1911. Also, petition of 19 farmers of Cannon Township, Kittson County, Minn., urging the passage of the McNary-Haugen bill, providing for the relief of agriculture; to the Committee on Agriculture.

1912. Also, petition of five farmers of Lincoln Township, Marshall County, Minn., urging the passage of the McNary-Haugen bill, providing for the relief of agriculture; to the Committee on Agriculture.

1913. Also, petition of 32 farmers of Sinnott Township, Marshall County, Minn., urging the passage of the McNary-Haugen bill, providing for the relief of agriculture; to the Committee on Agriculture.

SENATE.

THURSDAY, *March 20, 1924.*

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

Our Father, we bless Thee for all the privileges of life, and ask from Thee help that we may so appreciate them as to live according to Thy good pleasure. May we find that the ends we aim at are our country's, Thyself, Thine own, and Truth. So enable us to walk in every pathway of duty that when the record is made up we shall hear the "Well done" from Thy gracious lips. Hear us! Be with us, O God! Keep us from going into wrong paths when so much is necessary in these days of tremendous issues. We ask always in the name of Jesus. Amen.

NAMING A PRESIDING OFFICER.

The Secretary, George A. Sanderson, read the following communication:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
Washington, D. C., March 20, 1924.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. SELDEN P. SPENCER, a Senator from the State of Missouri, to perform the duties of the Chair this legislative day.

ALBERT B. CUMMINS,
President pro tempore.

Mr. SPENCER 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.

CALL OF THE ROLL.

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

The PRESIDING OFFICER. The Secretary will call the roll.

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

Adams	Ferris	King	Robinson
Ball	Fletcher	Ladd	Sheppard
Borah	Frazier	Lodge	Shipstead
Brandegee	George	McKellar	Shortridge
Broussard	Gerry	McKinley	Simmons
Bruce	Glass	McLean	Smith
Bursum	Gooding	McNary	Smoot
Capper	Hale	Mayfield	Spencer
Caraway	Harreld	Neely	Stanfield
Copeland	Harris	Norris	Stephens
Couzens	Harrison	Oddie	Swanson
Curtis	Heflin	Overman	Wadsworth
Dale	Howell	Pepper	Walsh, Mass.
Dial	Johnson, Minn.	Phipps	Walsh, Mont.
Dill	Jones, N. Mex.	Pittman	Warren
Edge	Jones, Wash.	Ralston	Watson
Edwards	Kendrick	Ransdell	Weller
Ernst	Keyes	Reed, Pa.	Willis

Mr. CURTIS. I wish to announce that the Senator from Iowa [Mr. BROOKHART], the Senator from New Hampshire [Mr. MOSES], the Senator from Arizona [Mr. ASHURST], and the Senator from Montana [Mr. WHEELER] are detained in a committee meeting.

Mr. McNARY. I desire to state that the junior Senator from Arizona [Mr. CAMERON] is absent on account of sickness.

Mr. WILLIS. I wish to announce that my colleague, the junior Senator from Ohio [Mr. FESS] is unavoidably absent from the Senate to-day.

Mr. FLETCHER. My colleague, the junior Senator from Florida [Mr. TRAMMELL], is unavoidably absent. I ask that this announcement may stand for the day.

The PRESIDING OFFICER. Seventy-two Senators having answered to their names, there is a quorum present.

SUPPLEMENTAL ESTIMATE OF APPROPRIATION.

The PRESIDING OFFICER laid before the Senate a communication from the President of the United States, transmitting a supplemental estimate of appropriation for the District of Columbia, fiscal year 1924, for the maintenance of public convenience stations, in amount $3,000, which was referred to the Committee on Appropriations and ordered to be printed. (S. Doc. No. 76.)

DEBT STATISTICS.

Mr. SMITH. Mr. President, I have some statistics from the United States Department of Commerce, Bureau of the Census, giving the total gross and net debt of the National Government and of State, county, and city governments, and all other civil divisions having power to incur debt. It is a very instructive table, and I ask unanimous consent to have it printed in the RECORD.

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

The matter referred to is as follows:

UNITED STATES DEPARTMENT OF COMMERCE,
BUREAU OF THE CENSUS,
Washington.

PUBLIC DEBT.

TOTAL GROSS AND NET DEBT OF THE NATIONAL GOVERNMENT, OF STATE GOVERNMENTS, OF COUNTIES, OF CITIES, AND OF ALL OTHER CIVIL DIVISIONS HAVING POWER TO INCUR DEBT, 1922 AND 1912.

[This preliminary statement will be followed by a detailed report giving the statistics of debt by counties, incorporated places, school districts, townships, and all other civil divisions having power to incur debt.]

SCOPE AND SUMMARY OF THE STATISTICS.

PUBLIC DEBT.

The statistics in this summary relate to the gross and net debt of the National Government for the year which ended June 30, 1923, and to the gross and net debt of the 48 States and the District of Columbia, all cities, towns, villages, school districts, townships, drainage districts, and all other civil divisions having power to incur debt, for the fiscal year which ended in the calendar year 1922. A summary is also presented of the debt of the National Government for the year which ended June 30, 1922. All other references to the years 1922 and 1912 relate to the fiscal years which ended June 30, 1923, and June 30, 1913, for the National Government.

The gross debt reported for 1922 represents all of the public indebtedness, including funded or fixed (long-term and serial bonds), special assessment bonds, temporary loans, outstanding warrants, and other debt of every character, and amounted to $32,786,922,000, or an average for each person of $301.56. The annual interest on this gross debt outstanding, computed at the rate of 4 per cent, would amount to $1,311,476,880, or $12.06 per capita. At 4½ per cent and 1 per cent sinking fund the total charges would be $1,803,280,710, or $16.59 per capita. The actual amount lies somewhere between these figures. Of this total debt the National Government represented 68.7 per cent, the State governments 3.5 per cent, the counties 4.2 per cent, incorporated places 17.8 per cent, and all other civil divisions 5.8 per cent.

The net debt reported for 1922 and for 1912 represents the gross debt less the sinking fund and other assets held for the retirement of such debt. The net debt amounted to $4,850,461,000 in 1912 and $30,852,825,000 in 1922, representing an increase of 536 per cent. The average for each person was $49.97 in 1912 and $283.77 in 1922.

The gross debt of the National Government was $22,525,773,000 for the fiscal year which ended June 30, 1923. The indebtedness of other countries to the United States November 15, 1923, was $11,800,010,245, and of this total $4,600,000,000 represents the amount owed by Great Britain. The gross debt of the National Government was $23,260,543,000 for the fiscal year which ended June 30, 1922, $734,770,000 greater than for the year which ended June 30, 1923. The net debt, being the gross debt less cash in the Treasury, amounted to $22,996,416,000 June 30, 1922, as compared with $22,155,886,000 June 30, 1923.

GROSS AND NET DEBT.

In the table which follows is presented the gross and net debt for the National Government June 30, 1923, and June 30, 1913, and for the States and all other civil divisions, 1922 and 1912, the debt being classified by character and by civil divisions issuing—

Gross and net debt of the National Government, State governments, counties, incorporated places, and all other civil divisions having power to incur debt.

[Totals expressed in thousands.]

