, 1919. Any faithful and competent group of men can make a searching and determinative analysis of this work in 90 days if they give to it half the industry and diligence that it received during those first 18 months. [Applause.]

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message in writing from the President of the United States was communicated to the House of Representatives by Mr. Latta, one of his secretaries.

SUSPENSION OF RULES.

Mr. BULWINKLE. Mr. Speaker, I yield 10 minutes to the gentleman from Virginia [Mr. Moore].

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

Mr. MOORE of Virginia. Mr. Speaker, I will not detain the House 10 minutes. The only reason, I suppose, why I am requested to say anything on this bill is that when I first came here in 1919 I was appointed on the committee of which the gentleman from Kansas [Mr. Little] is chairman, and worked with him in the effort to codify the public laws of the United States as in effect on the 4th of March, 1919.

The necessity of that work was recognized by everybody. At that time, and at this time, all of the statutes are in such

form that they are in great measure inaccessible or difficult of access. They are contained in the old Revised Statutes of 1878, and in the something like 25 volumes of the Statutes at Large, printed since that revision; and in order to know what the law is, unless some unofficial publication is consulted, it is necessary for one to range over that entire field. This disadvantage is at once apparent. There is now no single volume which can be offered in evidence, and the cost of buying an unofficial compilation runs from \$12 or \$15 to over \$100.

What the committee undertook to do was not to amend the statutes to any extent whatever but to gather all of them in a single volume—all of the statutes in effect on the 4th of March, 1919. That was done most laboriously and with all the care that could be exercised, and there is every reason to believe that the result is as accurate as any similar work that has at any time been done.

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

Mr. MOORE of Virginia. Yes.

Mr. HUDSPETH. I am very much interested in the gentleman's statement. At what time did you begin this work and what period of time does it cover?

Mr. MOORE of Virginia. We were on it for more than a year. We had the assistance of experts who, by the way, were most moderately compensated. Another thing was this: Our codification was checked against the codification made by the West Publishing Co. and against that made by the Thompson Publishing Co. and against that of Mr. Barnes. No expedient designed to secure accuracy was omitted, and we have confidence and faith in the result.

Gentlemen may ask this question: If the codification of the laws as they were on March 4, 1919, is all that we claim for it, why is it that having passed the House on December 20, 1920, in the Sixty-sixth Congress, it did not receive consideration at the other end of the Capitol? And why is it that again having passed the House in the next Congress, the Sixty-seventh Congress, on May 16, 1921, it still failed to receive consideration at the other end of the Capitol? To answer that question might bring a discussion that would carry us outside of the rules. There are a good many rules of the House of which I disapprove, but one of the rules not in that category prevents a good deal that might be said in one House about what happens, or does not happen, in the other House. But if anyone wishes to know the answer I refer him to the distinguished chairman of the committee, who may not be able to explain publicly, but will in private, at least, certainly make a statement couched in the most elemental, vigorous, and emphatic language which it is possible to use. [Laughter and applause.]

Mr. DOWELL. Will the gentleman yield?

Mr. MOORE of Virginia. Certainly.

Mr. DOWELL. Has the gentleman any information about the fate of this bill in another body at this session of Congress?

Mr. MOORE of Virginia. No. We are simply now casting our bread upon the waters without any assurance that it will be returned to us after many days, or returned at all. But I can say that throughout the country by the lawyers there is a great demand for a volume of the character that is contemplated. It will embrace not only the laws in effect the 4th of March, 1919, which was the original bill, but supplementary thereto the subsequently enacted laws which were in effect on December 2, 1923.

Although not now a member of the committee, I may say that I have had something to do with the supplementary work. I was here during the summer; I happened to be, to some extent, in touch with the experts who were then working, and in that connection I examined a good many of the criticisms that have been offered of the prior compilation, and I feel quite sure that when you gentlemen, without any detailed examination, approve this bill, as I hope you will, you may have no fear that you have done anything that puts in peril to any extent whatever the interests of the country which are involved in a proper codification of the Federal laws.

I do not think it is necessary to go further, and I shall only detain the House for a moment to say this: That while the Committee on Revision does not perhaps stand out as one of the great committees of the House, yet very few committees and very few committee chairmen have to their credit a more valuable and monumental work than has emanated from the committee over which the gentleman from Kansas [Mr. Little] presides. [Applause.]

Mr. LITTLE. Mr. Speaker, I ask that those of us who speak on this legislation be allowed to revise and extend our remarks in the RECORD.

The SPEAKER. The gentleman from Kansas [Mr. LITTLE] asks that those who speak on this legislation be allowed to revise and extend their remarks in the RECORD.

There was no objection.

Mr. BULWINKLE. Mr. Speaker, I yield one minute to the gentleman from Virginia [Mr. PEERY].

Mr. PEERY. Mr. Speaker, I ask unanimous consent to extend my remarks on this bill in the RECORD.

The SPEAKER. That right has already been given.

The extension of remarks referred to is here printed in full, as follows:

Mr. PEERY. Mr. Speaker, a mere statement of fact, giving the history of this bill, should bring somewhat of assurance to this House and seems to render extended discussion unnecessary.

A bill codifying the general and permanent laws of the United States in force March 4, 1919, has heretofore been twice reported to the House, and twice passed by the House by unanimous vote. The bill now under consideration is the same bill, improved in some respects, and with additions, bringing the law down to December 2, 1923.

The need for such a codification of the laws has been recognized from time to time, and from time to time has been met. It is, however, somewhat surprising that no official codification of this character has been published by Congress since the second edition of the Revised Statutes in 1878. Since that date Congress has annually enacted a large number of new laws. They are contained in the official publications known as the Statutes at Large. A comparison of the number of laws heretofore and recently enacted is interesting. We are told that our First Congress enacted only 94 statutes, but in the Sixty-sixth Congress there were introduced in the Senate and House a total of 21,967 bills and joint resolutions, and 594 statutes were enacted. Volume after volume has thus been added from year to year until these statutes of themselves make up a small-sized library. And in order to determine from official sources what the Federal law is to-day, it is necessary to follow it through all these numerous volumes.

Under the law, all men are presumed to know the law—and yet we of the legal fraternity are too often forced to admit that it is a violent presumption even as to the lawyers themselves, and it is sometimes true that a man is punished for the violation of a law of which he did not actually know and which the judge and lawyer have great difficulty in finding—it is difficult to ascertain just what the law is, and the process is often long and laborious. Ready access to the law in convenient form helps to cultivate obedience to the law and contributes to the prompt enforcement thereof. The criticism of the "laws delays" which the profession recognizes is not unmerited, and which it has set about to meet and correct, is in some measure due to the practical difficulty of ascertaining just what the law is. The need of having a codification of the general and permanent laws now in force in convenient and accessible form, is imperative. It is, of course, true that certain private concerns have helped to meet this need with their publications, which are quite meritorious, but even with these there remains the need for a codification, which bears an official stamp and which may be admitted in evidence in the courts of the land. This need has been voiced by Government officials, judges, lawyers, and laymen throughout the country.

The bill under consideration is intended to meet this need.

In this work, the objective has been not to amend or change the law, but to gather together under appropriate headings and title, the law as enacted from time to time by the Congress.

Another question that naturally arises is as to the fidelity, care, and accuracy with which the work has been done. The committee employed able experts in codification, men of high legal attainments, who were not only competent to do the work, but who took pleasure in the work itself. These experts worked under the supervision of and in collaboration with the able and efficient chairman of the committee—who is a distinguished lawyer of fine attainments, and who gave himself ungrudgingly to this arduous work. Other members of the committee contributed to the work and the whole was done under the committee's supervision. Great care was exercised to avoid error, and the work was carefully checked.

The work was submitted to various eminent men, portions of it to the governmental departments interested therein. Criticism was invited. Some was received. When well taken it was acted upon and improvements were made. The work consumed 18 months before the first bill was reported. Since its first passage by the House more than two years have elapsed during which time the bill has been open to examination and criticism. Many letters of commendation have been received. Higher praise could hardly come to it from a more

eminent source than that which comes from Professor Wigmore, author of Wigmore on Evidence, who speaking of the bill before the last supplement brought it down from March 4, 1919, to December 2, 1923, said:

During the past year I have used the copy of it in preparing a new edition of my Treatise on Evidence and have been through every page of the work and find it entirely satisfactory.

It is confidently believed that the bill is the result of work well and faithfully done, and that great care has been exercised to reduce the matter of error to a minimum.

Mr. BULWINKLE. I yield four minutes to the gentleman from Iowa [Mr. EVANS].

Mr. EVANS of Iowa. Mr. Speaker, the importance of the passage of this bill, in my opinion, should appeal to every member of the bar in this House. We all know how difficult it is not only to discover but to interpret the laws of the United States Congress as they are now scattered through numerous volumes of our legislation.

This legislation represents a great amount of labor on the part of the chairman of this committee as well as on the part of the committees which have had to do with it in the past four or five years. This committee has done that thing which it is possible for men to do. What this committee has done may not be perfect, but that only means that the Members of this House and the members of this committee are not perfect; but it is certainly as nearly perfect as it could be made by a committee, and this bill, in the interest of the clarifying and putting together of the laws, certainly ought to be passed. This is not a revision of the laws; it is a compilation of the laws into a code. It is the putting together of the laws, in permanent form, which are now in force up to December 2, 1923, and this legislation, it seems to me, should have in this House, as it has had on two former occasions, the unanimous vote of the membership of the House. [Applause.]

Mr. BULWINKLE. Mr. Speaker, I yield four minutes to the gentleman from Ohio [Mr. FITZGERALD].

Mr. FITZGERALD. Mr. Speaker, I have not had a great share in the codification of these laws, and yet I have given earnest attention to the work for many hours with the chairman of the committee, and I know the careful analysis that more than 100 of the most difficult sections of this bill have received and the microscopic attention of those who have sought to discover flaws.

The great value of this work, not only to the Federal bench and to the bar but also to the people of the United States, is immeasurable. To consider that we must now search 56 large volumes, with inaccuracies in their indexes and filled with contradictions and differences, ambiguities and irregularities, in order to find out what the present law is, which this codification would officially determine, is to realize something of the great value of this work. Even though it should contain errors, which it seems is impossible under the close scrutiny which has been given to it all the way through by the members of the committee and those in the other branch of Congress, who have been seeking to find reasons why it was not perfect, it would be a great catastrophe to have the passage of this bill again defeated by Congress; and because I realize the faithfulness and the great devotion of the chairman of this committee to this enormous and important task, it is a great pleasure to add my voice to his on this occasion of the consideration of the bill before the House. I know that criticisms have been directed to the code, but, on analysis, all those criticisms have been to inaccuracies and contradictions in the law, and the codification has followed faithfully the law as the Congress has enacted it. This work of codifying the laws has developed many mistakes which have been made by Congress. These mistakes are adhered to in this volume of the code. Imperfections existing in the laws, such as allusions to laws already repealed, and all the errors, contradictions, and ambiguities have been faithfully retained by the codifiers. No other course is open to one who undertakes to codify rather than to change the laws. The moment the codifier seeks to put his personal interpretation on the contradictions or the ambiguities then there is opened up a great field for discussion, and there would be such an interminable number of differences it would be impossible to enact such a bill into legislation. So, after all, these criticisms have only developed that the codification has been most faithfully done. [Applause.]

Mr. BULWINKLE. Mr. Speaker, how much time remaining have I?

The SPEAKER. Two minutes.

Mr. BULWINKLE. Then I yield two minutes time to the gentleman from Tennessee [Mr. SALMON].

Mr. SALMON. Mr. Speaker, I was assigned to this committee upon the organization of the present Congress and have devoted considerable time to an examination of the volume now before the House. During this short time I have recognized the splendid work that has been done by the committees who have labored upon this volume for the last four years. I think this bill should be passed unanimously for the reason that the ability of the best experts of the country, combined with the ability of the members of this committee, has been devoted to the compilation of this work.

I understand in some instances that after the conviction and incarceration of persons tried in the Federal courts it has been learned that the applicable law had not been discovered and that such persons had suffered conviction and penal servitude because of a lack of knowledge of the Federal statutes on account of the inability of the courts and attorneys to find the law.

This volume gives the law in convenient form and will be recognized as the official code of the Federal statutes. For these reasons, as a new member of this committee and a new Member of Congress I express the hope that this splendid work will receive the unanimous vote of this body. [Applause.]

The SPEAKER. The Clerk will read the title of the bill.

The Clerk read the title of the bill.

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

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

The SPEAKER. Under an order heretofore entered by the House the gentleman from Texas [Mr. JONES] is recognized for 20 minutes.

PROPAGANDA.

Mr. JONES. Mr. Speaker and gentlemen of the House, we Americans are a peculiar people. As a Nation we have done wonderful things. The theories of yesterday, proved by practice to-day, give way to the improvements of to-morrow. We do everything in a hurry. We have the telegram instead of the slow letter. We have the automobile instead of the ox cart, and if this is not fast enough we may tread the clouds and annihilate space through the medium of the airplane. We have the radio by means of which we may gossip without leaning over the back-yard fence. We have a Saturday Evening Post that is distributed on Thursday, Sunday papers that are published four days ahead, and news that never happened. Styles change overnight. Women wear hats that are turned up in front and down behind, then down in front and up behind, then neither and then both. We drive 45 miles per hour going nowhere, just joy riding.

Some one asked Doctor Coué when he returned to France to give his impressions of America. He replied, "Oh, the Americans are a wonderful people. They are very fine. They are very hospitable and generous. They have lots of money, but the trouble is they are always in a hurry. They never have time to enjoy life. For instance, they don't have time to say 'Every day in every way I'm getting better and better'; they just say, 'Hell, I'm well.'"

We have General Dawes to do our "cussing," Ford to build our flivvers, the Progressives to do our talking, and the Rules Committee to run the House of Representatives. If that doesn't complete the ring, what does?

We are getting to be a Government by groups and the victims of propaganda. Some old boy, or some group will conceive an idea to save the country. He'll organize his little group and wire all over the United States saying, "Wire or write your Congressman to do thus." Some enterprising newspaper reporter, with a nose for news, smells a story and the machinery is started. They begin by taking a lick at Congress. That seems to be popular. Then they frequently operate by exaggerating or misstating the facts and beating the "tom tom," and then, if they have nothing better to do, finally wind up by "cussing" the Volstead Act.

The sad part about it is that by coloring or misstating the facts the public is sometimes misled. For instance, Brigadier General Dawes, whom we have recently sent out of the country, and are resting in the deadly stillness of his aftermath, was once chairman or head of the Bureau of the Budget. His language, at least, was picturesque. He made good newspaper copy. He was an artist at publicity. The newspaper men, encouraged by him, pictured him as "Jove-like," belching lightning and lambent flames, holding an extravagant and wasteful Congress in check and thus saving the taxpayers millions of dollars.

The cold facts are—and how many romantic stories are spoiled by the facts of history; as, for instance, the famous

Appomattox apple-tree story which gained wide currency, but which was dissipated by General Grant, who, in his memoirs, pronounced it pure fiction—the cold facts are that Congress, with a single exception, reduced all of General Dawes's estimates an average of more than 10 per cent, and thus the Congress actually saved the country millions of dollars by cutting the general's estimates; not as much as they should have cut them, for there is need for the most rigid economy—still, they cut them just the same. [Applause.] But the public did not know anything about that. It did not make good newspaper copy. Therefore the newspapers did not use it. They had pictured Dawes as a firebrand of economy, or rather as a rip-roaring, snorting fire engine, thundering pell-mell down Pennsylvania Avenue to put out of the fires of governmental extravagance and quench the flames of congressional waste. Then when the Congress went the general one better and quietly took all of the enthusiasm out of the matter by reducing the general's estimates, thus leaving the yell leader with no language but a yell, it simply was not news, that is all. Facts are dull, prosaic things.

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

Mr. JONES. Yes.

Mr. STEVENSON. The gentleman has noticed the propaganda about the so-called Mellon plan.

Mr. JONES. Yes; I was just about to come to that, and I thank the gentleman for his suggestion. Facts are prosaic things, and what are facts when the circus is on; when the confetti of foolishness is being thrown; when the moxey mead, the honey wine, the California fruit juice, and the pink lemonade are being sold; when the elephant is standing on his head; when the blood-sweating hippopotamus is on display, and when the steam piano is in full blast? Reason simply stacks arms and leaves the field under those circumstances.

I would not take from General Dawes one iota of credit for some valuable work he did, notwithstanding his aspersions on Congress. He, through the Budget law, which was passed by the Congress, assisted in eliminating some duplication and in reducing departmental estimates, which are always too high. But the trouble was he did not go far enough. The Congress almost invariably reduces the department estimates, and they reduced General Dawes's estimates very materially.

As my friend from South Carolina suggests, just now a great deal of propaganda is being used to further the Mellon plan, and a good many folks have been led to believe that it is the Mellon plan or nothing. As a matter of fact, the entire Congress, as well as the country, is in favor of tax reduction.

The whole fight will be, not whether we shall have tax reduction but whether the greater part of the load shall be taken off the rich or the men of average or small means. Everyone is in favor of tax reduction and there will be tax reduction. The question, as it will be tried out here, will simply be, How shall such reduction, as the facts will justify, be distributed? That will be the issue, but that does not stop the propagandist. Taking advantage of the universal desire for tax reduction, the sources of publicity, the organizations and the big interests and the New York bankers are trying to make Congress swallow the Mellon plan lock, stock, and barrel in spite of its inequities.

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

Mr. JONES. Yes.

Mr. STEVENSON. The general proposition that I get is that the Mellon plan is infallible.

Mr. JONES. Oh, yes; that is the purpose of the propaganda.

Mr. STEVENSON. The gentleman remembers that a few months ago, when we were about to pass the bonus bill, Mr. Mellon gave out a financial statement of the condition of the Government, in which he forecasted a deficit of \$650,000,000.

Mr. JONES. Yes.

Mr. STEVENSON. Then six months afterwards, when it was necessary to make a showing for the administration, he gave out another estimate of \$350,000,000 surplus.

Mr. JONES. Yes; he is a magician in figures as well as in finance. Not only are the facts as stated by the gentleman from South Carolina true, but the Mellon plan as conceived to-day is a good deal like the one he turned out two years ago. You will recall that two years ago he started a plan reducing the taxes only on people who had an income of \$66,000 or more per year, and leaving all men with smaller incomes with all of the burdens of the old tax law. A fight was started in the House of Representatives, and apparently that was the first time Mr. Mellon ever knew that there was anybody who drew less than \$66,000 a year; at least it was the first time he had paid the man of small means any attention.

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

Mr. JONES. In just a moment. When he found that he could not put over that plan, he presents the same plan again

with just a little sop to the small man, and then says, "You will take this or nothing." It is the same old pill, with a very thin sugar coating over it. Now I yield to the gentleman from New York.

Mr. SNYDER. Well now, referring to the statement—

Mr. JONES. I have but a limited time, and I can yield only for a question.

Mr. SNYDER. If we concede that the Secretary of the Treasury made a misstatement, we will have to concede also that the statement was on the right side of the ledger.

Mr. JONES. However that may be, he had the facts before him all the time, he had the figures, and they were accurate, so why should he make a mistake just at the time when it was good politics for him to do so for his party? I do not understand it. [Applause.] But the propaganda was on. What difference does it make in the eyes of these propagandists that the Mellon plan will favor certain classes very greatly? What boots it that it will reduce the taxes of the man of small means much less than they should be reduced? What difference does it make that under the rates of the Fordney-McCumber tariff bill \$3,000,000,000 in indirect taxes will still be on the backs of the people, most of which goes not into the Treasury but into the pockets of a favored few? Andrew, the "melon" cutter, has evolved a scheme and the propaganda is on.

Mr. CONNERY. Will the gentleman yield?

Mr. JONES. I will.

Mr. CONNERY. Has the gentleman received any propaganda concerning the extreme effrontery of the service men who served on the battle fields in France in asking the Congress of the United States to pass the bill known as the adjusted compensation bill?

Mr. JONES. I do not care to go into that, but I will say this, that I would not refer to any man who bared his breast to the German bullets as having any effrontery in coming claim which he felt justified in making.

Mr. CONNERY. My comrade will understand that I did not say anything about the effrontery of service men; I said the propaganda regarding the effrontery.

Mr. JONES. I misunderstood the gentleman and I beg his pardon in my reply.

Mr. McSWAIN. If the gentleman will permit, in order that the country might be somewhat enlightened, is it not a fact that every adjusted compensation bill that has been considered by this House had an authorship on the Republican side?

Mr. JONES. Well, I am not familiar with those facts, and I will let the gentleman's statement stand for what it is worth. I have here form letters that are sent out. Members have been kind enough to hand them to me, and I have them from 15 or 20 different States, and they read practically alike. Here are form letters of various kinds printed and signed by different people. Here are petitions galore in printed form in reference to this matter. But here is one in which a corporation, the Titus Blotter Co., in a letter to my colleague, Mr. STENGLE, forgot to take the corporate seal off the paper that they used in sending out these petitions. There are numerous ones here coming from New York and a great many other parts of the country, all reading very much alike. It is passing strange that I happen to find in the New York Herald for to-day, following an editorial in yesterday's paper on the Mellon plan, a great big flaming statement with a map of the district of ANNING S. PRALL, asking his constituents and others to write him in reference to this plan.

Everyone likes to hear from his constituents, their views and opinions. They are a valuable aid in any representative government. The Members not only welcome them. They are anxious to receive them. But the form letters and telegrams that are sent at the request of some group or vested interest are of little value to anyone. Sometimes stacks of them are received, all reading practically alike in form and in substance. It is not always confined to the citizens of this country. There is a great deal of foreign propaganda, some of it striking at the very foundations of this Government. The wealth of this country—and I am not a malefactor of great wealth—has adopted this scheme and this makes it very difficult to withstand the flood of their propaganda. And they do not always confine themselves to the facts. For instance, in their zeal to further the adoption of the amendment in reference to tax-free securities, even such great publications as the New York World and the New York Times have carried on their front pages statements to the effect that the adoption of that amendment would release the money now tied up in tax-exempt securities to productive enterprise. Of course a moment's analysis will convince anyone, regardless of his position on the amendment, that that can not be true. Regardless of any

amendment we may adopt these securities are forever tax free. Everybody knows that who studies the question a moment. If they are sold somebody must buy them. It would simply be a transfer of ownership and the same amount of money would still be tied up. True, such an amendment might affect future issues and prevent additional moneys being tied up, but any fair-minded man must admit it will not relieve the money now tied up in tax-exempt securities already issued, because they can not be reached by a tax amendment. They are forever prating about demagoguery. Why do not they confine themselves to the facts? People who live in glass houses should not take shower baths. [Laughter.]

This is a sample of the propaganda that is constantly flooding the country, beclouding issues, and making intelligent legislation much more difficult. This country is fast breaking up into groups. They are organized with headquarters in the Capital City. The United States Chamber of Commerce, and various other groups too numerous to mention, and even some of the women's organizations have their headquarters in Washington, and a great many of them have established their central point of operation here. Some of them are building immense structures in the very circle of the Nation's Capitol, from which vantage point they can flood the country, bring pressure to bear, and otherwise cloud the atmosphere, thus making it increasingly difficult to hear the voice of the man in the far-away sections who is attending to his own affairs, and whose honest heart and habits of industry are the mainstay of the Nation. The establishing of some makes other organizations come in sheer self-defense, thus ever going on in an endless vicious circle.

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

Mr. JONES. Yes.

Mr. ALMON. I am wondering if my friend has any suggestion that he can make that will prevent these practices that he is complaining about.

Mr. JONES. Oh, in a few years, after the people learn that these special interests do it, and how they do it, I think they will realize the absurdity of it and resent these form letters sent out by the self-constituted keepers of the king's conscience who claim to know more about everything than the people in the other parts of the country. I have an abiding faith in the folks. Every day the atmosphere of Washington is becoming less like and less indicative of the real thought of the country. When the common sense of most may be obtained with precision, it is a reasonably safe guide for governmental policies, but organized propaganda and crack-brained agitators are a menace to this Republic. And as between the two, the organized propagandist is the worse. The agitator and soap-box orator are in the open. Very few are convinced by them. But the propagandist sometimes operates through a mask of deception.

The editorial columns of newspapers were once much used in shaping public opinion. Now articles so marshaling the facts as to mislead or misstating them are placed in the news columns, and they are sometimes deadly in their effect, especially when taken at their face value. Newspaper reporters are not as much at fault as these organized groups that give them the wrong data and thus cause the wrong facts to be presented and consequently the wrong conclusions sometimes to be reached.

In all this there is a great effort to secure power in this land. Power is a stately word. It was of power that Milton wrote, Homer dreamed, and Virgil sang. When asked, "What is power?" Alexander said, "Force is power." Croesus said, "Money is power." "Power," said Webster, "knowledge is power."

The SPEAKER pro tempore (Mr. BEGG). The time of the gentleman from Texas has expired.

Mr. BLACK of Texas. Mr. Speaker, I ask unanimous consent that my colleague may proceed for five minutes more.

The SPEAKER pro tempore. The gentleman from Texas asks unanimous consent that his colleague may proceed for five minutes more. Is there objection?

Mr. CLARKE of New York. Reserving the right to object, Mr. Speaker, I would like to know where he is going.

Mr. BLACK of Texas. I think it is a very fine speech.

Mr. JONES. Oh, I had no hope of pleasing the gentleman from New York. Much of this propaganda comes from his State.

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

Mr. JONES. Yes.

The SPEAKER pro tempore. The gentleman from Texas asks unanimous consent that his colleague may have five minutes more. Is there objection?

There was no objection.

Mr. KING. I am in hearty sympathy with the remarks the gentleman is making, and I was wondering if he would include within his denunciation that new form of propaganda which Mr. Edward W. Bok has organized in regard to the situation in Europe?

Mr. JONES. Oh, I have not had time to read that plan, and I would not care to express an opinion on a matter that I had not carefully considered. The gentleman from Illinois later on will have an opportunity to express his opinion on that matter, if he cares to do it. I will say, however, that I am not going to denounce it as propaganda simply because some Members of another body have so designated it.

Force is sometimes power, wealth is usually power, and knowledge is always power. These fellows have the knowledge as to how to utilize their wealth. The trouble is they are putting their wealth and power into the wrong channels and are not using it for the best interest of the Nation.

Oh, I am not a pessimist. Despite the propaganda and despite the conditions as they exist, I agree with Uncle Joe Cannon, who, after 46 years of service in the House of Representatives, replied to some calamity howler, "Yes, in spite of that, however, this country is a hell of a success." [Applause.] We are passing through a season of propaganda. But there is no hour so dark as that which precedes the dawn. The Democrats will again come into power, and the light of a new day will shine. [Applause.] But whether the Democrats are in power or not, fine and capable as I think they are, or whether the Republicans are in power, bad as I think they are, this whole country is surpassingly great, and I would rather live in the United States, even under Republican misrule, than to live in any other country under the shining sun under the rule of any party whatever. [Applause.] And I want to say that I do not believe this Nation should permit people to stay in our country whose feet are on our shores and whose hearts are in some foreign land.

We have our troubles, but I believe in the United States Government, her traditions, her history, and her institutions. Knowing the character of our people, I have implicit faith in the to-morrow. Notwithstanding the false propaganda, the vested interests, and false lights along the shore, America is first in war, in peace, and in progress. I thank you, gentlemen. [Applause.]

The SPEAKER pro tempore. The gentleman from Wisconsin [Mr. FREAR] is recognized for 40 minutes.

TAXATION AND PROPAGANDA.

Mr. FREAR. Mr. Speaker, after traveling through at least ten or a dozen countries during the past summer and meeting officials who administer important affairs in those countries, I heartily agree with the remarks of the gentleman from Texas [Mr. JONES] who just preceded me when he says that no country in the world compares with ours. And the only way to prove this truth is to go abroad and see the others. [Applause.] Ours is the finest in the world, but we have the right, each in his own way, to make suggestions in our desire to improve legislation, and that is what I am attempting to do on the subject of taxation at this time.

Let me apologize for the poor workmanship that has been displayed in this diagram that I have placed before you [exhibiting]. It was prepared when the report was received Saturday evening and the comparisons were given. It was done very hurriedly, and is not very artistic, I admit, but gives the comparisons I will later refer to.

I wish you would study the figures as I go along with my discussion of the Mellon plan. But before I do that I want to add one word more to what the last speaker, the gentleman from Texas [Mr. JONES], has said about propaganda. I have here an editorial from a Philadelphia paper to the effect that the farmers are strong for the Mellon plan, and that 330,000 tillers of the soil will bring a petition to Washington in favor of the Mellon plan. I will agree to vote for the Mellon plan, as hard as it would be on my conscience to do so, provided you can find that those petitions were ever instituted with any thought of the Mellon plan. That is all I have to say about that. It is not propaganda, but it is pure misrepresentation of the worst kind by the Philadelphia news editorial when an article like that is put out by a reputable paper.

I have here another statement on the subject of propaganda, written by a man named Hebard, with an office on Rector Street, New York. He threatens to fight me in my home district unless I support the Mellon plan and do away with the soldiers' bonus, because he says I am absolutely wrong. He sent a copy of his letter, he says, to the Wisconsin papers. I have here another, a printed statement from New York, signed by one of my county constituents, and the statement calls upon

me to support the Mellon plan, allowing nothing to interfere with it. This statement does not say anything about voting against the bonus bill.

I am suggesting this subject of propaganda because most of you are getting sack loads of the same kind of matter. Who pays for it? Who instigates it? Who is especially benefited by the Mellon bill before us?

THREATS AND TESTS.

Mr. Speaker, threats have been hurled at the devoted head of every Congressman who refuses to sign on the dotted line for the Mellon bill. Metropolitan papers and letter writers predict dire results for all of us unless we surrender our judgment and admit that a vicious, unparalleled propaganda inspired by great interests must be substituted for mature study and deliberate judgment when legislating for the whole people on taxation.

I have a tabulation that may be interesting, and I believe is reasonably accurate, as to rewards and penalties meted out to those who voted on the tax-reduction proposal last session of 50 per cent to 32 per cent, which was a much less drastic tax cut than in the Mellon bill before us.

That vote is understood to show that 203 Republicans voted on the motion to agree to the Senate amendment restoring the 50 per cent surtax. Of the 203 Republicans, 171 were against the Senate amendment, aided by 2 Democrats, while 94 Republicans voted with 108 Democrats to restore the 50 per cent surtax which prevailed.

Of the 94 Republicans voting to reduce the surtax to 50 per cent, 67 were returned and 27 were not returned, an average of 70 per cent reelected on their record. Of the 171 Republicans voting to reduce the tax, 100 were reelected and 71 were not returned, or an average of about 59 per cent reelected on their record.

This does not prove all that the figures apparently disclose, because other causes intervened in the result in many cases, but when 70 per cent were returned of those who voted against a reduction from 50 per cent to 32 per cent and only 59 per cent of those who voted for the reduction, it appears that threats from New York, Philadelphia, and other big business men do not reflect the views of the people back home who are not stampeded by propaganda.

TAXES AND PROPAGANDA—THE MELLON TAX "ADJUSTMENT" AND A SUBSTITUTE PROPOSAL.

Last week an announced Republican candidate for President, Senator JOHNSON, publicly declared "we have never in this country had anything like the propaganda we now have in behalf of the so-called Mellon plan." "It is propaganda most carefully prepared and stimulated."

Three hundred letters or more daily, I am informed, are received by the Ways and Means Committee. Every member of the committee is deluged with letters written at the instigation of leagues, boards, and clubs. Who is behind this unparalleled propaganda? It will not be hard to locate in a leading bank official not far from New York City, I am told.

If the country is informed of the logical effect of the so-called Mellon bill, I do not believe its passage will be possible. In fact, after the high surtax defeat by Congress last session by 29 majority in the House when supported by letters from President Harding and Secretary Mellon, there seems little danger that either the House or the Senate will now be swept off its feet by propaganda.

Last session the cut in high surtax was urged because business was stagnant and the cut was then needed to infuse new life into industry through stagnant funds now placed in tax-free securities. To-day when business is booming, banks loaded with funds, large dividends being distributed, and melons cut we are again urged to reduce high surtaxes 50 per cent in order to help business. What business? Whose business?

Let us consider the Mellon bill, its proposals for tax reduction, substitute proposals for tax reduction here offered to include passage of the soldiers' bonus bill, and finally tax adjustments that are just and should be made without delay.

I do not claim that I have the only cure-all, but I desire to suggest that the Members consider this diagram of tax comparisons for a moment. I wish to explain that the last line covers practically the whole thing. The last line states the substitute is formed by cutting the normal tax in half, from 8 to 4 per cent and from 4 to 2 per cent where they now exist in the law. That is all there is to this, in addition to Mr. Mellon's proposition of a reduction of 25 per cent on earned incomes. To this proposal most people are agreed. I have taken his same comparisons and carried them out on the proposal here.

Mr. GRAHAM of Illinois. Will the gentleman yield?

Mr. FREAR. I am anxious to finish. I shall be glad to yield later.

Mr. GRAHAM of Illinois. I wish the gentleman would explain that chart.

Mr. FREAR. It would take me several minutes to do that in detail, and I really think the chart explains itself.

Mr. GRAHAM of Illinois. What do you mean by "substitute tax"?

Mr. FREAR. That is the tax I am offering as a substitute for the Mellon tax plan.

Mr. GRAHAM of Illinois. That is the tax you are yourself offering?

Mr. FREAR. Yes; the tax I am offering here.

Mr. GRAHAM of Illinois. It did not take long to answer that.

Mr. FREAR. I did not know you wanted to ask that question and am glad to explain so far as time permits.

A SUBSTITUTE TAX PLAN V. THE MELLON PLAN.

The Mellon tax plan gives a 25 per cent reduction on normal tax and takes off the 1 per cent surtax from \$6,000 to \$10,000, beginning surtax at the latter figure. The substitute plan gives a 50 per cent reduction in normal tax and leaves the surtax as it is throughout, a tax on those best able to pay.

Quoting Mr. Mellon's comparison of a married man with two children in letter of November 10, 1923:

Income.	Present tax.	Proposed Mellon tax.	Substitute proposal.
\$4,000.....	\$28.00	\$15.75	\$10.50
\$5,000.....	68.00	38.25	25.50
\$6,000.....	128.00	72.00	48.00
\$7,000.....	186.00	99.00	76.00
\$8,000.....	276.00	144.00	116.00
\$9,000.....	366.00	189.00	156.00
\$10,000.....	456.00	234.00	196.00

The substitute tax plan based on Mr. Mellon's illustration gives an average reduction of over 20 per cent below the Mellon reduction from \$4,000 to \$10,000 and is over 60 per cent below present rates. It is based on a square reduction given to every taxpayer and I submit it as a substitute for consideration by the House when tax legislation is reached.

I have made no particular study of the Democratic tax proposal published in the press this morning. The 50 per cent cut in normal tax, which extends throughout the above substitute plan, is only contained in the Democratic proposal up to \$10,000, whereas the surtax by their plan begins at \$12,000 and reaches a high mark of 44 per cent instead of 50 per cent as at present, whereas no change in present surtaxes occur in the substitute.

By making one straight cut in normal taxes of 50 per cent present rates and carrying it through to the end, practically the same result is had as in the Democratic plan, and it can be defended without being open to the charge that salaries under \$10,000 have been given special consideration.

Secretary Mellon has furnished Congress with a 344-page bill, which we are asked to enact into law, a sort of sign on the dotted line document. He does not want a soldiers' bonus given but does ask that his own taxes be reduced 50 per cent. It is an even wager he never read the 344-page bill handed Congress by his clerical force that asks to have 28 of its members given \$10,000 salaries each without confirmation by the Senate.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. FREAR. I will later but not now. I will be glad to yield later.

Mr. CHINDBLOM. I think the gentleman desires to be accurate. Is it not a fact that the 344 pages contained both bills?

Mr. FREAR. Oh, yes; both bills. Those pages contain the present law and proposed changes, all of which we are obliged to read and examine.

Hundreds of chambers of commerce and thousands of other business units have deluged Congress with absolute and unqualified support of a Mellon tax bill that none of them have ever seen.

Every great newspaper in the country, with rare exceptions, for many weeks has been absolutely and unqualifiedly for the Mellon bill that never was released until a week ago. Influential magazines like the Saturday Evening Post, Literary Digest, and other journals for many weeks have depicted the beauties of the Mellon tax bill, and incidentally score "politicians" who do not see through Mr. Mellon's spectacles. The movies and the theaters of the country, to be exempted from \$70,000,000 annual taxes by the 344-page tax bill, cry for it, while incidentally one of the 10 richest men in the country, reputed to enjoy

over \$5,000,000 annual income, possibly more than double that figures, favors his own bill that presumably may save him \$1,000,000 or more annually in income taxes. If not exact, let us have the exact figures shown by the Treasury secret records. The issue raised is neither political, personal, nor partisan. No party platform would have dared ask votes from the country on an antisoldiers' bonus or 50 per cent surtax cut promise to multimillionaires.

THE BIG AND LITTLE FELLOW.

Mr. Mellon's plan cuts the little fellow's normal tax 1 and 2 per cent, while it cuts the high surtax from 50 per cent to 25 per cent. This is ostensibly so his bill will release surplus money from tax-free securities for "active business." Every reasonably safe foreign bond flotation is oversubscribed many times by New York financial interests. Billions of dollars in good, hard American money are now invested in Cuba, Europe, China, the Philippines, South and Central America by Americans, and billions more are available for profitable investments. There are abundant funds for legitimate business home and abroad, but all arguments are used for this tax bill. Experts say a reduction of surtax from 50 per cent to 25 per cent or even 20 per cent or less will not materially affect tax-free investments.

Propaganda is heavy for the Mellon plan from the Treasury press service, from the movies, and from the news press hourly. Not from every quarter, however, for nine out of every ten persons back home who send us to Congress are silent on the subject. They expect us to know the facts, undeceived by herring trails.

Not one farmer in fifty will be helped by the Mellon income-tax plan of reduction. Not one workman on the average out of twenty presumably will be affected. Four million ex-soldiers will be thrown into the discard in order to grant primarily a movie tax cut and 50 per cent income-tax reduction on great fortunes and smaller benefactions to others as fortunes decrease, thus reversing the principle of taxation.

Not one tax letter of the hundreds received by me has come from a farmer. Not one Mellon letter has come from a small-salaried laborer, and these make up four-fifths of the people directly or indirectly affected. Letters from business men, manufacturers, Union Leagues, and similar agencies, responding to propaganda, compose the missionary work that is seeking to put through the Mellon tax plan by threats held over Congress.

Mr. Mellon's first outstanding proposal is his demand that Congress cut high surtaxes from 50 per cent to 25 per cent. He thus advocates a surrender of the income-tax principle in order to prevent high incomes from investing in tax-free securities. He says so, but his proposed remedy is both ineffectual and indefensible.

I have letters from tax experts and presidents of banks assailing Mr. Mellon's surtax cut on high incomes of from 50 per cent to 25 per cent. The same attempt to effect a proposed cut was defeated last year. Then the House defeated the Mellon proposal, as stated, 202 to 173. Of the 94 Republicans who with 108 Democrats joined in that defeat, over 70 per cent were returned and are here. Of their colleagues who stood with Mr. Mellon, nearly half fell by the wayside last election.

HOW CHECK PROFITEERING?

Again, Mr. Mellon's tax plan opposes any profits tax whereby to meet the unconscionable fever of profiteering now rampant. A fierce exhortation of profiteers occurred in a recent address from Mr. Gary, the steel magnate, although great wealth opposes any practical means of reaching profiteers.

Mr. Gary said:

At the present day in many lines there is in conduct on the part of both the employer and the employee unfairness, greed, reckless and brutal disregard for the proprieties and decencies of human contact. * * * Prices just now in many respects and in many places are unconscionable, and they enter into the very high cost of living.

Mr. Gary's philosophy, however, like that of Mr. Mellon, Mr. McLean, and Mr. Rockefeller, and other men of large wealth, comprehends unlimited profits and heavy holdings, with a sprinkling of ostentatious charity as a conscience offering, even as another steel magnate posthumously gave from the Carnegie Foundation \$150,000 used in part by a "security league" in trying to defeat 300 Congressmen and Senators during the war.

Again, Mr. Mellon's tax plan opposes any increased inheritance tax to reach eventually his own fabulous wealth. Opposition has been expressed by him before our committee, although it seems to be the only way at present to reach wealth invested in tax-free securities. Catch it eventually, if not now.

GOING ROTTEN WITH RICHES.

In America there is almost oppressive evidence of wealth. There is always a danger with such vast unexampled prosperity going on unchecked of a country going rotten with riches.

That sounds communistic, but it is from Stanley Baldwin, present English Prime Minister, after his visit to the United States a few months ago. "Rotten riches" that escape taxation are in a comparatively few hands. These "rotten riches" unanimously oppose any soldiers' bonus bill and favor placing a sales tax on the backs of "God's patient poor," because, in the words of Jules Bache, wealth now spends 11 months trying legally to avoid taxes and the twelfth month is anxiously occupied in preparing returns to get past the taxgatherer.

Taxation can help adjust burdens of government, and no wise person will willingly leave God's country to escape taxes. If so, there will be few mourners. Europe groans under far heavier taxes, and no country in the world compares with ours. All that should be asked from great wealth is fair contribution, but that should be given without evasion.

Constant reiteration of the so-called "Mellon plan" in Treasury pronouncements and press propaganda makes him its standard bearer, so he must stand or fall by the bill's logic or lack of logic. Secretary Mellon now informs the country that instead of a Treasury deficit prophesied by him two years ago he finds, notwithstanding tax-free securities, stock dividends, and other tax evasions, that the Treasury will have an unexpected average annual surplus of about \$310,000,000.

Mr. Mellon is, I fear, a financial prophet, whose predictions must be carefully weighed, for last session he advised President Harding a soldiers' bonus bill of \$200,000,000 annually would cause a great Treasury deficit. This year he informs President Coolidge that a soldiers' bonus bill must not be passed if the unexpected surplus of \$310,000,000 is to cover his "movie" tax reduction bill.

I submit briefly the plan of discredited prophecy and discredited logic in round numbers:

First. 25 per cent reduction on earned income-----	\$100,000,000
Second. 1 per cent reduction normal tax-----	100,000,000
Third. 25 per cent reduction high surtax "readjustment"-----	100,000,000
Fourth. Repeal of theater and "movie" tax-----	70,000,000
Fifth. Repeal of telegraph and telephone tax-----	30,000,000
Total-----	400,000,000
A tax credit of-----	70,000,000
Leaves a net proposed tax reduction of-----	\$330,000,000

[NOTE.—The second and third proposals, aggregating \$200,000,000, are combined in the substitute later offered, wherein No. 3 is rejected, but the same total amount is reached by doubling the normal tax reduction over the proposal of Mr. Mellon.]

THE SOLDIERS BONUS AND TAXES.

This Treasury plan prevents any soldiers' bonus bill.

If Mr. Mellon has an estimated 5 per cent net income on his fabulous wealth, then \$5,000,000 or more annually is probably received by him, or from \$15,000 to \$20,000 every day of the year. Presumably his income was higher during the war. Why, then, begrudge \$1.25 a day bonus during service to the fellow who only got \$1 a day during the war to be shot at while living among the trenches, mud, and vermin, or why oppose giving a dollar a day to the boy who perchance lost his job when we seized him bodily and sent him to war?

Mr. Mellon, Mr. McLean, editor of the Washington Post, and men of great wealth generally oppose the soldiers' bonus bill and support the Mellon tax plan.

Congress, however, I believe, is going to pass a soldiers' compensation bill notwithstanding the protests of big business men. If vetoed, Congress will carry out what is believed to be the overwhelming desire of the people and make the bill law, if it is possible to do so.

The soldiers' bonus bill takes about \$150,000,000 annually, according to estimates, for a period of 20 years, which eventually will be more than covered back into the Treasury by the English debt payments of \$4,000,000,000, saved to us by the boys who now ask for the so-called bonus. If anything is saved to us from the remaining \$7,000,000,000 of foreign debts, that will further increase revenues.

Deducting the bonus payment from the annual surplus of \$310,000,000 leaves a Treasury surplus of about \$160,000,000 that can be used in any event for application on our \$22,000,000,000 national debt or else for tax reduction. Secretary Mellon's statement last session that a bonus bill would cost the Government \$185,625,000,000 is not forgotten. Of course, it was an innocent mistake, and so was his prophesied Treasury

deficit this year, but mistakes running into hundreds of millions of dollars annually are of serious moment when we are asked to weigh his advice now.

WHY ONLY A "PROPAGANDA" NUISANCE?

Glancing at Mr. Mellon's tax plan it will be seen that of less than \$330,000,000 of his proposed tax reduction, \$70,000,000 are for theater admissions and movie taxes. This item is from 20 per cent to 25 per cent of the total and explains why a generous proposed Christmas present to the movies rather than to the soldiers is reciprocated by \$70,000,000 of propaganda in its favor now deluging the country through the movies with demand to "write your Senator and Congressman to support the Mellon bill." Why take out one nuisance tax and leave candy, cameras, purses, fans, paintings, fountain pens, jewelry, and others practically untouched? Is it because candy can not carry this unprecedented tax propaganda?

Mr. Mellon's \$100,000,000 surtax reduction item begins by elimination of all surtaxes below \$10,000 incomes. Like the movie \$70,000,000 bait, this last proposal includes Senators and Congressmen whose salaries would thus be exempted from any surtax. The temptation is hard to resist, but if the normal taxes are cut in half as proposed, thus giving to Congressmen, to Mr. Mellon, Mr. McLean, and the humblest taxpayer the same reduction, then Senators and Congressmen will get the same ultimate tax reduction proposed by Mr. Mellon, or more as shown by the table, not granted as a special favor but as a fair, just return extended to all alike. We can defend this proposal but not that offered by Mr. Mellon. His plan gives us a small slice of the melon with much more to the movies and grants him half a melon cut of from 50 per cent to 25 per cent. Ours invites close scrutiny in its fairness. Last session I received 165 letters protesting the candy tax; almost as many came to me against the jewelry tax. This year the sum total is two letters, while the movie child screams hourly. Whence the stillness in candy and jewelry, and why the new great noise? What is the Treasury understanding, if any, and where does Congress come in?

A PROPOSED TAX SUBSTITUTE.

Starting out with a Treasury surplus of \$310,000,000 against which bonus bill payments will make a charge of \$150,000,000, leaves a \$160,000,000 surplus as stated that it is proposed to handle differently and more justly than does the Mellon plan. To help the most needy fellows the following alternative tax reduction proposal is submitted:

First. Reduce the tax on earned incomes \$100,000,000.
Second. Reduce normal taxes double the Mellon plan \$200,000,000.

Third. Repeal all nuisance and luxury taxes dependent upon enactment of certain laws. Do not discriminate in favor of the \$5 opera ticket and exclude the child's 5-cent stick of candy. One hundred children munch candy suckers for every buyer of a \$5 ticket. Take all nuisance taxes or leave all is a fair proposal.

Do not cut high surtaxes one-half for men of great wealth and then exempt Senators and Congressmen from surtaxes, nor ask for movie propaganda in exchange for special movie favors. Let us make a straight, square cut all along the line without special favors.

The same charge may be made against the Democratic proposal made public this morning. Why exempt our salaries unless in a general equitable tax-reduction plan?

In the proposed reductions the normal tax is cut squarely in half, reducing, for illustration, the normal tax on \$4,000 incomes from 4 per cent to 2 per cent and above that figure from 3 per cent to 4 per cent. As the present law surtax of 1 per cent begins at \$6,000, this tax reduction is shown to be absolutely fair to all, whereas the Mellon tax beginning at \$10,000 and high income reduction is indefensible to 6,000,000 out of 7,000,000 income-tax payers who will get no particular benefit under the Mellon plan, but all share under the normal one-half tax cut.

Every one of the 7,000,000 income-tax payers will get exactly the same reduction by my plan instead of a cut of 25 per cent of the surtax for men of large wealth and only 1 per cent or 2 per cent of the normal tax for the little fellow. If this much is clear, then I add we can pass the soldiers' bonus bill, the 25 per cent reduction on earned incomes, and cut in half the normal tax if for less than \$200,000,000 additional can be provided. Possibly increased English debt interest and other revenue will provide sufficient funds without tax increase.

JUST AND CERTAIN REVENUE PRODUCERS.

We have to offer, however, a definite equitable program by which to raise several times any needed amount by enforcing existing law, and far in excess of that amount if needed

tax laws are passed. Tax-adjustment proposals to afford larger tax reductions include—

First. A law specifically taxing net income from certain municipal and State securities.

Second. A moderate excess-profits tax.

Third. Increased inheritance tax.

Fourth. Gift tax.

Fifth. A moderate tax on undistributed profits.

Sixth. Publicity of tax records that will increase returns.

This program, in whole or in part, can be defended, whereas the Mellon plan is, apparently, a bid throughout for the support of favored interests or a trading proposition.

Bills have been introduced covering every proposal above named. If adopted, all nuisance taxes, including the overworked movie propaganda, can be abolished, our great national war debt speedily reduced, a soldiers' bonus law granted, and normal business methods follow.

First. Enact a law specifically taxing net incomes from certain municipal and State securities without waiting for a constitutional amendment which could not possibly reach \$20,000,000,000 or more of outstanding so-called "tax-free" securities. A proposed bill requires the concurrence of all but one judge to set aside the law when passed. Income-tax collections will jump forward if this law holds, and Mr. Mellon repeatedly and publicly has declared for taxation of this income hereafter.

Second. Enact a law to meet the wave of profiteering condemned by Gary, which covers practically every business, including coal, oil, meats, clothing, and other necessities of life, and rents and stock gambling. A proposed bill grants first an 8 per cent profit absolute exemption, as under the old law, then places a 10 per cent tax on the next 20 per cent of profits, and then a 75 per cent tax on all profits over 28 per cent, as set forth in the bill. A 28 per cent profit is nearly five times the legal rate of interest in New York and New Jersey. It ought to satisfy. Recommendations of the Coal Commission for a profits tax for 50 per cent or 100 per cent coal hogs is certainly good medicine for all profiteering hogs.

Third. Enact a law increasing inheritance taxes on large estates to conform with English, French, and other laws, allowing a credit at a fixed rate to the State where estate taxes are collected. This is the only way to collect taxes on tax-free securities held by such estates. England has no tax-free securities. We have much to learn from her experience. A gift tax is also a necessary corollary of an estate tax. Bills have been offered on both subjects.

Abundant authority for heavy estate taxes to limit wealth can be found among well-known men, including Roosevelt, Carnegie, Wanamaker, and other men who professed to see a national menace in all-powerful wealth, more threatening in this country than in any other.

Twenty-five thousand new millionaires since 1917 are estimated to have been added to the holders of what Baldwin terms "rotten riches." Some of these holders of great wealth are reputed to be worth upward of a billion dollars, whereas 6,500,000 farmers averaged only \$469 income in 1921 according to Government reports. These farmers and several million laboring men are not engaged in pressing propaganda for Mr. Mellon's tax plan or tax-escape plan we are asked to adopt.

In England the Labor Party, growing rapidly in power, is making its principal issue a 50 per cent capital levy on individual fortunes of \$5,000,000 and over, with a graduated scale on smaller amounts, whereas here wealth denounces those who seek to prevent tax evasions under our moderate tax laws.

HOW TO REACH STOCK DIVIDENDS.

Fifth. Enact a moderate tax law on undistributed profits to reach corporations that laid by \$2,000,000,000 in stock dividends in 1922 which escaped all personal-income taxes. This will be a substitute for the 25 per cent penalty provisions of section 220, affecting stock dividends, reintroduced in the new Mellon bill, but a law that Secretary Mellon has ever failed to enforce. If this law can be secured, it will overcome a common method of tax evasion effected by great corporations through the five-to-four Supreme Court stock-dividend decision. Secretary Houston, when at the helm of Treasury affairs, urged a far more drastic undistributed-profits tax proposal on Congress of 20 per cent. If good then, why not now?

I do not question Secretary Mellon's high ability, honesty, or integrity, nor have I any personal grievance. The fault is with the system. Why place any man of great wealth in a key position that should make wealth disgorge its just taxes? Do politics demand that? What would you do if, when drafted at a \$12,000 annual salary, your \$12,000 daily income and that of business associates depended on your interpretation of the law, with experts pointing out two safe courses to pursue, and the construction and decision then to be smothered with legally

imposed secrecy? Is not this the acme of governmental absurdity, evidenced by the present system and by the Mellon bill before us?

With like inconsistency we educate tax experts at Government expense until after learning all the devious crooks and turns of tax dodging they then resign to capitalize that knowledge with private concerns. That is another fruit of secrecy and covering up.

SECRECY HELPS PRESENT PROPAGANDA.

Sixth. Congress and the country know nothing about happenings behind the closed doors of the Treasury except as filtered out meagerly and impersonally. It is the most important and least known of all departments of the Government. Secrecy is a prime cause for failure to secure needed curative financial legislation. That is one reason for some of the selections for this vastly important departmental post. Do men of wealth generally invest their vast fortunes in tax-free securities, like the 60 per cent investment disclosed in William Rockefeller's estate? Nobody knows but Mr. Mellon. Does Mr. John Rockefeller have an annual income of \$20,000,000, or has it all been given away, thus entirely escaping inheritance taxes? Nobody knows but Mr. Mellon. Did Secretary Mellon's Gulf Oil Co. lead in stock dividend melon cutting by \$200,000,000, as publicly advertised, or have any penalties been imposed by him under section 220 on \$2,000,000,000 of stock dividends last year? Nobody knows but Mr. Mellon. Were several hundred millions of dollars refunded in taxes; if so, to whom and why? These facts are covered up by law to-day.

Covering up facts by the secrecy route, covering up facts we should know all about, leaving us filled with well-grounded doubt is the information handed out to Congress. A proposal to make public all tax records has been introduced. It was barely defeated by a vote of 35 to 33 in the Senate last session. Not one valid reason exists for the present blind groping by Congress for tax facts. Will Secretary Mellon aid in making public Treasury tax records? Will we act ourselves?

Provisions of the Mellon plan all deserve close scrutiny when, by section 1000, page 294, there is provided a board or court to consist of from 7 to 28 members, excluded from civil service, at \$10,000 salaries and \$10 per day expenses outside Washington, to be appointed by the Secretary, not to be confirmed by the Senate. When organized, this new Treasury oligarchy sits in secret behind closed doors. Salaries nearly comparable with members of the President's Cabinet and justices of the Supreme Court, to be relieved from existing taxes, however, by the Mellon bill, which curiously enough exempts \$10,000 salaries. I advise Members to read this 344-page bill and before voting for it to remember that the flood of propaganda from letter writers, news items, and the pathetic movie messages demanding its passage come from those who have never seen the bill and have, as a rule, no definite conception of its character or purposes.

PROPAGANDA SEEKS TO DESTROY THE INCOME TAX PRINCIPLE.

Let me say that I am not asking to place undue tax burdens on corporations or individuals but will be glad to have any reductions made in normal taxes that it may be possible to grant. My proposals have to do with maintenance of the income-tax principle and of taxing according to ability to pay. That principle is now being undermined by tax evasions familiar to every tax student.

I have tried to place before you the weakness of the Mellon tax plan and at the same time present a fair, just substitute. The whole income tax law is in danger. The law has been repeatedly emasculated or ignored as pointed out. First by a 5 to 4 decision against the law, second a 5 to 4 decision eliminating stock dividends from the constitutional amendment, and now a fear exists that a divided decision may declare State and municipal tax free, also a fatal weakness through failure to impose penalties. All these attacks have weakened the law. Every known method of evasion is practiced to-day to destroy the income tax law. From a great revenue producer and a correct principle of taxation it has become a tax sieve through which legal and illegal tax evaders drive at will. Only the little fellows unable to get expert advice get caught.

I do not seek to fix blame. That is useless. The court and commissioner have split hairs so frequently that the tax is almost as hairless as a billiard ball.

Unless we apply correct principles of taxation firmly and quickly we will face an abandonment of what promised to be a great tax law soon to be completely emasculated and destroyed by its supposed protectors. No man of great wealth whose interest lies against any law should be called on to enforce it, and in this I do not criticize Mr. Mellon personally or most of the administrative changes proposed by Secretary Mellon's bill.

Three things are needed to reinstate the income tax law as a just tax measure: First, tax net incomes on so-called tax-free securities; second, tax undistributed profits; third, stop the escape gaps.

An excess-profits, inheritance, and a gift tax are proper to complete a comprehensive scheme of taxation. Rates whether fixed or graduated are of secondary importance. Taxation without evasion is absolutely needed.

If tax administration was held in the open instead of in secret all these laws could be secured. Their necessity would then be apparent. A responsibility rests heavy on Congress to brush away the cobwebs of propaganda and provide laws that will protect small taxpayers without weakening the graduated tax principle. The Mellon bill is alleged to be a trading, unscientific, indefensible plan. The substitutes offered I believe are sound from beginning to end. [Applause.]

I have added two or three extracts that I will not refer to in detail to show the tremendous amount of business that was done in the last year, which would indicate that we do not need to cut surtaxes from 50 to 25 per cent in order to find money to invest in business. I have here two or three statements from financial journals, and they are to that effect. Also letters from tax experts and others of equal tenor. Then I have noted the bills introduced on the subject discussed, not necessarily for passage, but for your study. From this you will very quickly ascertain what bearing my statement has upon the various tax schemes which are proposed for passage.

I think there is nothing I need add in conclusion, except to say that here are several editorials of propaganda taken from Philadelphia papers. One is headed:

Put the screws on Pennsylvania's Congressmen.

Then the editorial goes on to say:

Let it not be forgotten that the Pennsylvania delegation in Congress refused in caucus to indorse the Mellon plan for tax reduction.

That is from one of the principal papers of Philadelphia. Then it goes on to show how the screws can be put on the Congressmen. I do not want my friends on the right side of the aisle to think that the screws are only to be put on Republicans, because this article says the screws should be put on every Member of Congress, whether Republican or Democrat. So this is a nonpartisan and nonpolitical matter, this thumb-screw pressure, my friends.

This subject is so large that in a few moments it is impossible to fairly cover it, but if I can answer any questions I shall be glad to do so. First, I want to ask unanimous consent to revise and extend my remarks in the RECORD.

The SPEAKER pro tempore. The gentleman from Wisconsin [Mr. FREAR] asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. BURTNESSE. Will the gentleman yield?

Mr. FREAR. Yes.

Mr. BURTNESSE. The question I had in mind pertains particularly to the corporation tax, but I note that you suggest the taxation of undistributed earnings?

Mr. FREAR. Undistributed profits.

Mr. BURTNESSE. And with that I very heartily agree.

The question, however, which occurs to me is this: The normal tax applied to corporations—

Mr. FREAR. Just a question, please.

Mr. BURTNESSE. I am going to put it in the form of a question. The normal tax applied to corporations is the one most easily passed on to the consuming public. I note that the gentleman's suggested plan, as well as the plan suggested by Mr. Mellon, and I believe also the plan suggested by Mr. GARNER in the papers this morning, all three fail to suggest a reduction of the corporation taxes of this country.

Mr. FREAR. We raised the normal tax on corporations from 10 per cent to 12½ per cent in 1921, and if we pass this tax proposal to reach undistributed profits or pass the excess-profits tax, there is no question but that the normal corporation tax could be reduced to the old figure.

Mr. O'CONNELL of New York. I know the gentleman does not mean to do an injustice, and I may say that the Literary Digest is not advocating this plan or any other plan, but is simply endeavoring to give both sides.

Mr. FREAR. Let me say to the gentleman that when you read the Literary Digest you find it is filled with propaganda on almost everything. The metropolitan journals are carrying a large amount of matter about the other side of this question favoring the Mellon tax plan, but the Literary Digest has shown very little interest apparently excepting in favor of the so-called Mellon plan.

Mr. O'CONNELL of New York. It is endeavoring to give both sides.

Mr. FREAR. And the reason I spoke of the Literary Digest is because it is very powerful, and is entitled to the high respect which it receives from the American reading public.

Mr. O'CONNELL of New York. I know the gentleman wants to be fair.

Mr. FREAR. Yes; absolutely.

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

Mr. FREAR. May I have just five minutes additional?

The SPEAKER pro tempore. The gentleman asks unanimous consent that he be granted five additional minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. BLANTON. Will the gentleman yield?

Mr. FREAR. Yes.

Mr. BLANTON. Suppose the gentleman should fail in getting his substitute plan through, then, may I ask whether the gentleman and his followers would be willing to help the Democrats with their plan?

Mr. FREAR. I am glad the gentleman asked the question. I have no followers here in the House. I am leading no one, and am simply offering my suggestions after much study for your consideration, but I will say this: If I should join with my good Democratic friends on their tax plan I will be asked at once, "Why did you begin the surtax at \$10,000? So as to allow Senators and Members of the House to escape taxation?" And it is going to be hard for me or for you to defend that proposition. Or what benefit is to be derived from reducing the high surtaxes from 50 to 44 per cent, as proposed in the plan published this morning? In my proposition you do not have to explain, and I would suggest to the gentlemen on that side of the House that they take the plan I have here, and I hope we can stand together on that plan with support from both sides of the Chamber.

Mr. BLANTON. But the Democrats have a better plan.

Mr. FREAR. Oh, I can not—

Mr. BLANTON. As compared with the Mellon plan—and if it should be a question of one or the other of those two plans—I presume the gentleman would be willing to accept the better of the two.

Mr. BURTNESSE. Has the gentleman estimates of the amount of taxes his plan would raise?

Mr. FREAR. Oh, yes; because all I have to do is to take Mr. Mellon's estimate and apply my plan to his figures. Mr. Mellon estimates \$100,000,000, or \$92,000,000, if I remember the exact figures, will be the amount caused by the net reduction of one-fourth per cent in the normal tax which he proposed. I am putting the normal tax at one-half the present rate, which would be \$200,000,000, in round figures, and I match that simply against the surtax changes, which he puts at \$97,000,000. I have offered no change in existing surtax rates.

Mr. BURTNESSE. Putting it briefly, could this proposed plan of cutting in two the normal taxes, coupled with the elimination of all the nuisance taxes, raise sufficient funds to run the Government?

Mr. FREAR. With these other tax plans I have proposed; yes.

Mr. BURTNESSE. But outside of those plans?

Mr. FREAR. No; because you can not take out half the normal tax and reduce the earned-income tax one-fourth and pass the bonus bill and at the same time remove all the nuisance taxes. Mr. Mellon himself does not propose that or nearly the result I expect to reach. He takes out \$70,000,000 for the movies and theaters and then \$30,000,000 for transportation, but he does not touch the other nuisance taxes, nor does he suggest any revenue provision for a soldiers' bonus law. In fact, he is opposed to the bonus, which will take about \$200,000,000 annually, according to estimates.

Mr. LINTHICUM. I have here the estimates issued under the Democratic plan, and I notice that on an income of \$5,000 under the present law the tax would be \$100, and you have it at \$68.

Mr. FREAR. Of course, I can not make a comparison with the Democratic statement, because that is based on a married couple without any dependents, and I followed the example given in Mr. Mellon's letter to Mr. GREEN of Iowa. I used Mr. Mellon's comparison.

Mr. LINTHICUM. In other words, you calculated on a married man with two children as dependents?

Mr. FREAR. Yes; that is what Mr. Mellon did in his letter, and I simply carried out his comparison, but everything here [indicating map] rests on the last line where the normal taxes

are cut in two. That is the reduction which reaches all alike and helps particularly the small taxpayer.

Mr. O'CONNELL of Rhode Island. Will the gentleman yield?

Mr. FREAR. Yes.

Mr. O'CONNELL of Rhode Island. Is it not a fact that the original letter to the acting chairman of the Ways and Means Committee was written under date of November 10, 1923, and with the tables was only six pages in length, but the revenue act of 1924, as proposed by Secretary Mellon, is 344 pages in length and was first given general publicity about December 29, 1923, and, further, that most of the letters and telegrams received by the Members of this Congress expressing unqualified approval of the Mellon plan were received previous to the general publicity which was given to that bill, so that the persons writing their conclusions had no intimate knowledge of the many provisions of that act?

Mr. FREAR. I attempted to make that clear in my statement at the outset that this was practically the case. There is only this to be said, however, in all fairness, that the statement of six pages carried out what was intended to be the principal points, but the bill itself contains 344 pages and includes the part of the law that is to be stricken out as well as the new parts that were to be inserted. The statement in the press, letters, and propaganda speak for themselves.

Mr. EVANS of Montana. I would like to ask if in your judgment, with this cut in the tax rates, we could still pay the bonus?

Mr. FREAR. We can pay the bonus, but we can not make a drastic cut in taxes without having some means of raising the revenue to finance the bonus bill, nor could we do so under Mr. Mellon's tax plan or under the Democratic tax plan. Under any of these tax plans you will have to provide other revenues if you have the bonus and tax reduction; but I have suggested many ways in which we can raise taxes, and if adopted, either by excess profits, undistributed profits, or other means, the revenue will be fairly raised, I believe.

Mr. EVANS of Montana. That I understood from your statement as you went along.

Mr. FREAR. Yes. I thank you for the time extended to me. [Applause.]

ADDENDA.

ENORMOUS PROFITS OF 1923.

In 1922 large business profited so that in addition to cash dividends distributed among stockholders over \$2,000,000,000 was distributed in stock dividends that escaped any personal income tax.

From a financial statement dated January 2, New York, I quote:

American industrial corporations shared quite liberally with their stockholders the fruits of their enterprise in 1923. The preponderance of dividend "changes" were in favor of the stockholders and disbursements in contrast to those of the 1922 year and were mostly in cash instead of in new stock. The most conservative estimate of the cash paid over to stockholders in extra payments in 1923, not including the regular dividends, was \$500,000,000. * * *

The various companies comprising the Standard Oil group paid out or authorized the payment of \$37,545,805 in dividends during the last quarter of 1923, making a total for the year of \$138,423,295.

These are the great interests that are alleged to require a 50 per cent reduction of surtax on high incomes to maintain business that is being destroyed by tax-free securities, according to Mr. Mellon.

When it is remembered that 6,500,000 farmers in 1921 earned an average of \$469, not 2 per cent of whom are likely to have gotten into the \$5,000 income class, and that none of these farmers are clamoring for the Mellon tax plan, it is not hard to determine who the plan is intended to benefit primarily, nor is it those who stood in the trenches less than six years ago at \$1 a day. Rather is it for those who stayed home accumulating wealth that now asks for reduced taxes.

From another financial statement I quote:

Of the total amount of securities in the Nation in 1922 the most careful estimates indicate that 19.3 per cent was exempt from taxation. Of this, 6.7 per cent (\$18,400,000,000) was exempt real property and 12.9 per cent (\$35,000,000,000) was other exempt property, of which a large part was outstanding Government tax-exempt securities.

The filing of the report on the final settlement of the estate of William Rockefeller during the past year brought out the fact that of the \$67,649,660, which was given as the net value of the estate, \$43,533,055 was in the form of tax-exempt securities. That is to say, about 60 per cent of the income was tax free.

BILLS THAT WILL HELP IF ENACTED INTO LAW.

A bill (H. R. 4524) to tax the net income on municipal and State securities.

Be it enacted, etc., That section 200 of the general provisions of the income tax law is hereby amended by providing—

"Subdivision 6. The term 'taxable incomes, from whatever source derived,' shall include net incomes received from State and municipal securities and shall be laid and collected the same as all other taxes."

SEC. 2. This act shall not be held unconstitutional or void by the Supreme Court without the concurrence of at least all but one of the judges and shall remain in full force and effect notwithstanding any decision by any inferior court rendered prior to final determination by the Supreme Court.

A PROPOSED EXCESS-PROFITS TAX TO REACH PROFITTEERING.

Repeal section 301 and section 302, revenue laws 1921, approved November 23, 1921, and insert in lieu the following:

"SEC. 301. That in lieu of the tax imposed by Title III of the revenue act of 1918, but in addition to the other taxes imposed by this act, these shall be levied, collected, and paid for the calendar year 1922 and each year thereafter upon the net income of every corporation (except corporations taxable under subdivision (b) of this section) a tax equal to the sum of the following:

[First bracket.]

"Ten per cent of the amount of the net income in excess of the excess-profits credit (determined under section 312) and not in excess of 20 per cent of the invested capital.

[Second bracket.]

"Seventy-five per cent of the amount of the net income in excess of 20 per cent of the invested capital.

"Reenact balance of excess-profits tax law."

AN INHERITANCE TAX TO REACH TAX-FREE HOLDINGS.

Mr. FREAR, in the House of Representatives, introduced the following bill, which was referred to the Committee on Ways and Means and ordered to be printed:

A bill to amend an act entitled "An act to reduce and equalize taxation, to provide revenue, and for other purposes," approved November 23, 1921.

Be it enacted, etc., That section 401 of an act entitled "An act to reduce and equalize taxation, to provide revenue, and for other purposes," approved November 23, 1921, be amended so as to read as follows:

"SEC. 401. That in lieu of the tax imposed by Title IV of the revenue act of 1921 a tax equal to the sum of the following percentages of the value of the net estate (determined as provided in section 403) is hereby imposed upon the transfer of the net estate of every decedent dying after the passage of this act, whether a resident or nonresident of the United States:

"Two per cent of the amount of the net estate not in excess of \$50,000.

"Four per cent of the amount by which the net estate exceeds \$50,000 and does not exceed \$150,000.

"Six per cent of the amount by which the net estate exceeds \$150,000 and does not exceed \$250,000.

"Eight per cent of the amount by which the net estate exceeds \$250,000 and does not exceed \$450,000.

"Ten per cent of the amount by which the net estate exceeds \$450,000 and does not exceed \$750,000.

"Twelve per cent of the amount by which the net estate exceeds \$750,000 and does not exceed \$1,000,000.

"Fourteen per cent of the amount by which the net estate exceeds \$1,000,000 and does not exceed \$2,000,000.

"Sixteen per cent of the amount by which the net estate exceeds \$2,000,000 and does not exceed \$3,000,000.

"Eighteen per cent of the amount by which the net estate exceeds \$3,000,000 and does not exceed \$4,000,000.

"Twenty per cent of the amount by which the net estate exceeds \$4,000,000 and does not exceed \$5,000,000.

"Twenty-two per cent of the amount by which the net estate exceeds \$5,000,000 and does not exceed \$6,000,000.

"Twenty-four per cent of the amount by which the net estate exceeds \$6,000,000 and does not exceed \$8,000,000.

"Twenty-six per cent of the amount by which the net estate exceeds \$8,000,000 and does not exceed \$10,000,000.

"Twenty-eight per cent of the amount by which the net estate exceeds \$10,000,000 and does not exceed \$12,000,000.

"Thirty per cent of the amount by which the net estate exceeds \$12,000,000 and does not exceed \$14,000,000.

"Thirty-five per cent of the amount by which the net estate exceeds \$14,000,000 and does not exceed \$16,000,000.

"Forty per cent of the amount by which the net estate exceeds \$16,000,000 and does not exceed \$18,000,000.

"Forty-five per cent of the amount by which the net estate exceeds \$18,000,000 and does not exceed \$20,000,000.

"Fifty per cent of the amount by which the net estate exceeds \$20,000,000."

Provided, That wherever said estate is charged by law with and pays an inheritance tax to any State or States, such State tax when so paid, not to exceed 25 per cent of the tax herein provided, shall be deducted as a credit against the tax to be collected by the commissioner.

All estate-tax returns and notices shall be public records and open to public inspection at reasonable hours, to be fixed by the Secretary of the Treasury.

GIFT TAX A NECESSARY COROLLARY OF THE INHERITANCE TAX.

Mr. FREAR, in the House of Representatives, introduced the following bill, which was referred to the Committee on Ways and Means and ordered to be printed:

A bill to amend Title II of the revenue act of 1921.

Be it enacted, etc., That section 229 of Title II of the revenue act is hereby amended by adding a new subdivision to read as follows:

"SEC. 229 (a). That a tax equal to the following percentages of the net value of every gift to any individual is hereby imposed upon the property so conveyed, to be paid by the grantee within 90 days after the making of such gift:

"One per cent of the amount in excess of \$1,000 and not in excess of \$3,000;

"Two per cent of the amount in excess of \$3,000 and not in excess of \$5,000;

"Three per cent of the amount in excess of \$5,000 and not in excess of \$10,000;

"Four per cent of the amount in excess of \$10,000 and not in excess of \$20,000;

"Five per cent of the amount in excess of \$20,000 and not in excess of \$30,000;

"Six per cent of the amount in excess of \$30,000 and not in excess of \$40,000;

"Seven per cent of the amount in excess of \$40,000 and not in excess of \$50,000;

"Eight per cent of the amount in excess of \$50,000 and not in excess of \$100,000;

"Nine per cent of the amount in excess of \$100,000 and not in excess of \$200,000;

"Ten per cent of the amount in excess of \$200,000 and not in excess of \$300,000;

"Eleven per cent of the amount in excess of \$300,000 and not in excess of \$500,000;

"Twelve per cent of the amount in excess of \$500,000 and not in excess of \$1,000,000;

"Thirteen per cent of the amount in excess of \$1,000,000 and not in excess of \$2,000,000;

"Fourteen per cent of the amount in excess of \$2,000,000 and not in excess of \$3,000,000;

"Sixteen per cent of the amount in excess of \$3,000,000 and not in excess of \$4,000,000;

"Eighteen per cent of the amount in excess of \$5,000,000 and not in excess of \$5,000,000;

"Twenty per cent of the amount in excess of \$5,000,000 and not in excess of \$8,000,000;

"Twenty-two per cent of the amount in excess of \$8,000,000 and not in excess of \$10,000,000; and

"Twenty-five per cent of the amount in excess of \$10,000,000.

"(b) Any trusteeship or other agency created for the holding of or administration of any gift to any individual shall pay the same tax as if the gift was made direct.

"(c) In any case where the collector finds the payment of the tax within 90 days would impose undue hardship upon the grantee he may grant an extension of time not to exceed three years from the due date, with interest added at the rate of 6 per cent per annum after the expiration of said 90 days.

"(d) If more than one gift is made to the same grantee by the same grantor within the period of three years the total amount shall be considered cumulative and subject to the highest rate of tax for such cumulative amount, subject to deductions for tax payments theretofore paid on any part of such amount.

"Any fictitious loan, exchange, or other transfer designed to evade this act shall subject the grantee or grantor to a penalty equal to and in addition to the tax herein provided. Such penalty shall be collected in the same manner as other penalties."

TAX ON UNDISTRIBUTED PROFITS.

Mr. FREAR, in the House of Representatives, introduced the following bill, which was referred to the Committee on Ways and Means and ordered to be printed:

A bill amending section 230 of the revenue act of 1921.