Division of Government.	Gross debt, 1922.				Net debt: Gross debt less sinking fund assets.			
					1922		1912	
	Total debt.	Funded or fixed.	Special assessment loans.	All other.	Total.	Per capita.	Total.	Per capita.
Grand total	$32,786,922	$25,256,787	$755,462	$6,774,673	$30,852,825	$283.77	$4,850,461	$49.97
National (1923 and 1913)	22,525,773	16,536,134	----------	5,989,639	[1] 22,155,886	203.78	[1] 1,028,564	10.59
States	1,162,651	1,064,009	----------	98,642	935,543	8.64	345,940	3.57
Counties	1,366,635	1,165,226	98,347	103,062	1,255,211	13.00	371,528	4.33
Incorporated places	5,840,052	5,011,238	424,904	403,910	4,708,940	70.80	2,884,884	54.27
All other civil divisions	1,891,811	1,480,180	232,211	179,420	1,797,245	(1)	219,545	(1)
Alabama	77,945	55,444	6,409	16,092	75,198	31.37	43,062	19.24
State government	15,233	10,064	----------	5,169	15,233	6.36	13,132	5.95
Counties	24,135	17,439	----------	6,696	22,170	9.18	7,939	3.55
Incorporated places	36,722	27,617	6,409	2,696	35,940	49.86	21,991	39.87
All other civil divisions	1,855	324	----------	1,531	1,855	(1)	----------	----------
Arizona	49,657	43,908	2,276	3,473	44,973	124.61	10,389	45.01
State government	5,758	2,913	----------	2,845	2,740	7.59	3,065	13.28
Counties	21,006	20,570	----------	436	20,086	54.64	2,478	10.74
Incorporated places	12,577	10,156	2,276	145	11,888	84.76	4,115	47.61
All other civil divisions	10,316	10,269	----------	47	10,259	(1)	731	(1)
Arkansas	91,536	8,831	76,403	6,302	91,280	51.03	13,813	8.32
State government	2,844	2,652	----------	192	2,722	1.52	1,236	.76
Counties	4,691	1,273	----------	3,418	4,680	2.60	2,877	1.73
Incorporated places	3,076	973	----------	2,103	3,065	6.13	6,571	17.10
All other civil divisions	80,925	3,933	76,403	589	80,813	(1)	3,129	(1)
California	532,448	479,286	34,723	18,439	520,254	142.81	146,752	55.01
State government	85,476	75,965	----------	9,511	85,267	23.41	10,223	3.83
Counties	54,433	52,458	----------	1,975	53,726	16.93	12,444	5.59
Incorporated places	199,132	192,946	1,762	4,424	191,469	72.10	113,967	62.40
All other civil divisions	193,407	157,917	32,961	2,529	189,792	(1)	10,118	(1)
Colorado	101,603	79,582	11,404	10,017	99,198	101.78	39,647	44.89
State governments	12,237	9,727	----------	2,510	12,019	12.33	3,174	3.70
Counties	7,906	6,119	----------	1,787	7,784	10.90	5,584	8.65
Incorporated places	46,541	33,912	10,903	1,726	45,186	77.34	27,287	51.07
All other civil divisions	34,319	29,824	501	3,994	34,209	(1)	3,602	(1)
Connecticut	117,331	102,008	1,372	13,861	100,954	70.33	52,636	44.03
State government	16,334	16,291	----------	43	6,088	4.24	7,111	6.12
Counties	1,490	615	----------	875	1,490	1.03	964	0.82
Incorporated places	87,996	75,994	1,168	10,834	82,484	55.51	41,759	39.03
All other civil divisions	11,511	9,198	204	2,109	10,892	(1)	2,202	(1)
Delaware	23,737	22,935	----------	802	22,451	98.32	6,860	32.98
State government	6,705	6,382	----------	323	5,834	25.55	763	3.70
Counties	6,131	6,131	----------	----------	5,961	25.98	1,389	6.68
Incorporated places	10,901	10,422	----------	479	10,656	67.98	4,665	37.12
All other civil divisions	----------	----------	----------	----------	----------	----------	43	(1)
District of Columbia	4,720	4,720	----------	----------	156	.36	9,061	26.03
State government	----------	----------	----------	----------	----------	----------	----------	----------
Counties	----------	----------	----------	----------	----------	----------	----------	----------
Incorporated places	4,720	4,720	----------	----------	156	.36	9,061	26.03
All other civil divisions	----------	----------	----------	----------	----------	----------	----------	----------
Florida	110,493	98,150	7,150	5,236	98,269	95.96	18,424	22.72
State government	985	601	----------	384	869	0.85	619	0.77
Counties	33,056	30,177	2,549	330	29,270	28.57	7,171	8.84
Incorporated places	44,477	38,147	4,601	1,729	39,435	76.17	10,405	33.28
All other civil divisions	31,975	29,182	----------	2,793	28,695	(1)	228	(1)
Georgia	71,405	63,843	1,364	6,198	64,038	21.56	32,548	11.89
State government	5,523	5,395	----------	128	5,419	1.82	6,934	2.57
Counties	24,985	21,593	----------	3,392	22,810	7.66	2,725	1.00
Incorporated places	39,456	35,568	1,364	2,524	34,370	32.47	22,675	27.39
All other civil divisions	1,441	1,287	----------	154	1,439	(1)	214	(1)
Idaho	66,499	46,474	12,426	7,599	62,193	136.24	14,130	37.30
State government	8,085	5,928	----------	2,157	7,673	16.81	2,143	5.92
Counties	13,073	9,474	----------	3,599	11,239	24.46	3,322	8.77
Incorporated places	15,135	9,696	4,696	743	14,105	68.24	5,974	42.87
All other civil divisions	30,206	21,376	7,730	1,100	29,176	(1)	2,691	(1)
Illinois	367,804	217,688	51,965	98,151	364,019	54.66	139,480	23.62
State government	13,880	11,140	----------	2,740	13,880	2.08	2,272	0.39
Counties	28,773	18,686	----------	10,087	28,632	4.26	11,555	1.96
Incorporated places	173,064	84,714	49,116	39,234	171,283	32.44	114,455	26.38
All other civil divisions	152,087	103,148	2,849	46,090	150,224	(1)	11,198	(1)
Indiana	166,754	152,403	7,059	7,292	152,792	51.21	67,404	24.41
State government	2,325	86	----------	2,239	2,325	0.78	1,350	0.49
Counties	88,903	84,870	3,479	554	77,115	25.64	9,721	3.52
Incorporated places	32,587	27,451	3,580	1,556	30,484	16.34	19,155	12.77
All other civil divisions	42,939	39,996	----------	2,943	42,868	(1)	37,178	(1)
Iowa	158,311	118,862	25,288	14,161	151,911	62.23	35,426	15.94
State governments	1,457	185	----------	1,272	1,457	0.60	357	0.16
Counties	43,228	36,266	3,519	3,443	43,228	17.61	9,580	4.31
Incorporated places	45,220	36,666	6,030	2,524	44,779	32.48	21,994	19.13
All other civil divisions	68,406	45,745	15,739	6,922	62,447	(1)	3,495	(1)
Kansas	129,669	94,490	31,792	3,387	123,470	69.16	52,868	31.36
State governments	78	----------	----------	78	78	0.04	243	0.14
Counties	23,186	17,108	5,153	925	21,998	12.19	9,777	5.80
Incorporated places	73,029	44,657	28,639	1,733	69,501	74.31	36,730	45.85
All other civil divisions	33,376	32,725	----------	651	31,893	(1)	6,118	(1)
Kentucky	54,846	40,009	1,514	13,323	50,519	20.68	30,030	12.85
State government	7,755	6	----------	7,749	7,745	3.17	4,441	1.90
Counties	13,448	10,791	----------	2,657	12,340	5.01	4,569	1.96
Incorporated places	29,088	26,592	1,514	982	25,880	30.78	21,020	28.00
All other civil divisions	4,555	2,620	----------	1,935	4,554	(1)	----------	----------
Louisiana	131,985	115,218	6,531	10,236	126,946	69.18	75,007	42.97
State government	14,829	11,649	----------	3,180	14,829	8.08	13,546	7.89
Parishes	20,384	19,027	----------	1,357	19,943	13.74	3,154	2.27
Incorporated places	65,709	55,177	5,079	5,453	61,205	78.50	47,219	76.38
All other civil divisions	31,063	29,365	1,452	246	30,969	(1)	11,088	(1)
Maine	46,383	41,371	----------	5,012	42,457	54.90	22,798	30.08
State government	12,907	11,283	----------	1,624	12,906	16.69	1,255	1.67
Counties	2,643	2,448	----------	195	2,546	3.27	1,463	1.93
Incorporated places	17,083	15,237	----------	1,846	14,967	31.13	16,528	41.19
All other civil divisions	13,750	12,403	----------	1,347	12,038	(1)	3,552	(1)
Maryland	169,653	165,738	2,833	1,082	120,954	81.43	59,546	44.76
State government	32,469	32,269	----------	200	22,129	14.90	7,334	5.56
Counties	8,233	7,201	557	475	7,893	10.82	2,859	3.78

[1] Not computed.

[2] Gross debt less cash in the Treasury.

Gross and net debt of the National Government, State governments, counties, incorporated places, and all other civil divisions having power to incur debt—Continued.