Be it enacted, etc., That section 230 of the revenue act of 1921 is hereby amended by adding a new subdivision at the end thereof as follows:

"(c) In addition to the taxes herein above provided, there shall be levied, collected, and paid, for each of the taxable years 1919, 1920, 1921, 1922, 1923, and for each year thereafter, on that portion of the net income for any such year of every corporation, not distributed in the form of cash dividends, a tax upon the amount of such net income for such year in excess of the credits provided in section 236, and a further deduction of \$3,000 for such year at the following rates:

"Five per cent of the amount of such excess not exceeding \$20,000;

"Ten per cent of the amount of such excess not exceeding \$100,000;

"Fifteen per cent of the amount of such excess not exceeding \$200,000;

"Twenty per cent on all such excess above \$200,000:

Provided, That if any of such undistributed profits are taxed as above provided and the corporation shall have within two years after the payment of such tax distributed in money any of the profits upon which this tax has been paid, then the corporation shall be entitled, in its next income-tax return, to a credit upon its tax so returned to the extent and amount of the tax which it has paid under provisions of this subdivision."

Upon certificate signed by the Secretary of the Treasury, based upon affidavits of two or more reputable officers of any corporation to be attached to the record, stating that undistributed profits held or stock dividends distributed by such corporation were acted upon by the board of directors without purpose, directly or indirectly, to avoid taxation, the Secretary may remit from the tax assessment one-half of the retroactive tax herein provided for any such year included.

A bill to require publicity of tax records.

Strike out all of section 257 of an act to reduce and equalize taxation, to provide revenue and for other purposes, approved November 23, 1921, and insert: "That when returns of any person shall be made as provided in this title, the returns, together with any correction thereof which may have been made by the commissioner, they shall be filed in the Treasury Department and shall constitute public records and be open to inspection as such under the same rules and regulations that govern the inspection of other public records."

All tax proceedings and determinations subject to reasonable regulation shall be public, and an advance calendar of all hearings of contested tax rulings shall be open to the public.

(Copy of letter sent Secretary Mellon.)

WASHINGTON, D. C., January 3, 1924.

HON. ANDREW W. MELLON,

Secretary United States Treasury, Washington, D. C.

DEAR MR. SECRETARY: You have asked our support for your 344-page bill. You have also urged upon our committee the passage of a constitutional amendment to tax what you term "tax-free securities." Needed funds, you say, are now taken from commercial channels, and the Government is deprived of large revenues which otherwise would be received by your department. If you believe tax-free securities should be taxed, I invite your aid in advancing a measure designed to reach incomes from such securities.

Testimony heretofore offered before our committee disclosed that between \$20,000,000,000 and \$30,000,000,000 of so-called tax-free securities are now in circulation, depending in amount upon the basis of tax exemption and other conditions. If these securities are "tax free" as interpreted by your department, such construction of the income-tax amendment exempts those best able to pay, and the struggle by the people for many years through constitutional amendment to compel income-tax payments based on ability to pay has failed. That failure is emphasized by your proposal to reduce high surtaxes from 50 per cent to 25 per cent on a theory that tax evasions and investments in tax-free securities are encouraged by your construction of existing law.

With a security tax-free "well" of \$20,000,000,000 or more and so-called tax-free securities growing larger every year, the futility of any constitutional amendment in order to reach existing evils is patent. Several years may be required to persuade the States of the merits of your proposal. This will not meet the problem of increased values brought to existing tax-free holdings by passage of an amendment or reach their continued existence.

Why not face the situation squarely and seek to remedy conditions directly? Here is my proposition:

The sixteenth amendment to the Constitution provides that "the Congress shall have power to lay and collect taxes on incomes from whatever source derived."

That is the constitutional amendment subject to its emasculation in the Eisner case (252 U. S.) when by a vote of five judges to four stock dividends were excluded, even as the same court by another

five-to-four decision had previously held the income-tax principle unconstitutional. Justice Brandeis and Justice Clarke protested against the decision of their five associates and said:

"That to believe such a result (exemption of stock dividends) was intended by the people of the United States when adopting the sixteenth amendment is inconceivable."

Justices Holmes and Day also dissented from that decision.

By one vote the court emasculated the income-tax amendment and exempted over \$2,000,000,000 of stock dividends from personal income tax during the single year of 1922, largely destroying the value of the income-tax provision of the Constitution. Now trained unconstitutional lawyers further contend that the Supreme Court will hold net income from municipal bonds, State bonds, and similar securities tax free if the question comes before the court. I am informed by legal lights of our committee that such decision would probably be based on the case of *Evans v. Gore* (251-253 U. S.), decided in 1920.

In that case the court sat upon its own income taxes and by a divided opinion held that a Federal judge could not be subjected to the tax paid by practically all other citizens because his compensation can not constitutionally be diminished during continuance of office, which extends "during good behavior." Justice Holmes, one of the clearest thinkers on the bench and one of the dissenters from that opinion, said:

"The sixteenth amendment justifies the tax whatever would have been the law before it was applied. By that amendment Congress is given power to collect taxes on incomes from whatever source derived." * * *

"I do not see how judges can claim an abatement of their income tax on the ground that an item in their gross income is salary when the power is given expressly to tax incomes from whatever source derived." Justice Brandeis concurs in this opinion.

I have not quoted from the majority opinion of the high court which a legal wag said began with an apology and ended with a blind trail, nor do I suggest at length that every Government official from the President of the United States down to the humblest is subject to the same law excepting life-term judges who under a specific provision exempted themselves.

In the stock dividend case, *Elsner v. Macomber*, Justices Brandeis and Clarke declared the decision of the majority of the court was an "inconceivable" interpretation of the income-tax constitutional amendment never intended by the people of the United States.

In the *Evans* case Justices Holmes and Brandeis in like manner declare the justices of the court "have placed themselves in a privileged class free from bearing their share of the cost of the institutions upon which their well-being, if not their life, depends."

By unanimous opinion the Supreme Court (*U. S. Glue v. Oak Creek*, 247 U. S. 321, a Wisconsin case) affirmed the principle that net income from interstate commerce is taxable notwithstanding constitutional interstate restrictions and overruled the Pollock case. To the same effect is *Peck v. Lowe* (247 U. S. 165). In the noted Pollock case Mr. Choate frantically called the State law worthy of a Czar of Russia, but to-day that principle is the law of the land, due to the sixteenth amendment, approved by the people and by 36 States, not, however, at first including New York or Pennsylvania. Four dissenting justices of the Supreme Court were thereby sustained by the country.

If Congress passes and the President approves a law providing the income tax sixteenth amendment means what it says, and further that such law shall not be held unconstitutional or void by the Supreme Court without the concurrence of at least all but one of the judges, a provision found in the Ohio constitution, do you believe the Supreme Court would set aside such law by a practically unanimous vote? If so, the issue would be plain.

If the *Evans* case exempting justices' salaries is authority for exempting all municipal securities, then I submit that by two divided court decisions the United States income-tax constitutional amendment and the will of the people will have gone to the scrap heap and more amendments are futile to reach the horse that is gone. My plan is again to catch the horse by requiring a nearly unanimous decision of the court on a controverted legal proposition wherein hundreds of millions of dollars annually are to be gained or lost to the Government. This follows the principle that a unanimous jury finding shall be had in determining the simplest controversy of fact in court.

I am not so imprudent as to discuss what the court may decide but assuming you are anxious to reach these incomes, however much your own personal fortunes may be affected, I will introduce a bill to-day to meet the situation and ask your active aid in securing its passage in order to save long, tedious delay through an ineffective constitutional amendment so far as relates to existing securities.

If the plain meaning of the income-tax constitutional amendment is to hold, then Treasury revenues will be annually increased several hundred million dollars; billions of dollars will be released for the needy commercial activities which you strenuously advocate, a drastic cut in normal taxes may be brought about which I have modestly urged, and other changes in the law, including a repeal of the so-called nuisance

taxes, can naturally follow. In addition the passage of a soldiers' bonus bill which you oppose will be assured without any increased tax burdens apart from those provided by the Constitution.

Very sincerely,

JAMES A. FREAR.

(Extract letter January 1, 1924. American Exchange Bank. Reduction of high surtaxes will not bring new funds to industry from tax-free securities.)

Flaws are being picked in the argument Secretary Mellon is supposed to have made in support of his tax program on the ground that since existing capital can not be affected or diminished by changes in ownership there is no basis for the contention that lower taxes on large incomes would draw funds into industry from tax-exempt investments. Nobody ever said they would, and the attempt to pretend that Secretary Mellon made such a point in his argument is, of course, insincere. Most of what Mr. Mellon had to say on the subject of the influence of taxes in the diversion of capital from productive to non-productive purposes was in the form of obiter dicta; his principal argument in support of his recommendation for a reduction in taxes on large incomes was based on the claim that high income taxes defeat their purpose and that more revenue would be realized from a lower schedule of rates. In other words, Mr. Mellon is not asking that the rich be allowed to pay less taxes but that the Government pursue a policy that will induce the rich to pay more taxes. In the matter of the influence of taxes on the character of investments, the point is that lower rates would tend to prevent the diversion of new capital (savings) from productive to nonproductive purposes.

This letter is from a financial expert of recognized standing, written personally:

NATIONAL BANK,

Wis., November 26, 1923.

Hon. JAMES FREAR,

House of Representatives, Washington, D. C.

DEAR MR. FREAR: I am very much amused by the statements in connection with the proposal to cut the surtaxes from 50 to 25 per cent, that by so doing will encourage the rich men to invest in taxable securities. I wonder if anyone really supposes that the small, rich man is not just as small when it comes to saving 25 per cent taxes as he would be in saving 50 per cent.

I do not think this would make a particle of difference in the sort of investments he makes. In fact, if he could save 1 per cent I think he would do it, and you can not encourage the drift to taxable securities in that way, and I think it is a great mistake to reduce the surtaxes, as certainly these people who are making the money are the people who should pay the taxes.

With personal regards, I am

Yours truly,

_____, President.

HOW TAX PROPAGANDA IS PRODUCED.

THE UNION LEAGUE OF PHILADELPHIA,

December 26, 1923.

To the members:

A meeting of the Union League of Philadelphia was held Wednesday, December 19, 1923, for the purpose of considering an indorsement by the Union League of the tax reduction plan proposed by the Secretary of the Treasury and approved by the President of the United States.

At this largely attended meeting the following resolutions, presented by former president, Hon. C. Stuart Patterson, were unanimously adopted:

"Resolved, That the Union League of Philadelphia in special meeting assembled, believing that the proper limit of taxation is the amount of the necessary expenditures of government economically administered, and being advised that under existing laws the net proceeds of Federal taxation far exceed that limit, earnestly hope that the Congress will carry into effect by appropriate legislation that reduction of internal revenue taxation which has been recommended by the Secretary of the Treasury and approved by the President of the United States, thereby relieving productive industry of a heavy burden, giving remunerative employment to more workmen, and benefiting all the people.

"Resolved, That the president of the Union League be requested to send copies of the foregoing resolution to the President of the United States, to the Secretary of the Treasury, and to the Pennsylvania Senators and Representatives in Congress."

At this meeting the following resolution offered by Hon. William W. Porter was also unanimously approved:

"Resolved, That the secretary be, and he hereby is, directed to prepare a printed form of letter requesting affirmative action on the part of Members of the Federal House and Senate to vote for the Mellon plan. This form letter shall be kept in the office of the Union League, to the end that the members of the Union League may address and personally sign as many of these letters as possible addressed to the Members of the Congress from Pennsylvania and elsewhere with whom they may have some acquaintance. These letters may be signed in the Union League office and from there mailed under the supervision of the secretary."

In conformity with the several resolutions adopted, there is inclosed a proposed form of letter advocating the desired legislation. Form letters will be available for the use of members in the office of the secretary. It is realized that printed form letters do not have the influence upon the recipient which usually results from a direct personal letter of appeal. It is therefore suggested that while the points made in the inclosed form may be useful, the communications forwarded by the members should be put, so far as possible, in the form of personal appeals to Senators and Representatives asking them to favor the Mellon plan, which it is believed will be so beneficial to the material interests of this great Nation.

Inclosed is a list of Senators and Representatives from Pennsylvania. You are earnestly requested to address a letter (to Washington, D. C.) to each of the Senators and to your Representative in Congress, and to such others as you can effectively reach, urging action by them in favor of the Mellon plan of tax reduction.

Asking the favor of prompt and energetic action in response to the resolutions so strongly urged by the Union League, I have the honor to remain,

Yours respectfully,

JOHN W. HAMER, *Secretary.*

WRITE TO THESE—LIST INCLOSED.

United States Senators from Pennsylvania:

GEORGE WHARTON PEPPER and DAVID A. REED.

United States Representatives from Pennsylvania by district:

1. WILLIAM S. VARE, Philadelphia.
2. GEORGE S. GRAHAM, Philadelphia.
3. HARRY S. RANSLEY, Philadelphia.
4. GEORGE W. EDMONDS, Philadelphia.
5. JAMES J. CONNOLLY, Philadelphia.
6. GEORGE A. WELSH, Philadelphia.
7. GEORGE P. DARROW, Philadelphia.
8. THOMAS S. BUTLER, West Chester.
9. HENRY W. WATSON, Langhorne.
10. WILLIAM W. GRIEST, Lancaster.
11. LAURENCE H. WATRES, Scranton.
12. JOHN J. CASEY, Wilkes-Barre.
13. GEORGE F. BRUM, Minersville.
14. WILLIAM M. CROLL, Reading.
15. LOUIS T. MCFADDEN, Canton.
16. EDGAR R. KIESS, Williamsport.
17. HERBERT W. CUMMINGS, Sunbury.
18. EDWARD M. BEERS, Mount Union.
19. FRANK C. SITES, Harrisburg.
20. GEORGE M. WERTZ, Johnstown.
21. J. BANKS KURTZ, Altoona.
22. SAMUEL F. GLATFELTER, York.
23. WILLIAM I. SWOOPÉ, Clearfield.
24. SAMUEL A. KENDALL, Meyersville.
25. HENRY W. TEMPLE, Washington.
26. THOMAS W. PHILLIPS, Jr., Butler.
27. NATHAN L. STRONG, Brookville.
28. HARRIS J. BIXLER, Johnstown.
29. MILTON W. SHREVE, Erie.
30. EVERETT KENT, Bangor.
31. ADAM M. WYANT, Greensburg.
32. STEPHEN G. PORTER, Pittsburgh.
33. M. CLYDE KELLY, Edgewood.
34. JOHN M. MORIN, Pittsburgh.
35. JAMES M. MAGEE, Pittsburgh.
36. GUY E. CAMPBELL, Crafton.

[This form is to be used.]

Hon.

House of Representatives (or United States Senate),

Washington, D. C.

DEAR SIR: The following is a copy of a resolution unanimously adopted by the Union League of Philadelphia at its special meeting of December 19, 1923, called for the purpose of expressing its sentiment upon the vital subject of tax reduction.

"Resolved, That the Union League of Philadelphia, in special meeting assembled, believing that the proper limit of taxation is the amount of the necessary expenditures of government economically administered, and being advised that under existing laws the net proceeds of Federal taxation far exceed that limit, earnestly hopes that Congress will carry into effect by appropriate legislation that reduction of internal-revenue taxation which has been recommended by the Secretary of the Treasury and approved by the President of the United States, thereby relieving productive industry of a heavy burden, giving remunerative employment to more workmen, and benefiting all the people.

"Resolved, That the president of the Union League be requested to send copies of the foregoing resolution to the President of the United States, to the Secretary of the Treasury, and to the Pennsylvania Senators and Representatives in Congress."

The undersigned is a member of the Union League of Philadelphia, earnestly desirous of seeing adoption of such legislation as will tend to the continued prosperity of this great Nation, and urgently asks that you will to the utmost use your vote, voice, and influence toward the enactment of the Mellon plan.

Asking prompt and energetic action, I am,

Yours truly,

HOW PHILADELPHIA PAPERS PROPAGANDIZE.

PUT THE SCREWS ON PENNSYLVANIA'S CONGRESSMEN.

Let it not be forgotten that the Pennsylvania delegation in Congress refused in caucus to indorse the Mellon plan for tax reduction.

Various excuses have been offered, and it may be true that in the end most of these Representatives of ours will be found squarely back of the scheme. If they are wise, they will be right there with bells on; otherwise they will find themselves facing tremendous opposition in the next congressional primaries. So it may be anticipated that the majority will vote right when the roll is called.

But Pennsylvania citizens should take nothing for granted. Let them deluge their Representatives with requests that support be given in every way, by influence and by vote, to the Mellon plan, precisely as the Secretary of the Treasury has formulated it.

No mutilation. No compromise.

ANOTHER PHILADELPHIA KIND WORD.

A PARTIAL VICTORY FOR TAX REDUCTION.

The power of public opinion is exerting its influence in Washington. The Ways and Means Committee has decided to give the tax question precedence over the bonus. A few days ago the bonus advocates in Congress were loudly proclaiming that their bill would be put through first of all. It will not be. It will have to wait.

The answer to that question should not be in doubt. Nevertheless it will be unless the people arouse themselves and flood Congress with demands for lower taxes, such as Secretary Mellon advises. For it is certain that there can be no reduction worth while if billions are to be provided for bonus payments. According to the Secretary, bonus legislation will prevent reductions on a comprehensive plan for this generation.

So get after your Member of Congress, whether Republican or Democrat. Write him a letter directed to the House of Representatives, Washington, D. C. Swamp him! And a second letter sent directly to the chairman of the Ways and Means Committee wouldn't do any harm.

A REMINDER OF 1917 AND 1918.

VETERANS URGED TO COMBINE FOR DEFEAT OF MELLON PLAN—LEGION OFFICIAL SAYS PROPOSAL FAVORS RICH, AND HE POINTS OUT ALLEGED INJUSTICES IN PAY OF SOLDIERS DURING WAR.

(By the Associated Press.)

NEW YORK, January 5.—Attacking Secretary of the Treasury Mellon's tax-reduction plan as class legislation, Edward E. Spafford, State commander of the American Legion, in an address at the National Republican Club to-day called upon ex-service men of the country to defeat the measure by concerted action at the polls. He declared they could sway 16,700,000 votes and bring about a sweeping victory for the soldiers' bonus.

"By the Mellon plan," he said, "the married man with two children and an income of \$25,000 will have his income tax reduced so that he will save 4.4 per cent of his income, the single man with \$5,000 income will get a saving of only 1.17 per cent, and the married man with two children and a \$3,000 income will get no direct saving at all, as compared with the saving of \$1,107 for the man with a \$25,000 income.

"It would require 20,547 married men with two children each and an income of \$4,000 to save the amount that one man with a \$1,000,000 income would save under the Mellon plan. In the two lowest classes, with net incomes of \$2,000 to \$3,000, which embrace 4,692,675 persons, the saving will amount to only \$17.50."

Advocating the bonus, Mr. Spafford said:

"At the beginning of the war the wage of the soldier was established at \$30 a month, but almost immediately afterwards prices became so inflated that a dollar would only buy what 50 cents would previously purchase.

"The men interested in winning the World War were so busy that they could not look out for the change in value of the contents of their pay envelopes.

"This was not the case with the contractor. He went to the proper officials at once and had his contract adjusted. The change in economic conditions was recognized in the case of civil employees. They were paid bonus of \$20 a month and are still receiving it. But the service man has never received any commensurate adjustment or compensation * * *."

"We have heard much recently," he said, "of those who would do everything for the disabled. What have they done? Nothing but talk."

Asserting that the Government required the men in its service to make compulsory allotments and to pay their life-insurance premiums, Mr. Spafford said a bonus would "be just returning money taken from the meager earnings of soldiers—taken from men who were offering their lives for their country."

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

The gentleman from Pennsylvania [Mr. DARROW] is now recognized for 15 minutes.

FARMERS' PETITION FOR REDUCTION OF GOVERNMENT EXPENSES.

Mr. DARROW. Mr. Speaker, I have been requested to present to the House of Representatives a petition signed by 345,516 actual and real farmers in this country. I am not going to enter into any controversy with my friend from Wisconsin [Mr. FREAR] as to the purpose of the petition. I think it is most unfair to say, however, that it has any reference whatever to a propaganda or any bearing, because it has not, upon any plan for reducing taxes. Circulation of the petition was started more than 14 months ago by the Farm Journal, a national farm paper, with a circulation of over 1,200,000, by far the largest circulation of any farm journal in the world. In many cases affidavits were taken to certify to the actual signatures obtained. The petition was carried in the pages of the Farm Journal, and in many cases distributed and the signatures obtained by their field men as they went over the country. The reason I have been requested to present this petition to the House of Representatives is because the Farm Journal is published in Philadelphia, and the president of the publishing company, Mr. Charles F. Jenkins, is my personal friend and neighbor. I might perhaps say in passing that I am somewhat of a farmer myself. I was born and raised on a farm, and I know something about the troubles and trials that a farmer has to undergo as well as some of the advantages to be obtained by living on a farm. We want to cooperate with the people from the great agricultural areas, because the road to success is equally hard to those from the cities as to those from the farming areas, and in the last analysis we must seek the source of national wealth and contentment by bringing prosperity to all parts of the country.

These names have been voluntarily obtained after a thorough explanation of the purposes. The petition itself simply asks for a reduction in the expenditures of the Government—a cut in Government costs for the purpose, of course, of reducing taxes and the heavy burden that is placed upon all classes of people by war taxes. Some one has asked me where these names come from. They came chiefly from the great Middle West. Speaking in round numbers, from Indiana there are 30,000 names, from Iowa 29,000, from Kansas 22,000, from Kentucky 14,000, from Michigan 17,000, from Minnesota 20,000, from Missouri 11,000, from Nebraska 16,000, from Ohio 68,000, from Pennsylvania 23,000. Sometimes my friends here forget that Pennsylvania is one of the great agricultural States of this Union. All of the other States of the Union are represented with one exception, and that is Nevada. The total of the other States is 61,528.

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

Mr. DARROW. Yes.

Mr. BLANTON. The gentleman is a distinguished member of the steering committee of the dominant party of this House. I take it that this box car of petitions is a protest against present conditions?

Mr. DARROW. It is asking for a cut in governmental expenditures.

Mr. BLANTON. And is a protest against present conditions. The farmers want the present conditions changed; they want taxes reduced; they want extravagance of government stopped, and they have grounds for all of that.

Mr. DARROW. This petition was started before—

Mr. BLANTON. I take it that it is an indictment against the present management of the Government's business.

Mr. DARROW. If the gentleman will permit me, I will try to answer him. This petition was started many months ago. At that time there had not been accumulated the surplus in the Treasury, brought about by the present administration, that exists to-day. [Applause on the Republican side.]

Mr. BLANTON. Well, I think the farmers sent that protest to the proper Member of the House.

Mr. KING. I want to say that this petition is to Mr. BLANTON as well as to every other Member of the House.

Mr. BLANTON. But they sent their protest to the proper party.

Mr. LINTHICUM. The gentleman omitted to read the petition. Will he kindly do so?

Mr. DARROW. I will be very much pleased to read it, although the gentleman will not expect me to read all of the names.

Mr. HOWARD of Nebraska. I would like to have the names of those from Nebraska.

Mr. DARROW. The petition reads as follows:

We the undersigned, who are directly interested in farming and the welfare of the people, do hereby respectfully petition or request Congress through the Farm Journal to pass legislation which will cut the cost of running the Government by reducing all nonessential expenses, eliminating all unnecessary employees, and voting against all increases in salaries.

In the remainder of my time, Mr. Speaker, I ask to have read from the desk, if I may, a letter from Mr. Jenkins, which will probably more clearly express the purpose of this petition than anything that I could say.

Mr. BLANTON. Mr. Speaker, reserving the right to object to the reading of the letter, though I shall not object, I will ask the gentleman from Pennsylvania whether the steering committee is going to carry out the requests made by these farmers in this petition. I am going to help them do it as one Member of Congress, and I will say that I hope that the steering committee is going to do that.

Mr. DARROW. Oh, if the gentleman from Texas will help, I have no doubt that anything which is desirable can be carried out.

Mr. LINTHICUM. There is no mention in the petition of tax reduction at all.

Mr. DARROW. But what is the object in reducing the expenses of government except to relieve the burden of taxation? That phase of it was featured all through the campaign when the petition was being signed. Everyone understood the purpose was to reduce taxes by reducing expenditures in government. No other reason could be assigned for seeking economy in Government expenses if not for relief of that kind.

Mr. LINTHICUM. I thought that following the splendid speech of the gentleman from Wisconsin [Mr. FREAR] perhaps this was in line of a reduction in taxation.

Mr. DARROW. As I tried to set forth a moment ago, this petition was started before any plan for reducing taxes was promulgated by anyone.

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

Mr. DARROW. I first want to have the letter read, and then if I have any time I shall be glad to answer any questions.

The SPEAKER pro tempore. If there is no objection, the Clerk will read the letter.

There was no objection, and the Clerk read as follows:

THE FARM JOURNAL,
Philadelphia, January 3, 1924.

HON. GEORGE P. DARROW,
Washington, D. C.

DEAR MR. DARROW: As one of your constituents I appreciate your willingness to present to the House of Representatives the petition which we have circulated among farmers asking that this Congress enact legislation which will cut the cost of running the Government, reduce all nonessential expenses, eliminate all unnecessary employees, and vote against all increases in salaries, so that there will be possible a substantial reduction from the heavy burden of Federal taxes.

I would be glad if you would point out to Congress that every signer on the petition is a farmer or one directly interested in agriculture. There are attached to this petition 345,516 names, and if the sheets were unrolled they would measure over 2½ miles in length.

This great army of producers, representing nearly every State in the Union, but mainly the great mid-West agricultural States, are convinced that taxes are too high. Fourteen months ago, at a time when there was no Treasury surplus in sight and when it seemed possible that taxes might even have to be increased, we sensed the urgency of the demand among our readers and undertook the circulation of this petition demanding the strictest economy in the Government. As time went on and the surplus of revenues began to appear we have felt unmistakably the growth of this powerful demand for the lightening of the tax burden.

As you no doubt know, the farm pays its share and sometimes more than its share of all and every kind of taxes, and has to do it in many cases out of little or no margin of profit. There is no class on

whom taxes weigh so heavily. Farmers, like many others, failed to foresee what the war would do to them in the way of an enormous national debt and sky-high taxes, but they see it plainly enough now and are asking Congress for relief.

Thus this crystallized sentiment among rural people indicates that there is urgent necessity of reducing, or at least not increasing, the burden of taxes. Something can be done toward cutting governmental expenses through cooperation among departments and more intelligent buying; but overloaded payrolls are largely responsible for a considerable proportion of excessive governmental cost. Therefore, by withholding increases in salaries of Government employees, getting rid of surplus employees, and standing in firm opposition to all extensions of personnel, important economies could be effected. The Budget system has proved its worth, but much remains to be done.

Furthermore, the time has come to stop the gradual and steady intrusion of the Government into private business. It is largely this expansion in new functions which has so enormously increased the cost of Government. *It is not worth what it costs*; and while farmers have benefited somewhat by these activities, it has gone far enough. Governmental costs should be held down by refusing to establish any new bureaus or commissions, unless strictly self-supporting.

It has been said that the country is back to the level of taxes reached in 1919. This may be so, but the taxes in 1919 were twice as high as before the war.

We have found everywhere through the country a demand for tax relief, and had we time we could easily have obtained a million or more signatures to the petition, but the situation is acute, and we have felt that 345,000 signatures would be sufficient to demonstrate that the demand of farmers for strict governmental economies to permit reduction of tax burdens is a real and urgent one.

I hope that when you present this petition to the House of Representatives it will duly impress that body with the necessity of early and favorable action.

Very truly yours,

CHARLES F. JENKINS,
President, Wilmer Atkinson Co.,
Publishers State Farm Journal.

Mr. JEFFERS and Mr. HOWARD of Nebraska rose.

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

The SPEAKER pro tempore. For what purpose does the gentleman from Nebraska rise?

Mr. HOWARD of Nebraska. Well, I did not know, being new, whether I had the right to interrupt the reading clerk or not.

The SPEAKER pro tempore. The gentleman is entirely within his rights to address the Chair.

Mr. HOWARD of Nebraska. I was just thinking—

The SPEAKER pro tempore. For what purpose does the gentleman rise?

Mr. HOWARD of Nebraska. I have to think a little before I can state it. [Laughter.]

The SPEAKER pro tempore. The gentleman from Pennsylvania has the floor.

Mr. DARROW. Mr. Speaker, in the time allotted to me I would ask the Chair to have this petition referred to the proper committee for consideration.

Mr. LINTHICUM. Will the gentleman yield?

The SPEAKER pro tempore. The petition will be referred to the proper committee.

Mr. GARRETT of Tennessee. One moment. Did the Speaker announce to what committees it would be referred?

The SPEAKER pro tempore. The Speaker did not; the Speaker announced it would be referred to the proper committee.

Mr. GARRETT of Tennessee. Committee or committees?

The SPEAKER pro tempore. Committee.

Mr. BLANTON. Mr. Speaker, I think this farmers' protest is in the hands of the proper steering committee now.

The SPEAKER pro tempore. The gentleman is out of order. Mr. JEFFERS. I understand the gentleman to say clearly that he does not put this up as an indorsement of the Mellon tax plan?

Mr. DARROW. It has no reference whatever to an indorsement of any plan.

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

Mr. JEFFERS. It is just a protest against extravagance.

Mr. LINTHICUM. I ask that the gentleman have two additional minutes.

The SPEAKER pro tempore. The gentleman from Maryland asks unanimous consent that the gentleman from Pennsylvania have two additional minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. LINTHICUM. I merely wanted to ask the gentleman how the gentleman feels about those 28 men at \$10,000 a year

suggested in the Mellon bill in view of the 350,000 signatures which he has presented to the House?

Mr. DARROW. I am for the Mellon plan in all of its phases and particulars.

Mr. BLANTON. The farmers' petition to the contrary notwithstanding?

Mr. KING. If the gentleman will permit—he has some time—I was wondering if there was any way by which we can send this protest to Harrisburg for consideration there?

Mr. DARROW. I think this is the proper place.

EXTENSION OF REMARKS.

Mr. DICKINSON of Iowa. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

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

Mr. RANKIN. Mr. Speaker, reserving the right to object, on what subject?

Mr. DICKINSON of Iowa. I was about to state. I ask unanimous consent to extend my remarks in the RECORD by printing an analysis on Muscle Shoals and a discussion of the various bills now pending before the Committee on Military Affairs.

Mr. RANKIN. Is it the gentleman's own analysis?

Mr. DICKINSON of Iowa. Yes, sir.

Mr. RANKIN. The gentleman's own remarks?

Mr. DICKINSON of Iowa. Not all; there are some appendices or analyses prepared outside of my office, but it is under my supervision.

Mr. RANKIN. Does that part of the remarks written by somebody else constitute a majority of the remarks?

Mr. DICKINSON of Iowa. No, sir.

Mr. RANKIN. I have no objection.

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

Mr. DICKINSON of Iowa. Mr. Speaker, under the leave to extend my remarks in the RECORD I include the following:

NOVEMBER 30, 1923.

MEMORANDUM CONCERNING PROPOSED AMENDED FORD OFFER FOR MUSCLE SHOALS.

The draft attached shows both the original offer and the proposed amendments. Written in the center of the page are the paragraphs which have been left unchanged. At the left are the paragraphs of the original offer, with underscoring showing proposed elimination of words or paragraph, and on the right the suggested substitutes showing underscored additional language. The following comments are made with respect to the various paragraphs amended and the reasons therefor.

Paragraph 2 of the offer is amended by providing for the completion of Dam No. 2 by the United States, it being assumed that the work has progressed to such a point that it would be desirable that the present organization of the War Department carry the work to completion.

Paragraph 3 has been changed so that the period of the lease is 50 years instead of 100 years; so that the annual charge payable for the use of the Government property shall include interest, maintenance, and depreciation, and shall be computed on the Government investment exclusive of locks and navigation facilities; making a change in the schedule of payments for the first six years, and providing that, to the extent the power generated is actually used for the production of fertilizers, the annual charge shall be cut in half. The existing Ford offer proposes to pay 4 per cent interest on the investment made by the Government subsequent to the approval of the Ford offer by Congress. The amount invested at the time the offer was made was approximately \$16,000,000. It is understood that the amount spent to date is \$25,000,000 to \$26,000,000, leaving from \$15,000,000 to \$18,000,000 yet to be expended. To charge interest only and to compute it only on the basis of the amount yet to be expended, which is considerably less than half the cost of the properties, would not be a reasonable recompense for the use of the properties, unless with the view of subsidizing fertilizer production. It is suggested, therefore, that the general rate be fixed at 6 per cent, with a reduction of that rate to 3 per cent to the extent that power generated is actually used in fertilizer production. If all the power available at Dam No. 2 is used for this purpose a 3 per cent rate on the total investment (except locks and navigation facilities) will be approximately equal to the 4 per cent of the Ford offer applied to the amount expended or to be expended since the date the offer was made. The suggested variation in rate is made, of course, in order to encourage the use of power for fertilizer production, and with the intent that power not used for that purpose shall be treated in the same manner as would be done were a license therefor issued under the Federal water power act.

Paragraph 4 has been amended to eliminate the proposed annual payment of \$35,000 to reimburse costs of operation of the dam and gates.

This is done because the percentages of paragraph 3 are intended to cover maintenance of the dam and the cost of its operation by the United States.

The provisions of the offer with respect to the construction of Dam No. 3 have been eliminated. Dam No. 2, if operated in conjunction with the steam plant at Sheffield, will produce approximately three times the amount of electric energy necessary to operate nitrate plant No. 2. This seems to leave adequate margin for the extension of nitrate operations, and any commitment of the United States to complete at its own expense Dam No. 3 for the purpose of power production at the present time does not appear justified. As a substitute for paragraph 6, it is proposed that the United States shall reserve for a period of three years from the date of acceptance of the offer the site at Dam No. 3, during which time the company would have a preference right to apply for it under the Federal water power act if the power which can be produced at Dam No. 2 proves insufficient for its needs.

If paragraph 6 is altered as suggested, there is no occasion for the inclusion of paragraphs 7, 8, 9, and 10 of the original Ford offer, and they have therefore been eliminated.

By paragraph 11 of the Ford offer it was proposed that the company should purchase from the United States the nitrate properties at Muscle Shoals and the steam power plant at Gorgas and its transmission line for the sum of \$5,000,000. One of the chief reasons for considering the offer of Mr. Ford has been the desirability of maintaining nitrate plant No. 2 in a condition of readiness for the production of nitrates in case of war. Under such circumstances there seems no justification in passing the title to these properties. For the purposes of fertilizer production the plants can be used as well under lease as under ownership. It is proposed, therefore, that instead of sale of the properties, the United States shall lease the properties for the same period as Dam No. 2, that is, 50 years, for a nominal annual rental of \$1 per annum. This change would relieve the Ford company of the payment of the \$5,000,000 as originally proposed. In order to protect any investment which the company may make in original plant or in improvements, provision is made in paragraph 14 of the suggested amendments for reimbursement of such expenditures in the manner provided in the Federal water power act, in the event the lease is not renewed on termination. No changes are made in subparagraphs (a), (b), and (c) of paragraph 11, but subparagraph (d) is omitted because the properties covered thereby are no longer under the disposition of the United States.

If paragraph 11 is changed as suggested, there is no occasion for paragraphs 12, 13, and 14 of the Ford offer, and they are therefore eliminated.

In paragraph 15 the words "adjacent or near thereto" have been eliminated, in order that no restrictions may be placed upon the location of plants for the production of fertilizers if it should be found desirable to locate them elsewhere than in the vicinity of Muscle Shoals. No changes have been made in subparagraphs (a) and (b) of this paragraph.

It is not apparent what is meant by the expression "annual cost" in the first sentence of paragraph 16 of the Ford offer. It is assumed, however, that it has the meaning given it by the change in language used in the corresponding paragraph of the amendment. There has been added also the language underscored, in order to make certain, which is not now the case, that cost items shall be limited to actual expenditures, except for depreciation and amortization charges on account of properties constructed by the company or of additions to or betterments of the Government properties, as may be approved by the board to be created under the provisions of this section. No changes have been made in that portion of the section providing for the creation of the board.

Three new paragraphs have been added—Nos. 10, 11, and 12. The first requires the company to operate the power properties to their full capacity and to dispose of all surplus energy not used by it in the manufacture of fertilizers, or to contract for such disposal; provides that the transmission, distribution, and sale of such power shall be subject to regulation by public authority, as provided in the Federal water power act; and requires the company to establish and maintain a system of accounts.

Paragraph 11 authorizes the Federal Power Commission to determine certain questions of fact upon which the annual charges would be based, to determine whether the power project is fully operated, and to supervise the maintenance and renewal of power house and equipment.

Paragraph 12 writes into the amended offer the provisions of the Federal water power act with respect to recompense for headwater improvements. The War Department is now engaged in a detailed survey of the Tennessee River. There are available reservoir sites on the upper river which when built will very materially increase the amount of power available at Dam No. 2. There seems no good reason why the company, if it secures a lease of the properties, should not assume its share of the annual cost of headwater improvements, just the same as any licensee under the Federal water power act.

Paragraph 17 remains unchanged. Paragraph 18 is revised into new paragraph 14, the principal changes in which are to provide that the company shall have a preference right for renewal of lease at the end of 50 years; that if there is not agreement between the company and the United States at that time, the conditions of the existing offer are to remain in effect until the United States shall find a new lessee under conditions no less favorable than those offered to the company. It also provides that if the properties are leased to another, the company shall be compensated for the fair value, not to exceed actual cost of any properties constructed by itself or for any betterments or additions to existing Government property.

Paragraph 19 has been changed to eliminate Dam No. 3 and to provide in conformity with the remainder of the amended offer that, if legal action is required under the terms of the offer, it shall be initiated by the Federal Power Commission.

The only change in paragraph 20 is to eliminate the word "deeds," which is not applicable if the property is leased.