Division of Government.	Gross debt, 1922.				Net debt: Gross debt less sinking fund assets.			
					1922		1912	
	Total debt.	Funded or fixed.	Special assessment loans.	All other.	Total.	Per capita.	Total.	Per capita.
Maryland—Continued								
Incorporated places	$126,922	$126,268	$247	$407	$88,920	$91.52	$49,353	$66.77
All other civil divisions	2,029		2,029		2,012	(1)		
Massachusetts	452,065	418,659	1,162	32,244	327,008	82.30	267,129	75.28
State government	133,416	132,388		1,028	76,995	19.38	79,551	22.78
Counties	9,765	7,861		1,904	9,764	3.13	3,113	1.13
Incorporated places	308,026	277,594	1,162	29,270	239,428	60.36	180,938	54.92
All other civil divisions	858	816		42	820	(1)	[2]3,527	(1)
Michigan	386,860	314,742	34,415	37,703	361,778	94.09	59,997	20.43
State government	54,271	45,500		8,771	50,934	13.25	7,089	2.41
Counties	44,638	33,682	10,670	286	42,632	10.89	5,153	1.75
Incorporated places	286,433	188,577	23,745	24,111	218,152	83.59	42,518	25.04
All other civil divisions	51,518	46,983		4,535	50,060	(1)	5,237	(1)
Minnesota	282,932	178,735	58,431	45,766	269,608	109.99	70,364	32.26
State government	20,308	19,476		832	20,308	8.28	1,345	.63
Counties	83,763	39,847	39,427	4,489	81,252	32.91	14,013	6.42
Incorporated places	114,112	83,826	19,004	11,282	103,834	71.02	46,461	43.41
All other civil divisions	64,749	35,586		29,163	64,204	(1)	8,545	(1)
Mississippi	115,189	93,059	14,068	7,462	111,500	62.27	28,638	15.25
State government	14,865	9,987		4,878	14,865	8.30	4,490	2.41
Counties	11,226	10,234	34	958	9,836	5.41	10,624	5.66
Incorporated places	23,973	20,767	2,209	997	22,878	54.26	11,705	31.81
All other civil divisions	65,125	52,071	12,425	629	63,921	(1)	1,839	(1)
Missouri	137,379	109,410	20,864	7,105	118,276	34.43	61,622	18.37
State government	30,456	25,909		4,547	30,456	8.87	4,671	1.40
Counties	19,213	17,741		1,472	17,915	6.71	6,681	2.50
Incorporated places	40,826	38,662	1,226	938	28,687	14.25	42,482	23.41
All other civil divisions	46,884	27,098	19,638	148	41,218	(1)	7,888	(1)
Montana	72,814	57,720	6,693	8,401	65,229	110.20	18,146	43.29
State government	7,864	4,598		3,266	7,579	12.80	1,513	3.73
Counties	31,195	28,636	81	2,478	27,340	44.78	6,492	15.49
Incorporated places	18,077	9,909	6,612	1,556	16,178	65.30	8,994	51.07
All other civil divisions	15,678	14,577		1,101	14,132	(1)	1,157	(1)
Nebraska	101,875	81,362	9,510	11,063	97,755	73.93	36,745	29.80
State government	1,037			1,037	1,038	.78	374	.31
Counties	8,967	7,970		997	8,757	6.59	3,706	3.01
Incorporated places	39,559	28,259	9,435	1,865	37,444	53.61	28,548	51.61
All other civil divisions	52,312	45,073	75	7,164	50,516	(1)	4,117	(1)
Nevada	7,170	6,546	38	586	7,005	90.49	3,183	33.60
State government	1,751	1,222		529	1,751	22.62	608	6.70
Counties	2,791	2,763		28	2,717	34.35	1,292	13.64
Incorporated places	1,340	1,278	38	24	1,248	28.48	931	42.13
All other civil divisions	1,288	1,283		5	1,289	(1)	352	(1)
New Hampshire	18,188	13,938		4,250	16,123	36.16	11,301	25.87
State government	3,470	2,490		980	3,018	6.77	1,956	4.50
Counties	740	352		388	621	1.39	488	1.12
Incorporated places	11,122	9,759		1,363	9,814	33.91	7,504	25.54
All other civil divisions	2,856	1,337		1,519	2,670	(1)	1,353	(1)
New Jersey	449,947	365,143	24,591	60,213	382,172	116.40	176,169	61.89
State government	17,322	17,316		6	16,355	4.98	642	0.24
Counties	89,311	81,429		7,882	73,854	22.27	33,869	12.30
Incorporated places	305,430	233,455	21,967	50,008	256,238	93.61	124,749	56.60
All other civil divisions	37,884	32,943	2,684	2,257	35,725	(1)	16,969	(1)
New Mexico	26,481	16,532	8,921	1,028	25,010	67.86	7,662	20.70
State government	5,144	4,712		432	4,954	13.44	1,218	3.41
Counties	3,767	3,286		481	3,114	8.17	3,055	8.25
Incorporated places	6,472	4,208	2,171	93	6,149	63.35	2,099	32.10
All other civil divisions	11,098	4,326	6,750	22	10,793	(1)	1,290	(1)
New York	2,426,305	2,216,238	63,437	146,630	1,683,820	158.15	1,132,432	116.59
State government	267,713	266,998		715	186,542	17.52	86,205	9.05
Counties	46,063	35,907	4,142	6,004	45,886	9.37	23,310	5.16
Incorporated places	2,068,329	1,871,747	59,285	137,297	1,407,288	151.77	1,010,273	124.73
All other civil divisions	44,200	41,586		2,614	44,154	(1)	12,644	(1)
North Carolina	188,801	165,746	11,612	11,443	182,711	69.03	34,344	14.88
State government	34,713	33,201		1,512	34,713	13.11	8,059	3.54
Counties	69,183	64,371		4,812	67,012	25.28	7,049	3.05
Incorporated places	70,782	55,547	11,612	3,623	67,299	88.99	18,196	33.32
All other civil divisions	14,123	12,627		1,496	13,687	(1)	1,040	(1)
North Dakota	46,150	25,561	9,948	10,641	40,266	60.89	13,261	20.07
State government	7,204	6,905		299	5,913	8.94	820	1.29
Counties	7,917	6,059	850	1,008	5,768	8.65	2,212	3.35
Incorporated places	13,463	3,320	9,098	1,045	12,715	57.61	5,708	35.67
All other civil divisions	17,566	9,277		8,289	15,870	(1)	4,521	(1)
Ohio	755,530	624,683	123,235	7,612	670,338	112.40	230,667	48.27
State government	30,961	25,001		5,960	30,143	5.05	5,142	1.05
Counties	101,907	75,620	26,069	218	95,385	15.82	34,845	7.02
Incorporated places	416,300	355,406	59,462	1,432	348,412	80.23	190,246	59.23
All other civil divisions	206,362	168,656	37,704	2	196,398	(1)	9,434	(1)
Oklahoma	188,333	137,099	6,712	14,522	129,977	61.75	60,721	31.32
State government	5,729	4,457		1,272	4,797	2.28	6,931	3.74
Counties	26,325	22,753		3,572	21,850	10.23	7,937	4.09
Incorporated places	73,797	63,881	6,568	3,348	60,800	69.27	38,361	66.42
All other civil divisions	52,482	46,008	144	6,330	42,530	(1)	7,492	(1)
Oregon	153,847	122,171	21,946	9,730	138,094	170.69	43,828	57.90
State government	46,815	45,759		1,056	39,983	49.42	31	6.04
Counties	22,203	18,384		3,819	19,529	23.97	2,614	3.45
Incorporated places	57,586	41,343	13,670	2,573	53,040	105.12	38,788	87.71
All other civil divisions	27,243	16,685	8,276	2,282	25,542	(1)	2,395	(1)
Pennsylvania	644,232	601,853	10,405	31,974	550,439	61.28	245,979	30.34
State government	52,491	51,461		1,030	49,968	5.56		
Counties	85,616	83,259		2,357	70,390	9.91	30,796	4.76
Incorporated places	367,751	349,090	9,908	8,743	304,846	47.75	204,458	37.65
All other civil divisions	138,374	118,093	437	19,844	125,235	(1)	10,725	(1)
Rhode Island	70,182	61,613		8,569	49,239	79.38	30,716	52.99
State government	11,527	11,527			9,338	15.05	5,127	9.02
Counties								
Incorporated places	58,655	50,086		8,569	39,901	64.61	25,003	44.83
All other civil divisions							[2]586	(1)
South Carolina	70,539	55,565	4,356	10,618	65,010	37.64	21,287	13.54
State government	9,079	5,325		3,754	8,729	5.05	6,196	3.98
Counties	23,905	19,268	1,807	2,830	21,556	12.47	2,764	1.76

[1] Not computed.

[2] Includes debt of towns which in 1922 is included with that of incorporated places.

Gross and net debt of the National Government, State governments, counties, incorporated places, and all other civil divisions having power to incur debt—Continued.

Division of Government.	Gross debt, 1922.				Net debt: Gross debt less sinking fund assets.			
					1922		1912	
	Total debt.	Funded or fixed.	Special assessment loans.	All other.	Total.	Per capita.	Total.	Per capita.
South Carolina—Continued.								
Incorporated places	$28,158	$22,707	$2,549	$2,902	$26,747	$59.10	$11,282	$31.47
All other civil divisions	9,397	8,265		1,132	7,978	(1)	1,051	(1)
South Dakota	94,962	83,241	1,759	9,962	50,554	78.09	12,685	19.72
State government	55,481	54,470		1,011	15,431	23.84	370	0.58
Counties	7,778	3,745		4,033	6,512	9.92	3,591	5.56
Incorporated places	14,519	11,851	1,626	1,042	12,403	48.62	6,179	31.50
All other civil divisions	17,184	13,175	133	3,876	16,208	(1)	2,545	(1)
Tennessee	148,322	131,339	5,591	11,392	142,277	60.05	59,099	26.41
State government	19,142	14,628		4,514	19,141	8.08	11,812	5.32
Counties	46,714	44,021		2,693	43,529	18.26	16,521	7.38
Incorporated places	77,485	67,709	5,591	4,185	74,626	98.02	30,766	51.60
All other civil divisions	4,981	4,981			4,981	(1)		
Texas	393,254	376,521	3,526	13,207	356,342	73.71	87,894	21.07
State government	6,145	4,102		2,043	6,144	1.27	4,656	1.14
Counties	107,472	105,052		2,420	96,240	19.72	27,669	6.63
Incorporated places	134,683	125,830	275	8,578	118,135	60.38	47,792	37.39
All other civil divisions	144,954	141,537	3,251	166	135,823	(1)	7,777	(1)
Utah	52,394	44,532	1,837	6,025	50,041	106.85	15,289	37.77
State government	10,709	9,910		799	9,819	20.97	1,430	3.52
Counties	6,688	5,160		1,528	6,427	13.70	937	2.31
Incorporated places	17,738	12,620	1,837	3,281	17,537	51.48	10,888	40.92
All other civil divisions	17,259	16,842		417	16,458	(1)	2,034	(1)
Vermont	12,689	7,333		5,356	11,994	34.03	6,981	19.39
State government	2,112	1,666		446	2,112	5.99	570	1.58
Counties	136	134		2	136	.38	26	.07
Incorporated places	6,941	4,737		2,204	6,295	23.08	5,055	25.13
All other civil divisions	3,500	796		2,704	3,451	(1)	1,330	(1)
Virginia	134,480	127,200	$359	6,921	119,115	50.33	61,930	29.09
State government	22,800	20,548		2,252	21,756	9.19	22,043	10.48
Counties	23,733	22,963		770	22,102	12.66	5,544	3.31
Incorporated places	87,713	83,689	125	3,899	75,023	91.38	33,049	53.48
All other civil divisions	234		234		234	(1)	1,294	(1)
Washington	187,039	147,854	23,365	15,820	169,033	120.21	95,971	71.37
State government	13,454	12,523		931	13,191	9.38	1,556	1.21
Counties	24,891	23,298		1,593	21,920	15.48	10,300	7.66
Incorporated places	90,891	61,782	23,365	5,744	84,901	95.20	76,890	91.50
All other civil divisions	57,803	50,251		7,552	49,051	(1)	7,225	(1)
West Virginia	75,168	72,380	2,122	666	70,512	46.38	11,195	8.67
State government	25,590	25,590			24,181	15.97		
Counties	8,755	8,523		232	8,323	5.44	2,443	1.87
Incorporated places	12,313	9,835	2,122	356	10,699	20.53	7,244	19.31
All other civil divisions	28,510	28,432		78	27,309	(1)	1,503	(1)
Wisconsin	105,520	94,919	4,879	5,722	104,523	38.81	40,067	16.56
State government	2,164			2,164	2,164	0.80	2,251	0.93
Counties	29,479	28,757		722	29,479	10.87	4,100	1.69
Incorporated places	65,025	58,698	4,287	2,040	64,028	40.79	29,390	22.98
All other civil divisions	8,852	7,464	592	796	8,852	(1)	3,826	(1)
Wyoming	20,323	18,012	571	1,740	19,128	93.02	4,324	26.48
State government	4,038	3,804		234	4,011	19.50	122	0.71
Counties	2,790	1,905		885	2,444	11.76	973	5.96
Incorporated places	9,118	8,203	571	344	8,672	80.14	2,972	43.67
All other civil divisions	4,377	4,100		277	4,001	(1)	257	(1)

(1) Not computed.

PETITIONS AND MEMORIALS.

Mr. FLETCHER presented resolutions of the Woman's Clubs, of Lake Hamilton and Oldsmar, in the State of Florida, favoring the restriction of narcotic production to medical and scientific needs, which were referred to the Committee on Foreign Relations.

Mr. ROBINSON. I present a number of petitions and letters from citizens of Arkansas, praying that no amendments shall be made to the transportation act. The communications are numerously signed by employees of various railroad companies. They reside for the most part at Little Rock, North Little Rock, El Dorado, and Booneville, in the State of Arkansas. I ask that they may be referred to the Committee on Interstate Commerce.

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

Mr. JONES of Washington presented a petition of members and friends of the Woman's Home Missionary Society, First Methodist Episcopal Church, of Kelso, Wash., praying an amendment to the Constitution regulating child labor, which was referred to the Committee on the Judiciary.

Mr. CAPPER presented a resolution adopted by the Topeka (Kans.) Industrial Council, favoring the restriction of narcotic production to medical and scientific needs, which was referred to the Committee on Foreign Relations.

He also presented telegrams in the nature of petitions from the Lions Club and Post No. 34, the American Legion, both of Kingman, and of numerous other citizens of St. John, all in the State of Kansas, praying for the passage of legislation more stringently restricting immigration, which were referred to the Committee on Immigration.

Mr. FRAZIER presented a resolution adopted by members of Herman-Schlinker Post, the Amercan Legon, at Ellendale, N. Dak., favoring the passage of legislation granting adjusted compensation to veterans of the World War, which was referred to the Committee on Finance.

He also presented the petition of Arthur Nelson and 9 other citizens of Courtenay, N. Dak., praying for the passage of legislation increasing the tariff duty on wheat, also repealing the drawback provision and the milling-in-bond privilege of the Fordney-McCumber tariff act, which was referred to the Committee on Finance.

He also presented the petitions of H. H. McNair and 4 other citizens of Portland, and of John E. Boe and 5 other citizens and of C. A. DeFoe and 19 other citizens of Turtle Lake, all in the State of North Dakota, praying for the passage of the so-called Norris-Sinclair bill providing aid to agriculture, which were referred to the Committee on Agriculture and Forestry.

STATEMENT BY J. W. GIBBONS.

Mr. CAPPER. I present a letter from J. W. Gibbons relative to a statement to the Santa Fe Railway shop employees' associations of Kansas, which I ask be printed in the RECORD and referred to the Committee on Interstate Commerce.

There being no objection, the statement was ordered to be printed in the RECORD and referred to the Committee on Interstate Commerce, as follows:

TOPEKA, KANS., *March 17, 1924.*

Hon. ARTHUR CAPPER,

Senator from Kansas, Washington, D. C.

MY DEAR SENATOR: On page 3125 of the CONGRESSIONAL RECORD of February 25, 1924, I find you had entered into the records a statement from Mr. C. A. McDonald, who signs himself secretary Federated Shop Crafts, Missouri Pacific Railroad, and a clipping which he inclosed which was cut from the Kansas City Star of February 10.

The clipping from the Star is an absolute misrepresentation of any statement or speech that I have ever made to the Santa Fe shop employees or any other body of citizens. I have asked the Kansas City Star to correct it. Their representative informed me that the information was gathered from some one who represented himself to be a railroad employee, but he could not remember just who the man was.

The only speech I have made to Santa Fe employees this year was in the city auditorium of Topeka, Kans., on January 14, on the occasion of a public entertainment given by the seven shop crafts associations whose members are employed in the Santa Fe shops. The invitation was not extended to me to address this meeting as a foreman but as the system secretary-treasurer of the supervisors' association, which is a kindred organization of the craft associations, which is especially interested in maintaining fair conditions for labor.

What I said, in substance, stated briefly, is as follows:

"Commerce is the lifeblood of the Nation. The railroads are the arteries that convey the blood to all parts of the body (nation) and keep it in good, healthy condition. Anything that weakens or obstructs these arteries is a detriment to the health of the body (nation)."

I stated that—

"Lack of nourishment or congestion due to unhealthy or weak arteries (railroads) stops the flow of lifeblood (raw materials) from the producers to the industrial centers and the manufactured article to the consumer."

The only reference I made to the transportation act of 1920 was to the point that after years of quarreling between capital and labor employed on railroads, which had resulted in great injury to the public as well as to those directly engaged in the quarrel, the Esch-Cummins bill has provided a means whereby labor could take their grievance to an impartial tribunal for adjudication, and this law materially assisted the employees to maintain their present standard of wages.

I never mentioned the prosperity of railroads or overtime work by men. In fact, the Santa Fe Railroad has worked its men but very little overtime in the past three years. I did urge everyone to exercise their rights of citizenship and acquaint the public with the facts and thus mold public opinion, to the end that no substantial change be made in the present laws.

This meeting was open to the public and attended by a large per cent of business men and city officials of Topeka. Neither the officials of the Santa Fe nor the officials or any other railroad company were consulted as to what I would say. I was asked by the members of the entertainment committee to make a talk on the "Purpose and progress of these associations."

With reference to the last paragraph of the article referred to, I wish positively to state that members of the association with which I am connected or members of any of the Santa Fe shop crafts associations have any knowledge whatsoever of such a meeting being contemplated, and it is certain that the funds of our respective associations are not to be used as suggested in said paragraph.

In the fifth paragraph of Mr. McDonald's letter he suggests that some law should be passed prohibiting employers of labor from in any way trying to influence their employees in regard to their duty as American citizens. In regard to this, I wish to say my record of political action is well known to all and proves that I have never been dominated by any individual or class, and I believe that some law should be passed to protect the individual from misrepresentation of this kind.

Your honorable body should also be acquainted with the fact that Mr. McDonald does not represent the employees of the Missouri Pacific Railroad but only a small fraction of the former employees of this road who are still on strike, which was called July 1, 1922.

The Santa Fe shop employees' associations represent 16,934 out of a total of 17,300 men employed in the seven crafts of the Santa Fe Railroad shops, and they wish me to state that their loyalty to the Government and to the public is best expressed by the service that the railroad which employs them gives to the public compared to the roads formerly controlled by the Federated Shop Crafts Mr. McDonald represents.

I want to say to the honorable body that we, as a class, are willing to be judged by the efficiency of the railroad that employs us and the economical record made by the management, and that we would be traitors to ourselves and to the public if we were not loyal to our employer.

I respectfully request that this statement be given the same publicity that was given to the statement of the Federated Shop Crafts in the CONGRESSIONAL RECORD of February 25.

Yours sincerely,

J. W. GIBBONS.

FIRST DEFICIENCY APPROPRIATIONS.