The proposed amendment would frankly subsidize fertilizer production by eliminating the proposed cash payment of \$5,000,000 and the annual payments for maintenance and sinking fund, by reducing the rate of interest to 3 per cent, by making no charge for the use of the Government nitrate properties, and by protecting any investment the company may itself make. If the company really desires to produce nitrates, the amendment is more favorable than its own offer. If and to the extent that the company might produce power for general sale, or for use in other forms of manufacturing, there would be no justification whatever for granting it a subsidy, and the amendment accordingly provides that under such circumstances it shall be treated in the same manner as would any other company which might wish to secure the power at Dam No. 2.

PARALLEL COMPARISON OF ORIGINAL OFFER AND PROPOSED AMENDMENT.

Whenever changes are made the paragraphs of the Ford offer are shown at left and of the proposed amended offer at right. Words in italic in Ford offer are proposed to be omitted, words in italic in amended offer are proposed to be added:

Whereas the United States, through the Chief of Engineers, United States Army, invited the undersigned to submit an offer for the power to be developed at the Muscle Shoals Wilson Dam (hereinafter referred to as Dam No. 2); and

Whereas the undersigned did, under date of July 8, 1921, submit to the Chief of Engineers an offer for the consideration of the President, the Secretary of War, and Congress, which offer proposed a lease based upon the completion of Dam No. 2 and the construction of Dam No. 3 (as designated by the United States engineers in H. R. Doc. 1262, Sixty-fourth Congress, first session, and hereinafter referred to as Dam No. 3), and of their power houses by the United States, and the payment by the undersigned of a fixed annual rental therefor, and proposed to purchase nitrate plant No. 1, at Sheffield, Ala., nitrate plant No. 2, at Muscle Shoals, Ala., Waco quarry, near Russellville, Ala., and the Warrior steam plant, at Gorgas, Ala., and all transmission lines connected with said plants; and

Whereas the undersigned, at the invitation of the Secretary of War, did, on January 11, 1922, submit a modification of his former proposal, based upon the construction and completion by a company to be formed by him, of all the work referred to in the offer of July 8, 1921, aforesaid, the actual cost of said work to be borne by the United States, and agreed on behalf of said company to pay 4 per cent of the total actual cost of completing said plants, structures, works, and improvements as annual rental for the lease thereof:

Now, therefore, in lieu of said offer of July 8, 1921, and in accordance with said modification of January 11, 1922, and modifications of January 25, 1922, the undersigned hereby submits to the Secretary of War, and through him for appropriate action by the President and Congress, the following offer, which shall become a binding agreement upon approval of same by Congress:

1. For the purpose of carrying out the terms of this agreement, the undersigned will form a corporation (hereinafter referred to as the company), with a capital stock of \$10,000,000, or more, of which at least \$10,000,000 shall be paid in, in cash, to be controlled by the undersigned, which company will immediately enter into and execute all necessary or appropriate instruments of contract to effectuate this agreement.

2. The company shall complete for the United States, subject to the approval of the Chief of Engineers, U. S. Army, Dam No. 2, its locks, power house, and all necessary equipment, all in accordance with the plans and specifications prepared, or to be prepared or approved by the Chief of Engineers, U. S. Army, and progressively install the hydroelectric equipment in said power house adequate for generating approximately six hun-

2. The United States shall complete Dam No. 2, its locks, power house, and all necessary equipment, shall progressively install the hydroelectric equipment in said power house up to a capacity of approximately six hundred thousand (600,000) horsepower, and shall acquire all necessary lands and flowage rights, including lands for railway and terminal connections.

dred thousand (600,000) H. P., all the work aforesaid to be performed as speedily as possible at actual cost and without profit to the company. It is understood that the necessary lands and flowage rights, including lands for railway and terminal connections, have been or will be acquired by the United States.

3. The company will lease from the United States Dam No. 2, its power house, and all of its hydroelectric and operating appurtenances, except the locks, together with all lands and buildings owned or to be acquired by the United States connected with or adjacent to either end of the said dam, for a period of one hundred (100) years from the date when structures and equipment of a capacity of one hundred thousand (100,000) horsepower are constructed and installed and ready for service and will pay to the United States as annual rental therefor four per cent (4%) of the actual cost of acquiring lands and flowage rights, and of completing the locks, dam, and power-house facilities (but not including expenditures and obligations incurred prior to approval of this proposal by Congress), payable annually at the end of each lease year, except that during and for the first six (6) years of the lease period the rentals shall be in the following amounts and payable at the following times, to wit: Two hundred thousand dollars (\$200,000) one (1) year from the date when one hundred thousand (100,000) horsepower is installed and ready for service, and thereafter two hundred thousand dollars (\$200,000) annually at the end of each year for five (5) years.

4. The company will further pay to the United States during the period of the lease of Dam No. 2 thirty-five thousand dollars (\$35,000) annually, in installments quarterly in advance, for repairs, maintenance, and operation of Dam No. 2, its gates and locks; it being understood that all necessary repairs, maintenance, and operation thereof shall be under the direc-

tion, care, and responsibility of the United States during the said one hundred (100) year lease period; and the company, at its own expense, will make all necessary renewals and repairs incident to efficient maintenance of the power house, substructures, superstructures, machinery, and appliances appurtenant to said power house, and will maintain the same in efficient operating condition.

5. At all times during the period of the lease of Dam No. 2 the company will furnish to the United States, free of charge, to be delivered at any point on the lock grounds designated by the Chief of Engineers, U. S. Army, electric power to an amount necessary for the operation of the locks, but not in excess of two hundred (200) horsepower.

6. As soon as the release of suitable construction equipment and labor forces at Dam No. 2 will permit, or at an earlier date if desired by the company, the company shall construct and complete, subject to the approval of the Chief of Engineers, U. S. Army, for the United States Dam No. 3, its lock, power house, and all necessary equipment, all in accordance with plans and specifications prepared and to be prepared by the Chief of Engineers, U. S. Army, or by the company, at its option, and approved by the Chief of Engineers, U. S. Army, and progressively install the hydroelectric equipment in said power house adequate for generating approximately two hundred fifty thousand (250,000) horsepower, all the work aforesaid to be performed as speedily as possible at actual cost and without profit to the company, it being understood that the necessary lands, flowage rights, and rights of way shall be acquired by the United States through an agent to be named by the company.

7. The company will lease from the United States Dam No. 3, its power house, and all of its hydroelectric and operating appurtenances except the lock, together with all lands and buildings owned or to be acquired by the United States connected with or adjacent to either end of the said dam, for a period equal to the lease term of Dam No. 2 and its hydroelectric power equipment thereat as stated in paragraph 3 hereof, in order that said respective lease terms of the two dams and the hydroelectric equipment thereat shall expire at the same time, the said period to begin from the date when structures and equipment of a capacity of eighty thousand (80,000) horsepower are constructed and installed and ready for service, and will pay to the United States as annual rental therefor four per cent (4%) of the actual cost of acquiring lands and flowage rights and of constructing the lock, dam, and power-house facilities, payable annually at the end of each lease year, except that during and for the first three (3) years of the lease period the rentals shall be in the following amounts and payable at the following times, to wit: One hundred sixty thousand dollars (\$160,000) one (1) year from

tion, care, and responsibility of the United States during the said one hundred (100) year lease period; and the company, at its own expense, will make all necessary renewals and repairs incident to efficient maintenance of the power house, substructures, superstructures, machinery, and appliances appurtenant to said power house, and will maintain the same in efficient operating condition; it being understood that all necessary repairs, maintenance, and opera-

tion of Dam No. 2, its gates and locks, shall be under the direction, care, and responsibility of the United States, and at its expense, during the said fifty (50) years lease period.

6. The United States shall reserve for a period of three (3) years from the date of acceptance of this offer the power site at the proposed location of Dam No. 3, during which period the company shall have the preference for a license for said site, upon application therefor, under the provisions of the Federal water power act.

the date when eighty thousand (80,000) horsepower is installed and ready for service, and thereafter one hundred sixty thousand dollars (\$160,000) annually at the end of each year for two (2) years. Dams No. 2 and No. 3 shall be included in one lease.

8. The company will further pay to the United States during the period of the lease of Dam No. 3 twenty thousand dollars (\$20,000) annually, in installments, quarterly in advance, for repairs, maintenance, and operation of Dam No. 3, its gates and lock; it being understood that all necessary repairs, maintenance, and operation thereof shall be under the direction, care, and responsibility of the United States during the said one hundred (100) year period; and the company, at its own expense, will make all necessary renewals and repairs incident to the efficient maintenance of the power house, substructures, superstructures, machinery, and appliances appurtenant to said power house, and will maintain the same in efficient operating condition.

9. At all times during the period of the lease of Dam No. 3 the company will furnish to the United States, free of charge, to be delivered at any point on the lock grounds designated by the Chief of Engineers, U. S. Army, electric power necessary for the operation of the said lock, but not in excess of one hundred (100) horsepower.

10. For the purpose of enabling the Government to create and provide a sinking fund to retire the cost of Dam No. 3 at the end of the lease period, the company will, at the beginning of the fourth (4th) year of the lease period, and semiannually thereafter for the remaining term of the lease, pay to the United States Government the sum of three thousand five hundred and five dollars (\$3,505); and for the purpose of enabling the Government to create and provide a sinking fund to retire the cost of Dam No. 2 at the end of one hundred (100) years, the company will, at the beginning of the seventh (7th) year of the lease period, and semiannually thereafter for the remaining term of the lease, pay to the United States Government the sum of nineteen thousand eight hundred and sixty-eight dollars (\$19,868).

11. The company agrees to purchase from the United States and the United States will sell the following properties, namely:

(a) All of the property constituting nitrate plant No. 2 (as officially known and designated), including lands, power plants, buildings, material, machinery, fixtures, equipment, apparatus, appurtenances, tools, and supplies, and the right, license, and privilege to use any and all of the patents, processes, methods, and designs which have been acquired and may be transferred or assigned to a purchaser of nitrate plant No. 2 by the United States, together with the sulphuric-acid units now in storage on the premises.

(b) All of the property constituting nitrate plant No. 1 (as officially known and designated), including lands, power plants, buildings, material, machinery, fixtures, equipment, apparatus, appurtenances, tools, and supplies, and the right, license, and privilege to use any and all of the patents, processes, methods, and designs which have been ac-

quired and may be transferred to a purchaser of nitrate plant No. 1 by the United States, but the company shall not be obligated to operate nitrate plant No. 1 as an air nitrogen-fixation plant.

(c) All of the property constituting the Waco Quarry (as officially known and designated), including rights of way and buildings, material, quarry tracks, machinery, railroad tracks, appurtenances, tools, and supplies.

(d) All of the property constituting the steam power plant, built and now owned by the Government at Gorgas, Alabama, on the Warrior River, including lands, rights of way, buildings, machinery, material, fixtures, apparatus, appurtenances, tools, and supplies, and the transmission line from the Gorgas steam plant to Nitrate Plant No. 2, at Muscle Shoals, and all other transmission lines belonging to the United States and connected with any of the aforesaid Government properties.

12. The company agrees to accept and the United States agrees to assign and transfer to the company all rights, title, interest, powers, and benefit belonging to or that may accrue to the United States or its legal agents as a party to its contract, dated December 1, 1917, with the Alabama Power Company, in connection with said Gorgas plant and transmission line, and the company will assume all obligations and liabilities lawfully imposed upon the United States by said contract; but nothing in this paragraph shall be held to affect any question of the validity of any provision of said contract.

13. As the purchase price for the foregoing plants and properties to be conveyed to the company by the United States, the company will pay to the United States five million dollars (\$5,000,000) in five installments, as follows: One million dollars (\$1,000,000) upon the acceptance of this offer and one million dollars (\$1,000,000) annually thereafter until the purchase price is fully paid, with interest at the rate of five per cent (5%) per annum on deferred payments, with the privilege of anticipating any or all such payments, possession to be delivered upon payment of the first of said installments, and deeds of conveyance to be delivered when full payment for said property has been made. Each of said deeds shall refer to or contain the provisions of this offer and said deeds shall be so drawn as to make such provisions covenants running with the land.

14. This proposal contemplates and it is agreed that the purchase price for the property aforesaid shall not be diminished by reason of depreciation due to use or wear of buildings, machinery, and equipment, or to the action of the elements, nor shall any claim be made for losses in or diminution of quantity of tools and supplies due to upkeep and maintenance during the period between the date hereof and the date of delivery of possession of said property; it being further understood that no inventory of the property need be taken, but that due care will be exercised by the United States in

preserving and safeguarding the aforesaid real and personal property intact until possession thereof passes to the company. If any part or parts of the aforesaid plants necessary for proper operation of same have been removed by the United States, said part or parts shall be returned when possession of said plants passes to the company. Deeds of conveyance of real property shall warrant the title to be good and unencumbered, but in accordance with and subject to the provisions set forth in paragraph 13 hereof.

15. Since the manufacture, sale, and distribution of commercial fertilizers to farmers and other users thereof constitutes one of the principal considerations of this offer, the company expressly agrees that, continuously throughout the lease period, except as it may be prevented by reconstruction of the plant itself, or by war, strikes, accidents, fires, or other causes beyond its control, it will manufacture nitrogen and other commercial fertilizers, mixed or unmixed, and with or without filler, according to demand, at nitrate plant No. 2 or its equivalent, or at such other plant or plants adjacent or near thereto as it may construct, using the most economical source of power available. The annual production of these fertilizers shall have a nitrogen content of at least forty thousand (40,000) tons of fixed nitrogen, which is the present annual capacity of nitrate plant No. 2. If during the lease period said nitrate plant No. 2 is destroyed or damaged from any cause, the company agrees to restore such plant within a reasonable time to its former capacity, and further agrees:

(a) To determine by research whether by means of electric-furnace methods and industrial chemistry there may be produced on a commercial scale fertilizer compounds of higher grade and at lower prices than farmers and other users of commercial fertilizers have in the past been able to obtain, and to determine whether in a broad way the application of electricity and industrial chemistry may accomplish for the agricultural industry of the country what they have economically accomplished for other industries, and if so found and determined, to reasonably employ such improved methods.

(b) To maintain nitrate plant No. 2 in its present state of readiness or its equivalent for immediate operation in the manufacture of materials necessary in time of war for the production of explosives.

16. In order that farmers and other users of fertilizers may be supplied with fertilizers at fair prices and without excessive profits, the company agrees that the maximum net profit which it shall make in the manufacture and sale of fertilizer products shall not exceed eight per cent (8%) of the fair actual annual cost of production thereof.

8. Since the manufacture, sale, and distribution of commercial fertilizers to farmers and other users thereof constitutes the principal consideration of this offer, the company expressly agrees that, continuously throughout the lease period, except as it may be prevented by reconstruction of the plant itself, or by war, strikes, accidents, fires, or other such causes beyond its control, it will manufacture nitrogen and other commercial fertilizers, mixed or unmixed, and with or without filler, according to demand, at nitrate plant No. 2 or its equivalent, or at such other plant or plants as it may construct, using the most economical source of power available. The annual production of these fertilizers shall have a nitrogen content of at least forty thousand (40,000) tons of fixed nitrogen, which is the present annual capacity of nitrate plant No. 2. If during the lease period said nitrate plant No. 2 is destroyed or damaged from any cause, the company agrees to restore such plant within a reasonable time to its former capacity, and further agrees:

9. In order that farmers and other users of fertilizers may be supplied with fertilizers at fair prices and without excessive profits, the company agrees that the maximum net profit which it shall make for any year in the manufacture and sale of fertilizer products shall not exceed eight per cent (8%) of the fair actual cost of production thereof during such year, and that in determining such cost no items shall be included which do not represent expenditures actually made by the company, except such credits to depreciation or amortization reserves on account of properties used or useful in the manufacture of nitrogen or other commercial fertilizers as may be approved by the board hereinafter provided.

In order that this provision may be carried out the company agrees to the creation of a board of not more than nine (9) voting mem-

bers, chosen as follows: The three (3) leading representative farm organizations national in fact, namely, the American Farm Bureau Federation, the National Grange, the Farmers' Educational and Cooperative Union of America, or their successor or successors (said successor or successors to be determined, in case of controversy, by the Secretary of Agriculture) shall each designate not more than seven (7) candidates for said board in the first instance and thereafter, for succession in office, not more than three (3) candidates. The President shall nominate for membership on this board not more than seven (7) of these candidates, selected to give representation to each of the above-mentioned organizations, said nominations to be made subject to confirmation by the Senate, and there shall be two voting members of said board selected by the company: *Provided*, That not more than one shall be nominated by the President from the same State; that if the Senate shall not confirm all of said seven nominees the President shall send additional names from the said list of candidates until the Senate shall have confirmed seven: *Provided further*, That if either or any of said farm organizations or its or their successors by reason of the expiration of its or their charter or ceasing to function or failing to maintain its organization or for any cause or reason should decline, fail, or neglect to make such designations, then the Secretary of Agriculture shall make such designation or designations for such or all of said organizations as may so decline, fail, or neglect to make such designation; and if such designation is made by the Secretary of Agriculture for only one or two of said organizations, then such designation shall be made so as to give the remaining organization or organizations the same right and in the same proportion to designate candidates for said board as in the first instance and just as though all of said organizations were making such designations: *Provided, however*, That a failure to make designations at any one time shall not thereafter deprive any organization of its original rights under this section: *And provided further*, That the terms of office of the first seven candidates nominated by the President and confirmed by the Senate on the designation of said farm organizations shall be as follows: Two for a period of two years, two for a period of four years, and the remaining three for a period of six years, and thereafter the nominations for membership on said board made by the President, except for unexpired terms, shall be for six years each. None of the members of said board shall draw compensation from the Government, except that any which may be nominated and confirmed on the designation of the Secretary of Agriculture under the provisions hereof shall receive from the Government their actual expenses while engaged in work on said board. A representative of the Bureau of Markets, Department of Agriculture, or its legal successor, to be appointed by the President, shall also be a member of the board, serving in an advisory capacity without the right to vote. The said board shall determine what has been the cost of manufacture and sale of fertilizer products and the price which has been charged therefor, and if necessary for the purpose of limiting the annual profit to 8 per cent as aforesaid, shall regulate the price at which said fertilizer may be sold by the company. For these purposes said board shall have access to the books and records of the company at any reasonable time. In order that such fertilizer products may be fairly distributed and economically purchased by farmers and other users thereof the said board shall determine the equitable territorial distribution of the same and may, in its discretion, make reasonable regulation for the sale of all or a portion of such products by the company to farmers, their agencies or organizations. If and when said board can not agree upon its findings and determinations, then the points of disagreement shall be referred to the Federal Trade Commission (or its legal successor) for arbitration and settlement, and the decision of said commission in such cases shall be final and binding upon the board.

10. The company shall operate the said power house and equipment and any steam-power plants now forming part of the properties named in paragraph 7 (11) hereof, or which may hereafter be constructed in connection therewith, so as to produce the fullest practicable output of usable or salable electric energy, and shall either itself transmit, distribute, and sell all surplus energy not used by it in the manufacture of nitrogen or other commercial fertilizers or enter into contracts for such transmission, distribution, and sale. Such transmission, distribution, and sale and contracts therefor shall be subject to the regulation and control of the properly constituted authorities of the State or States in which such transmission, distribution, or sale is effected, or of the Federal Power Commission, within the re-

spective jurisdiction of each as provided by the Federal water power act. The company shall also establish and maintain for its entire operation such system of accounts as may be prescribed by said commission, and said commission shall have, with respect to the accounts, books, and records of the company, the same authority which it has with respect to the accounts, books, and records of licensees under said act.

11. The determination of the proportion of electric energy used in the manufacture of nitrogen and other commercial fertilizers shall for the purposes specified in paragraph 3 hereof rest with the Federal Power Commission, and its decisions with respect thereto shall be final. Said commission shall also have authority to determine the practicable output of usable or salable electric energy to be produced and to determine the adequacy of repairs and the necessity of renewals incident to efficient maintenance and operation of said power house, substructures, superstructures, machinery, and appliances appurtenant thereto.

12. Whenever the company is directly benefited by the construction by a licensee of the United States or by the United States itself of a storage reservoir or other head-water improvement, the company shall reimburse the owner of such reservoir or other improvement for such part of the annual charges for interest, maintenance, and depreciation thereon as the Federal Power Commission shall determine to be equitable; and whenever such reservoir or other improvement is constructed by the United States the company shall pay to the United States similar charges similarly determined.

17. Whenever in the national defense the United States shall require all or any part of the operating facilities at nitrate plant No. 2 for the production of materials necessary in the manufacture of explosives or other war materials, then the United States shall have the immediate right, upon five (5) days' notice to the company, to take over and operate the same, and the company will supply the United States with hydroelectric power necessary for such operations, together with the use of all patented processes which the United States may need which the company owns or has the right to use. When required for national defense any of the company's personnel and operating organization necessary for operating any part of nitrate plant No. 2 in the manufacture of materials for explosives or other war materials shall be at the disposal of the United States. For the facilities and services aforesaid the United States shall protect the company from losses occasioned by such use and shall return the said property in as good condition as when received and reasonably compensate the company for the use thereof. All duly authorized agents and representatives of the United States shall have free access at all reasonable times to inspect and study all of the operations, chemical processes, and methods employed by the company at nitrate plant No. 2, provided that such agents and representatives shall not use the information and the facts concerning any of the company's operations except for the benefit and protection of the United States.

18. In order that said company may be supplied with electric power and the farmers and other users with fertilizers after the termination of the said one-hundred-year leases, should the United States elect not to operate said power plants but determine to lease or dispose of same, the company shall have the preferred right to negotiate with the United States for

14. In order that the farmers and other users may be supplied with fertilizers after the termination of the said fifty (50) years' lease period, should the United States elect not to operate said power plant and other properties, or any of them, but determine to lease or dispose of same, the company shall have the preferred right to negotiate for a renewal of lease

such lease or purchase, and upon such terms as may then be prescribed by Congress.

19. In addition to any other remedies that may be possessed by the United States, and as a further method of procedure in the event of the violation of any of the terms of this proposal or any contracts made in furtherance of its terms, the company agrees that the Attorney General may upon the request of the Secretary of War institute proceedings in equity in the District Court of the United States for the Northern District of Alabama for the purpose of cancelling and terminating the lease of Dam No. 2 or Dam No. 3, or both of them, because of such violation or for the purpose of remedying or correcting by injunction, mandamus, or other process any act of commission or omission in violation of the terms of this proposal or any contract made in furtherance thereof.

20. The above proposals are submitted for acceptance as a whole and not in part. Upon acceptance, the promises, undertakings, and obligations shall be binding upon the United States, and jointly and severally upon the undersigned, his heirs, representatives, and assigns, and the company, its successors and assigns; and all the necessary contracts, leases, deeds, and other instruments necessary or appropriate to effectuate the purposes of this proposal shall be duly executed and delivered by the respective parties above mentioned.

Approved and signed by me at Dearborn, Mich., this thirty-first day of May, 1923.

HENRY FORD.

The SPEAKER pro tempore. The gentleman from Texas [Mr. GARNER] is recognized for 30 minutes if he cares to use it.

Mr. GARRETT of Tennessee. The gentleman from Texas announced early in the day that he would be unable, on account of illness, to utilize the time that had been granted him and obtained consent to extend his remarks in the RECORD, and therefore that time is not needed by him.

DEMOCRATIC SUBSTITUTE INCOME-TAX PROPOSAL.

Mr. GARNER of Texas. Mr. Speaker, under leave obtained to print I insert the following, in order that the membership of the House may have the results of a partial investigation made by the Democratic members of the Ways and Means Committee

with such agency of the United States as is authorized to lease or dispose of said plants and properties; and in the event the terms of the renewal offered by the United States are not accepted by the company, the conditions of this offer shall remain in effect until the United States shall lease or dispose of said plants and properties to another under terms no less favorable to the United States than offered to the company. In the event said plants and properties are leased or disposed of to another, the company shall be reimbursed for new properties or for additions to or betterments of existing properties constructed or made at its own expense and used or useful in the manufacture of nitrogen or other commercial fertilizers in an amount equal to the fair value not to exceed actual cost of such properties, additions, or betterments.

15. In addition to any other remedies that may be possessed by the United States, and as a further method of procedure in the event of the violation of any of the terms of this offer or of any contracts made in furtherance of its terms, the company agrees that the Attorney General may upon request of the Federal Power Commission institute proceedings in equity in the District Court of the United States for the Northern District of Alabama for the purpose of cancelling and terminating the lease of Dam No. 2, or of the other properties named herein, or both, because of such violation, or for the purpose of remedying or correcting by injunction, mandamus, or other process any act of commission or omission in violation of the terms of this offer or of any contract made in furtherance thereof.

16. The above proposals are submitted for acceptance as a whole and not in part. Upon acceptance the promises, undertakings, and obligations shall be binding upon the United States, and jointly and severally upon the undersigned, his heirs, representatives, and assigns, and the company, its successors, and assigns; and all the necessary contracts, leases, and other instruments necessary or appropriate to effectuate the purposes of this proposal shall be duly executed and delivered by the respective parties above mentioned.

looking to the readjustment and reduction of the present internal-revenue taxes. Later on, as we study the other provisions of the bill, we hope to make further suggestions that will be beneficial.

No Democratic Member of either House of Congress was invited to confer with Secretary Mellon or his official force in connection with the preparation of the Mellon tax plan. Democrats therefore have been obliged to consider the provisions of this measure by themselves since it was disclosed to them during last month. It is evident that Democrats could not have intelligently expressed themselves any earlier. I and my associates on the committee have now reached preliminary conclusions relative to some phases of the Mellon proposal as it relates to income taxes, which are as follows:

1. The Mellon proposals contain many good features, and each of these I think will receive whole-hearted Democratic support. The first relates to the pending bill to amend, modify, and improve the administration side. It is now being considered in the most nonpartisan spirit. The general idea of readjusting downward normal rates and surtax rates in many instances, together with reduced rates on income derived from personal service, is excellent. Democrats have a recent and affirmative record on most of these proposals. The following are some suggested modifications of Mellon's plan.

2. Fix normal income-tax exemptions at \$2,000 for single persons instead of the present \$1,000, as Mellon proposes, and \$3,000 for married persons, or heads of families, instead of the present \$2,500, as Mellon proposes, leaving special deductions or allowances undisturbed.

3. Fix normal income tax rates at 2 per cent on amounts of \$5,000 and under instead of 3 per cent under \$4,000 as Mellon proposes; and instead of 4 per cent as under existing law; 4 per cent from \$5,000 to \$10,000 instead of 6 per cent above \$4,000 as Mellon proposes, and instead of 8 per cent as under existing law; and 6 per cent on all amounts in excess of \$10,000, instead of 8 per cent as under existing law.

4. Extend the Mellon earned-income proposal, which excludes farmers and most merchants and tradesmen, so as to include reasonable compensation to farmers owning and personally operating their farms, and also personal compensation to merchants and other tradesmen who combine capital and personal services for the purpose of earning income, together with suitable tax safeguards. Provide that the tax rate on earned income shall be 3½ per cent below the normal and surtax rates prescribed for unearned income, instead of 25 per cent, as Mellon proposes.

5. Let surtax graduation commence with 1 per cent on incomes from \$12,000 to \$14,000, instead of \$10,000 to \$12,000 as Mellon proposes, and instead of \$6,000 to \$8,000 as under existing law, as follows:

Democratic surtax rates.

Per cent:	
1	\$12,000 to \$14,000
2	14,000 to 16,000
3	16,000 to 18,000
4	18,000 to 20,000
5	20,000 to 22,000
6	22,000 to 24,000
7	24,000 to 26,000
8	26,000 to 28,000
9	28,000 to 30,000
10	30,000 to 32,000
11	32,000 to 34,000
12	34,000 to 36,000
13	36,000 to 38,000
14	38,000 to 40,000
15	40,000 to 42,000
16	42,000 to 44,000
17	44,000 to 46,000
18	46,000 to 48,000
19	48,000 to 50,000
20	50,000 to 52,000
21	52,000 to 54,000
22	54,000 to 56,000
23	56,000 to 58,000
24	58,000 to 60,000
25	60,000 to 61,000
26	61,000 to 62,000
27	62,000 to 63,000
28	63,000 to 64,000
29	64,000 to 65,000
30	65,000 to 66,000
31	66,000 to 68,000
32	68,000 to 70,000
33	70,000 to 72,000
34	72,000 to 74,000
35	74,000 to 76,000
36	76,000 to 78,000
37	78,000 to 80,000
38	80,000 to 82,000
39	82,000 to 84,000
40	84,000 to 86,000
41	86,000 to 88,000
42	88,000 to 90,000
43	90,000 to 92,000
44	92,000 to 94,000

Comparison of surtax rates.

Income.	Present law.	Mellon plan.	Democratic plan.
	Per cent.	Per cent.	Per cent.
\$6,000-\$10,000.....	1	0	0
\$10,000-\$12,000.....	2	1	0
\$12,000-\$14,000.....	3	2	1
\$14,000-\$16,000.....	4	3	2
\$16,000-\$18,000.....	5	4	3
\$18,000-\$20,000.....	6	5	4
\$20,000-\$22,000.....	7	6	5
\$22,000-\$24,000.....	8	7	6
\$24,000-\$26,000.....	9	8	7
\$26,000-\$28,000.....	10	9	8
\$28,000-\$30,000.....	11	10	9
\$30,000-\$32,000.....	12	11	10
\$32,000-\$34,000.....	13	12	11
\$34,000-\$36,000.....	14	13	12
\$36,000-\$38,000.....	15	14	13
\$38,000-\$40,000.....	16	15	14
\$40,000-\$42,000.....	17	16	15
\$42,000-\$44,000.....	18	17	16
\$44,000-\$46,000.....	19	18	17
\$46,000-\$48,000.....	20	19	18
\$48,000-\$50,000.....	21	20	19
\$50,000-\$52,000.....	22	21	20
\$52,000-\$54,000.....	23	22	21
\$54,000-\$56,000.....	24	23	22
\$56,000-\$58,000.....	25	24	23
\$58,000-\$60,000.....	26	25	24
\$60,000-\$62,000.....	27	26	25
\$62,000-\$64,000.....	28	27	26
\$64,000-\$66,000.....	29	28	27
\$66,000-\$68,000.....	30	29	28
\$68,000-\$70,000.....	31	30	29
\$70,000-\$72,000.....	32	31	30
\$72,000-\$74,000.....	33	32	31
\$74,000-\$76,000.....	34	33	32
\$76,000-\$78,000.....	35	34	33
\$78,000-\$80,000.....	36	35	34
\$80,000-\$82,000.....	37	36	35
\$82,000-\$84,000.....	38	37	36
\$84,000-\$86,000.....	39	38	37
\$86,000-\$88,000.....	40	39	38
\$88,000-\$90,000.....	41	40	39
\$90,000-\$92,000.....	42	41	40
\$92,000-\$94,000.....	43	42	41
\$94,000-\$96,000.....	44	43	42
\$96,000-\$98,000.....	45	44	43
\$98,000-\$100,000.....	46	45	44
\$100,000-\$150,000.....	47	46	44
\$150,000-\$200,000.....	48	47	44
\$200,000 and over.....	49	48	44

The following table of comparison of the Democratic plan with the Mellon plan will be interesting as well as instructive:

Table showing comparative tax of married persons without dependents and per cent of reductions under the Mellon plan and the Democratic plan as compared with existing law.

Income.	Amount of tax under—			Per cent reduction under—	
	Present law	Mellon plan.	Democratic plan.	Mellon plan.	Democratic plan.
				Per cent.	Per cent.
\$5,000.....	\$100.00	\$75.00	\$40.00	25.00	60.00
\$10,000.....	520.00	360.00	240.00	30.76	53.84
\$20,000.....	1,720.00	1,260.00	1,040.00	26.74	39.53
\$30,000.....	3,520.00	2,660.00	2,340.00	24.43	30.68
\$40,000.....	5,840.00	4,540.00	4,140.00	22.26	29.10
\$50,000.....	8,640.00	6,680.00	6,440.00	22.68	25.46
\$60,000.....	11,940.00	8,980.00	9,240.00	24.79	22.61
\$70,000.....	15,740.00	11,640.00	12,750.00	26.04	18.99
\$80,000.....	20,040.00	14,080.00	16,850.00	29.74	16.91
\$90,000.....	24,840.00	16,880.00	21,450.00	32.04	13.64
\$100,000.....	30,140.00	19,940.00	26,430.00	33.84	12.30
\$200,000.....	86,640.00	52,740.00	76,430.00	39.12	11.78

The difficulty of the Treasury or any person fixing a just and scientific scale of surtax rates is obvious, in view of the fact that the larger portion of income subject to these rates is derived from corporate profits, especially after the proposed reduction of rates on earned incomes goes into effect. This is true because during recent years, or at least prior to 1922, corporation owners have been retaining in their corporations more than 60 per cent of the corporate profits, while distributing less than an average of 40 per cent and paying surtaxes thereon. For the years 1919, 1920, and 1921 the aggregate corporate profits, after paying all expenses and profits and other taxes except the income tax proper, were \$19,000,000,000, while only \$7,663,000,000 was distributed as dividends and paid surtaxes.

It is apparent, therefore, that the proper scale of surtax rates is greatly affected by the extent to which the corporate profits are distributed or retained in the corporation, and should be increased or decreased accordingly. The proper scale can best be ascertained by degrees.

We are obliged to keep in mind also that surtax rates are to a considerable extent nominal rather than actual. For example, an income of \$100,000 is subjected to 48 per cent surtax under existing law, but the total tax paid is \$30,076, or 30 per cent of the income, instead of the prescribed 48 per cent. The proposed 33½ per cent reduction on income derived from personal service, as distinguished from property or capital invested, will only tend to equalize the amount of taxes paid on earned and unearned income, respectively, as is patent from the foregoing recitals.

The raising of individual exemptions to \$2,000 and \$3,000, respectively, as already pointed out, will only result in tax losses of between \$40,000,000 and \$50,000,000, but will relieve between 800,000 and 1,000,000 individuals who now make tax returns but pay no taxes on account of deductions allowed, and will also relieve 1,646,000 laborers and small farmers and merchants whose tax is less than \$12 each, not to mention heads of families now in the \$2,000 to \$3,000 bracket, and will at the same time relieve the Treasury of a tremendous burden and expense where but a small amount of tax is involved.

One tremendous difference to a vast number of taxpayers between the Mellon income-tax proposal and the Democratic substitute is that there are, according to the statistics of income for 1921, 390,000 persons with incomes of under \$1,000 who are required to make returns but pay no taxes on account of deductions and exemptions. There are, in addition, 794,000 persons with incomes of \$1,000 to \$2,000 who are now required to make returns but pay no taxes for the reason just stated. Under the Democratic substitute tax plan these 2,000,000 persons will be relieved of the trouble of making returns although paying no taxes. In addition to this difference in the Mellon and the Democratic income-tax plans, 1,646,000 persons with incomes of \$1,000 to \$2,000 and 580,000 heads of families with incomes of \$2,000 to \$3,000 will be entirely relieved of taxation under the Democratic plan but are taxed under the Mellon plan. This immense relief to these millions of small farmers, tradesmen, mechanics, and other laborers and small business men under the Democratic plan is in striking contrast with the Mellon proposal. It will only result in a loss of less than \$50,000,000 of revenue.

The fact will be recalled that as late as 1917, when we entered the war, the income-tax exemptions were \$3,000 and \$4,000 for single and married persons, respectively. Several millions of farmers and tradesmen combined will get the benefit of the 33½ per cent reduction on earned incomes under the Democratic plan who are excluded and denied such benefits under the Mellon plan.

The Democratic substitute income-tax plan is more logical in its structure than the Mellon plan and more nearly conforms to the established doctrines of income taxation and to the operation of income tax laws in other countries than the Mellon plan. The Democratic surtax rates, which are prescribed according to the doctrine of ability to pay, are substantially below the present rates in many or most other countries. The rates in Great Britain still closely approach 50 per cent, while the maximum rate in Canada to-day is around 65 per cent. The unbiased citizen, therefore, must agree that the Democratic income-tax substitute is far more sound than that of Mr. Mellon, which proposes to cut in half the higher income surtaxes.

The conclusion is apparent that only the Democratic Party can be relied upon to write sound, equitable, well-balanced tax legislation, avoiding extremes in either direction, but requiring the people to pay according to ability, and striving at all times to do justice to every class of taxpayers.

I obtained the following from the Democratic headquarters, which will visualize some of the outstanding features of the Mellon plan:

The following will show how tax reduction under the Mellon plan is to be distributed among individual taxpayers:

Income of \$5,000,000	\$1,500,000.00
Income of \$1,000,000	251,784.00
Income of \$500,000	116,784.00
Income of \$250,000	49,284.00
Income of \$100,000	10,284.00
Income of \$50,000	1,944.00
Income of \$25,000	1,107.00
Income of \$20,000	747.00
Income of \$15,000	469.50
Income of \$10,000	222.00
Income of \$5,000	29.75
Income of \$4,000	12.75

Or, to follow the method of presentation used by a well-known cartoonist and to use his caption, "Who gets the Mellon?"

A person with \$1,000,000 income saves under the Mellon plan \$251,784.

Fifty heads of families, each having an income of \$20,000—total \$1,000,000—save under the Mellon plan \$35,350.

One hundred heads of families, each having an income of \$10,000—total \$1,000,000—save under the Mellon plan \$22,200.

Two hundred heads of families, each having an income of \$5,000—total \$1,000,000—save under the Mellon plan \$5,950.

Four hundred heads of families, each having an income of \$2,500—total \$1,000,000—save under the Mellon plan nothing.

The propagandists of the Mellon tax plan continually refer to percentages of reduction taxpayers will receive. It is not a question of percentages, but a question of dollars and cents.