Mr. WARREN. I report back favorably with amendments from the Committee on Appropriations the bill (H. R. 7449) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1924, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1924, and for other purposes, and I submit a report (No. 285) thereon. I give notice that I shall ask permission to call the bill up for consideration to-morrow.

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

REPORTS OF COMMITTEES.

Mr. PEPPER, from the Committee on the Library, to which was referred the joint resolution (S. J. Res. 7) granting permission for the erection of a monument to symbolize the national game of baseball, reported it without amendment.

Mr. SMITH, from the Committee on Interstate Commerce, to which was referred the bill (S. 2704) to amend paragraph (3), section 16, of the interstate commerce act, reported it without amendment and submitted a report (No. 286) thereon.

Mr. LADD, from the Committee on Commerce, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (S. 2512) granting the consent of Congress to the counties of Sibley and Scott, Minn., to construct a bridge across the Minnesota River (Rept. No. 287); and

A bill (S. 2597) to authorize the construction of a bridge across the Fox River in St. Charles Township, Kane County, Ill. (Rept. No. 288).

Mr. JONES of Washington, from the Committee on Commerce, to which was referred the bill (H. R. 6943) granting the consent of Congress to the village of Port Chester, N. Y., and the town of Greenwich, Conn., or either of them, to construct, maintain, and operate a dam across the Byram River, reported it without amendment and submitted a report (No. 289) thereon.

NATIONAL M'KINLEY BIRTHPLACE MEMORIAL ASSOCIATION.

Mr. PEPPER. Mr. President, from the Committee on the Library I report back favorably, without amendment, Senate bill 2821, and I ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. The Secretary will read the bill.

The bill (S. 2821) to amend section 3 of an act entitled "An act to incorporate the National McKinley Birthplace Memorial Association," approved March 4, 1911, was read, as follows:

Be it enacted, etc. That section 3 of the act entitled "An act to incorporate the National McKinley Birthplace Memorial Association," approved March 4, 1911, be amended to read as follows:

"SEC. 3. That the management and direction of the affairs of the corporation and the control and disposition of its property and funds shall be vested in a board of trustees, five in number, to be composed of the individuals named in section 1 of this act, who shall constitute the first board of trustees. Vacancies caused by death, resignation, or otherwise, shall be filled by the remaining trustees in such manner as shall be prescribed from time to time by the by-laws of the corporation. The persons so elected shall thereupon become trustees and also members of the corporation: *Provided*, That if the interests of the association hereinbefore named shall at any time in the judgment of the incorporators named in section 1, their associates and successors, require the services of an additional trustee, said incorporators, their associates and successors, shall have authority to elect an additional trustee, so that the total number of trustees at any time may not exceed six."

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

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

Mr. PEPPER. Mr. President, this organization is incorporated by act of Congress. It holds the title to the memorial at the birthplace of President McKinley. The executive or administrative body is a board of five trustees. The only purpose of this measure is to give to the existing trustees, who are self-perpetuating, the right to increase their number to six in case it becomes necessary to do this in the interest of making it feasible to assemble a quorum. At the present time, with the number of trustees so limited, it is found difficult or impossible to get quorums at meetings, and therefore difficult to transact the necessary business of the organization. It is a formal matter merely, and I venture to hope that it will meet with no opposition.

Mr. WILLIS. Mr. President, I desire to say only this: I have personal information about this matter and the Senator from Pennsylvania has stated it accurately. I trust that the bill will pass.

The PRESIDING OFFICER. The bill is before the Senate as in Committee of the Whole and open to amendment. If there be no amendment to be proposed, the bill will be reported to the Senate.

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

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House had disagreed to the amendment of the Senate to the amendment of the House to Senate amendment No. 47 to the bill (H. R. 5078) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1925, and for other purposes.

The message also announced that the House had passed a bill (H. R. 6817) to provide for the construction of a vessel for the Coast Guard, in which it requested the concurrence of the Senate.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

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

By Mr. KEYES:

A bill (S. 2872) defining the rights of alien administrators and others to bring actions in the Federal courts of the United States of America; to the Committee on the Judiciary.

By Mr. BURSUM:

A bill (S. 2873) to amend the war risk insurance act, as amended; to the Committee on Finance.

A bill (S. 2874) referring to the Court of Claims the claim of the heirs and legal representatives of John P. Maxwell and Hugh H. Maxwell, deceased; to the Committee on Claims.

By Mr. McLEAN:

A bill (S. 2875) granting a pension to Herschel C. Young; to the Committee on Pensions.

By Mr. PHIPPS:

A bill (S. 2876) granting an increase of pension to Kate Gallup (with an accompanying paper); to the Committee on Pensions.

By Mr. DALE:

A bill (S. 2877) granting an increase of pension to Phebe D. Tate; to the Committee on Pensions.

By Mr. DALE (for Mr. GREENE):

A bill (S. 2878) granting a pension to Lester H. Clark (with accompanying papers); to the Committee on Pensions.

By Mr. ODDIE:

A bill (S. 2879) for the relief of James E. Jenkins; to the Committee on Claims.

A bill (S. 2880) granting six months' pay to Maude Morrow Fechteler; to the Committee on Naval Affairs.

By Mr. FLETCHER:

A bill (S. 2881) for the relief of the Mallory Steamship Co.; to the Committee on Claims.

By Mr. CAPPER:

A bill (S. 2883) authorizing the accounting officers of the General Accounting Office to settle the accounts of W. H. Power; to the Committee on Claims.

By Mr. SHORTRIDGE:

A bill (S. 2884) for the relief of L. H. Phipps; to the Committee on Claims.

By Mr. KING:

A bill (S. 2885) to amend the act entitled "An act to regulate the height, area, and use of buildings in the District of Columbia and to create a zoning commission, and for other purposes"; to the Committee on the District of Columbia.

By Mr. JONES of Washington:

A bill (S. 2886) to amend the Federal water power act, and for other purposes; to the Committee on Commerce.

By Mr. WADSWORTH:

A bill (S. 2887) authorizing transfer of certain abandoned or unused lighthouse reservation lands by the United States to the State of New York for park purposes; to the Committee on Commerce.

By Mr. SWANSON:

A joint resolution (S. J. Res. 100) granting permission to Hugh S. Cumming, Surgeon General of the United States Public Health Service, to accept certain decorations bestowed upon him by the Republics of France and Poland; to the Committee on Foreign Relations.

By Mr. WADSWORTH:

A joint resolution (S. J. Res. 101) authorizing the President to detail an officer of the Corps of Engineers as Director of the Bureau of Engraving and Printing; to the Committee on Military Affairs.

CONSTRUCTION OF CERTAIN PUBLIC BUILDINGS.

Mr. FLETCHER. Mr. President, I introduce a bill making appropriations for the construction of certain public buildings. I ask that the bill may be referred to the Committee on Appropriations and printed in full in the RECORD.

The bill (S. 2882) making appropriations for the construction of certain public buildings was read twice by its title, referred to the Committee on Appropriations, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That the following sums be, and the same are hereby, appropriated for the objects hereinafter expressed, namely:

(A) For increase in the limit of cost of construction of those certain public buildings, heretofore authorized by Congress to be constructed and for which appropriations were made, referred to in Senate Document No. 28, Sixty-eighth Congress, first session, $15,130,780, or so much thereof as may be necessary.

(B) For the construction of public buildings on those certain sites heretofore acquired, but for the construction of which buildings no appropriations were made, referred to in Senate Document No. 28, Sixty-eighth Congress, first session, $23,557,500, or so much thereof as may be necessary.

Mr. FLETCHER. I ask unanimous consent to proceed very briefly to explain the bill, the reason I have for introducing it, and asking that it be referred to the Committee on Appropriations.

The PRESIDING OFFICER. If there be no objection, the Senator from Florida is recognized for that purpose.

Mr. FLETCHER. Mr. President, it is proper that the bill should be referred to and considered by the Committee on Appropriations, for the projects covered have heretofore been investigated in whole or in part and approved by Congress, so that all that is now necessary is to appropriate funds with which to carry on the work. I do not make this request because of any doubt that the Committee on Public Buildings and Grounds—of which my good friend, the Senator from Maine [Mr. FERNALD], is chairman—would fail or refuse to report it, but I do fear that if the bill is referred to that committee the members would be swamped and perhaps harassed by those desiring to amend it by the inclusion of new projects which, if included, would, in my opinion, jeopardize the final passage and approval of the measure. And so, Mr. President, I am certain it would be better to refer it to the Committee on Appropriations, for that committee would not, or should not, consider such amendments, and is in position to obtain any additional information that may be desired direct from the Secretary of the Treasury. Furthermore, the bill calls for appropriations and must be considered by the Committee on Appropriations. I hope the bill will be carefully considered, favorably reported, passed, and approved in the near future.

It is understood that members of the Senate and House Committees on Public Buildings and Grounds are now giving consideration to the matter of framing and reporting a general public building bill providing for the acquisition of additional sites throughout the country and the construction of suitable buildings thereon in order to relieve, in so far as may be possible, the congested conditions existing and where the need of buildings or enlarged quarters is greatest; and while it is uncertain that such a bill would meet the approval of the President at this time, yet there is no reason why this bill introduced by me should not be approved by the President, for its object and purpose are to carry out the contracts heretofore entered into by and between the Government and the people. There is a moral obligation of long standing involved and the Government should not further delay fulfilling its part of the contract.

The Senate document referred to in the bill is a letter addressed to the President of the Senate by Hon. A. W. Mellon, Secretary of the Treasury, under date January 24, 1924, transmitting, in response to Senate Resolution No. 94, submitted by me, information relative to sites acquired and appropriations necessary for the erection of certain public buildings, and I request that the document be printed in the RECORD in connection with my remarks, and also a letter addressed to me by Hon. McKenzie Moss, Assistant Secretary of the Treasury in charge of public buildings, under date February 27, 1924, in order that Members of Congress and the public may be informed of the facts and the reasons which prompt me in urging that favorable action be taken on this measure.

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

The document and letter are as follows:

ERECTION OF PUBLIC BUILDINGS.

Letter from the Secretary of the Treasury, transmitting, in response to Senate Resolution 94, information relative to sites acquired and appropriations necessary for the erection of certain public buildings.

TREASURY DEPARTMENT,
Washington, January 24, 1924.

The PRESIDENT OF THE SENATE.

SIR: In response to Senate Resolution 94, directing the Secretary of the Treasury to furnish certain data in reference to public buildings, I have the honor to submit the following:

The information desired, together with certain additional data not specifically called for by the resolution, but without which the statement in regard to the status of authorized buildings and sites would not be complete, is set forth in Exhibit A, as follows:

(a) Name of each city or town (by States) where authorizations have been made for acquisition of a site, construction of a building on site already owned, or for site and building.

(b) Date site was acquired; or, if not acquired, its present status.

(c) Consideration paid for each site.

(d) Amount authorized for site, site and building, or for building only.

(e) Balance available for building.

(f) Estimated cost of building on site authorized.

(g) Amount of increase required where existing authorization is insufficient.

There is also submitted Exhibit B, which includes the names of certain projects, mentioned in Exhibit A, where drawings have been prepared, or are contemplated, for buildings of a very simple type that may possibly be provided within the existing limit of cost by the adoption of much cheaper methods of construction than has been the practice heretofore of this department; or by furnishing space to satisfy present needs only, without room for future expansion; or by not including accommodations for Government activities that may be located in the places named but where the legislation is for a post office only.

Respectfully,

A. W. MELLON,
Secretary of the Treasury.

EXHIBIT A.

Names of cities where sites only or sites and buildings have been authorized, limit of cost of each project, amount authorized in each case, cost of land where sites have been acquired, date of acquisition by Government, balance available, estimated cost of project, and increase in limit required.

Place. (a)	Date site acquired. (b)	Cost of site. (c)	Amount authorized. (d)	Balance available. (e)	Estimated amount. (f)	Increase. (g)
Alabama:						
Albertville	June 9, 1917	$2,500	$5,000		$55,000	
Andalusia	Feb. 26, 1915	4,975	[1] 50,000	$45,000	110,000	$65,000
Attalla	Apr. 20, 1918	4,000	5,000		55,000	
Greenville	Jan. 23, 1917	5,000	5,000		95,000	
Sylacauga	Sept. 10, 1914	5,000	5,000		80,000	
Union Springs	Aug. 26, 1914	4,500	5,000		55,000	
Alaska:						
Fairbanks	Sept. 30, 1915	15,000	15,000		400,000	
Juneau	Sept. 2, 1911	22,500	[1] 200,000	177,500	477,500	300,000
Arizona:						
Globe	Nov. 14, 1911	15,000	[2] 15,000 [3] 100,000	100,000	225,000	125,000
Prescott	Apr. 13, 1915	7,500	7,500		250,000	
Tucson	Apr. 29, 1914	15,000	15,000		425,000	
Arkansas:						
Brinkley	Sept. 30, 1918	3,735	5,000		55,000	
Conway	June 16, 1915	2,000	5,000		100,000	
El Dorado	Mar. 2, 1922	5,000	5,000		175,000	
Forrest City	May 28, 1917	4,500	5,000		65,000	
Marianna	Feb. 7, 1917	2,750	[1] 50,000	47,250	92,250	45,000
North Little Rock (Argenta)	Dec. 14, 1920	9,500	10,000		100,000	
Prescott	Aug. 24, 1914	[4]	[1] 50,000	50,000	65,000	15,000
Russellville	Feb. 17, 1917	5,000	[1] 50,000	45,000	130,000	85,000
Stuttgart	Not purchased		5,000		90,000	
California:						
Bakersfield	Aug. 23, 1911	17,500	[2] 20,000 [3] 135,025	135,000	250,000	115,000
Long Beach	Feb. 14, 1914	40,000	40,000		750,000	
Modesto	Dec. 28, 1916	17,000	20,000		175,000	
Red Bluff	Jan. 31, 1917	9,800	[1] 60,000	50,200	135,200	85,000
San Bernardino	June 17, 1913	16,500	20,000		200,000	
San Luis Obispo	Oct. 30, 1916	7,500	[1] 80,000	72,500	115,000	42,500
San Pedro	Site not selected.		[1] 60,000	60,000	500,000	440,000
Colorado:						
Canon City	May 8, 1915	11,000	15,000		140,000	
Durango	Jan. 24, 1912	10,000	[2] 10,000 [3] 100,000	100,000	250,000	150,000
Monte Vista	May 22, 1916	3,900	10,000		100,000	
Montrose	Mar. 31, 1916	15,000	15,000		400,000	
Sterling	July 31, 1917	15,000	15,000		125,000	

[1] Site and building. [2] Site. [3] Building. [4] Donated

EXHIBIT A—Continued.

Names of cities where sites only or sites and buildings have been authorized, etc.—Continued.

Place. (a)	Date site acquired. (b)	Cost of site. (c)	Amount authorized. (d)	Balance available. (e)	Estimated amount. (f)	Increase. (g)
Connecticut:						
Branford	June 8, 1917	$9,600	[1] $55,000	$45,400	$60,400	$15,000
Manchester	Aug. 22, 1911	12,000	15,000		100,000	
Mystic	Mar. 22, 1917	4,000	[1] 55,000	51,000	76,000	25,000
Putnam	Sept. 15, 1911	8,500	[1] 65,000	56,500	106,500	50,000
Delaware:						
Newark	Dec. 18, 1914	4,000	5,000		60,000	
District of Columbia:						
State, etc., department	[5]					
Florida:						
De Funiak Springs	Jan. 9, 1917	[4]	6,000		70,000	
Key West	Nov. 3, 1915	52,750	80,000		450,000	
Kissimmee	Oct. 9, 1914	5,000	6,000		70,000	
Lake City	Oct. 17, 1914	6,000	7,500		85,000	
Marianna	Nov. 16, 1916	4,000	[1] 70,000	66,000	151,000	85,000
Georgia:						
Canton	Aug. 29, 1916	5,000	5,000		50,000	
Douglas	Aug. 22, 1917	3,500	[1] 55,000	51,500	76,500	25,000
Eatonton	Apr. 10, 1917	3,000	5,000		55,000	
Madison	July 21, 1917	5,000	5,000		65,000	
Monroe	May 29, 1916	5,000	5,000		65,000	
Rossville	Apr. 3, 1915	5,000	5,000		70,000	
Sandersville	Aug. 12, 1915	5,000	5,000		65,000	
Thomson	Sept. 25, 1915	5,000	5,000		55,000	
Toccoa	Jan. 28, 1915	5,000	5,000		65,000	
Waynesboro	Apr. 13, 1915	4,093	5,000		70,000	
West Point	Apr. 28, 1916	6,000	[1] 50,000	44,000	69,000	25,000
Idaho:						
Caldwell	June 28, 1915	8,500	10,000		100,000	
Coeur d'Alene	May 3, 1912	13,200	[1] 100,000	86,800	251,800	165,000
Nampa	Jan. 15, 1917	6,200	10,000		125,000	
Sand Point	Aug. 6, 1916	[4]	[1] 70,000	70,000	115,000	45,000
Illinois:						
Batavia	Not selected.		[1] 95,000	95,000	95,000	None.
Carlinville	Mar. 10, 1917	8,000	10,000		95,000	
Carrollton	Sept. 14, 1918	7,000	7,000		100,000	
Chicago, West Side			[6] 1,750,000			
Chicago, East Sixty-third			[6] 50,000			
Cicero	June 19, 1915	6,000	7,000		100,000	
Geneseo	July 15, 1920	10,000	[1] 60,000	50,000	100,000	50,000
Havana	Nov. 14, 1916	9,000	10,000		110,000	
Highland	Sept. 30, 1914	4,000	7,000		80,000	
Jerseyville	Sept. 9, 1918	6,250	[1] 65,000	58,750	98,750	40,000
Mendota	Sept. 8, 1917	10,000	10,000		70,000	
Metropolis	Site not selected.		[1] 50,000	50,000	100,000	50,000
Mount Carmel	Sept. 23, 1914	20,000	[1] 75,000	55,000	115,000	60,000
Paxton	Site not selected.		[1] 60,000	60,000	100,000	40,000
Spring Valley	June 27, 1921	6,000	10,000		75,000	
Woodstock	Aug. 23, 1917	15,000	17,000		110,000	
Indiana:						
Bluffton	Oct. 9, 1918	11,500	[1] 70,000	58,500	98,500	40,000
Clinton	Jan. 4, 1917	6,800	[1] 60,000	53,200	73,200	20,000
Decatur	Sept. 20, 1919	9,000	10,000		125,000	
Greensburg	July 26, 1917	12,000	12,000		140,000	
Lebanon	Apr. 3, 1917	9,000	10,000		115,000	
Linton	Aug. 18, 1916	5,500	8,000		95,000	
Mount Vernon	Sept. 15, 1911	7,500	7,500		100,000	
Noblesville	Dec. 11, 1917	10,000	10,000		110,000	
North Vernon	May 16, 1918	10,000	[1] 60,000	50,000	85,000	35,000
Plymouth	Not purchased		10,000		80,000	
Rochester	....do		[1] 70,000	62,000	112,000	50,000
Salem	....do		5,000		60,000	
Warsaw	Oct. 27, 1921	10,000	10,000		100,000	
Iowa:						
Albia	June 19, 1917	5,000	5,000		100,000	
Cherokee	July 19, 1916	12,000	[1] 70,000	58,000	103,000	45,000
Des Moines	Aug. 15, 1919	65,000	[2] 100,000 [3] 250,000	250,000	600,000	350,000
Fairfield	Sept. 18, 1916	7,000	10,000		100,000	
Marengo	Dec. 29, 1915	3,500	5,000		75,000	
Newton	July 13, 1917	10,000	10,000		125,000	
Oelwein	Aug. 23, 1915	8,000	8,000		85,000	
Kansas:						
Holton	Sept. 22, 1911	4,500	7,500		90,000	
Kentucky:						
Barbourville	Nov. 9, 1921	5,000	5,000		50,000	
Central City	June 17, 1915	7,500	7,500		60,000	
Elizabethtown	Dec. 23, 1916	4,000	7,500		75,000	
Eminence	Oct. 11, 1915	6,850	8,000		65,000	
Falmouth	Nov. 21, 1914	5,000	5,000		60,000	
Harrodsburg	Mar. 24, 1917	7,500	10,000		85,000	
Hodgenville	Aug. 28, 1917	2,500	5,000		55,000	
Madisonville	Dec. 29, 1916	5,000	10,000		90,000	
Murray	May 3, 1917	4,000	5,000		60,000	
Paintsville	Aug. 10, 1917	4,000	5,000		60,000	
Pikeville	Not purchased		7,500		75,000	
Prestonburg	Mar. 12, 1918	3,000	5,000		60,000	
Shelbyville	June 10, 1911	10,000	[2] 10,000 [3] 50,000	50,000	100,000	50,000