5. With the understanding that tariff tax-reduction measures should be kept separate from, and should in no wise affect the consideration of internal tax-reduction legislation, we are unalterably of opinion that substantial and immediate relief should be had from several phases of existing outrageous tariff tax extortion. The present astonishingly high tariff taxes constitute the outstanding factor in the existing high cost of living. These monstrous high rates constitute a surtax upon the masses even higher than the income surtaxes on individuals. It would not only be absurd, therefore, but it would be downright dishonest, for an official to pretend to support general tax relief and to limit the same to a small group of citizens and to one phase of taxation to the exclusion of tariff taxes bearing so heavily upon our 110,000,000 population. A special tariff measure carrying substantial reductions on most articles the farmer must buy would give several hundred million dollars relief to agriculture. A number of other special tariff measures cutting down the more aggravated high rates in the existing law so as to contribute generally to the reduction in the high cost of living and the lowering of existing artificial and profiteering prices in many essential lines, should undoubtedly be considered during the present session of Congress.

There was no reason to single out one or two of the miscellaneous or nuisance taxes, as Secretary Mellon did, and propose their repeal without at the same time carefully analyzing the entire mass of these taxes, including those on auto trucks, jewelry, candy, stamps on notes, etc., and offering the maximum of relief.

Honest and equitable peace-time taxation is the goal of the Democratic Party. The foregoing proposals are in pursuance of this policy. Resting upon sound economics, we believe that they do full and equal justice to taxpayers, large and small, individual and corporate, and avoid the extreme views of any class.

We ask an unbiased comparison of the Democratic tax proposals with the Mellon proposals, and with full confidence invite the deliberate judgment of taxpayers and of all the people.

The SPEAKER pro tempore. The gentleman from Maryland [Mr. HILL] is recognized for 45 minutes. [Applause].

DRY OATH FOR CONGRESSMEN.

Mr. HILL, of Maryland. Mr. Speaker and gentlemen of the House, I am sorry that there was such an obvious disappointment at the contents of my two brief cases. [Laughter.]

At the last session of the House there appears in the RECORD this brief item: "The gentleman from Georgia [Mr. UPSHAW] is entitled to the floor for 45 minutes. Mr. UPSHAW addressed the House. His remarks will appear hereafter." Were it not for the fact that I have an excellent intelligence section, I could not show you that Mr. UPSHAW cited in his speech a few lines bearing upon the North and South, a few lines preparatory to his statement that in directing his attention to certain amendments to the Constitution I was attempting to wave the bloody shirt and bring back the dissensions of the Civil War.

Mr. UPSHAW quoted in part, and I will give the whole quotation, because he quoted what happens to be the motto of the Twenty-ninth—the Blue and Gray—Division. He gave you part of this, and here is all of it:

Here's to the Blue of the wind-swept North
 When we meet on the fields of France,
 May the spirit of Grant be with them
 When the sons of the North advance.
 Here's to the Gray of the sun-kissed South
 When we meet on the fields of France,
 May the spirit of Lee be with them there
 When the sons of the South advance.
 And here's to the Blue and Gray as one
 As we meet on the fields of France,
 May the Spirit of God be with them
 As the sons of the flag advance.

This is the song of union from which the gentleman from Georgia quoted, in part, in his address to this House last Thursday.

My colleague [Mr. UPSHAW] in quoting two of those lines, attempted to create the impression in this House that in my letter to him on the 22d of December I was attempting to revive the issues of the Civil War. That is not the case. When I take up the election laws of Georgia I take them up to show you that the gentleman from Georgia, when he attacks as nullificationists of the Constitution those of us who stand for a modification of the eighteenth amendment speaks in political hypocrisy as one who sits by direct violation of the Constitution, and that it does not lie in his mouth to attack those who openly and in this House and in entire accordance with the Constitution seek to amend what we respectfully submit to the House is not a law which should be kept on the statute books. I speak therefore in reference to the Georgia election laws and to the 2.75 per cent suffrage by which the gentleman from Georgia sits in the House purely as a result of political hypocrisy on the part of the gentleman from Georgia and I am not at this moment attacking the suffrage laws of the South.

In that same Twenty-ninth (Blue and Gray) Division where we had that motto for which all Americans must stand, of the unity of the North and the South and of the Nation, we had a general staff, divided up into several sections, and we had one element which was always present. That was the military intelligence section, which obtained information of the enemy. It was always necessary to have information of the enemy, as well as information of our own troops, before we could make a plan of attack.

I deeply regret that I have not the most authentic information of the enemy, because, unfortunately, the remarks of the gentleman from Georgia [Mr. UPSHAW] remain, so far as the CONGRESSIONAL RECORD is concerned, in the "here-after"; but my intelligence section has worked very well and I am able to invite the attention of the House to some very serious considerations by reason of the fact that I have the newspaper releases of the remarks of the gentleman from Georgia to be made in the House, with my own annotations upon them as he actually made them.

This morning I was called up by a person on the telephone who stated that his name was Holmes. He stated that he wanted to say to me that some of this publicity—I will read it to you after a while, when we come to the question of the attitude entertained toward the House by the gentleman from Georgia—was given out without the sanction of the gentleman from Georgia, although it bears on the top of it the O. K. of the gentleman from Georgia. I want to say to the gentleman from Georgia that, as to his opinion of his address and as to his summary thereof and as to the waiting attitude of the Nation on hair trigger for his ideas, the only responsibility I assume for referring to this and to the propaganda for his candidacy as Vice President on the Democratic ticket is that made known by Mr. Rexford L. Holmes. Thanks to Mr. Holmes, or somebody—although I do not have the address of the gentleman from Georgia in the CONGRESSIONAL RECORD—I have here 18 pages of advance notice to the press. It is very beautifully gotten up, as follows:

To the Editor: This title contains: 1. Head. 2. Abstract of Representative UPSHAW's address on "The Majesty of the Law and National Sobriety." 3. Address in full.

Attached to this is the name of Rexford L. Holmes, O. K'd and issued by Representative UPSHAW.

That is my authority. I have no more official record than that, so that I must proceed with the speech that the gentleman from Georgia made from this advance copy of it. I verified most of it as he delivered it here in the House.

Mr. Speaker, when does my time end?

The SPEAKER pro tempore. The gentleman has 40 minutes.

Mr. HILL of Maryland. I thank you.

In the closing days of the old year the gentleman from Georgia asked the unanimous consent of the House to address the House on the majesty of the law and national sobriety. I made no objection because, with most of the Members of the House here present, we always like to hear national sobriety discussed. But I thought in the interest of sincerity I should like to invite the gentleman's attention to certain matters which are of interest to this House and to this country. So I wrote the gentleman a letter, which he put in his published speech in the newspapers, and which he referred to in his address before the House, but which he declined to read to the House the other day, but which I hope will yet appear in his remarks when they appear finally revised in the RECORD. In that letter I asked this question, and this covers one of the two matters which I will take up with the House to-day.

I want to talk on two definite propositions: First, the gentleman from Georgia [Mr. UPSHAW] sits in the House of Representatives in direct violation of the Constitution of the United States. I do not say that in order to lay a foundation for some one attempting to deprive the House of the pleasure of his company. I only say it because a suffrage nullificationist goes a little too far when he attempts to say that those of us who wish to modify existing laws are nullificationists and violate our oaths because we attack the eighteenth amendment.

A great many people who masquerade under the name of Republicans and under the name of Democrats have varying opinions on that subject.

I heard from the lips of a Democratic Member of this House from the State of Virginia [Mr. TUCKER], formerly a president of the American Bar Association, an eloquent address on Thursday last on the reserved power of the States under the United States Constitution. On the same day I heard the speech of the gentleman from Georgia, who represents, let us call it, the majority party in Georgia. I wish to speak first on the question of the violation of the Constitution in the election of the gentleman from Georgia.

Then I wish to speak on the second proposition, which is that Georgia not only can not enforce her own laws and the prohibition laws of the United States, but that its homemade hooch is poured out even over this glorious Capital of the United States. So I wrote to our colleague [Mr. UPSHAW] on the 22d of December and referred to the following extract from the daily papers of a few days before concerning one of these annual Christmas "liquor plots" in Washington, which is intended always to raise the price of Christmas liquor, I suppose. Always before Christmas lists are to be published in Washington, but we never see them after Christmas.

Here is part of what I wrote to Mr. UPSHAW on December 22, 1923:

I am deeply concerned this morning to read in the morning papers, however, that people in the great State of Georgia are part of a gigantic liquor plot to flood the Capital of the United States with illicit rum. I read that a "booze syndicate," with headquarters in two of Washington's largest office buildings and boasting among its patrons Senators and Representatives, other high Government officials, and persons prominent in society was unearthed yesterday by special agents of the Treasury Department. I also read that much of the liquor sold by this syndicate, "all of which was of the best grades the police said, was shipped to Washington by an international rum-smuggling group at Savannah, Ga., in chartered vessels."

This was not the \$150,000 Georgia conspiracy but a new one, apparently, that the Georgia authorities had not yet learned of, since it came up during Christmas. I asked the gentleman from Georgia to inform the House how we might remove the mote or beam that was in the eye of Georgia before attacking a corresponding disability in other eyes in the United States. At the same time I said:

When you are dealing with the majesty of the law there are many of us who would be highly gratified if you would discuss Section 2 of Article 14 of the Constitution, which provides:

"Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed: But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the executive and judicial officers of a State, or the members of the legislature thereof, is denied to any of the male inhabitants of such State, being 21 years of age and citizens of the United States, or in any way abridged except for participation in rebellion, or other crimes, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens 21 years of age in such State."

I made that as a serious suggestion on the old grounds under which we lawyers raise the question in equity, namely, whether the plaintiff in an equity court comes into that court with clean hands. I propose to cite authorities from the records of this House on this subject, and also from the laws of the United States and the decisions of the Supreme Court of the United States to show that Mr. UPSHAW sits in violation of the Constitution of the United States.

Now, what was his answer to that? In this release, made Thursday, January 3, 1924, prepared by Rexford L. Holmes and O. K'd by Mr. UPSHAW, you will find the answer of the gentleman from Georgia as summarized by Rexford L. Holmes. I will later take up the detailed statements; here is part of it:

That Representative JOHN PHILIP HILL, of Maryland, Representative MADDEN, head of the powerful Appropriations Committee of the House, and Speaker FREDERICK H. GILLET, all Republicans and anti-Prohibitionists, would forfeit their seats in the House of Representa-

tives were a strict interpretation of the fourteenth amendment to the Constitution to be required, was the assertion of Representative WILLIAM D. UPSHAW, of Georgia, in his much anticipated speech on "The majesty of the law and national sobriety," delivered to-day on the floor of Congress.

He did not tell us how we violated the law. I have read this speech carefully, and perhaps he is holding up the publication of his speech in order to be able to prove that statement, because there is no proof of it elsewhere.

Now, gentlemen, who is Mr. UPSHAW? Before I start on this citation of authorities to show he sits illegally in this House, I ask unanimous consent to file in the Record this bit of publicity in which Mr. UPSHAW states, or Mr. Holmes states for him, his construction of the attitude which Mr. UPSHAW takes on all these questions. In reference to his last speech, here is what is said by Mr. UPSHAW, of Mr. UPSHAW, and for Mr. UPSHAW.

He said in part:

His utterance at the opening of Congress will have added significance by reason of the fact that in a number of magazines and metropolitan papers the Georgia crusader has been prominently mentioned for the vice presidential nomination on the Democratic ticket.

You should read all of it, however, and I ask unanimous consent to file that advance statement at this moment.

The SPEAKER pro tempore. The gentleman from Maryland [Mr. HILL] asks unanimous consent to file a statement in the Record. Is there objection?

There was no objection.

Following is the statement referred to:

[For immediate release. Issued by Rexford L. Holmes.]

"If I knew that my speech, which I have secured unanimous consent to deliver on the floor of Congress on Thursday, the opening day after the holidays, was to be my last utterance on this earth and that God would call me home at sundown, after its delivery, I would still make the speech in the exact form in which I have prepared it. I shall probably have to deliver the address while seated in a chair, on account of my recently fractured rib, but, thank God, the old vocal apparatus is still going strong, and while God gives me breath I will be heard in favor of the majesty of the law and national sobriety." Thus spoke Representative WILLIAM D. UPSHAW, of Georgia, from his improvised office in the Potomac Hotel in Washington to-day, and the fire and vigor of his utterance boded no tolerance for his ancient foes, the advocates of a loose interpretation of the prohibition amendment to the Constitution. His utterance at the opening of Congress will have added significance by reason of the fact that in a number of magazines and metropolitan papers the Georgia crusader has been prominently mentioned for the vice presidential nomination on the Democratic ticket.

It will be recalled that just before the congressional recess preceding the holidays Representative UPSHAW was granted unanimous consent to address the House on its opening day on the subject of "The majesty of the law and national sobriety." Remembering his historic 13-minute speech delivered on December 20, 1922, demanding personal law observance on the part of the Nation's officialdom and other stirring utterances on and off the floor of the House by this intrepid Congressman on crutches, the entire country is awaiting with hair-trigger expectancy his speech on Thursday, when the Georgian is expected to flay in his picturesque "Hell-and-Maria" style the opponents of prohibition and demand the rigid enforcement of the eighteenth amendment.

Close friends of Mr. UPSHAW's, who have seen a rough advance draft of the speech, state that it will not lack in picturesqueness or in vigor the qualities of the Georgian's former utterances. He will single out particularly the Chicago Daily Tribune and Representative HILL of Maryland for vigorous attack. The address is said, however, to be of a jovial character, not likely to offend the personal sensibilities of those most bitterly assailed. It will particularly and vigorously reply to Congressman HILL's allegation that Representative UPSHAW and other Southern Congressmen hold their seats in Congress by reason of a violation by their respective States of the fourteenth amendment to the Constitution. It is understood that Mr. UPSHAW will declare as a matter of fact that a strict construction of the Constitution and a consideration of its violation, in spirit and in letter, by certain Northern and other States, would empty the congressional seats of Mr. HILL himself, as well as of the head of the powerful Appropriations Committee, Mr. MADDEN, and even of the Speaker of the House, Mr. GILBERT. In other words, in the phrase of the late Champ Clark, these fellows who desire a loosening of the prohibition bars had better not "kick his houn' dawg around, or by the everlasting Georgia soda-crackers he will do some kicking that will de-representize some of the popular congressional districts of this great Republic!" And that's that.

Telegrams, letters, and telephone calls continue to pour in on Mr. UPSHAW as he sits propped up in his chair, for many years a cripple on crutches, and now with a fractured rib added for good measure,

dictating his speech, which his friends believe will be the greatest effort of his life. The friends of prohibition are looking to this modern congressional Moses on crutches to lead them out of the wilderness of law malobservance, and it may be added that the opposition, remembering the pulverizing vitriol of the Georgian's eloquent tongue, are shivering just a wee bit in advance, as they wonder what the "Dawes of Congress" (sans the Chicago brand of profanity) is going to say and do on the opening day of the New Year session.

Mr. HILL of Maryland. Now, I have one more thing to say in reference to the gentleman from Georgia before I quote you the authorities as to his sitting as a nullificationist. I do not speak of the gentleman from Georgia personally. I speak of him only as a political entity and as a Representative of his State in this Congress. The gentleman from Georgia is the one who came here last week and insulted every Member of this House of Representatives by giving to the press the following, as what he desired to have enacted by this House:

Mr. UPSHAW, as part of his program, said:

To meet the needs of the present moral crisis I offer a rum-proof, "booze-tight," clean-up program, a part of which I have introduced—will soon introduce or will have introduced by others—a part of which I have urged on Executive consideration, and for all of which I will fight, God helping me, till I fall in my tracks for the redemption of America and America's glorious leadership in the redemption of the world.

First. Let Congress clean around its own door by passing a resolution declaring persona non grata to the floor of the House any Member found under the influence of liquor in the Capitol or House Office Building, or known to have liquor illegally acquired in his office.

Second. Immediate deportation, without grace or privilege of returning to America, for all aliens found guilty of violating the prohibition law.

Gentlemen, that is an insult to every one of you. I am only a new Member; I have been here only two years, but I have never yet seen any Member of this House, in the House or in the Capitol, in any way influenced by liquor of any sort. I deplore that such stuff as that is issued concerning the Congress of the United States under the guise of legitimate debate.

That is not the first time this gentleman has done that. What did he do last year? He came into this House and made a speech of the same sort, and then I put in a resolution, which I shall ask leave to file without reading all of it. In a speech he charged the same sort of thing, but never proved it. I tried to make him prove or retract in the following resolution:

House Resolution 479.

Whereas, in a newspaper release of December 20, 1922, purporting to have been written by Hon. WILLIAM DAVID UPSHAW of Georgia, a Member of the House of Representatives, the following charges appear: "The people—the plain people—have cumulative evidence that some of these 'conferring' governors and many other high officials do not practice the prohibition enforcement which they preach to others."

"Let these governors, led by the President and Vice President of the United States and all the members of the Cabinet, walk out in the open and lift their hands before high heaven and take a new oath of allegiance to the whole Constitution and the American flag; let them sacredly declare that, regardless of what their tastes and practices have been, they will never again build up a bootlegger's barbarous business by drinking any form or any amount of illicit liquors at any dinner or at any function or in any 'ballroom or back alley.' Let every Member of Congress and every United States Senator follow suit."

And

Whereas, in a newspaper release on January 9, 1923, reiterated the same day on the floor of the House, the following additional charges were made by the said Mr. UPSHAW:

"And as for Members of this House, God knows I find no pleasure in this disclosure, but the bright daughter of one of the best men in Congress said to me: 'We are with you. I wish you could stop liquor selling and drinking in this House Office Building.'"

And here is a signed letter that says:

"—, a professional bootlegger, told me a year ago 'the House Office Building furnishes my best customers, and as long as those 'blankety-blanks' keep buying I am going to keep on selling.' I have reported him several times, but they let him pay a fine, and he goes right back to bootlegging. He does nothing else."

"The Columbia Sentinel, the paper of the late Senator Thomas E. Watson, enjoying a national circulation, and now edited by the brilliant former secretary of Senator Watson, Grover C. Edmonson, says:

"'UPSHAW's advice to the men 'higher up' is good sense, sound law, and wholesome honesty. If public officials themselves violate one of our laws, what right have they to jail the average man for committing the same sin?'"

And

Whereas the publication of said charges, if untrue, are a grave wrong to this body, and if true, the responsibility should be placed where it belongs; and

Whereas the said Hon. WILLIAM DAVID UPSHAW, on December 20, 1922, reiterated the same on the floor of the House: Therefore be it

Resolved, That the Judiciary Committee of the House be directed to investigate and report to the House whether said charges are true, and if untrue, whether the said Hon. WILLIAM DAVID UPSHAW has violated the privileges of the House, and their recommendations relative to the same.

Resolved further, That said Judiciary Committee have leave to sit during the sessions of the House, to send for persons and papers, to swear witnesses, and to compel their attendance.

You gentlemen of the last Congress are hereby referred to; not the new Members, but we in the last Congress were referred to on the floor of this House by Mr. UPSHAW as being "—", who buy liquor in the House Office Building."

He made the charges, but never proved them, and again he makes similar charges which he can not and dares not attempt to prove.

I put in this resolution, which was referred to the Judiciary Committee, in which I asked the Judiciary Committee to investigate that insult to the House. Mr. Volstead was chairman of the Judiciary Committee, but no action was taken on this resolution.

Gentlemen, we stand for enough before the world as it is. To be a Member of Congress is to be considered everything that is useless, according to the point of view of some people; and I do not think, whether we happen to favor the modification of the Volstead Act or whether we are against the modification of the Volstead Act, we want to have that stuff to go out in reference to Members of this House.

I have given you estimates of the gentleman from Georgia from his own words and according to his own point of view. Now, I wish to take up with you my definite statement as to the suffrage laws of Georgia, but I am not attacking the suffrage laws of the South. Apparently, the Nation has agreed to the nullification of the fourteenth and fifteenth amendments, and as far as I know neither the fourteenth nor fifteenth amendment has ever been enforced within the last 10 years except in the State of Maryland.

I have the fortunate privilege of being able to present to you this afternoon the case of the United States against Stone in which I, as United States district attorney, successfully indicted and obtained a conviction of the election supervisors of a certain county in Maryland for attempting to disfranchise people because of their color. I want to say to you that it was not only the Republicans of Maryland, but also independent Democrats of Maryland who, back 10 years ago, fought shoulder to shoulder to keep crooked election laws off the books—crooked election laws passed like this Georgia one of 1908, under which the gentleman from Georgia sits here. In Maryland the fight for honest election laws was not a Republican or a Democratic thing. It was a movement of good citizens, and the fight was assisted by such men as Charles J. Bonaparte. Let me say this to you, that in this Stone case (188 Fed. Repts. 836), as United States district attorney, I had associated with me as special assistant United States attorney one of the most able and intelligent Democrats in Maryland, in order that there might not be any politics in those cases.

Mr. BLANTON. Will the gentleman yield?

Mr. HILL of Maryland. In a few minutes, if you will just wait. I would like to finish this, and then I will be very glad to yield to any questions. I want to save a little time for that.

Now, I want to offer some extracts from the Code of Georgia, under which the gentleman from Georgia sits, and, by the way, you will search in vain in the Congressional Directory of 1916, 1918, and 1920 for any of the figures showing the number of people who voted in the election for the gentleman from Georgia. When you come to the returns for the last election you will find that about 7,000 people voted out of a population of 308,364, that 1 out of 44 voted; whereas in the election of practically every other Member of the House 1 out of every 5 voted.

I am quite sure that in the election of the gentleman from Texas [Mr. BLANTON] you will find that 1 out of 5 of his total population voted, and I know that in the election of the Speaker of the House 1 out of 5 voted. The Speaker is one of those that the gentleman from Georgia refers to as not having a big enough vote, but 1 out of 5 is the normal ratio. In fact, I know it is, because I checked it up in the case of the gentleman from Illinois [Mr. MADDEN] and found that 1 out of 5 of his population voted. I know that in my case 1 out of 5 voted.

The gentleman from Georgia, with that oblique attitude of mind characteristic of the professional prohibitionist, says, "Oh, look at the district next to HILL's, where we get glad tidings from the election of Colonel TYDINGS. He got 20,000 votes more than HILL." But he did not tell you that TYDINGS had 100,000 more population to draw from, nor did he tell you that TYDINGS will vote for a modification of the Volstead Act. Colonel TYDINGS was in the Twenty-ninth Division, the "Blue and Gray" Division, and I happen to know.

Now, let us go back to the Georgia election laws. This is chapter 1 of title 2, Code of the State of Georgia, volume 1, 1911, section 34, "Qualification of voters."

I am going to skip through this, but I shall ask that all these sections be included in order that there may be no omissions.

CHAPTER 1.

QUALIFICATION OF VOTERS.

Qualification of voters: The qualification of voters is contained in the following sections of the constitution of this State, to wit:

"PARAGRAPH 1. After the year 1908 elections by the people shall be by ballot, and only those persons shall be allowed to vote who have been first registered in accordance with the requirements of law.

"PAR. 2. Every male citizen of this State who is a citizen of the United States, 21 years old or upwards, not laboring under any of the disabilities named in this article, and possessing the qualifications provided by it, shall be an elector and entitled to register and vote at any election by the people; provided, that no soldier, sailor, or marine in the military or naval service of the United States shall acquire the rights of an elector by reason of being stationed on duty in this State.

"PAR. 3. To entitle a person to register and vote at any election by the people, he shall have resided in the State one year next preceding the election, and in the county in which he offers to vote six months next preceding the election, and shall have paid all taxes which may have been required of him since the adoption of the constitution of Georgia of 1877 that he may have had an opportunity of paying agreeably to law. Such payment must have been made at least six months prior to the election at which he offers to vote, except when such elections are held within six months from the expiration of the time fixed by law for the payment of such taxes.

"PAR. 4. Every male citizen of this State shall be entitled to register as an elector and to vote in all elections of said State who is not disqualified under the provisions of section 2 of article 2 of this constitution, and who possesses the qualifications prescribed in paragraphs 2 and 3 of this section, or who will possess them at the date of the election occurring next after his registration, and who in addition thereto comes within either of the classes provided for in the five following subdivisions of this paragraph:

"1. All persons who have honorably served in the land or naval forces of the United States in the Revolutionary War, or in the War of 1812, or in the war with Mexico, or in any war with the Indians, or in the War between the States, or in the war with Spain, or who honorably served in the land or naval forces of the Confederate States or of the State of Georgia in the War between the States; or

"2. All persons lawfully descended from those embraced in the classes enumerated in the subdivision next above; or

"3. All persons who are of good character and understand the duties and obligations of citizenship under a republican form of government; or

"4. All persons who can correctly read in the English language any paragraph of the Constitution of the United States or of this State and correctly write the same in the English language when read to them by any one of the registrars, and all persons who solely because of physical disability are unable to comply with the above requirements, but who can understand and give a reasonable interpretation of any paragraph of the Constitution of the United States, or of this State, that may be read to them by any one of the registrars; or

"5. Any person who is the owner in good faith in his own right of at least 40 acres of land situated in this State, upon which he resides, or is the owner in good faith in his own right of property situated in this State and assessed for taxation at the value of \$500.

"PAR. 5. The right to register under subdivisions 1 and 2 of paragraph 4 shall continue only until January 1, 1915. But the registrars shall prepare a roster of all persons who register under subdivisions 1 and 2 of paragraph 4 and shall return the same to the clerk's office of the superior court of their counties; and the clerks of the superior court shall send copies of the same to the secretary of state, and it shall be the duty of these officers to record and permanently preserve these rosters. Any person who has been once registered under either of the subdivisions 1 or 2 of paragraph 4 shall thereafter be permitted to vote, provided he meets the requirements of paragraphs 2 and 3 of this section.

"PAR. 6. Any person to whom the right of registration is denied by the registrars upon the ground that he lacks the qualifications set forth in the five subdivisions of paragraph 4 shall have the right to

take an appeal, and any citizen may enter an appeal from the decision of the registrars allowing any person to register under said subdivisions. All appeals must be filed in writing with the registrars within 10 days from the date of the decision complained of and shall be returned by the registrars to the office of the clerk of the superior court to be tried as other appeals.

"PAR. 7. Pending an appeal and until the final decision of the case, the judgment of the registrars shall remain in full force.

"PAR. 8. No person shall be allowed to participate in a primary of any political party or a convention of any political party in this State who is not a qualified voter.

"PAR. 9. The machinery provided by law for the registration of force October 1, 1908, shall be used to carry out the provisions of this section, except where inconsistent with same; the legislature may change or amend the registration laws from time to time, but no such change or amendment shall operate to defeat any of the provisions of this section.

"Who disfranchised. But the following classes of persons shall not be permitted to vote: (1) Those who shall have been convicted in any court of competent jurisdiction of treason against the State, of embezzlement of public funds, malfeasance in office, bribery or larceny, or of any crime involving moral turpitude punishable by the laws of this State with imprisonment in the penitentiary, unless such person shall have been pardoned; (2) Idiots and insane persons."

Now, in Georgia a man must first have paid all taxes that may have been required of him since the adoption of the constitution of Georgia in 1877 which he was able to pay conveniently. It is a matter of discretion whether he could conveniently pay them or not; but listen to this, because he must have other qualifications; not only must he have paid taxes but he must be a member of a privileged class which we thought we had abolished in this country when we passed the Constitution of the United States, because paragraph 4 says not only must he have paid his taxes but he must possess in addition to the qualifications prescribed in paragraphs 2 and 3 of this section certain added qualifications thereafter stated. Oh, it is a great State, Georgia, gentlemen. I have no kick against Georgia. I went up there during 1917 from Camp McClellan, in Alabama, for one very pleasant party during the war. I admire the State, but it can not eat its cake and have it, too. It can not enjoy having the gentleman from Georgia here on 2.75 suffrage and refuse us in the North 2.75 beverage. [Laughter.]

Here is what you have got to be in order to vote in Georgia: You have got to belong to one of these five classes. Thank the Lord, I come within one class, and I could vote if I were in Georgia. You have got to have paid your taxes—and I might not be able to qualify on that, but I could qualify, by descent, as coming within one of the classes provided for in the following subdivisions of this paragraph:

1. All persons who have honorably served in the land or naval forces of the United States in the Revolutionary War.

[Laughter.]

My dear friends, I figured on that. There were about 7,000 people who voted in the election of the gentleman from Georgia in this last election. I wondered how many of them had had the glorious privilege of serving at the Battle of Lexington. It is a great State, Georgia, but when they can make provision solemnly for permitting men of at least 126 years of age at a minimum to vote, I take off my hat to Georgia. [Laughter.]

I can well understand why it is necessary in Georgia, where they have such extraordinary persons to vote, to have the following provision in the law. I do not believe there is a provision like what I am going to read to you in any other State in the Union, and I read it without comment. I think it is a good law, but I would not say it was necessary even in Georgia:

SEC. 438. Liquors not to be carried to places of divine worship.

[Laughter.]

If any person shall carry to a church or other place where the people have assembled for divine worship any liquor or intoxicating drink, or shall keep or have in his possession, custody, or control any intoxicating liquor at such place, he shall be guilty of a misdemeanor.

We all agree with that; but we do not have to pass a law of that kind—thank God—in Maryland. Perhaps this law goes back to the days of the Puritan clergy. The churches were cold when Mr. URSHAW's Revolutionary voters were young; and I know that my own great-grandfather always took a little New England rum and water in the pulpit with him in his church, where for 64 years he preached an awful cold doctrine in New England [laughter]; but I do not believe they found it necessary to have a law to prevent the congregation from drinking in church.

The first privileged Georgia voter class is composed of those who have Revolutionary records. Well, thank the Lord, I happen to be a member of the Society of the Cincinnati because somebody got wounded at Bunker Hill, and therefore I could vote in the gentleman's State. My children could vote in his State.

Or in the War of 1812.

Now, that is a fine bunch of veterans—minimum age, 110 years.

Or in the war with Mexico.

We are now coming down to the sterling, strong, young manhood of Georgia, the kind that sits in this House. [Laughter.]

Or in any war with the Indians.

You know I can understand now why they prize so much in Georgia the Society of Colonial Wars and the Revolutionary societies and other patriotic societies. It is a badge of peerage; it is a badge of the right to vote.

Or who honorably served in the land or naval forces of the Confederate States.

Well, I could get in under that provision through a great uncle.

Or of the State of Georgia in the War between the States.

Now, gentlemen, here is the famous—I will not say grandfather clause, because this is a great-great-grandfather clause. It goes back to the Revolutionary War, although it was passed in 1908. Let us read the next section of those who can vote in Georgia.

All persons lawfully descended from those embraced in the classes enumerated in the subdivision next above.

There is your grandfather clause. That grandfather clause is absolutely illegal. Nobody has ever tried to upset it in Georgia because, as I have said, the people of the United States apparently are acquiescent in the situation, and standing as I do with that great exponent of State rights who spoke here the other day, Representative TUCKER, of Virginia, I am inclined to let the States fix their own suffrage matters, but they can not eat their cake and have it too.

Mr. BLANTON. Will the gentleman yield now?

Mr. HILL of Maryland. I will yield in just a moment. I will pass this Georgia statute over to the gentleman. [Laughter.]

Mr. BLANTON. I wanted to ask the gentleman a question.

Mr. HILL of Maryland. In just a moment. I desire now to call the attention of the House—and I only have 15 minutes more, have I not, Mr. Speaker?

The SPEAKER pro tempore. The gentleman has 15 minutes.

Mr. HILL of Maryland. I will be brief because I do wish to yield to questions, but I want to refer to two cases. In Maryland, a law-abiding State, we obey the law. I notice that the gentleman from Georgia [Mr. URSHAW] the other day attacked most bitterly the people of Maryland.

He said that all of the "best people" of Maryland were throttled by the thugs in Baltimore city. If the "best people" of Maryland are in the gentleman's opinion on a par with the people who passed this legislation creating the great-great-grandfather clause, thank the Lord that I am not one of the "best people" of Maryland. I do not know whom the gentleman means by the "best people." I am sure that he does not mean me.

I do, however, desire to call his attention to an opinion of one of the very best judges who ever sat on any circuit bench, Judge Morris. I refer to the case of Anderson v. Meyers, to be found in Federal Reporter, volume 182, page 223, argued in 1910. The case was argued by former Attorney General Charles J. Bonaparte, former United States Attorney William L. Marbury, and various other distinguished counsel. I shall read only the headline. I wish I had time to read the rest of it, but when I get through with this headline I am going to pass the book over to that distinguished keeper of my stable, who has my snow-white charger in hand, the gentleman from Texas [Mr. BLANTON], and let him look at it so that he can speak of it in the two minutes that he has in which to follow me. I will say that the gentleman from Texas not only was a good judge, but he is a good lawyer. He may not be a judge always of certain things, but where he is a judge he is a good judge.

The law laid down in Anderson v. Meyers is as follows:

Acts Maryland, 1908, chapter 525, prescribing the qualifications of voters at municipal elections in the city of Annapolis declares that the register shall register all male citizens of 21 years or over having resided in the city for one year not convicted of a crime and assessed on the city tax books for at least \$500, also all duly naturalized

citizens of 21 years of age, all citizens who prior to January 1, 1868, were entitled to vote in Maryland or any other State at a State election, and all lawful male descendants of any person who prior to January 1, 1868, was entitled to vote in Maryland or in any other State of the United States at a State election, provided that no person not coming within one of the enumerated classes should be registered as a legal voter in the city or be qualified to vote at any municipal election held therein. Held that though such act did not provide a race or color disqualification in terms it nevertheless effectually disfranchised and discriminated against negroes and was therefore unconstitutional as violating the Constitution of the United States, amendment 15.

I may say, by the way, I was born in Annapolis, and my grandfather was first president of the temperance society in Annapolis. Under this decision the election provisions of Georgia, under which the gentleman sits, are absolutely illegal for any purpose, if anyone would take the trouble to upset them. Not only did the United States court hold that law invalid, not only would they hold the Georgia law invalid if it were taken up for test, but I personally, as United States district attorney in the Stone case, indicted and convicted three men under the fourteenth and fifteenth amendments to the Constitution, one indictment under the fourteenth and one under the fifteenth, under the existing laws for the enforcement of those amendments. The gentleman from Georgia the other day said that there was no law to enforce the fourteenth and fifteenth amendments. I know that to the gentleman from Georgia [Mr. UPSHAW] there is one law only, and that is the Volstead Act; but in the worship for that great Mohammedan piece of legislation—Allah is Allah, Volstead is Volstead—I suggest that the gentleman from Georgia when he says "Allah is Allah," and at noon goes down upon his prayer rug to the Volstead Act, will not forget that there are laws to enforce the fourteenth and fifteenth amendments.

In the Stone case we indicted and convicted in Maryland three men who had acted in elections under what was known as the Wilson Act, because they put the names of the candidates for Congress in 1910 upon the ballot in such a way as to disfranchise the illiterate negro and illiterate white voters. That was absolutely illegal, and so you have the 1908 election laws of Georgia illegal. You have a decision by the United States court that such a provision as the grandfather clause is illegal, and you have another case in which individuals were indicted and convicted under the fourteenth and fifteenth amendments.

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

Mr. HILL of Maryland. In just one moment. I am not quite through with this.

That is the first part of what I wish to say. I shall take now four minutes in treating the second part, and then will be glad to yield to the gentleman from Texas. I hold in my hand my letter to the gentleman from Georgia, in which I say that I deeply deplore the violations of the Volstead Act. I deplore the Volstead Act and anything at all connected with it. If you deplore a law, you naturally deplore the violations of the law in addition to your natural deploration of all violations of law; but I want now to ask the gentleman why he does not keep his homemade hooch at home? I am going to call to your attention a few of the many scattered newspaper reports that I have from the great State of Georgia.

See how they spent New Year's in the gentleman's district:

(From the New York Evening World, January 2, 1924.)

(Special to the Evening World.)

ATLANTA, GA., January 2.—New Year's celebration in Atlanta gave considerable basis for the statement attributed to Izzy Einstein that a stranger in Atlanta can secure a supply of liquor within 17 minutes after arriving in town. Festivities in clubs, cafés, hotels, restaurants, and on the streets last night were marked by consumption of liquor on a large scale.

The police were inclined to be lenient with the merrymakers and the percentage of arrests was little above normal. At the semipublic social functions the flowing bowl was much in evidence.

Note what the Atlanta paper says, the great Atlanta Constitution, on the subject of Georgia hooch:

"HOMEMADE" HOOCH.

The daily newspapers these days are gazetteers of crime.

The wave is sweeping over the country like a cataclysm of disregard for law and order and for the sacredness of human life.

Georgia is, unfortunately, in the very heart of the wave.

The situation in this State is a veritable concatenation of homicide, tragedy, bloodshed.

In the Atlanta newspapers of Sunday the public was told of the murder of a son by a father who, in turn, was fatally wounded by a bullet from the dying man. "Under the influence of liquor," read the story.

A county officer, in the discharge of his duty, was shot to death by an alleged negro bootlegger.

A prominent business man was instantly killed when an automobile collided with a street car in the heart of the city. "The driver, who was not killed, is alleged to have been intoxicated," read the story.

And thus ran the entire news sections of the papers, surfeited with crime news, most, if not all, of the homicides and accidents and tragedies being traced to liquor.

In the meantime the governors of the States met with President Coolidge to discuss enforcement of the prohibition laws.

The prohibition leaders meet among themselves, and resolutions denouncing the smuggling of liquors from Canada and Europe and the Bahamas and Mexico and Cuba are passed, and the Government is called upon to strengthen its border patrols that the flow of foreign liquors into this country may be lessened, if not arrested.

That is right. Smuggling should be stopped. The law should be as sacred in one respect as another.

It should be enforced in all respects.

But while the Anti-Saloon League propagandists are taking up collections for maintaining their organization and sustaining the workers in Washington and elsewhere, and while enforcement officials are straining their nerves to stop the inflow of importations, and factions and even nations dispute about the "3-mile limit," or some other proposed limit from the ocean's shores, this cyclone of crime continues, and it is not caused by foreign liquors to any appreciable extent, nor is it influenced by the "wet" politicians or the "dry" politicians.

It is caused by the home-brew that is being made everywhere—on the kitchen stoves, in the back rooms and shed rooms of the country, town, and city, as well as in the fastnesses of the mountains, and in the underbrush of the coastal plains.

It is the homemade hooch that is doing the damage, and while foreign liquors should be kept out of this country, as every feature of the law should be strictly enforced, that is not the base of the problem by any means. The tragedy follows in the wake of the dispenser of the "homemade hooch."

I wish the gentleman and his colleagues from Georgia would stand up on the floor of the House and take the pledge which the Gentleman from Georgia wants us to take, never again to touch the flowing bowl, legal or illegal. When he and his colleagues do that, then I shall follow them and give up rum until we modify the Volstead Act—but let Georgia lead the way. Let those who vote "dry" eschew even the legal forms of the pleasant titillation. I call attention now to a pathetic episode, the attack of the rurales on Washington!

FLOOD OF MOONSHINE READY TO DROWN DRY CHRISTMAS—BOAST OF REVENUE MEN TO MOP UP WET CHEER BEING ANSWERED BY MOUNTAINERS WITH ARMY OF STILLS GOING FULL BLAST.

[From the Evening Sun (Baltimore), December 22, 1923.]

(Special dispatch to The Evening Sun.)

BRISTOL, VA., December 22.—Santa Claus is generally credited with being the busiest of individuals about this season of the year, but he has little on the average moonshiner of the Appalachian Mountains. For on the moonshiner's shoulders has fallen the burden of producing a large part of the Christmas whisky consumed in the United States. And right manfully he has tackled the job.

"MOUNTAIN DEW" SPREADING TO LOWLANDS.

The handful of revenue officers bucking the game of the moonshiners announced a few weeks ago this was going to be a "dry" Christmas. The moonshiners just now are too busy to answer such assertions, but their actions speak louder than words. They are saying it with booze—a gurgling, splashing flood of fiery white "mountain dew" that already has begun wending its way toward the centers of population.

The moonshiners—and their name is legion in every backwoods thicket and cove—are operating on an unprecedented scale to meet the terrific strain of the Christmas demand. The output this month will be tremendous. No one actually knows how much. But countless stills on every range, in every section, are being pushed to capacity production.

Much of the liquor manufactured in the mountains this month will reach consumers in New York, Washington, and other big cities of the East. Agents for the middlemen in these places already have visited mountain communities to place their orders. Cut off from sea-going rum-runners by governmental activities, they have turned to the mountains, where the problem is solved at a glance. Women and children are helping meet the situation in many places, reports reaching here say.

If the revenue agents center their efforts on watchful waiting on the highways the next few days they are almost certain to mop up. Whisky cars bearing loads of "little boys," "big boys," jars, and kegs will choke every road. The stuff has to be moved somehow, and, generally speaking, caution will be cast to the winds. All roads will lead to the market.

I wonder what is the reason that one of the planks in the gentleman from Georgia's program is that all aliens in these United States who violate the Volstead Act are to be deported? Why does he not let them be deported whenever they violate any law? There are other laws as well as the Volstead Act, and I wonder if the immigration suggestion by the gentleman has anything to do with this letter I received.

2621 PEACHTREE ROAD, Atlanta, Ga.

MY DEAR FELLOW CITIZEN: Knowing your interest in vital public affairs, I make bold to invite your attention to the inclosed address on "The Menace of Modern Immigration." In this I have tried to bring home a realization of what immigration has meant and will mean to our national life.

Inasmuch as the existing "quota law" expires next June 30, this all-important matter must be considered by the present Congress. You will agree, I am sure, that it is the duty of all Americans to understand the problem and to assist in every way possible in the adoption of a sound, kindly, permanent policy.

My chief object in placing the matter before you is to seek your constructive criticism of the position I have taken. Will you not let me have your best thought on the subject?

Very truly,

H. A. EVANS.
Imperial Wizard.

I wonder if this letter had anything to do with the gentleman's attack on the alien?

Mr. BLANTON. Will the gentleman yield?

Mr. HILL of Maryland. Just one word. I have four more minutes remaining.

Now the following. It shows the condition of the Volstead Act in Georgia:

TWENTY-FOUR SENT TO PRISON AND FINED \$150,500 FOR DRY-LAW PLOT—PRISONERS AGREE TO PLEAD GUILTY IN INCOME-TAX CASES AGAINST THEM—TRACED BY FAILURE TO DECLARE PROFITS—SIX MEN ARRESTED IN NEW JERSEY ALLEGED TO HAVE RUN RUM SHIP.

[From the Washington Post, Saturday, December 8, 1923.]

SAVANNAH, December 7.—Judge Barrett in the Federal court to-day sentenced 24 defendants convicted on conspiracy and other prohibition charges to pay fines totalling \$150,500 and to serve terms in the Federal penitentiary. All of those convicted and sentenced figured in the wholesale round-up instigated by Federal and State officers here more than a month ago, in which the Government contended an international liquor plot had been uncovered. The majority of those receiving the penalties are well-known Savannah men. The sentences ranged from \$500 to \$10,000 fines and from one to two years in the penitentiary.

Those receiving sentences included Fred H. Haar, sr., \$10,000 fine and one year in the Federal penitentiary; his three sons, F. H. Haar, jr., William H., and Carl, each were sentenced to two years' imprisonment and \$10,000.

C. Graham Baughn was fined \$15,000 and given one year sentence on each of two charges, the time to run concurrently.

J. H. Thomas was fined \$10,000 and sentenced to one year's imprisonment on each of two charges, the time to run concurrently.

Others receiving sentences of two years' imprisonment and \$10,000 fines were Richard Bailey, C. C. Tuten, J. F. Williams, Sam Goldberg, and Homer V. Evans.

J. H. Bailey was sentenced to one year in the penitentiary and \$10,000 fine, and H. A. McInnes six months in jail and \$10,000 fine.

Here is more of the same. Atlanta and Savannah exchange "hootch":

HOOTCH BROUGHT BACK TO SAVANNAH.

[From the Thomasville (Ga.) Enterprise, November 9, 1922.]

SAVANNAH, GA., November —.—The "hootch" which was sent to Atlanta for safe-keeping several months ago has been returned to Savannah to be used as evidence in the conspiracy cases which will come up in Federal court here. The liquors ranged from the ordinary kinds of whisky to the most expensive and finest wines obtainable either from foreign or domestic sources.

And the pocket flask! Read this. Can you think of it in Savannah, Ga.

PASTORS FIGHT DISPLAY OF FLASKS.

[From the Fort Worth Star-Telegraph, December 9, 1923.]

(By International News Service.)

ATLANTA, December 8.—"Hip-pocket flasks are suggestive and should not be displayed in show windows."

Thus declared the Evangelical Ministers' Association of this city recently as it went on record deploring the displaying of flasks in show windows.

Just prior to every football game that has been played in Atlanta this season certain local concerns have placed flasks in their show windows, accompanied by neat little signs suggesting that they were "good things to have at football games."

The ministers, in the draft of the resolution, declared that such action "is subversive to law enforcement and detrimental to the welfare of our young men." The resolution was passed without a dissenting voice.

Now think of this in sanctified Atlanta!

STILL IN HOUSE WHEN HIRED, WOMAN USED IT, IS ARRESTED.

ATLANTA, GA., November 30.—What the police classed as an "elaborate distillery" was found in a house owned by Mrs. Elizabeth Tyler Grow, a former associate of E. Y. Clarke in the propagation department of the Knights of the Ku-Klux Klan, it was announced. Mrs. Elfrieda Wagner, who occupied the house, is under arrest charged with violating the prohibition law.

Mrs. Wagner, according to a story published to-day in the Atlanta Journal, said the still was in the basement of the house when she rented it on September 1 from Mrs. Grow.

"I got a recipe," Mrs. Wagner is quoted as saying, "for corn whisky, which seems to be the national drink down here. I had made 3½ gallons, the amount the officers found, and I haven't made any more."

I knew something about the Ku-Klux Klan, but I did not think it drank. Last year, I remember, they were preparing to aid the Roy Haynes prohibition unit in making raids. You see the lady of Georgia states she had a recipe for corn whisky. That seems to be the national drink down in Georgia, she says.

Mr. BLANTON. Will the gentleman yield?

Mr. HILL of Maryland. One more word and then I will.

Here are four more of the evidences of liquor lawlessness in Georgia. I have many more, but these are enough:

ARRESTED—CHARGED WITH BEING DRUNK ON STREETS.

[From the News and Courier, Charleston, S. C., October 18, 1923.]

ATLANTA, October 17.—The ———, known as the Imperial kludd of the Ku-Klux-Klan, and former pastor of an Atlanta church, was arrested here late to-day by the police on a charge of being drunk and operating an automobile. The arrest was made by Motor Cycle Officer L. E. Shumate, who said that in the machine driven by ——— were two small bottles of whisky.

At the police station ——— stated that he had driven out into the country when he was accosted by a man who offered to give him some whisky. He stated that he accepted the whisky and before starting to town he took a drink.

Officer Shumate, who made the arrest, said he saw the automobile zigzagging down Peachtree Street, one of the main thoroughfares, and stopped it, and, finding ——— apparently under the influence of liquor, arrested him. ———, the officer said, admitted having more liquor in the automobile and produced two small bottles.

INVESTIGATION AT SAVANNAH UNEARTHS CLUES OF GIGANTIC LIQUOR CONSPIRACY.

[From the Savannah Morning News.]

WASHINGTON, D. C., November 21.—As a consequence of the liquor raids and resulting grand jury investigations at Savannah, Ga., in which indictments have been returned against 126 defendants in different sections of the country, an official spokesman declared to-night that the Government is prepared to "comb the entire eastern seaboard and confidently expects the gathering in "of those who have financed one of the most gigantic combinations known, either legally or illegally." The Savannah indictments were described as "only the beginning." Others are to follow, it was stated, as fast as information obtained at Savannah can be made effective in other parts of the country as far west as Pittsburgh.

During the grand jury investigation at Savannah, it was said, Federal agents were supplied with information gleaned from witnesses and were set at work at once in following new clues. Some of these, it was stated, provided the Department of Justice with evidence of new combinations and conspiracies and underground connections with the alleged ring developed in the Savannah inquiry.

Clues developed at Savannah have led mainly to New York, Philadelphia, the Chesapeake capital, and Charleston, S. C., but between these points and into the interior as far as Pittsburgh the chain of evidence has been found to be unbroken, and the operatives who have been delving into the conspiracies feel that they soon can uncover "some widely known persons who hitherto have been able to keep in the background."

The department declined to hint at the identity of any of the persons indicted at Savannah, but the statement was made that these in-

dictments could be considered as important from the standpoint of those about whom the Government agents are striving to tighten their nets.

Officials explained that the evidence involving rum runners and smugglers involved some foreigners, residents in the United States. These largely were English and Canadians, it was added, but the testimony obtained at Savannah provided the Government with definite facts as to methods employed by all rum runners in getting the contraband ashore. In this respect, it was stated, the information has been highly important to the prohibition enforcement corps.

William J. Burns, chief of the department's Bureau of Investigation, said the Government was prepared to continue "at bat" and that the entering wedge of the clean-up program had been successful. Working under direction of Mrs. Mabel Willebrandt, Assistant Attorney General, Mr. Burns has laid out a winter's work in stamping out illicit liquor dealing. He asserted that the plans should be sufficient to convince anyone of the Government's intention to enforce the dry law.

DRY AGENTS ASK FOR PROTECTION.

BALTIMORE, November 21.—Prohibition Agents Jonathan Paul and J. H. Estes to-day appealed to Assistant United States District Attorney Fisher for protection and aid in arresting men who they say have made threats against their lives and that of Michael Subsera, another agent.

Paul and Estes, members of the Washington flying squad, also say they have learned that local bootleggers have formed a \$10,000 fund for the man or men who kill them.

Authorities are inclined to believe that the threats were made merely to frighten the agents, who have figured in several sensational raids on clubs and hotels recently, and doubt the existence of the "blood money" pool.

LIQUOR INDICTMENTS IN DECATUR COUNTY—ONLY ONE MURDER BILL—SULLIVAN RELEASED AFTER KILLING NELSON BRUTON.

[From the Savannah Morning News.]

BAINBRIDGE, Ga., November 22.—Two-thirds of the true bills from the grand jury of this November term of superior court were for whisky making.

A bill for murder was returned against Conrad Harrell, who is out on a \$5,000 bond for fatally shooting Herschel T. Nazworth, 23, World War veteran, in July in the Harrell home in the extreme northeastern part of the county.

Young Nazworth was from Whigham and had been dismissed from the army of occupation only a short while when the shooting on the 17th of July resulted in his death. The case will be tried this week. One murder case of a negro has been dismissed, one is being heard, and that of Mansfield Fleming, another negro, will complete the court's work for this term on Saturday. The grand jury closed its session to-day till the first week in December on account of Solicitor Gardner being too busy in the court room to be with that body.

SCHOOL TAXES HIT GEORGIA A BLOW.

(By Rebecca Felton.)

[From the New York Tribune, Dec. 23, 1923.]

In Georgia we adopted free schools in 1871. The plea was made that it was more humane to prevent crime through educating our young people than to pay millions to convict and punish criminals, to keep up courts of justice and penitentiaries, and everybody recognizes that it is fair and just to give to the poor children a living chance in the battle of life—children whose parents are too poor or too indifferent or too ignorant themselves to appreciate the value of the "three R's" to the coming voters.

All this is water that long ago "went under the wheel." We have had the whole thing thoroughly tested in my native State. To-day the courts are not able to transact ordinary business of the legal variety because they are swamped with trials for murder, bootlegging, and other crimes. Human life is the only cheap thing in the Empire State of the South. Generally lawlessness prevails, violence is rampant, and every legislature has to provide more judges, to hold more courts, and to demand more tax money to feed the convicts in the chain gangs, the jails, and the State prison.

Now, gentlemen, I ask unanimous consent to put these clippings in and then I will yield to the gentleman from Texas.

The SPEAKER pro tempore. The gentleman from Maryland asks unanimous consent to insert in the Record the newspaper clippings. Is there objection? [After a pause.] The Chair hears none.

Mr. BLANTON. Now, will the gentleman yield?

Mr. HILL of Maryland. I ask unanimous consent to revise and extend my remarks.

The SPEAKER pro tempore. The gentleman from Maryland asks unanimous consent to revise and extend his remarks. Is there objection?

Mr. BLANTON. Mr. Speaker, reserving the right to object—

Mr. HILL of Maryland. I am not going to put a lot of things in.

Mr. BLANTON. And I am sure I shall not object, but I wanted to know whether or not the gentleman was willing to answer a question before he concludes this 45-minute debate?

Mr. HILL of Maryland. I am; I will answer anything the gentleman desires.

Mr. BLANTON. Will the gentleman yield?

Mr. HILL of Maryland. I will.

The SPEAKER pro tempore. Is there any objection to the request to revise and extend his remarks? [After a pause.] The Chair hears none.

Mr. HILL of Maryland. How much time have I remaining?

The SPEAKER pro tempore. The gentleman has one minute.

Mr. HILL of Maryland. I will yield a half minute.

Mr. BLANTON. I take it for granted by his attack upon the alleged conditions in Georgia the gentleman is against the nullification of our Constitution?

Mr. HILL of Maryland. I am.

Mr. BLANTON. Then, by asserting that two phases of the Constitution might be violated the gentleman does not contend that two wrongs would make a right?

Mr. HILL of Maryland. No; he does not.

Mr. BLANTON. The gentleman is still in favor of the Constitution?

Mr. HILL of Maryland. Yes, sir; absolutely. I am in favor of the enforcement of the Constitution. [Applause.]

The reason I brought up this question was this: I have stood for a long time all kinds of attacks from Wayne B. Wheeler and the gentleman from Georgia [Mr. UPSHAW] because I honestly fought on the floor of this House for a decent law. You are not going to repeal the eighteenth amendment; but if you want prohibition, gentlemen, do not try to cram it down the throat of this Nation from a bureaucratic center here. I heard the speech of the gentleman from Virginia [Mr. TUCKER], and I never heard a better speech than that. I have been attacked so many times as a nullificationist because I attacked the eighteenth amendment that I want the House to realize that the nullificationists are those who, like the gentleman from Georgia [Mr. UPSHAW], sit in violation of the Constitution, and those of the Anti-Saloon League who enjoy the results of his votes.

Mr. BLANTON. I ask unanimous consent that the gentleman's time be extended two minutes, so that he may answer a pertinent question that the gentleman from Michigan [Mr. CRAMTON] may ask him. No; I ask unanimous consent that his time be extended five minutes.

The SPEAKER pro tempore. The gentleman from Texas asks unanimous consent that the time of the gentleman from Maryland be extended five minutes. Is there objection?

Mr. UPSHAW. Mr. Speaker, I ask that it be made 10 minutes.

Mr. HILL of Maryland. I thank my friend. I asked the other day that he get 20 minutes more. I asked for 40 minutes in all for him.

The SPEAKER pro tempore. The gentleman from Texas asks unanimous consent that the time of the gentleman from Maryland be extended 10 minutes. Is there objection?

There was no objection.

Mr. HILL of Maryland. I yield to the gentleman from Michigan, a man without fear and without reproach, an honest prohibitionist, who never took a drink in his life. [Applause.]

Mr. CRAMTON. The gentleman from Maryland has said that he is against nullification of any part of the Constitution, and is for enforcement of the law. The gentleman introduced a bill in the last Congress, if not in this, for the repeal of the Volstead Act; he has declared against any Federal act for the enforcement of the eighteenth amendment, and in his own State he has led in the fight before the State legislature to prevent the enactment of any State law for the enforcement of national prohibition. Then how in the world does the gentleman expect the Constitution to be enforced if there is no law, State or national, for its enforcement?

And, further, is not a failure to provide any law for the enforcement of the eighteenth amendment equivalent to a nullification of the Constitution? [Applause.]

Mr. HILL of Maryland. Now, Mr. Speaker, I am very glad that the gentleman has asked that question. It is an absolutely fair question. We have all thought of how we could attempt the enforcement of the eighteenth amendment. I did introduce

a bill to repeal the Volstead Act. I am sorry it has not yet passed. I hope it will pass. I am opposed to the enactment of a State Volstead Act, and I have created a situation in Maryland where I hope to get a decision in April from the United States court on what the crooked Volstead Act means, because the crooked Volstead Act is dishonest in itself and in section 29 carries a crooked provision, and in the words of Roy B. Haynes—and I have here full memoranda of the case of the United States v. Hill—I have the word of Roy B. Haynes himself to the effect that Congress intended to exempt from the operation of the Volstead Act those who drank cider and home-made wine; and the assistant superintendent of the Anti-Saloon League in Maryland said that the farmer could let his cider get intoxicating and drink it, because it did not come under the terms of the Volstead Act. I believe in the same standard being enforced in the cities and in the country, and of course I am opposed to that double and crooked standard being put into the laws of Maryland.

Years ago the American Express Co. refused to ship liquor into West Virginia. I advised the company not to do so, and the contest was made on my advice in which the constitutionality of the Webb-Kenyon Act was sustained. I am for the Webb-Kenyon Act. If Georgia wants to send liquor into other States, do not let it do it; if New York or Maryland or other States desire to have beverages with 2 or 3 or 4, or more, per cent of alcohol, I am in favor of their doing it. Mr. Volstead himself has stated that 3 per cent was legal in cider.

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

Mr. HILL of Maryland. Yes.

Mr. BLANTON. But where the United States Government speaks in its fundamental law on this question what says the gentleman? Is not the eighteenth amendment the fundamental law of the land?

Mr. HILL of Maryland. Yes.

Mr. BLANTON. And it says Congress shall pass a law to enforce that amendment.

Mr. HILL of Maryland. Yes.

Mr. BLANTON. Congress has done that, and yet the gentleman seeks to interfere with the working of the Constitution, which is fundamental law, by doing away with the enforcement act.

Mr. HILL of Maryland. I would like to see the Volstead Act repealed.

Mr. BLANTON. The gentleman says that because he wants to get liquor. [Laughter.]

Mr. HILL of Maryland. Oh, I will say to the gentleman that he can get all the liquor he wants, and everybody can get it. [Laughter.]

Mr. CRAMTON. What the gentleman from Maryland says in answer to my question is interesting if true, but not responsive. I want to make myself perfectly clear. I did not refer to the enactment of the Volstead Act in Maryland, but I did refer to the fact that the gentleman led the fight against the enactment of any law in Maryland to procure the enforcement of the eighteenth amendment.

Mr. HILL of Maryland. There will not be any enforcement act in Maryland in the next three years, I might say to the gentleman. We beat them by 40,000.

Now in reference to the sincerity of my position on this question I want to say that before the Economic Club of New York in January, 1923, I proposed seriously this substitute for the eighteenth amendment, which I think answers the question of the gentleman from Michigan [Mr. CRAMTON]. I want to answer his question sincerely, and I propose for your consideration the following substitute for the Volstead Act.

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

Mr. HILL of Maryland. Yes.

Mr. HUDSON. Did I understand that you wanted the House to understand that you led the fight in Maryland that resulted in the Maryland Legislature refusing to pass any law to sustain the eighteenth amendment?

Mr. HILL of Maryland. I helped. I do not want to claim all the credit.

Mr. HUDSON. So that Maryland to-day is not to be a part of the United States in the matter of the enforcement of a constitutional law? [Applause.]

Mr. HILL of Maryland. No. In Maryland to-day we follow the Constitution without talking blindly about articles of which we know nothing. We claim that we can pass concurrent legislation in Maryland if desirable. [Cries of "No! No!"]

Let me have a House Manual, please.

Mr. HUDSON. Are the words "if desirable" in the Constitution?

Mr. HILL of Maryland. No; "if desirable" is my interpretation. I would like to read to the gentleman the eighteenth amendment, if I can get one, and I ask the gentleman's attention to what I am about to read, because seriously I think perhaps the gentleman might be willing to agree that this represents a fair enforcement of the eighteenth amendment. This is a proposal that has not yet been offered in the House.

In New York in January, 1923, I said:

The Volstead Act is one of many possible efforts at enforcement, but enforcement itself is the sole method of making the prohibition of the eighteenth amendment effective. Therefore, unless we agree to put the eighteenth amendment in the same ineffective class as the fourteenth amendment we must have some form of enforcement, but we need not adhere to that method offered by the Volstead Act.

I propose for your consideration the following substitute for the Volstead Act:

Repeal the Volstead Act and enact the following:

"SECTION 1. Each State shall for itself define the meaning of the words 'intoxicating liquors' as used in section 1 of Article XVIII of the amendments to the Constitution of the United States, and each State shall itself enforce within its own limits its own laws on this subject.

"SEC. 2. Any person who transports or causes to be transported into any State any beverage prohibited by such State as being 'intoxicating liquor' shall be punished by the United States by imprisonment for not more than 10 years or by a fine of not less than \$10,000 nor more than \$100,000, or by both such fine and imprisonment."

The first section of this proposed enforcement act is based on the theory of local option; the second section is based on the Webb-Kenyon Act, by which the United States guarantees the States from outside interference. The proposed substitute, taken as a whole, permits concurrent action each in their own sphere by the United States and by the individual States to carry out the provisions of the eighteenth amendment.

In 1907 the Anti-Saloon League approved my declaration for local option, made as a candidate for the Maryland Legislature. In 1914 I advised the American Express Co. that the Webb-Kenyon Act was constitutional, and that they should not ship liquor into West Virginia.

The Supreme Court sustained my view, and Mr. Wheeler successfully argued that view in the Supreme Court in the appeal in the cases of the Clark Distilling Co. against the Western Maryland Railway Co. and the State of West Virginia, and the Clark Distilling Co. against my client, the American Express Co., and the State of West Virginia, which cases were decided in 1917.

This is an attempt to honestly enforce the Webb-Kenyon Act, which I helped to have declared constitutional.

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

Mr. HILL of Maryland. May I have a quarter of a minute additional?

The SPEAKER pro tempore. The gentleman from Maryland [Mr. HILL] asks unanimous consent to continue for an additional one-quarter of a minute. Is there objection?

There was no objection.

Mr. SUMMERS of Washington. I ask unanimous consent that the gentleman have a half minute, because I would like to ask him a question.

The SPEAKER pro tempore. The gentleman from Washington [Mr. SUMMERS] asks unanimous consent that the gentleman from Maryland [Mr. HILL] may have an additional one-half minute. Is there objection?

There was no objection.

Mr. DYER. How much time does the gentleman need?

Mr. HILL of Maryland. The gentleman needs only a quarter of a minute.

Mr. DYER. I ask unanimous consent that the time from now until 5 o'clock be divided equally between the gentleman from Maryland [Mr. HILL] and the gentleman from Georgia [Mr. UPSHAW]. [Applause.]

Mr. LANGLEY. Some of us on this side of the House did not quite understand whether the gentleman said he wanted a quart for a minute or a quarter of a minute.

Mr. HILL of Maryland. I am glad the gentleman asked that question. In the House of Representatives and in the House Office Building I treat only in quarters of minutes, but at my home I deal in quarts, and I shall be glad to see the gentleman there at any time.

The SPEAKER pro tempore. The time of the gentleman from Maryland [Mr. HILL] has again expired.

Mr. COOPER of Ohio. Mr. Speaker, I ask that the gentleman's time be extended one minute in order that I may ask him a question. He is a neighbor of mine and I know he will be glad to yield.

The SPEAKER pro tempore. The gentleman from Ohio [Mr. COOPER] requests that the time of the gentleman from Maryland [Mr. HILL] be extended one minute. Is there objection?

There was no objection.

Mr. COOPER of Ohio. I would like to ask the gentleman from Maryland [Mr. HILL] if a law were passed, such as he recommends, which gives each State the power to place its own construction on the eighteenth amendment, and the State of Maryland passes a law permitting the sale of 15 per cent beer, would that be in violation of the eighteenth amendment to our Constitution?

Mr. HILL of Maryland. I am inclined to think that perhaps the Supreme Court might say 15 per cent beer was; I do not know; that is a matter for the Supreme Court. Any law which was passed by the States would necessarily have to be passed under the eighteenth amendment and would have to bear the test of the Supreme Court. Now, last year Mr. Volstead himself, before the Rules Committee, said that 3 per cent of alcohol in apple juice was not intoxicating.

Mr. SUMMERS of Washington. Will the gentleman yield?

Mr. HILL of Maryland. Yes.

Mr. SUMMERS of Washington. The gentleman proposes that each State interpret the eighteenth amendment for itself. Is that plan followed as to any other amendment to the Constitution or the Constitution itself?

Mr. HILL of Maryland. I will answer that question. In the first place I did not say "interpret," because the Supreme Court must interpret the eighteenth amendment and all legislation covered by it.

Mr. SUMMERS of Washington. What is your language?

Mr. HILL of Maryland. My language is that each State shall for itself define the meaning of the words "intoxicating liquors."

Mr. SUMMERS of Washington. That is the same thing.

Mr. HILL of Maryland. No; that is subject to the review of the Supreme Court.

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

Mr. HILL of Maryland. Gentlemen, I want to thank you very much for the extension of time, and I hope the gentleman from Georgia [Mr. UPSHAW] will address the House for the rest of the afternoon on the veteran voters of the Revolution. [Applause.]

The SPEAKER pro tempore. The gentleman from Texas [Mr. BLANTON] is now recognized for two minutes.

VIEWS OF EMMA GOLDMAN ON SOVIET RUSSIA.

Mr. BLANTON. Mr. Speaker, the gentleman from Maryland [Mr. HILL] having agreed with me that there should be no nullification whatever of our Constitution, I shall devote my two minutes of time to the discussion of another matter.

I hold in my hand a pamphlet received by me in this morning's mail entitled "Attempt by communists to seize the American labor movement," printed by the International Union of the United Mine Workers of America, Indianapolis, Ind., and the preface of which reads as follows:

This series of six articles was prepared by the United Mine Workers of America, disclosing the attempt that is being made by the Red forces, under the direct supervision of Moscow, to seize control of the organized labor movement of America and use it as the base from which to carry on the communist effort for the overthrow of the American Government. These articles are the result of an independent searching investigation on the part of the United Mine Workers of America, which led directly to original sources.

Until we deported her from the United States to Russia Emma Goldman was the principal evangel of the communists, daily preaching Soviet Russia to the people of the United States.

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

Mr. BLANTON. I ask for two additional minutes in order to finish this little comment.

The SPEAKER pro tempore. The gentleman from Texas [Mr. BLANTON] asks unanimous consent to proceed for an additional two minutes. Is there objection?

There was no objection.

Mr. BLANTON. After we sent her to Russia Emma Goldman spent two years there closely studying conditions in the Soviet Government. Let me quote a brief excerpt from a book which she has recently published. In it Emma Goldman says:

Two years of earnest study, investigation, and research convinced me that the great benefits brought to the Russian people by Bolshevism exist only on paper, painted in glowing colors to the masses of Europe

and America by efficient Bolshevik propaganda. As advertising wizards, the Bolsheviks excel anything the world had ever known before. But in reality the Russian people have gained nothing from the Bolshevik experiment.

The Russian workers soon were stripped of their power and placed under the industrial yoke of the Bolshevik State. Chattel slavery became the lot of the Russian proletariat. Try as I might, I could find nowhere any evidence of benefits received either by the workers or the peasants from the Bolshevik régime. On the other hand, I did find the revolutionary faith of the people broken, the spirit of solidarity crushed, the meaning of comradeship and mutual helpfulness distorted. The argument that destruction and terror are part of revolution I do not dispute. I have never denied that violence is inevitable, nor do I gainsay it now. Yet it is one thing to employ violence in combat as a means of defense. It is quite another thing to make a principle of terrorism, to institutionalize it, to assign it the most vital place in the social struggle. The Bolshevik State—even as the bourgeois industrial master—uses the sword and the gun to keep the people out. In the case of the Bolshevik this tyranny is masked by a world-stirring slogan; thus they have succeeded in blinding the masses.

That is what I want the gentleman from Maine [Mr. BEEDY] to answer to-morrow in his one hour's speech on Russia; that is what I want the gentleman from Wisconsin [Mr. FREAR] to answer, and that is what I want from every person in this Government who now takes issue with the Secretary of State, Mr. Hughes, on this proposition. However, I think they are questions on which the American people have already reached a decision. [Applause.]

INTERIOR DEPARTMENT APPROPRIATION BILL.

Mr. CRAMTON. Mr. Speaker, I wish to present a unanimous-consent request. On Wednesday the Committee on Appropriations hopes to be able to report to the House the Interior Department appropriation bill, to be taken up on Thursday, but I understand that Wednesday has been set aside for the Kitchen eulogies. Whether that report could be made on Wednesday or not I am not sure, and therefore I ask unanimous consent that it may be in order on Wednesday to present the Interior Department appropriation bill.

The SPEAKER pro tempore. The gentleman from Michigan [Mr. CRAMTON] makes the unanimous-consent request that on Wednesday the order which has already been established be varied enough to permit the filing of the report of the Committee on Appropriations on the Interior Department appropriation bill.

Mr. CRAMTON. Not to be taken up, of course.

Mr. GARRETT of Tennessee. Mr. Speaker, there is no objection, so far as I know, and I presume it will not require a further statement, so that at this time I reserve all points of order on the bill.

The SPEAKER pro tempore. Is there objection to the request made by the gentleman from Michigan [Mr. CRAMTON]?

There was no objection.

The SPEAKER pro tempore. The gentleman from Oklahoma [Mr. McKEOWN] is now recognized for 15 minutes.

TAX REDUCTION AND SOLDIERS' BONUS.

Mr. McKEOWN. Mr. Speaker and gentlemen of the House—

Mr. UPSHAW. Will the gentleman yield for a minute?

Mr. McKEOWN. Yes.

Mr. UPSHAW. He is very generous. I wish to ask unanimous consent that when the gentleman from Oklahoma concludes his address I may have 15 minutes.

The SPEAKER pro tempore. The gentleman from Georgia asks unanimous consent that he be granted 15 minutes at the conclusion of the remarks of the gentleman from Oklahoma [Mr. McKEOWN]. Is there objection? [After a pause.] The Chair hears none.

Mr. McKEOWN. Gentlemen, I simply rise to offer a suggestion to the House upon the question of procedure in disposing of two of the most important legislative questions to be determined at this session. The two most important questions to be determined are the question of adjusted compensation for soldiers of the late war and the question of taxation.

It would occur to me that a proper solution of these questions can be better served by first disposing of the soldiers' adjusted compensation bill, in order that we may know how to intelligently reduce the taxes of the country. Gentlemen, you need not expect to escape the proposition of adjusted compensation for the soldiers, because it has come back to this House like a great tidal wave after the disturbance of the economic condition of the country.

I favor an immediate reduction of taxes. I favor legislation that will be of assistance to the soldiers of the Spanish war

and of the World War. I do not believe it is in the hearts of the men of this House, nor is it the wish of a majority of the soldiers or of the people of this country, to pass laws for soldier adjusted compensation that will upset our economic condition so as to make it impossible to find employment for the veterans.

Here is a solution, as I view it, and I am offering it simply as a suggestion to you, because it is in the exchange of ideas in this House that proper legislation is passed. My idea is to follow along the beaten paths of the past, and in the past history of this House I have not yet found a single objection to military bounty for veterans of the past wars.

In a great speech in this House on January 24, 1913, by that gallant and grand old soldier, ISAAC R. SHERWOOD, who has ever been and is now one of the soldiers' best friends in Congress, I find valuable information on this subject which I insert here for the information of the House. In a speech made by Representative Smith, of South Carolina, in January, 1828, he said:

The truth is that the officers of your Revolutionary Army had been more liberally provided for than any other class of men in this or any other country. In addition to their pay during their time of actual service, they were promised half pay for life after they should retire from the Army, which was commuted for five years' full pay—which was a mighty stretch for a government at the dawn of its struggle for freedom—and were promised and received large tracts of valuable lands. Each officer, from a major general down to an ensign, had his lands, and that placed upon the most fertile spots. In addition to this, the Southern States gave their officers large tracts of the finest land in the world.

Virginia gave largely and liberally in lands to her officers. South Carolina did the same. North Carolina gave to each brigadier general 12,000 acres, to a colonel 7,200, to a captain 3,500, and to General Greene that State gave 25,000 acres that were said at one time to be worth \$500,000. To that meritorious officer Georgia gave \$22,500 in money, and South Carolina gave him \$45,000 in money. These were free-will offerings after the war was ended, which those States were prompted to make to exalted merit for distinguished services, and surely they would redeem the Carolinas and Georgia from the crying sin of ingratitude.

In 1828 the Congress of the United States passed a law retiring all soldiers of the War of the Revolution and all officers on full pay for life (on the maximum pay of a captain) who served for two years in the continental line. Four years later, in 1832, the Congress of the United States passed a law retiring for life on full pay (limited to the full pay of a captain) all the minute men, all the militia, and all the militia officers who served on and off for two years. In 1833, a year later, Congress modified and liberalized that law. The second section of the act of 1832 required the reduction of all invalid and other pensions and a total relinquishment thereof before receiving its benefits; but Congress, on the 19th of February, 1833, removed this restriction, so that since that time the soldiers of that war received two pensions where their service had been of sufficient duration to admit them to pensions under the act of 1832. Congress also made the law retroactive two years, to date back to 1830.

Here is something very substantial that Virginia did for her soldiers: In chapter 21 of the act of October, 1779, it is provided that—

Officers who shall serve in the Virginia line on the continental establishment . . . to the end of the present war, and noncommissioned officers, soldiers, sailors, etc., shall . . . receive land . . . following:

Every colonel	Acres.
Every lieutenant colonel	5,000
Every major	4,500
Every captain	4,000
Every noncommissioned officer	3,000
Every soldier	400
And so forth.	200

In the act of October, 1780, chapter 3, it was provided:

"And each recruit and all our soldiers now in service, . . . or who may enlist by the 1st of April next to serve during the war, and who shall serve to the end thereof, shall then receive a healthy negro between the ages of 10 and 30 years."

That is most startling news—more startling than Hannibal brought back from Africa.

"Or he shall receive \$300 in gold or silver, at the option of the soldier, in lieu thereof, and moreover be entitled to 300 acres of land."

I will cite only one case, which is perhaps a marked one. Lafayette was first given 11,520 acres of land; afterwards he was given a full township, 36 square miles of land, to be selected by himself, and also \$200,000 in gold.

All these vast rewards were in addition to the pension and full pay given to Revolutionary officers, according to their rank, by the Congress of the United States.

Again, 40 years after the Mexican War, we pensioned every soldier who served 60 days in that war, and those who enlisted north of Texas could not reach the army in Mexico at that time in 60 days. So these soldiers of the Mexican War were pensioned because they were soldiers who enlisted in that war and not because of actual service at the front or any disability whatever.

I investigated legislation affecting the soldiers of the Revolutionary War, of the War of 1812, and the Indian wars, and as late as 1841 Franklin Pierce, President of the United States, congratulated the Congress upon the fact that it had distributed 30,000,000 acres of the public domain of the United States to the gallant soldiers of its wars. I do not believe to-day we are looking at this question in a proper manner. We have not any public domain to-day so we can say to the soldiers, "Go and select your homes." We have no public domain left. Then what are we to do? Turn and look at the census report of this country and find the astounding figures that show now that 3,000,000 more people live in the cities of this country than live in the country. The drift of population is from the country toward the cities and they are overcrowding the cities, and the result is going to be disastrous in this country in a few more decades unless this tide of migration is turned.