[1] Site and building.
[2] Site.
[3] Building.
[4] Donated.
[5] Proposition taken up by Committee on Public Buildings and Grounds in their report to the Senate.
[6] These matters will require a survey of the entire Chicago situation.

EXHIBIT A—Continued.

Names of cities where sites only or sites and buildings have been authorized, etc.—Continued.

Place. (a)	Date site acquired. (b)	Cost of site. (c)	Amount authorized. (d)	Balance available. (e)	Estimated amount. (f)	Increase. (g)
Louisiana:						
Morgan City	Dec. 7, 1921	$6,000	$6,000		$60,000	
Thibodaux	Mar. 15, 1918	5,000	[1] 50,000	$45,000	60,000	$15,000
Maine:						
Caribou	Sept. 20, 1911	10,000	[2] 10,000 / [3] 50,000	50,000	80,000	30,000
Fort Fairfield	Feb. 8, 1915	18,000	[1] 80,000	62,000	77,000	15,000
Hallowell	Mar. 13, 1912	6,500	20,000		70,000	
Maryland:						
Salisbury	Apr. 21, 1917	10,500	[1] 90,000	79,500	104,500	25,000
Massachusetts:						
Amherst	June 5, 1923	10,500	[1] 80,000	69,500	99,500	30,000
Leominster	July 2, 1917	20,000	[1] 90,000	70,000	135,000	65,000
Malden	Site to be donated.		150,000	150,000	250,000	100,000
Newburyport	May 3, 1912	25,000	[2] 25,000 / [3] 70,000	70,000	140,000	70,000
Provincetown	Dec. 10, 1917	7,500	8,000		98,000	
Southbridge	Nov. 11, 1915	18,000	[1] 80,000	62,000	122,000	60,000
South Framingham	Dec. 19, 1916	18,000	25,000		145,000	
Waltham	Oct. 17, 1911	46,051	[1] 115,000	68,900	178,900	110,000
Winchester	Mar. 31, 1916	19,500	[1] 75,000	55,500	120,500	65,000
Michigan:						
Benton Harbor	June 2, 1917	25,000	25,000		160,000	
Boyne City	Aug. 14, 1911	8,000	10,000		70,000	
Calumet	Not purchased		20,000		120,000	
Cheboygan	Oct. 2, 1906	7,000	[1] 70,000	62,100	87,100	25,000
Hastings	Dec. 30, 1918	6,300	[1] 81,000	74,700	124,700	50,000
Midland	Nov. 8, 1916	6,000	[1] 60,000	54,000	99,000	45,000
Wyandotte	Site not purchased.		[1] 75,000	75,000	150,000	75,000
Minnesota:						
Duluth	Apr. 15, 1911	86,700	95,000		650,000	
Fairmount	Site not purchased.		65,000	60,000	115,000	55,000
Montevideo	Aug. 23, 1911	5,000	[2] 5,000 / [3] 50,000	50,000	110,000	60,000
Mississippi:						
Holly Springs	Feb. 2, 1914	6,500	[2] 5,000 / [3] 45,000	43,500	73,500	30,000
Water Valley	Apr. 29, 1916	5,000	[1] 50,000	45,000	75,000	30,000
Missouri:						
Aurora	Apr. 19, 1909	6,975	10,000		90,000	
Caruthersville	July 18, 1918	4,000	5,000		75,000	
Centralia	Sept. 11, 1914	6,000	7,500		100,000	
Farmington	Jan. 30, 1918	5,000	8,000		80,000	
Fayette	Mar. 28, 1917	4,000	[1] 55,000	51,000	91,000	40,000
Harrisonville	Oct. 27, 1916	5,000	[1] 52,500	47,500	67,500	20,000
Lamar	Aug. 22, 1914	7,000	10,000		65,000	
Lebanon	Dec. 16, 1914	6,800	7,500		75,000	
Liberty	Sept. 28, 1917	6,000	[1] 60,000	54,000	69,000	15,000
Mountain Grove	Oct. 12, 1916	6,000	7,500		80,000	
Sikeston	June 16, 1917	7,500	7,500		75,000	
Trenton	Jan. 26, 1910	3,000	10,000		90,000	
Unionville	Feb. 26, 1917	7,500	7,500		55,000	
West Plains	Aug. 29, 1914	5,000	7,500		75,000	
Nebraska:						
Central City	July 17, 1917	Donated	[1] 55,000	55,000	75,000	20,000
Nevada:						
Fallon	June 11, 1917	1,500	[1] 55,000	53,500	65,500	12,000
Goldfield	Not acquired.		[1] 75,000	75,000	75,000	None.
New Hampshire:						
Somersworth	Dec. 23, 1920	7,500	7,500		60,000	
New Jersey:						
Bayonne	Nov. 19, 1913	25,000	[2] 25,000 / [3] 100,000	100,000	250,000	150,000
East Orange	Oct. 9, 1911	48,696	[2] 60,000 / [3] 125,000	125,000	390,000	265,000
Millville	Nov. 26, 1912	14,700	[1] 55,000	40,300	115,300	75,000
Montclair	Nov. 11, 1914	30,000	[1] 130,000	100,000	250,000	150,000
Passaic	Apr. 7, 1913	25,000	25,000		[7] 50,000 / [8] 425,000	
Red Bank	June 3, 1914	25,000	25,000		125,000	
Salem	Mar. 2, 1917	10,000	10,000		100,000	
Vineland	Nov. 8, 1915	10,000	[1] 70,000	60,000	120,000	60,000
Woodbury	Nov. 12, 1912	15,000	[1] 70,000	55,000	80,000	25,000
New Mexico:						
East Las Vegas	Dec. 27, 1917	9,000	[1] 125,000	116,000	116,000	None.
New York:						
Bath	Dec. 9, 1914	13,000	15,000		90,000	
Binghamton	Mar. 22, 1916	100,000	100,000		[2] [9] 25,000 / [3] 475,000	
Bronx	July 17, 1914	275,900	[9] 285,000			
Cohoes	Feb. 1, 1916	58,500	[1] 140,000	81,500	116,500	35,000
Dunkirk	Mar. 21, 1914	20,000	20,000		170,000	
Fort Plain	Site not purchased.		[1] 65,000	65,000	95,000	30,000
Long Island City	Apr. 13, 1915	40,000	[1] 200,000	160,000	310,000	150,000
Lyons	Dec. 18, 1917	15,000	15,000		90,000	
Nyack	Aug. 10, 1911	15,500	15,500		100,000	

[1] Site and building.
[2] Site.
[3] Building.
[7] New site or additional land.
[8] Additional land.
[9] This matter will require a survey of the entire Bronx situation.