I suggest to the Congress that we pass a law whereby loans can be made to every soldier who seeks to buy a home. I am in favor of doing something for the man who wants to do something for himself. Lend him money up to a limited amount, say, \$4,000, to be repaid in 33 years. Let him buy his home in the town or in the country, and if he buys it in a city or town, let him repay it by monthly payments. If he buys in the country, let him repay it by annual payments at a rate of interest not to exceed 5½ per cent, and take a mortgage upon the property. If the property is worth the full amount—in other words, where there are young men who desire these loans and can show that the property is worth the full amount of the proposed loan, permit the Government to lend him money up to the full amount. In 33 years' time the value of this real estate will more than double. American citizens are being born every day, but there is no new land over which to extend our borders. Give a certificate of compensation to each veteran of the World War. In 1841 when we issued a certificate to every soldier of that war who preferred the same to a land grant, he was issued a certificate according to his service in the Army.

If you gentlemen have any doubts about the question of the right to compensate these soldiers, I refer you to the remarks of Will Rogers, of New York, formerly an Oklahoman, as they appeared in the Washington Post of December 30, 1923:

Just been reading in the Literary Digest what both sides have to say for and against the bonus. Now, while nothing I would say would be quoted, as what you say for humanity don't have near the appeal as what you say for political purposes, especially in a presidential year, still my opinions on the bonus question are not issued after first taking the opinions of any constituents and then stringing with the majority.

My opinion is based on what I heard uttered to soldiers in the days when we needed them, when they were looked on not as a political organization with a few votes to cast, but as the pick of 100,000,000 people, the saviors of civilization. We never looked on a soldier in his uniform but what we who didn't go felt he was worth 10 of us. He went—did more than we even expected him to do. Now why is he not just as much to us to-day? What has he done to lower himself in our estimation? He still looks like 10 to 1 to me, and the same to a lot of others if they will be honest and tell the truth.

You promised them everything but the kitchen stove if they would go to war. Now a lot of our wealthy men are saying, "Oh, I am willing to do anything for the disabled, but nothing for the well." It was not these boys' fault they did not get shot. (I do not see them doing anything for the sick.) When he went away you did not tell him he had to come home on a stretcher before you would give him anything, did you?

We promised them everything, and all they got was \$1.25 a day and some knitted sweaters and socks. And after examining them, they wore the socks for sweaters and the sweaters for socks. They deserve a bonus just for trying to utilize what was sent to them.

They got a dollar and a quarter a day. Out of the millions of bullets fired by the Germans every day, statistics have proven that an average of 25 bullets were fired at each man each day. That figures out at the rate of 5 cents a bullet. Now, I am no agitator for an unfair wage or trying to hold anyone up, but the boys in this bonus want the salary at least doubled. And I do not think that 10 cents a bullet is an exorbitant price.

At the price things are to-day, I believe that to offer yourself as a target at 10 cents a shot is not too much. Some days he worked 24

hours, but the pay was just the same. Those Germans would not observe the 8-hour law. Then they are not asking anything extra for gas bombs, air raids, and cooties. Those things they accepted gratis.

Now, the only way to arrive at the worth of anything is by comparison. Take shipbuilding, wooden ones, for instance—that is the only way they ever were taken, for instance; they were never taken for use—statistics show that the men working on them got, at the lowest, \$12.50 per day, and by an odd coincidence statistics also show that each workman drove at the rate of 25 nails a day—the same number of nails as bullets stopped or evaded by each soldier per day. That makes 50 cents a nail.

Now, I am broad minded enough to admit that there is a difference between the grade of these two employments, but I do not think that there is 45 cents per piece difference. I know that bullet stopping comes under the heading of unskilled labor and that shipbuilding by us during the war was an art. But I do not think that there is that much difference between skilled and unskilled. That makes him ten times better than the unskilled, while I claim that he is only five times as good.

I may be wrong in my estimation of the two jobs. Karel Kal Koolidge is against me on this. It is the first time he and I have disagreed on one of the big questions. He is new, and I want to give him the benefit of the doubt. I realize that our opinions have been formed somewhat by our associations. He has been thrown, especially lately, with the wealthy, while I have, except on very rare occasions, been thrown with the common herd.

Now, as I say, while the soldiers got no overtime, the nail expert got time and a half for overtime up to a certain time, with double time and salary after that. Of course, he lost some time in the morning selecting which silk shirt he should nail in that day. And it was always a source of annoyance as to what car to go to work in.

Now, I may be wrong, for these rich men who are telling you that the nail is ten times harder to handle than the bullet know, for they made and sold both of them to the Government. I have not read it, but I suppose some puttee manufacturer will come out against the bonus pretty soon.

Everybody's alibi for not giving them the bonus is: "We can not commercialize the patriotism of our noble boys." "They did not go to war for money; they went for glory." Then another pet argument is: "The better element of the returned soldiers are against it themselves." These wealthy men say: "All for the disabled; nothing for the well."

Now, I have a scheme that I do not think has ever been proposed. Of course, coming from one with no political office to back it up, I doubt if it will be considered. Pay the bonus to all. Then let the boys who do not want it give their share to a fund to be added to the disabled ones, in addition to their regular share. Everybody wants the disabled to be cared for first and best. This plan would doubly care for them. We will say that there would be as many boys who would not take their money as there are wounded ones. That would give each wounded one a double share. Then, if it reached even more, put it in a fund for the disabled ones and divide it according to their affliction, the more serious getting the most. This disabled money would not have to be paid to them at once. It could be left with the Government and paid out in yearly installments. That would cut down the amount of money that would have to be raised immediately. That gets the disabled more than any scheme I have heard of, and also eliminates any returned soldier of the embarrassment of receiving \$2.50 per day. His conscience would be clear.

I also have a plan of raising this bonus which I haven't heard brought up; that is, raise it by a tax on all tax-exempt securities. These boys helped their country in a time of need. Tax-exempt bond buyer knowingly hindered it in a time of need by cheating it out of taxes.

In 1916 there was 1,296 men whose income was over \$300,000 and they paid a billion in taxes. This year there was only 246 whose income was supposed to be over \$300,000 and they only paid \$153,000,000.

You mean to tell me that there are only 246 men in this country who only make \$300,000? Why, say, I have spoken at dinners in New York where there was that many in one dining room, much less the United States.

That old alibi about the country not being able to pay is all apple sauce. There is no debt in the world too big for this country to pay if they owe it. If you owed it to some foreign nation, you would talk about honor and then pay it. Now, what do you want to beat your own kin out of anything for? You say, "Oh, it's not enough to do him any good, anyway." If it's not enough to do him any good, it's not enough to do you any harm when you pay it. Tax-exempt securities will drive us to the poorhouse, not soldiers' bonuses. This country is not broke, automobile manufacturers are three months behind in their orders, and whisky never was as high in its life.

And don't forget that there are many and many thousands of boys who came back and are not classed as disabled, but who will carry some effect of that terrible war as long as they live. I never met 10 who were not injured in some minor way, to say nothing of the dissatisfaction. I claim we owe them everything we have got, and if they will settle for a bonus we are lucky.

Now, if a man is against it, why don't he at least come out and tell the real truth. "I don't want to spare the money to pay you boys." I think the best insurance in the world against another war is to take care of the boys who fought in the last one. You may want to use them again. (Copyright, 1923, by the McNaught Syndicate (Inc).)

At a time, gentlemen, when there were only 17,000,000 people in the United States, they issued a certificate to each soldier for \$100 if he preferred it to 160 acres of public lands.

Gentlemen, I want to call your attention to the fact that the big business of the country ought to come down to Washington and say to the Congress of the United States, "We are going to forget our selfishness for a day. We want you to pass some legislation that will do this country some good as well as the soldiers of this country." When the soldiers of the late war look at the records and see that the wealth of the banks alone in this country increased \$22,000,000,000 from 1914 to 1921, what is your answer to them? Is this to be your answer: "We are going to lower the taxes and there will be no money here, and therefore we can not pass any legislation for your benefit?"

I want to say further that I notice in the papers—and I hope they are wrong about it—that gentlemen on the Republican side of the House who are former service men expected to block legislation, or words to that effect, until the adjusted compensation bill could be passed. I do not sympathize with that idea. I do not think that would put them in a proper light before the country, because they are beneficiaries of the legislation. It is proper for them to use all necessary steps to secure what is right for their buddies of the war, but I hope they are misquoted in the statement that it is their purpose to obstruct legislation. But, gentlemen, hear me further; if you pass legislation giving the boys a chance to own their own homes and to own their own land, land values in this country will be stabilized overnight upon the passage of such legislation, and the fundamental wealth of this country consists of its land and real estate values. If you pass this legislation the farmers who are now losing their homes on account of depressed conditions and depressed and deflated land values in the great Middle West will awaken to find their property values stabilized; and thus there will be a reaction, and it will not cost the United States, in the long run, any sum of money, but it will really pay us in great measure when we have created in this country a land of home owners.

When we read the history of the world and of the human race we see that there is implanted in every human being a desire for the ownership of land, and land hunger has demonstrated itself after every great war. That is the thing now that is showing itself. That is where your restlessness is coming from. It is from the longing for land, the opportunity to own a little home, a vine and fig tree. We ought to forget partisanship, as Members of this House, and politics, because this is not a political question, and it is not a partisan question. There is more selfishness being demonstrated to-day in America than at any time in its history. Your mail will show this condition.

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

Mr. McKEOWN. Mr. Speaker, I ask unanimous consent to speak for five minutes more.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. McKEOWN. Many of the letters that come to you are letters asking you to make inroads upon the Treasury or to grant special privileges at the expense of the Government. You are asked to do that under various guises. They will not write you upon the paper that tells what their business is, but they write to you on plain paper, thinking that you can thus be beguiled.

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

Mr. McKEOWN. Yes.

Mr. CONNERY. Does not the gentleman think that these big interests that are sending out this propaganda, which we receive upon our desks every morning, have not taken into consideration the fact that if these men, in whose interest Congress is considering the passing of an adjusted compensation law, had not gone to France, that instead of considering to-day a proposition to reduce taxes we might be paying billions of dollars of indemnity to the German Empire?

Mr. McKEOWN. I believe in fighting out in the open; I believe in fighting fair and square. I believe the business men of the country ought to realize that we can get this question of a soldiers' adjusted compensation out of the way. It was not their fault. I am not here trying to impede legislation. I want to see the taxes of this country reduced, but I want to see these boys who helped to save these \$9,000,000,000 which was loaned to the Allies have their opportunity. It will take in the aggregate \$3,000,000,000 to make all of the loans to all of the boys, but it would be a revolving fund and would come back. I would not be in favor of letting them have the revolving fund used for anything except loans, because if we turn it over to one of these boards it would not be long before they would be paying from \$25,000 to \$50,000 a year out for salaries of attorneys. I believe the creation of a loan of this kind will receive the approbation of a majority of the soldiers of this country. I believe that if they had an opportunity to select to-day as to whether they would want some cash compensation as against an opportunity to own a home and pay for it they would take the latter. With a certificate of pay for their time in the Army, the soldier would have something with which to create a credit when financial distress might be upon him, and he would not lose his home and have his wife and children put out of doors. There are more foreclosures on mortgages to-day in Oklahoma than there have been in the history of 10 years in that State.

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

Mr. McKEOWN. Yes.

Mr. MORGAN. In order that I may get clear in my mind just what the gentleman is discussing, is his bonus proposal a land grant and an elimination of the cash?

Mr. McKEOWN. It is, in place of a cash bonus, to give them an opportunity to borrow money with which to buy a home.

Mr. MORGAN. Then this is a loan proposition?

Mr. McKEOWN. Yes; and we would give him a certificate for the time that he was in the service. When he was in the service working for a dollar a day the fellows driving nails on wooden ships were getting \$12 a day.

Mr. MORGAN. Do I understand that the gentleman favors a transferable certificate before the man can buy the land?

Mr. McKEOWN. No; my plan is to give each soldier of the late war a certificate, just as it was given to the soldiers of the War of 1812. It was a certificate or note, due at the pleasure of the United States, for the time that he was in the war. If he took advantage of the loan, then he would put up his certificate with the United States Government and it would bear interest at 5½ per cent. [Applause.]

A distinguished citizen of this country, Hon. William G. McAdoo, former Secretary of the Treasury, in a statement contained in the Washington Daily News of date January 4, 1924, submits figures to show that taxes can be reduced and bonus paid, too, which statement is as follows:

We can have tax reduction and do justice to the American soldier as well. By treating adjusted compensation as a part of the war cost and funding it through an issue of 50-year bonds the interest and sinking-fund charge should not exceed \$80,000,000 to \$90,000,000 per annum. This would not prevent a reduction in taxes.

This question should long ago have been taken out of politics and in no circumstances should be used for political advantage. The men who served in the trenches got \$1.10 per day; those in the reserves in America got \$1 per day. If the American people believe that it was worth \$2.35 per day to serve in the trenches and \$2 per day to serve in the reserves in America, these being the rates the soldiers are asking as adjusted compensation, then the difference between these rates and what the soldiers have already received should be paid as an act of justice.

CIVIL EMPLOYEES PAID.

We gave more than 500,000 civil employees of the Government during the war a bonus of \$240 per annum, and this has continued for more than five years. Is it less right to give the men who fought the war equal consideration?

We can never afford to say that justice shall not be done because it costs something. We have spent our blood copiously in various wars to secure justice; shall we refuse to spend money to give justice? Justice must never be measured in dollars; it must be measured only in righteousness and humanity.

The Secretary of the Treasury has stated that taxes can be reduced \$323,000,000 per annum if the soldiers' bonus is not granted; that they can not be reduced if the bonus is granted. Taxes can be reduced and the bonus can be paid as well.

The Finance Committee of the Senate, of which Mr. McCumber was chairman and Mr. Smoot a leading member, reported in 1921 that if every veteran should accept cash the total cost of adjusted

compensation would be approximately \$1,548,000,000. This figure is confirmed by the Secretary of the Treasury in his letter of July 2, 1921, to Senator Frelinghuysen.

WOULD PAY CASH.

I favor paying the bonus in cash and getting it behind us. This can be done by issuing 50-year bonds for the required amount. The interest charge, including a sufficient sinking-fund provision at 5 per cent, will be \$77,400,000 per annum.

Deduct this from the \$323,000,000 tax reduction proposed by the Secretary of the Treasury and we have a net reduction in taxes of \$245,600,000, and the soldiers' bonus will be disposed of with justice to the men and honor to the country.

Various alternative plans were proposed by the Senate Finance Committee, and if all of them were adopted the cost of the bonus would be indeterminate and would undoubtedly greatly exceed the cash plan I have suggested. It is these alternatives which have caused confusion in the public mind as to the real cost of the bonus. But the liability under the cash plan has been definitely determined by the exhaustive investigation and report of the Finance Committee of the Senate.

WOULD AVOID PENSIONS.

I am confident that it will be acceptable to nine-tenths of the soldiers. Its adoption will take the matter out of politics and put an end to the controversy. I believe also that this just recognition will prove an effective barrier against any demand that may be made in the future for service pensions, which, because of the great number of men involved, would impose an almost impossible burden on the American people. Justice to the soldiers now may prevent injustice to the people later.

Those who oppose a settlement of this matter by saying it will hurt the credit of the Government, or that it can not be financed by the Treasury, remind me of those who insisted that the Liberty bonds could not be sold to the people. They were pessimists then as they are pessimists now.

If the Congress could see its way to pass legislation along the lines I suggest I feel that we would merit the confidence and respect of a vast majority of the people of the United States, and do justice by the soldier not only of the World War but of the Spanish-American War.

The disabled and afflicted veterans are entitled to our most tender care and attention. They are the wrecks that have come back from the awful war. So many gentlemen express themselves in favor of caring for the disabled, but are opposed to compensating the well and strong. It is my wish that those who desire to help the disabled could be appointed to positions in the Veterans' Bureau where now it is so hard and nearly impossible for a disabled soldier to get fair treatment.

I believe that the House wants to do justice and will do justice by the veterans of the war and the people of the Nation. I appeal to you to not forget the little white crosses that mark the resting place of our unforgotten dead in France, sleeping in their last resting place in the soil where sleep the best of the world's young manhood, waiting there until that day when Gabriel shall sound his bugle. These soldiers were called to battle from a land of peace. They were called to follow a stainless flag, and it was the cause of freedom that called them to the brink of hell. They were following their peaceful vocations going about the streets and highways of their beloved native land planning for a life of peace and service in the great Republic. They little dreamed of the terrible conflict which was impending, and it was in their merriest moments that the "dice of death were cast in the palaces of Potsdam and the madmen of Berlin sounded the tocsin of unexampled war." You will not forget their comrades who returned, but will reward them as becomes the proudest and wealthiest Nation on earth.

The SPEAKER pro tempore. The time of the gentleman from Oklahoma has again expired.

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

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The gentleman from Georgia [Mr. UPSHAW] is recognized for 15 minutes.

DRY OATH FOR CONGRESSMEN.

Mr. UPSHAW. Mr. Speaker and gentlemen of the House, my record in this unsought controversy between the wet gentleman from Maryland, Mr. HILL, and myself has been as straight as a straight line; but I am a little afraid that the gentleman from Maryland, though representing in his district many who are said to be sports, is not a very good "sport" in the highest sense of that word. He didn't do a thing but lug in a lot of material with which to load a machine gun, and then got in front of that machine gun and dared his colleague to load and

shoot; and because the execution of that discharge was heavier than he expected, he gathered himself with the fragments thereof and "kinder" made faces at his well-intentioned colleague, and said things in the Baltimore and Washington papers about the gentleman from Georgia that were not very ethical to say the least. You have just heard his prepared answer. With its delivery and reception I am thoroughly satisfied.

I have been charged by the gentleman from Maryland and a number of wet papers in Baltimore with having gone out of my way to attack the historic State of Maryland and the great city of Baltimore, and to have done this thing and that to the gentleman from Maryland. I remind you that Mr. Hill threw the first brickbat, and then because his colleague picked up that brickbat, wrapped it up with incontestable facts and hurled it back with force enough to break some treasured Baltimore jugs and bottles, he has been tremendously disconcerted ever since.

I am going to ask you to remember the fact that just before Christmas, through the good offices of the gentleman from Tennessee, the minority leader [Mr. GARRETT], I secured the privilege, within my right as a Member of Congress, to address this House upon the opening day of the New Year upon "The majesty of the law and national sobriety." Whatever may be said of the original intent of the matter of that speech, you must agree, I think, that the subject was dignified and that the theme was pertinent to present-day conditions. I should have been glad to proceed in an orderly parliamentary discussion of the subject, but the gentleman from Maryland forbade. In all good humor, as an evidence of the fact that he was seeking, not "light on the subject" of conditions in Georgia, the enforcement of the Volstead Act, and what not, but was rather seeking the limelight, he immediately issued to the papers a sensational "bloody-shirt" letter reviving sectional questions; giving that letter to the press of the Nation before it ever reached me.

I received a clipping from a New York paper with glowing headlines, "UPSHAW Baited by Wet Leader." This charge against Georgia was made before I ever mentioned the name of Maryland. I never called the name of Baltimore until he had said bad things about Savannah. And then, in addition to that, I remind you that he laid at the door of my seat here the charge of political fraud, on the basis of intimidation, which was tantamount to a wholesale charge against the credentials of almost every Democrat from the South, for all of us occupy our seats practically on the same basis. Having given that letter to the press before Christmas, having afterwards given that letter to every one of you, it became a national challenge to my honor and to the honor of every southern colleague; and if I had failed to defend my State and my colleagues in this House, whose right to sit here had been likewise questioned, I would have been branded all over America as a coward. The liquor crowd found out long ago, I think, that I am not a coward. And so, preserving all of the amenities, I think, of debate, keeping in good humor—for I want to be unfailingly perennial—I discussed the question that he has forced upon me.

Everybody knows, who has sense enough to get out of the way of a "tin Lizzie" or a Washington street car, that the analogies I drew from the comparison of votes between Congressmen of the North and South were only made in good-humored raillery and only meant exactly as much as Mr. Hill meant in laying the charge that my seat was not being held in political honor. But, boiled down, gentlemen, you know that there is not one scintilla of weight about his charge. He singled out Mr. UPSHAW, if you please, because I have been rather active along the opposite side from Mr. Hill. As much could have been said about the Representatives of all other Southern States as he has said about mine; and I want to say very frankly that it has been wonderfully gratifying to me that I have received as many warm-hearted, generous expressions of approval concerning my speech made the other day from my fair-minded Republican friends as I have from my Democratic friends. They have been kind enough to say I helped them to see the situation as they had not seen it before. Mr. Hill makes me think—I can not help it—of the ride we had on the bosom of Lake Geneva this summer, when we suddenly became aware of the fact that we were not riding on Lake Geneva but on Lake Leman.

Mr. HILL of Maryland. What kind of "hootch" did you have?

Mr. UPSHAW. And somebody told the story of the helress who had girdled the globe and come back to tell about the wonderful time which she had on Lake Geneva watching the snow-capped peaks, which seemed to kiss the stars, and so forth, and that then from Lake Geneva she went on Lake Leman,

when she was gently reminded that Lake Geneva and Lake Leman were synonymous. "Oh," she said, "I knew that; but one is much more synonymous than the other." [Laughter.] I can not help thinking about it when I think about Mr. Hill's charge. Baltimore, Hill, and "booze" legislation seem so synonymous. He and his "wet" papers take umbrage at what I said about Baltimore. You know and I know what is borne out by the facts. A prominent railroad man I met on the train when I was going to Cincinnati Saturday night thanked me for my plain speaking and said there is one street in Baltimore 7 miles long and anywhere there is a store, garage, stable, or whatnot you can safely go in and get anything you please.

Mr. Hill's mistake was that he singled out Georgia, as though Georgia were a greater "moonshine" sinner than Massachusetts, than New York, than Maryland. As I said the other day, we all regret beyond measure lawbreaking anywhere. But I put Mr. Hill to the test now. I put into italics what I said here a year ago. *Put a sleuthhound after my tracks from the day I was born a citizen until now; and if you find I have not kept this faith that I preach, I will resign from Congress.* And Mr. Hill said he would like to see all Georgia Congressmen sign a pledge—that he would follow suit. If I had a pledge card I would do it now, and I put it up to him. I hereby pledge to abstain—hello; here it is, just brought me by this wide-awake page. All right, Mr. Hill; I call your hand right now, whatever that means. [Laughter.] Here is the Lincoln-Lee Legion pledge card, with the pledge written by Abraham Lincoln:

I hereby enroll with the Lincoln-Lee Legion and promise with God's help to keep the following pledge:

"Whereas the use of intoxicating liquors as a beverage is productive of pauperism, degradation, and crime, believing it is our duty to discourage that which produces more evil than good, we therefore pledge ourselves to abstain from the use of intoxicating liquors as a beverage.

"Whereas good government demands obedience to law, I will stand for enforcement of all laws, including the prohibition of the liquor traffic."

I here and now, in the presence of my colleagues and Almighty God, sign this pledge. Come on, Mr. Hill. [Laughter and applause.]

Mr. HILL of Maryland. Will the gentleman yield for a question?

Mr. UPSHAW. No, sir; I yield for your signature. Come on and sign. [Laughter.]

Mr. HILL of Maryland. I said I would sign if you persuaded the whole Georgia delegation to sign. But I am glad the gentleman has decided finally that he needs to sign it.

Mr. UPSHAW. I am not responsible for my colleagues. They are all sober gentlemen. You said you would sign if I would. We are bound to believe that a man who, after that speech, will not sign a pledge like that evidently wants the world to know that he wishes to reserve special privileges to himself.

Mr. HILL of Maryland. No; I am not a graduate of the Civil War.

Mr. UPSHAW. I could assert my personal privilege and have one hour, but I will not. The first page of the Baltimore News of Saturday last, January 5, contains a good picture of the gentleman from Maryland and only a tolerably good picture of Mr. UPSHAW. The headlines read "Maryland lawmaker assails Georgian as dry hypocrite," and Mr. Hill is quoted as saying:

I charge that UPSHAW is a political hypocrite as well as being a prohibition charlatan.

Too bad, Mr. Hill, too bad!

Now, a political hypocrite is also a moral hypocrite, and I believe the gentlemen in this House overwhelmingly acquit the gentleman from Georgia from that groundless charge. And as to being a charlatan, I remind the gentleman that a charlatan is a faker, a dishonest pretender, and the vote of the great fifth district of Georgia, with Atlanta as the capital of that district, in sending me back to Congress a third time, giving me every ward in Atlanta and every county in the district, shows, thank God, that they do not indorse his charge of my being a pretender.

Mr. HILL of Maryland. What was that vote?

Mr. UPSHAW. Mr. Speaker, I ask unanimous consent for five minutes more.

Mr. HILL of Maryland. I ask unanimous consent that the gentleman may have one minute more.

Mr. UPSHAW. Mr. Speaker, five minutes was what I asked for. I gave the gentleman ten.

The SPEAKER. The gentleman from Georgia asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. HILL of Maryland. Will the gentleman yield for a question?

Mr. UPSHAW. I did not interrupt you at all.

Mr. HILL of Maryland. I thought perhaps you might want to tell of that vote.

Mr. UPSHAW. The gentleman from Maryland remembers, as I told you the other day—it is useless to discuss it, for the gentleman seems unable to comprehend—that our elections are settled chiefly in the primaries, and in the very vote to which he referred the opposition was so negligible, that I, myself, remained in Texas and paid no attention to it. I am not responsible for the lack of interest taken in the elections down there, so that people do not want to pay their taxes and vote the Republican ticket. But I have proven my case, and I again dare any man on the floor of this House or any American anywhere to bring one bit of evidence to prove that any intelligent negro can not register and vote in peace without hindrance, and go to the ballot box as straight as a white man.

The gentleman from Maryland [Mr. HILL] seems to be greatly distressed about the publicity given my speech, begrudging me the great blessing that came when a gifted generous friend, attracted by the things I stood for, came to my sick room and volunteered, knowing I was not able to handle the details, to give publicity to my address. As he has testified to Mr. HILL to-day, I am not responsible for the generous words with which he introduced my speech to the press of the country nor for the suggestion of higher honors which many papers and prominent Americans have made. I am just trying to be one thing—a faithful, sober, efficient Representative of a great people who have trusted me.

Frankly, gentlemen, I do not think that my reputation for intellectual force is very greatly enhanced by this unsought discussion with the gentleman from Maryland, and I believe, instead of claiming the privilege of the floor for an hour on this publication, I shall have to decline further to be the ringmaster for Mr. HILL's menagerie.

Mr. HILL can go back and be the reputed "idol of the wets" of Baltimore and continue the hero of the Baltimore jug and bottle men if he prefers, but I would not exchange the tribute in this telegram from the Woman's Christian Temperance Union of Georgia, signed by Mrs. Lilla Dillard, president, and Mrs. W. F. Trenory, secretary, thanking me for my defense of their sacred White Ribbon cause, for all the wealth of the gentleman's State, that seems to love liquor better than the Constitution of our country. I lay at your feet and at the feet of my country a new dedication of my truceless warfare until the law is triumphant and sobriety is enthroned.

It is a privilege to have fellowship with this Congress. I have said everywhere that it is overwhelmingly dry. But I am safe, I know, in asking that all should set the great wholesome example that you would have public men set before your sons and daughters everywhere.

I see from these letters—I could publish many more—that Baltimore has many noble people in it who do not indorse Mr. HILL's position, but believe in the old-fashioned doctrine I preach.

1527 NORTH GILMOR STREET,
Baltimore, Md., January 6, 1924.

Hon. W. D. UPSHAW,

House of Representatives, Washington, D. C.

DEAR SIR: I wish to express my profound appreciation for your splendid stand for the eighteenth amendment and the Volstead Act.

It is not hypocrisy in anyone to fight against those who try to use their power to destroy any part of our national Constitution.

Maryland is not in accord with Mr. HILL. He may have the conceit to believe Maryland would back him in his fight for intoxicating liquors to be again legalized, but he is badly mistaken.

The great majority in all States stand for the Constitution as the people have made it. I trust God will give you power to continue your noble stand for sobriety and human righteousness.

Your fellow American,

P. L. THOMAS.

BALTIMORE, MD., January 6, 1924.

Hon. W. D. UPSHAW,

House of Congress, Washington, D. C.

DEAR SIR: Just a word of congratulation on the stand you have long taken and are now taking on this important and nation-wide question

of sobriety. May you in this case, the same as any other where right and wrong are concerned, win a great victory for right.

I beg to remain

Respectfully yours,

GEO. S. SMITH,
2879 Woodbrook Avenue, Baltimore, Md.

3812 BARRINGTON ROAD,
Baltimore, January 4, 1924.

DEAR MR. UPSHAW: The law-abiding citizens of Baltimore thank you for speaking plainly. They are ashamed of the conduct of Congressman HILL, who is continually "cutting antics" for the delectation of the morons in the political bleachers. He makes bootleg wine in his own home, so you may imagine the kind of influence exerted.

If Congressmen swear to uphold the Constitution of the United States, why could not they be impeached when they violate it? We should delight to have an example made of public men who break their oaths. I have no objection to any legitimate use of my name when it comes to a question of defense of the law and the Constitution.

Sincerely yours,

FRED SIDNEY MAYER.

These good people agree with my old-fashioned Christian father, who taught his boys around the family altar that he would never vote for any man who was not a moral example for the boys whom he sent out into the world. On this basis I stand without apology or equivocation. And now I ask—not being very proud of Mr. HILL's performances in this matter—that we dedicate our lives and our patriotism to bigger things. [Applause.]

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—COMMUNICATION FROM THE DIRECTOR GENERAL OF RAILROADS AND AGENT OF THE PRESIDENT.

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Interstate and Foreign Commerce and ordered to be printed:

To the Congress of the United States:

I transmit herewith, for the information of the Congress, a communication from the Director General of Railroads and Agent of the President submitting a summary of the progress made to December 31, 1923, in liquidating "all matters, including compensation, and all questions and disputes arising out of or incident to Federal control," as provided for in section 202 of the transportation act of 1920.

CALVIN COOLIDGE.

THE WHITE HOUSE, January 7, 1924.

PERMISSION TO EXTEND REMARKS.

Mr. McKEOWN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the Record, as well as the remarks of the former Secretary of the Treasury.

The SPEAKER. The gentleman from Oklahoma [Mr. McKEOWN] asks unanimous consent to revise and extend his remarks in the Record. Is there objection?

There was no objection.

Mr. UPSHAW. I make the same request.

The SPEAKER. The gentleman from Georgia [Mr. UPSHAW] makes the same request. Is there objection?

There was no objection.

Mr. GARRETT of Tennessee. Mr. Speaker, I ask unanimous consent that to-morrow, following the speech of the gentleman from Maine [Mr. BEEDY], the gentleman from Texas [Mr. MANSFIELD] may address the House for 15 minutes.

The SPEAKER. The gentleman from Tennessee [Mr. GARRETT] asks unanimous consent that to-morrow, following the speech of the gentleman from Maine [Mr. BEEDY], that the gentleman from Texas [Mr. MANSFIELD] may address the House for 15 minutes. Is there objection?

There was no objection.

Mr. LOWREY. Mr. Speaker, I ask unanimous consent to speak out of order for five minutes in regard to the recent death of a former Member of this House.

The SPEAKER. The gentleman from Mississippi [Mr. LOWREY] asks unanimous consent to speak out of order for five minutes with regard to the recent death of a former Member of this House. Is there objection?

There was no objection.

HON. THOMAS SPIGHT.

Mr. LOWREY. Mr. Speaker, it is hardly customary for this House to pause in its deliberations to take note of the passing of a man who has long ceased to be a Member here. However, I have asked the brief indulgence of my colleagues that I may speak a word in regard to the death of a former Repre-

sentative of my district whom I find still to be remembered and held in high esteem by many with whom I talk in Washington.

I refer to Hon. Thomas Spight, late of Ripley, Miss. He passed away on Saturday afternoon, January 5. At this very moment while I am speaking to you I am sure that hundreds of his fellow citizens are gathered at his funeral paying a final tribute of respect to the man whom they so delighted to honor while he lived. And here in this House, where he was trusted and honored, I with other friends want to join those at his home and lay a wreath upon his casket.

Thomas Spight volunteered for service in the Confederate Army when scarcely more than a boy. He made an enviable record as a soldier, rising to the rank of captain before he was 21 years of age. At the close of that long struggle, like other Confederate soldiers, he returned to look on devastated fields and dilapidated homes, to find fortunes ruined, and social and economic systems disorganized. But like many others he faced the forbidding situation bravely and cheerfully and dedicated himself to the service of his stricken people.

He took up the study and the practice of law, where he soon distinguished himself. For eight years he was State's attorney in his judicial district. Then for six terms he occupied a seat in this House, retiring from public life in 1911.

Retirement from public life, however, did not mean cessation of activity. In the community where he lived for more than 81 years he has continued to be vigorously active in his profession and to give his energy freely in every good cause, until now he is gathered to his fathers, one of the purest, one of the truest, one of the finest sons of that great old South from which he sprang.

Mr. O'CONNOR of Louisiana. Mr. Speaker, I ask unanimous consent to speak for 15 minutes to-morrow after the gentlemen who have already been allowed time. It is the 8th of January, and I may feel the spirit move me and desire to say a few words on the anniversary of the great battle of New Orleans.

The SPEAKER. The gentleman from Louisiana [Mr. O'Connor] asks unanimous consent to speak for 15 minutes to-morrow after the gentlemen who have already been allowed time. Is there objection?

There was no objection.

LEAVE OF ABSENCE.

Leave of absence was granted as follows:

To Mr. ALLGOOD for five days on account of the death of his father.

To Mr. CANFIELD on account of death in his family.

To Mr. ROMJUE indefinitely on account of sickness.

PERMISSION TO ADDRESS HOUSE.

Mr. LONGWORTH. Mr. Speaker, I ask unanimous consent that at the conclusion of the addresses scheduled for to-morrow the gentleman from Montana [Mr. LEAVITT] be permitted to address the House for 30 minutes.

The SPEAKER. The gentleman from Ohio [Mr. LONGWORTH] asks unanimous consent that at the conclusion of the addresses scheduled for to-morrow the gentleman from Montana [Mr. LEAVITT] be permitted to address the House for 30 minutes. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. LONGWORTH. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 11 minutes p. m.) the House adjourned until to-morrow, Tuesday, January 8, 1924, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

246. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the American Battle Monuments Commission for the fiscal year ending June 30, 1924, \$95,750 (H. Doc. No. 133); to the Committee on Appropriations and ordered to be printed.

247. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Smithsonian Institution for the fiscal year ending June 30, 1924, for the laying of water mains and the erection of fire hydrants in the Smithsonian grounds, \$8,500 (H. Doc. No. 134); to the Committee on Appropriations and ordered to be printed.

248. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Federal Power Commission for the fiscal year ending

June 30, 1924, for printing and binding, \$1,000 (H. Doc. No. 135); to the Committee on Appropriations and ordered to be printed.

249. A communication from the President of the United States, transmitting deficiency and supplemental estimates of appropriations for the legislative establishment of the United States for the fiscal year ended June 30, 1923, and the fiscal year ending June 30, 1924, amounting in all to \$23,232.02 (H. Doc. No. 136); to the Committee on Appropriations and ordered to be printed.

250. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the United States Housing Corporation for the fiscal years ending June 30, 1923, and June 30, 1924, for ground rent for the Government hotels for Government workers for the period November 15, 1922, to June 30, 1924, \$120,968 (H. Doc. No. 137); to the Committee on Appropriations and ordered to be printed.

251. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the legislative establishment of the United States for the fiscal year ending June 30, 1925, in the sum of \$345,000 (H. Doc. No. 138); to the Committee on Appropriations and ordered to be printed.

252. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year ending June 30, 1924, to defray the expenses incurred on account of the sickness and death of President Harding, \$28,000 (H. Doc. No. 139); to the Committee on Appropriations and ordered to be printed.

253. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year ending June 30, 1924, submitted by the War Department for the payment of a claim of the J. Maury Dove Co. for \$9,505.08 (H. Doc. No. 140); to the Committee on Appropriations and ordered to be printed.

254. A communication from the President of the United States, transmitting deficiency estimates of appropriations for the Federal Board for Vocational Education for the fiscal year ending June 30, 1924, amounting to \$75,682.09 (H. Doc. No. 141); to the Committee on Appropriations and ordered to be printed.

255. A communication from the President of the United States, transmitting a communication from the Postmaster General, submitting claims for damages to privately owned property in the sum of \$2,548.63, which have been adjusted and which require an appropriation for their payment (H. Doc. No. 142); to the Committee on Appropriations and ordered to be printed.

256. A communication from the President of the United States, transmitting judgments rendered against the Government by the United States district courts requiring an appropriation for their payment (H. Doc. No. 143); to the Committee on Appropriations and ordered to be printed.

257. A communication from the President of the United States, transmitting judgments rendered against the Government by the United States District Court for the District of New Mexico in connection with condemnation proceedings under the provisions of section 7, Thirty-second Statutes, page 399, and which require an appropriation for their payment (H. Doc. No. 144); to the Committee on Appropriations and ordered to be printed.

258. A communication from the President of the United States, transmitting records of judgments rendered against the Government by the United States District Court for the Eastern District of New York, sitting in admiralty, requiring an appropriation (H. Doc. No. 145); to the Committee on Appropriations and ordered to be printed.

259. A communication from the President of the United States, transmitting a list of judgments rendered against the Government by the district courts of the United States, as submitted by the Attorney General through the Secretary of the Treasury, which require an appropriation for their payment (H. Doc. No. 146); to the Committee on Appropriations and ordered to be printed.

260. A communication from the President of the United States, transmitting a list of judgments rendered by the Court of Claims, which have been submitted by the Attorney General through the Secretary of the Treasury, and which require an appropriation for their payment (H. Doc. No. 147); to the Committee on Appropriations and ordered to be printed.

261. A letter from the Secretary of War, transmitting reports of the Chief of Engineers, the Chief Signal Officer, the Superintendent of the United States Military Academy, and the War

Department Supply Division, of typewriters, adding machines, and similar labor-saving devices exchanged during the fiscal year 1923 as part payment for new labor-saving devices purchased; to the Committee on Appropriations.

262. A letter from the Comptroller General, transmitting a report showing what officers of the Government were delinquent for the fiscal year ended June 30, 1923, in rendering or transmitting their accounts, together with a list of such officers as were found upon final settlement of their accounts to be indebted to the Government and who at the date of making this report have not paid such indebtedness into the Treasury of the United States; to the Committee on Expenditures in the Treasury Department.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

The bill (H. R. 1943) granting a pension to Mace M. Williams; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

The bill (H. R. 4069) to correct the military record of Stephen L. Noland; Committee on Invalid Pensions discharged, and referred to the Committee on Military Affairs.

The bill (H. R. 2986) granting an increase of pension to Mary J. Lamb; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

The bill (H. R. 1940) granting an increase of pension to George W. Young; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

The bill (H. R. 2154) granting an increase of pension to Charles N. Cannon; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

The bill (H. R. 4021) for the relief of the heir at law of A. Barker; Committee on Claims discharged, and referred to the Committee on the Post Office and Post Roads.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. PARKER: A bill (H. R. 4796) to extend the time of the Hudson River Connecting Railroad Corporation for the completion of its bridge across the Hudson River in the State of New York; to the Committee on Interstate and Foreign Commerce.

By Mr. SHALLENBERGER: A bill (H. R. 4797) to repeal the transportation act of 1920; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 4798) to repeal so much of Title III of the transportation act of 1920 as creates the Railroad Labor Board, and to abolish said board; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 4799) to repeal section 15a and section 19a of the interstate commerce act; to the Committee on Interstate and Foreign Commerce.

By Mr. BACON: A bill (H. R. 4800) to provide for the promotion of physical education in the United States through co-operation with the States in the preparation and payment of supervisors and teachers of physical education, to appropriate money and regulate its expenditure, and for other purposes; to the Committee on Education.

By Mr. SNYDER: A bill (H. R. 4801) making an appropriation to establish a national military park at Oriskany (N. Y.) battle field; to the Committee on Military Affairs.

Also, a bill (H. R. 4802) authorizing the expenditure for certain purposes of receipts from oil and gas on the Navajo Indian Reservation in Arizona and New Mexico; to the Committee on Indian Affairs.

Also, a bill (H. R. 4803) to authorize the sale of lands and plants not longer needed for Indian administrative or allotment purposes; to the Committee on Indian Affairs.

Also, a bill (H. R. 4804) to authorize the allotment of certain lands within the Fort Yuma Indian Reservation, Calif., and for other purposes; to the Committee on Indian Affairs.

By Mr. ZIHLMAN: A bill (H. R. 4805) authorizing the extension of the park system of the District of Columbia; to the Committee on the District of Columbia.

Also, a bill (H. R. 4806) granting a pension to teamsters, bridge builders, and railroad repairers who were in the service of the United States during the Civil War; to the Committee on Invalid Pensions.

By Mr. FAVROT: A bill (H. R. 4807) granting the consent of Congress to the State Highway Commission of Louisiana

to construct, maintain, and operate a bridge and approaches thereto across the West Pearl River in the State of Louisiana; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 4808) granting the consent of Congress to the construction, maintenance, and operation of a bridge across the Pearl River between the parish of St. Tammany in Louisiana and the county of Hancock in Mississippi; to the Committee on Interstate and Foreign Commerce.

By Mr. ZIHLMAN: A bill (H. R. 4809) directing the Secretary of Labor to make an investigation and report on the subject of convict labor in the United States; to the Committee on Labor.

By Mr. KNUTSON: A bill (H. R. 4810) to promote civilization and self-support among the Chippewa Indians in the State of Minnesota, and to carry into effect the agreements with said Indians under the provisions of the act of January 14, 1889 (25 Stat. 642); to the Committee on Indian Affairs.

By Mr. FREAR: A bill (H. R. 4811) repealing section 301 and section 302, revenue laws, 1921, approved November 23, 1921; to the Committee on Ways and Means.

Also, a bill (H. R. 4812) to amend an act entitled "An act to reduce and equalize taxation, to provide revenue, and for other purposes," approved November 23, 1921; to the Committee on Ways and Means.

Also, a bill (H. R. 4813) to amend Title II of the revenue act of 1921; to the Committee on Ways and Means.

Also, a bill (H. R. 4814) amending section 230 of the revenue act of 1921; to the Committee on Ways and Means.

Also, a bill (H. R. 4815) to amend section 257 of the revenue act of 1921, so as to provide for publicity of tax records; to the Committee on Ways and Means.

By Mr. COLLIER: A bill (H. R. 4816) authorizing the Secretary of War to permit the city of Vicksburg, Miss., to construct and maintain water mains on and under the national cemetery road at Vicksburg, Miss.; to the Committee on Military Affairs.

By Mr. MCKENZIE: A bill (H. R. 4817) granting the consent of Congress to the State of Illinois and the State of Iowa, or either of them, to construct a bridge across the Mississippi River connecting the county of Whiteside, Ill., and the county of Clinton, Iowa; to the Committee on Interstate and Foreign Commerce.

By Mr. HOWARD of Oklahoma: A bill (H. R. 4818) to perfect the title of purchasers of Indian lands sold under the provisions of any act of Congress and pursuant to regulations of the Secretary of the Interior; to the Committee on Indian Affairs.

By Mr. HASTINGS: A bill (H. R. 4819) to provide for the construction of a military road at the United States cemetery at Fort Gibson, Okla.; to the Committee on Military Affairs.

By Mr. KAHN: A bill (H. R. 4820) to amend the act entitled "An act to readjust the pay and allowances of the commissioned and enlisted personnel of Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service," approved June 10, 1922; to the Committee on Military Affairs.

By Mr. BROWNING: A bill (H. R. 4821) to amend the practice and procedure in Federal courts, and for other purposes; to the Committee on the Judiciary.

By Mr. CRISP: A bill (H. R. 4822) to exempt from duty calcium arsenite and calcium arsenate; to the Committee on Ways and Means.

By Mr. CLAGUE: A bill (H. R. 4823) to amend section 406 (a) of an act to regulate interstate and foreign commerce in livestock, livestock products, dairy products, poultry, poultry products, and eggs, and for other purposes, approved August 15, 1921; to the Committee on Agriculture.

Also, a bill (H. R. 4824) to amend section 304 of an act to regulate interstate and foreign commerce in livestock, livestock products, dairy products, poultry, poultry products, and eggs, and for other purposes, approved August 15, 1921; to the Committee on Agriculture.

By Mr. SUTHERLAND: A bill (H. R. 4825) for the establishment of industrial schools for Alaskan native children; to the Committee on the Territories.

Also, a bill (H. R. 4826) to extend the authority of the Secretary of Commerce in regulating the fisheries of Alaska; to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 4827) for the establishment of a land district in southeastern Alaska, and for the appointment of a register and receiver of a land office at Juneau, Alaska; to the Committee on the Public Lands.

Also, a bill (H. R. 4828) to amend section 27 of the act entitled "An act to provide for the promotion and maintenance of the American merchant marine, to repeal certain emergency legislation, and provide for the disposition, regulation, and use of property acquired thereunder, and for other purposes,"

approved June 5, 1920; to the Committee on the Merchant Marine and Fisheries.

By Mr. PEERY: A bill (H. R. 4829) to establish a national park in the State of Virginia; to the Committee on the Public Lands.

By Mr. CLARKE of New York: A bill (H. R. 4830) to provide for the protection of forest lands, for the reforestation of denuded areas, for the extension of national forests, and for other purposes, in order to promote the continuous production of timber on lands chiefly suitable therefor; to the Committee on Agriculture.

By Mr. O'CONNELL of New York: A bill (H. R. 4831) to amend the revenue act of 1921; to the Committee on Ways and Means.

By Mr. STENGLE: A bill (H. R. 4832) amending section 253 of the revenue act of 1921; to the Committee on Ways and Means.

By Mr. BECK: A bill (H. R. 4833) to amend section 257 of the revenue act of 1921; to the Committee on Ways and Means.

By Mr. WINTER: A bill (H. R. 4834) to authorize the deferring of payments of reclamation charges; to the Committee on Irrigation of Arid Lands.

By Mr. LEAVITT: A bill (H. R. 4835) to pay tuition of Indian children in public schools; to the Committee on Indian Affairs.

Also, a bill (H. R. 4836) to provide for the addition of certain public lands to the Lewis and Clark National Forest in Montana; to the Committee on the Public Lands.

By Mr. BYRNS of Tennessee: A bill (H. R. 4837) to provide for hospitalization, medical treatment, nursing, and all necessary care of honorably discharged disabled ex-service men; to the Committee on Interstate and Foreign Commerce.

By Mr. BLAND: A bill (H. R. 4838) to amend an act entitled "An act making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1921, and prior fiscal years, and for other purposes," approved June 16, 1921; to the Committee on Interstate and Foreign Commerce.

By Mr. ALMON: A bill (H. R. 4839) granting allowances for rent, fuel, light, and equipment to postmasters of the fourth class, and for other purposes; to the Committee on the Post Office and Post Roads.

By Mr. LEAVITT: A bill (H. R. 4840) authorizing the Secretary of War to transfer jurisdiction over a portion of the Fort Keogh Military Reservation, Mont., to the United States Department of Agriculture for agricultural experimental purposes; to the Committee on the Public Lands.

By Mr. JOHNSON of South Dakota: A bill (H. R. 4841) to provide further for the national security and defense; to the Committee on Military Affairs.

By Mr. ROACH: A bill (H. R. 4842) to regulate and control certain interstate commerce shipments of pistols, revolvers, and other like deadly weapons, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BLAND: A bill (H. R. 4843) to provide for an examination and survey of channel from the municipal pier and municipal boat harbor at Newport News, Va., to the channel which connects the deep water in the James River with Hampton Roads, Va.; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 4844) to provide vocational training for persons who failed to commence training within the time prescribed in the act, approved March 4, 1921, entitled "An act making appropriations for sundry civil expenses of the Government for the year ending June 30, 1922, and for other purposes"; to the Committee on Interstate and Foreign Commerce.

By Mr. REED of West Virginia (by request): A bill (H. R. 4845) to amend an act entitled "An act for the regulation of the practice of dentistry in the District of Columbia, and for the protection of the people from empiricism in relation thereto," approved June 6, 1892, and acts amendatory thereof; to the Committee on the District of Columbia.

By Mr. MEAD: A bill (H. R. 4846) to provide study periods for post-office clerks; to the Committee on the Post Office and Post Roads.

By Mr. SCHALL: A bill (H. R. 4847) to provide for a modification of the time calendar now in general use in the United States, the modified form to be known as the liberty calendar; to the Committee on the Judiciary.

By Mr. ANDREW: A bill (H. R. 4848) to purchase a painting of the several ships of the United States Navy in 1891 and entitled "Peace"; to the Committee on the Library.

By Mr. NELSON of Wisconsin: A bill (H. R. 4849) to amend an act for retirement of lighthouse employees, approved June 20, 1918; to the Committee on Interstate and Foreign Commerce.

By Mr. KAHN: A bill (H. R. 4850) to confer jurisdiction upon the United States District Court, Northern District of California, to adjudicate the claims of American citizens; to the Committee on the Judiciary.

By Mr. MORRIS: A bill (H. R. 4851) for the erection of a public building in the city of Eminence, State of Kentucky, and authorizing money to be appropriated therefor; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4852) to enlarge, extend, and remodel the post-office building at Lexington, Ky., and to acquire additional land therefor if necessary; to the Committee on Public Buildings and Grounds.

By Mr. BROWNING: A bill (H. R. 4853) to authorize the Secretary of the Treasury to cause the Federal building at Jackson, Tenn., to be enlarged, extended, remodeled, and improved; to the Committee on Public Buildings and Grounds.

By Mr. CLAGUE: A bill (H. R. 4854) to provide for the purchase of a site and the erection of a public building thereon at Pipestone, in the State of Minnesota; to the Committee on Public Buildings and Grounds.

By Mr. LARSEN of Georgia: A bill (H. R. 4855) to provide for the authorization of appropriation for the purchase of a site and the erection of a Federal building at Cochran, Ga.; to the Committee on Public Buildings and Grounds.

By Mr. WATRES: A bill (H. R. 4856) to increase the limit of cost of the United States post-office building in Olyphant, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. ROBINSON of Iowa: A bill (H. R. 4857) to authorize the acquisition of a site and the erection thereon of a Federal building at Dubuque, Iowa; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4858) to authorize the acquisition of a site and the erection thereon of a Federal building at Independence, Iowa; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4859) to authorize the acquisition of a site and the erection thereon of a Federal building at Waverly, Iowa; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4860) to authorize the acquisition of a site and the erection thereon of a Federal building at Waterloo, Iowa; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4861) to authorize the acquisition of a site and the erection thereon of a Federal building at Eagle Grove, Iowa; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4862) to authorize the acquisition of a site and the erection thereon of a Federal building at Eldora, Iowa; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4863) to authorize the acquisition of a site and the erection thereon of a Federal building at Manchester, Iowa; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4864) to authorize the acquisition of a site and the erection thereon of a Federal building at Clarion, Iowa; to the Committee on Public Buildings and Grounds.

By Mr. McDUFFIE: A bill (H. R. 4865) to provide for the enlargement, extension, and remodeling of the Federal building at Mobile, Ala.; to the Committee on Public Buildings and Grounds.

By Mr. WOOD: A bill (H. R. 4866) for the purchase of a site and the erection thereon of a public building at Whiting, Ind.; to the Committee on Public Buildings and Grounds.

By Mr. SALMON: A bill (H. R. 4867) for the purchase of a site and the erection thereon of a suitable public building at Mount Pleasant, Maury County, Tenn.; to the Committee on Public Buildings and Grounds.

By Mr. LANGLEY: A bill (H. R. 4868) relative to public buildings and grounds in the District of Columbia; to the Committee on Public Buildings and Grounds.

By Mr. O'CONNOR of Louisiana: A bill (H. R. 4869) to establish a national military park to commemorate the Battle of New Orleans; to the Committee on Military Affairs.

By Mr. BOYLAN: Joint resolution (H. J. Res. 125) regarding prisoners in Ireland; to the Committee on Foreign Affairs.

By Mr. SWOOPE: Joint resolution (H. J. Res. 126) adopting The Star Spangled Banner, words by Francis Scott Key and music by Samuel Roberts, as the national anthem; to the Committee on the Library.

By Mr. RANKIN: Joint resolution (H. J. Res. 127) expressing the intention of the United States to grant complete and absolute independence to the Philippine Islands and requesting the President to consider the expediency of effecting a treaty of recognition for said Republic; to the Committee on Insular Affairs.

By Mr. McSWAIN: Joint resolution (H. J. Res. 128) to promote peace and to equalize the burdens and to minimize the profits of war; to the Committee on the Judiciary.

By Mr. BACON: Joint resolution (H. J. Res. 129) authorizing the erection on public grounds in the city of Washington, D. C., of a memorial to the Navy and Marine services, to be known as Navy and Marine memorial dedicated to Americans lost at sea; to the Committee on the Library.

By Mr. NELSON of Wisconsin: Resolution (H. Res. 120) amending paragraph 3 of Rule XXIII; to the Committee on Rules.

Also, resolution (H. Res. 121) amending Rule XX, section 2; to the Committee on Rules.

Also, resolution (H. Res. 122) adding Rule XLIV to the House rules; to the Committee on Rules.

Also, resolution (H. Res. 123) amending section 3, Rule X, of the House; to the Committee on Rules.

Also, resolution (H. Res. 124) amending Rule XIII of the rules of the House; to the Committee on Rules.

Also, resolution (H. Res. 125) amending section 8 of Rule XXV of the rules of the House; to the Committee on Rules.

Also, resolution (H. Res. 126) amending section 3 of Rule I of the rules of the House; to the Committee on Rules.

Also, resolution (H. Res. 127) amending section 5 of Rule XXII of the rules of the House; to the Committee on Rules.

Also, resolution (H. Res. 128) amending Rule XIII of the rules of the House; to the Committee on Rules.

Also, resolution (H. Res. 129) amending section 56 of Rule XI of the rules of the House; to the Committee on Rules.

Also, resolution (H. Res. 130) amending Rules X and XI of the rules of the House; to the Committee on Rules.

Also, resolution (H. Res. 131) amending section 1 of Rule XIV of the rules of the House; to the Committee on Rules.

By Mr. RATHBONE: Resolution (H. Res. 132) to investigate certain officers of the Department of Justice; to the Committee on Rules.

By Mr. MACGREGOR: Resolution (H. Res. 133) providing for an additional clerk to the Committee on Immigration and Naturalization; to the Committee on Accounts.

By Mr. WATKINS: Resolution (H. Res. 134) that the President be requested to inform the House of Representatives of the reasons for issuance of the Executive order dismissing Director Wilmeth and 27 other employees of the Bureau of Engraving and Printing; to the Committee on Reform in the Civil Service.

By Mr. JOST: Resolution (H. Res. 135) to suspend consideration of an action on soldier bonus legislation until such time as the House shall have enacted an adequate pension and relief law for crippled and infirm soldiers and sailors of the late war, and widows and orphans of deceased veterans of said war; to the Committee on Rules.

By Mr. LANGLEY: Resolution (H. Res. 136) placing Charles A. Howard and William Echloff on the statutory rolls of the House of Representatives; to the Committee on Accounts.

By the SPEAKER (by request): Memorial of the Legislature of the Island of Porto Rico, asking that an act of the Congress of the United States "Providing for aid to the States for the construction of rural and postal roads, and for other purposes," approved July 11, 1916, be extended to Porto Rico; to the Committee on Insular Affairs.

Also, memorial of the Legislature of the Island of Porto Rico, asking that Congress extend to the island of Porto Rico the provisions of the following laws: Vocational education, merchant marine, compensation act, an act to create a department of education, an act to regulate the employment of minors and to provide for the compulsory school attendance of children in the District of Columbia, maternity law, act to protect the health and safety of employees of carriers by railroad subject to interstate commerce act, and act providing for the establishment of a minimum wage board; to the Committee on Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANTHONY: A bill (H. R. 4870) granting an increase of pension to Omer P. Rosecrans; to the Committee on Pensions.

By Mr. AYRES: A bill (H. R. 4871) granting an increase of pension to Charles B. Diemart; to the Committee on Pensions.

Also, a bill (H. R. 4872) granting a pension to Lulla M. Eungard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4873) granting a pension to Thomas Anderson; to the Committee on Pensions.

By Mr. BOYLAN: A bill (H. R. 4874) granting a pension to Mary L. Bender; to the Committee on Pensions.

By Mr. BULWINKLE: A bill (H. R. 4875) authorizing the Secretary of the Treasury to pay war-risk insurance to the stepfather of Max Wilcox; to the Committee on Claims.

By Mr. BURDICK: A bill (H. R. 4876) granting an increase of pension to Julietta Radloff; to the Committee on Pensions.

By Mr. CELLER: A bill (H. R. 4877) for the relief of Esther Cohen; to the Committee on Claims.

By Mr. CLAGUE: A bill (H. R. 4878) granting a pension to Carrie L. Tuttle; to the Committee on Invalid Pensions.

By Mr. COLTON: A bill (H. R. 4879) for the relief of John Ferrell; to the Committee on Claims.

By Mr. DICKINSON of Missouri: A bill (H. R. 4880) granting a pension to John M. Jackson; to the Committee on Invalid Pensions.

By Mr. ELLIOTT: A bill (H. R. 4881) granting an increase of pension to Sarah J. Hiatt; to the Committee on Invalid Pensions.

By Mr. FUNK: A bill (H. R. 4882) granting an increase of pension to William H. Finley; to the Committee on Pensions.

By Mr. GARDNER of Indiana: A bill (H. R. 4883) granting a pension to Henry T. Sprinkle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4884) granting a pension to Anderson Shoemaker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4885) granting a pension to John Wellman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4886) granting an increase of pension to John Pennington; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4887) granting an increase of pension to Louis Badger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4888) granting a pension to Luther L. Sloan; to the Committee on Invalid Pensions.

By Mr. GIFFORD: A bill (H. R. 4889) granting a pension to Ophelia E. H. Plyer; to the Committee on Invalid Pensions.

By Mr. GREENWOOD: A bill (H. R. 4890) granting reimbursement and pay to Thomas Simpson, jr.; to the Committee on Invalid Pensions.

By Mr. HAUGEN: A bill (H. R. 4891) granting a pension to Maggie A. Farrill; to the Committee on Invalid Pensions.

By Mr. HERSEY: A bill (H. R. 4892) granting an increase of pension to Mary G. McKenney; to the Committee on Invalid Pensions.

By Mr. HOOKER: A bill (H. R. 4893) authorizing the Secretary of War to donate to the town of Schoolfield, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4894) authorizing the Secretary of War to donate to the city of Danville, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HUDSON: A bill (H. R. 4895) granting a pension to Carrie M. Doucette; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4896) for the relief of John H. Cowley; to the Committee on Military Affairs.

By Mr. WILLIAM E. HULL: A bill (H. R. 4897) granting a pension to Anna Preston; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4898) granting an increase of pension to Hester A. Maust; to the Committee on Invalid Pensions.

By Mr. JAMES: A bill (H. R. 4899) granting a pension to John G. MacFarlane; to the Committee on Pensions.

Also, a bill (H. R. 4900) granting a pension to Peter Rule; to the Committee on Pensions.

By Mr. KETCHAM: A bill (H. R. 4901) granting a pension to Harriet Allen; to the Committee on Invalid Pensions.

By Mr. KNUTSON: A bill (H. R. 4902) for the relief of Emanuel Wallin; to the Committee on Claims.

By Mr. KEARNS: A bill (H. R. 4903) granting an increase of pension to Fred B. Weaver; to the Committee on Pensions.

Also, a bill (H. R. 4904) for the relief of Jesse P. Brown; to the Committee on Military Affairs.

By Mr. LANGLEY: A bill (H. R. 4905) granting an increase of pension to Lee Begley; to the Committee on Pensions.

Also, a bill (H. R. 4906) granting a pension to Emily J. Poe; to the Committee on Invalid Pensions.

By Mr. LEAVITT: A bill (H. R. 4907) providing for the transfer in fee simple of the Fort Missoula, Mont., timber reserve to the State of Montana for the State University of Montana forest school; to the Committee on Military Affairs.

By Mr. LINTHICUM: A bill (H. R. 4908) granting an increase of pension to Albert Willis; to the Committee on Pensions.

Also, a bill (H. R. 4909) granting an increase of pension to John Pranke; to the Committee on Pensions.

Also, a bill (H. R. 4910) for the relief of Passed Asst. Paymaster Julian H. Maynard, United States Navy; to the Committee on Naval Affairs.

By Mr. LONGWORTH: A bill (H. R. 4911) granting a pension to Lucy Perkins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4912) for the relief of Benjamin A. Waybright; to the Committee on Military Affairs.

By Mr. McDUFFIE: A bill (H. R. 4913) to pay to Jere Austill fees earned as United States commissioner; to the Committee on Claims.

By Mr. MAGEE of New York: A bill (H. R. 4914) granting a pension to Martha A. Worden; to the Committee on Invalid Pensions.

By Mr. MANLOVE: A bill (H. R. 4915) granting an increase of pension to Benjamin F. Durnell; to the Committee on Pensions.

Also, a bill (H. R. 4916) granting a pension to Julia E. Forbes; to the Committee on Invalid Pensions.

By Mr. MILLS: A bill (H. R. 4917) for the relief of A. S. Rosenthal Co.; to the Committee on Claims.

Also, a bill (H. R. 4918) for the relief of Hans Roehl; to the Committee on Claims.

Also, a bill (H. R. 4919) to carry out the decree of the United States District Court for the Eastern District of Pennsylvania in the case of United States of America, owner of the steam dredge *Delaware*, against the steamship *A. A. Raven*, American Transportation Co., claimant, and to pay the amount decreed to be due said company; to the Committee on Claims.

By Mr. MINAHAN: A bill (H. R. 4920) granting a pension to William Cornick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4921) for the relief of Alice Barnes; to the Committee on Claims.

By Mr. MOORE of Illinois: A bill (H. R. 4922) granting a pension to Sarah E. Harkleroad; to the Committee on Invalid Pensions.

By Mr. MORRIS: A bill (H. R. 4923) for the relief of J. Walter Payne; to the Committee on Claims.

Also, a bill (H. R. 4924) for the relief of the heirs of Agnes Ingels, deceased; to the Committee on Claims.

Also, a bill (H. R. 4925) for the relief of the legal representatives of James H. Holladay, deceased; to the Committee on War Claims.

By Mr. OLDFIELD: A bill (H. R. 4926) granting a pension to William D. Henry; to the Committee on Invalid Pensions.

By Mr. PRALL: A bill (H. R. 4927) for the relief of Thomas Vincent Corey; to the Committee on Naval Affairs.

By Mr. RAMSEYER: A bill (H. R. 4928) granting an increase of pension to Susan Tutwiler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4929) granting a pension to Amanda Jordan; to the Committee on Invalid Pensions.

By Mr. RATHBONE: A bill (H. R. 4930) for the relief of Gabriel Roth; to the Committee on Claims.

By Mr. ROMJUE: A bill (H. R. 4931) granting a pension to Nancy Toles; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4932) for the relief of Jacob F. Webb; to the Committee on Military Affairs.

By Mr. ROSENBLUM: A bill (H. R. 4933) granting a pension to Oakley Randall; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4934) granting a pension to Samantha A. Broszt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4935) granting a pension to George W. Sampson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4936) granting a pension to Sanford L. Martin; to the Committee on Pensions.

By Mr. ROUSE: A bill (H. R. 4937) granting an increase of pension to Frances Gaskins; to the Committee on Invalid Pensions.

By Mr. SALMON: A bill (H. R. 4938) granting an increase of pension to Peter Boyd; to the Committee on Invalid Pensions.

By Mr. SANDERS of Indiana: A bill (H. R. 4939) granting a pension to Elizabeth A. Power; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4940) granting a pension to Elizabeth Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4941) granting an increase of pension to William R. Holt; to the Committee on Pensions.

By Mr. SCHALL: A bill (H. R. 4942) for the relief of Edward D. Bartlett; to the Committee on Claims.

Also, a bill (H. R. 4943) granting a pension to Cora F. Marlette; to the Committee on Invalid Pensions.

By Mr. SNYDER: A bill (H. R. 4944) granting a pension to Fannie M. Hawkins; to the Committee on Invalid Pensions.

By Mr. STRONG of Kansas: A bill (H. R. 4945) granting an increase of pension to Elizabeth Jane Fee; to the Committee on Pensions.

Also, a bill (H. R. 4946) granting an increase of pension to Julia Graves; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4947) granting an increase of pension to Rachel E. Kerby; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4948) granting an increase of pension to Carrie Wolbert; to the Committee on Invalid Pensions.

By Mr. SUTHERLAND: A bill (H. R. 4949) for the relief of Frank Buteau; to the Committee on Claims.

By Mr. SWEET: A bill (H. R. 4950) authorizing the Secretary of War to donate to the city of Natural Bridge, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4951) granting a pension to Anson A. Hungerford; to the Committee on Pensions.

Also, a bill (H. R. 4952) granting an increase of pension to Harry D. Frasier; to the Committee on Pensions.

Also, a bill (H. R. 4953) granting a pension to Margaret Newell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4954) granting a pension to Allie W. Seeber; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4955) granting a pension to Susan F. Illingsworth; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4956) granting a pension to Ella L. Kipp; to the Committee on Invalid Pensions.

By Mr. SWOOPE: A bill (H. R. 4957) granting a pension to Mary M. Heard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4958) granting a pension to Catherine H. Jenkins; to the Committee on Invalid Pensions.

By Mr. THOMAS of Kentucky: A bill (H. R. 4959) granting a pension to Harry Miller; to the Committee on Pensions.

Also, a bill (H. R. 4960) granting a pension to Charles H. Calloway; to the Committee on Pensions.

Also, a bill (H. R. 4961) granting an increase of pension to Willie E. Vaughan; to the Committee on Pensions.

By Mr. THOMPSON: A bill (H. R. 4962) granting an increase of pension to Thomas Murphy; to the Committee on Pensions.

By Mr. TREADWAY: A bill (H. R. 4963) granting an increase of pension to Ellen Cranston; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4964) granting an increase of pension to Mary Whalan; to the Committee on Invalid Pensions.

By Mr. VOIGT: A bill (H. R. 4965) granting a pension to Fred H. Helms; to the Committee on Pensions.

By Mr. WATKINS: A bill (H. R. 4966) to clear the military record of Alfred O. Huestis of desertion; to the Committee on Military Affairs.

Also, a bill (H. R. 4967) to clear the military record of Cecil C. Warner from the stigma of dishonorable discharge from the United States Navy; to the Committee on Naval Affairs.

By Mr. WOOD: A bill (H. R. 4968) for the relief of Crawford Miller; to the Committee on Claims.

By Mr. WOODRUFF: A bill (H. R. 4969) granting a pension to May V. Dusenbury; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4970) granting a pension to Sarah J. Skeels; 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:

398. By the SPEAKER (by request): Petition of the City Council of the city of Chicago, requesting that a Federal survey be made of Chicago River and Calumet River traffic with reference to the problem of fixed-bridge construction; to the Committee on Interstate and Foreign Commerce.

399. Also (by request): Petition of citizens of the United States, approving Secretary Mellon's tax-reduction plan; to the Committee on Ways and Means.

400. By Mr. ABERNETHY: Petition of Hon. Edward Clark, mayor of the city of New Bern, and other citizens of that city, favoring a law prohibiting the shipment of firearms by parcel post or express to the State of North Carolina without the proper registration and permit in accordance with the laws of the State of North Carolina; to the Committee on Interstate and Foreign Commerce.

401. By Mr. AYRES: Petition of sundry persons of Wichita, Kans., indorsing Mellon tax plan; to the Committee on Ways and Means.

402. By Mr. CELLER: Petition of the Peelie Co., William Spykehoven, and another citizen of Brooklyn, N. Y., opposing bonus legislation and favoring the reduction of taxes; to the Committee on Ways and Means.

403. Also, petition of Fire, Marine & Liability Brokers' Association of the City of New York and Sidney Blumenthal & Co. (Inc.), of New York City, favoring Mellon's tax-reduction plan and opposing the enactment of bonus legislation; to the Committee on Ways and Means.

404. Also, petition of the Merchants Association of New York, Morgan, French & Co. (Inc.), and American Paper & Pulp Co., of New York City, N. Y., urging the passage of tax bill and opposing the enactment into legislation of a soldiers' bonus; to the Committee on Ways and Means.

405. Also, petition of the Delaware & Hudson Co., New York City, N. Y., approving tax-reduction plan and opposing the passage of a bonus; to the Committee on Ways and Means.

406. Also, petition of Chas. M. Higgins & Co. and L. R. Pratt, of Brooklyn, N. Y., approving the tax-reduction plan and opposing the bonus; to the Committee on Ways and Means.

407. Also, petition of the James J. Matchett Co. and the John Levy Galleries, New York City, N. Y., favoring tax reduction and opposing bonus legislation; to the Committee on Ways and Means.

408. Also, petition of committee of employees of the Mutual Life Insurance Co. of New York, favoring the tax bill and opposing bonus legislation; to the Committee on Ways and Means.

409. Also, petition of officers and employees of the Titus Blatter & Co., New York City, N. Y., favoring the passage of the tax bill; to the Committee on Ways and Means.

410. Also, petition of J. G. Taylor, Massena, N. Y., urging Congress to reduce taxes and oppose the bonus; to the Committee on Ways and Means.

411. Also, petition of United Real Estate Owners' Association, New York City, N. Y., urging reduction of taxes by Congress; to the Committee on Ways and Means.

412. Also, petition of Fred G. Wolf, New York City, N. Y., favoring reduction of taxes and opposing bonus; to the Committee on Ways and Means.

413. Also, petition of F. O. Cedar Works (Ltd.), New York City, N. Y., favoring Secretary Mellon's tax-reduction plan; to the Committee on Ways and Means.

414. Also, petition of Diamond Saw & Stamping Works, Buffalo, N. Y., favoring the reduction of taxes; to the Committee on Ways and Means.

415. Also, petition of the Beckwith-Chandler Co., Newark, N. J., favoring tax reduction and opposing the bonus; to the Committee on Ways and Means.

416. Also, petition of John Hood and R. Whitel, of Niagara Falls, N. Y., favoring tax reduction; to the Committee on Ways and Means.

417. Also, petition of Southern Metal Trade Association, Atlanta, Ga., favoring tax reduction; to the Committee on Ways and Means.

418. By Mr. FAUST: Petition of rural carriers of Cass County, Mo., favoring passage of maintenance bill; to the Committee on the Post Office and Post Roads.

419. By Mr. FAVROT: Petition of A. B. Moore and other citizens of Baton Rouge, La., favoring a reduction of taxes; to the Committee on Ways and Means.

420. By Mr. FULLER: Petition of Cross, Roy & Saunders, of Chicago, Ill., favoring the Morgan bill (H. R. 91) repealing the tax on telegraph and telephone messages; to the Committee on Ways and Means.

421. Also, petitions of sundry citizens of Chicago, Ill., favoring reduction of Federal taxation as recommended by the Secretary of the Treasury; to the Committee on Ways and Means.

422. Also, petition of the American Paper & Pulp Association opposing a bonus for able-bodied veterans and favoring reduction of taxes as proposed by Secretary Mellon; to the Committee on Ways and Means.

423. Also, petitions of the Nelson Knitting Co., of Rockford, Ill., and sundry citizens of Rockford, De Kalb, and Chicago, Ill., favoring the reduction of Federal taxation as proposed by Secretary Mellon; to the Committee on Ways and Means.

424. Also, petition of the United Association of Post Office Clerks of the United States, favoring reclassification and increase of the salaries of post-office employees; to the Committee on the Post Office and Post Roads.

425. By Mr. HUDSON: Petition of the Ladies Auxiliary No. 93 of Branch No. 122, Postal Employees, Lansing, Mich., favoring a fair adjustment of postal salaries commensurate with

the arduous labor and responsibilities of the postal employees; to the Committee on the Post Office and Post Roads.

426. By Mr. ROBINSON of Iowa: Petition of citizens of the third congressional district of Iowa, favoring Mellon's tax-reduction plan; to the Committee on Ways and Means.

427. By Mr. SINCLAIR: Petition of the board of railway commissioners of the State of North Dakota, in favor of amending the transportation act for the purpose of restoring to the citizens the rights guaranteed under the Constitution; to the Committee on Interstate and Foreign Commerce.

428. By Mr. SNYDER: Petition of employees of the Remington Cash Register Co., Ilion, N. Y., in favor of reduction of taxes and against the bonus for able-bodied veterans; to the Committee on Ways and Means.

429. Also, petition of employees of the Remington Arms Co., Ilion, N. Y., in favor of the reduction of taxes and against the bonus for able-bodied veterans; to the Committee on Ways and Means.

430. By Mr. WOODRUM: Petition of Benjamin Powell and others, relating to House bills 186 and 506, providing for increase in pay of employees of Government Printing Office; to the Committee on Printing.

SENATE.

TUESDAY, January 8, 1924.

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

Another day has come from Thy gracious hand, O God, another day of privileges. May we recognize these as gifts to be used acceptably before Thee. Thou knowest the very many besetments that constantly assail us. When we would do good, too often evil is present with us. So direct our thoughts, so influence our conduct, that while we may be prone to wander, Thou wilt realize to us Thine infinite sufficiency and guide us ever to Thy glory. Through Christ our Lord. Amen.

NAMING A PRESIDING OFFICER.

The Secretary (George A. Sanderson) read the following communication:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
Washington, D. C., January 8, 1924.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. IRVINE L. LENROOT, a Senator from the State of Wisconsin, to perform the duties of the Chair this legislative day.

ALBERT B. CUMMINS,
President pro tempore.

Mr. LENROOT thereupon took the chair as Presiding Officer.

THE JOURNAL.

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

PETITIONS AND MEMORIALS.

Mr. PHIPPS. By request I send to the desk a petition signed by several thousand citizens of Colorado asking that Congress provide for the use of light wines and beer. I move that it be referred to the Committee on the Judiciary.

The motion was agreed to.

Mr. STERLING. I present a statement, in the nature of a petition, from the business men of Hartford, S. Dak., favoring the passage of the agricultural diversification aid bill, being Senate bill 1597. I ask that the petition may be printed in the Record without the names and referred to the Committee on Agriculture and Forestry. It is very short.

There being no objection, the petition was referred to the Committee on Agriculture and Forestry and ordered to be printed in the Record, as follows:

SENATE BILL 1597.

To the Hon. Senator THOMAS STERLING:

We the undersigned business men, members of the Hartford Boosters Club, hereby heartily approve the so-called Federal agricultural diversification aid bill, and urgently request that you use all influence and utmost effort in obtaining the passage of this bill. We consider it the soundest "aid bill" offered as a relief measure for the recovery of the northwest farmer up to the present time, barring none.