EXHIBIT A—Continued.

Names of cities where sites only or sites and buildings have been authorized, etc.—Continued.

Place. (a)	Date site acquired. (b)	Cost of site. (c)	Amount authorized. (d)	Balance available. (e)	Estimated amount. (f)	Increase. (g)
New York—Con.						
Oneida	Mar. 29, 1917	$14,350	$20,000		$110,000	
Saranac Lake	Jan. 12, 1917	18,500	[1] 90,000	$71,500	111,500	$40,000
Syracuse	Oct. 6, 1911	324,999	[2] 325,000 / [3] 550,000	550,000	1,609,000	1,059,000
Utica	Sept. 20, 1911	99,500	100,000		800,000	
Yonkers	June 22, 1917	338,000	[1] 500,000	160,300	550,000	390,000
Walden	Nov. 19, 1914	7,500	[1] 65,000	57,500	87,500	30,000
Waterloo	June 2, 1911	19,000	[2] 30,000 / [3] 55,000	55,000	90,000	35,000
North Carolina:						
Edenton	Aug. 2, 1916	4,000	7,500		85,000	
Lenoir	Aug. 24, 1915	4,500	8,000		90,000	
Lumberton	Sept. 16, 1914	10,000	10,000		115,000	
Mount Olive	Aug. 25, 1920	2,000	5,000		75,000	
Mount Airy	Site not purchased.		5,000		100,000	
Rockingham	No appropriation.		5,000		75,000	
Rutherfordton	July 21, 1917	4,000	5,000		65,000	
Thomasville	Sept. 13, 1917	8,000	[1] 55,000	47,000	82,000	35,000
Wadesboro	No appropriation.		5,000		70,000	
Wilson	May 28, 1909	10,000	[1] 60,000	50,000	250,000	200,000
North Dakota:						
Fargo	Apr. 9, 1915	23,500	25,000		600,000	
Jamestown	Dec. 23, 1911	7,500	[2] 10,000 / [3] 75,000	75,000	260,000	185,000
Ohio:						
Akron	Aug. 28, 1914	86,280	[1] 400,000	313,720	1,000,000	686,280
Conneaut	Nov. 3, 1911	15,000	15,000		115,000	
Delphos	Not purchased		7,000		[24] 10,000 / [3] 90,000	
Fremont	Apr. 2, 1912	12,000	[2] 15,000 / [3] 100,000	100,000	145,000	45,000
Jackson	July 31, 1911	10,000	10,000		85,000	
Kenton	Nov. 2, 1916	14,000	[1] 80,000	66,000	131,000	65,000
Millersburg	Feb. 26, 1918	7,500	7,500		70,000	
Napoleon	Sept. 15, 1915	7,500	7,500		115,000	
New Philadelphia	July 20, 1915	12,400	12,500		120,000	
Niles	May 27, 1911	15,000	15,000		110,000	
Sandusky	Mar. 30, 1917	55,000	[1] 215,000	160,000	280,000	120,000
St. Marys	Sept. 25, 1917	6,500	7,500		75,000	
Steubenville	Sept. 23, 1912	35,000	270,000	235,000	235,000	None.
Urbana	June 3, 1911	13,000	15,000		115,000	
Washington Court House	Feb. 6, 1915	15,000	[1] 80,000	65,000	115,000	50,000
Wilmington	Not purchased		[1] 75,000	75,000	130,000	55,000
Oklahoma:						
Frederick	Mar. 8, 1917	6,800	10,000		90,000	
Hobart	May 28, 1915	10,000	10,000		110,000	
Oregon:						
St. Johns	Not purchased		5,000		55,000	
Pennsylvania:						
Donora	Not selected.		[1] 75,000	75,000	100,000	25,000
Dubois	Oct. 5, 1912	25,000	[2] 25,000 / [3] 85,000	85,000	135,000	50,000
Franklin	Feb. 1, 1915	19,000	[1] 100,000	81,000	161,000	80,000
Kittanning	Sept. 30, 1909	15,000	15,000		125,000	
Lancaster	Oct. 1, 1917	127,833	138,278		500,000	
Lewistown	May 15, 1917	16,500	[1] 75,000	58,500	103,500	45,000
McKees Rocks	Sept. 7, 1916	14,500	[1] 80,000	65,000	100,000	35,000
Olyphant	Not selected.		[1] 65,000	65,000	85,000	20,000
Pittsburgh	Pending	950,000	950,000		2,250,000	
Pittston	Mar. 25, 1919	20,000	[1] 100,000	80,000	230,000	150,000
Rochester	Aug. 4, 1911	26,000	30,000		65,000	
Sayre	Not selected.		[1] 80,000	80,000	130,000	50,000
State College	Feb. 9, 1916	14,400	[1] 75,000	60,600	120,600	60,000
Tamaqua	Not purchased		[1] 75,000	48,000	123,000	75,000
Tarentum	July 28, 1911	20,000	[2] 20,000 / [3] 60,000	60,000	125,000	65,000
Tyrone	Aug. 2, 1918	25,000	25,000		150,000	
Waynesburg	Not selected.		[1] 75,000	75,000	140,000	65,000
Rhode Island:						
Warren	June 8, 1916	10,000	10,000		75,000	
South Carolina:						
Dillon	Oct. 9, 1914	7,500	7,500		75,000	
Lancaster	Mar. 30, 1915	8,000	[1] 80,000	42,000	82,000	40,000
South Dakota:						
Chamberlain	Not selected.		[1] 60,000	60,000	75,000	15,000
Milbank	July 7, 1917	4,000	7,500		65,000	
Vermillion	Jan. 4, 1917	2,500	7,500		85,000	
Tennessee:						
Athens	Dec. 24, 1914	5,000	[1] 50,000	45,000	115,000	70,000
Elizabethton	Not purchased		2,500		[2] [10] 2,500 / [3] 70,000	
Franklin	Jan. 17, 1917	6,200	[1] 55,000	48,800	128,800	80,000
Huntingdon	Aug. 13, 1915	2,500	2,500		75,000	
Memphis subpost office	Mar. 14, 1918	90,000	[1] 210,000	120,000	750,000	630,000
Rogersville	Dec. 30, 1916	2,250	3,000		65,000	
Tullahoma	June 28, 1919	6,000	[1] 50,000	44,000	74,000	30,000
Texas:						
Atlanta	Sept. 19, 1912	4,000	5,000		65,000	
Coleman	Oct. 12, 1915	1	5,000		70,000	
Comanche	Aug. 13, 1918	3,000	[1] 50,000	47,000	87,000	40,000
Crockett	Sept. 23, 1915	6,000	6,000		85,000	
Dallas	Apr. 18, 1914	250,000	300,000		2,000,000	

[1] Site and building. [2] Site. [3] Building. [10] Additional for site.

EXHIBIT A—Continued.

Names of cities where sites only or sites and buildings have been authorized, etc.—Continued.

Place. (a)	Date site acquired. (b)	Cost of site. (c)	Amount authorized. (d)	Balance available. (e)	Estimated amount. (f)	Increase. (g)
Texas—Contd.						
Georgetown	Oct. 5, 1914	$5,000	$5,000	.....	$85,000	.....
Gilmer	Jan. 23, 1917	5,000	[1] 55,000	$50,000	70,000	$20,000
Huntsville	Jan. 25, 1912	5,000	5,000	.....	85,000	.....
Memphis	Mar. 16, 1916	3,600	7,500	.....	75,000	.....
Mount Pleasant	Dec. 29, 1916	5,000	[1] 55,000	50,000	80,000	30,000
Orange	Apr. 10, 1915	5,000	[1] 60,000	55,000	110,000	55,000
Pittsburg	Feb. 21, 1917	5,000	[1] 55,000	50,000	65,000	15,000
Seguin	May 19, 1914	(4)	7,500	.....	80,000	.....
Sweetwater	Nov. 19, 1914	6,500	7,500	.....	90,000	.....
Taylor	Mar. 31, 1915	5,000	5,000	.....	115,000	.....
Utah:						
Nephi	May 17, 1918	5,000	5,000	.....	65,000	.....
Vernal	Mar. 15, 1918	4,750	[1] 50,000	45,250	130,250	85,000
Vermont:						
St. Johnsbury	June 26, 1917	8,500	[1] 100,000	91,500	146,500	55,000
Virginia:						
Buena Vista	Apr. 4, 1919	4,000	5,000	.....	75,000	.....
Cape Charles	Not purchased	.....	7,500	.....	75,000	.....
Manassas	Dec. 19, 1919	3,750	5,000	.....	65,000	.....
West Point	Sept. 23, 1915	5,000	5,000	.....	55,000	.....
Woodstock	July 23, 1917	4,000	5,000	.....	65,000	.....
Washington:						
Colfax	Oct. 25, 1917	5,500	7,000	.....	75,000	.....
Pasco	July 12, 1916	10,000	10,000	.....	75,000	.....
Seattle [11]	Jan. 11, 1912	169,500	{[2] 200,000 / [3] 300,000}	300,000	[12] 4,800,000	4,500,000
West Virginia:						
Hinton	Mar. 14, 1913	5,027	{[2] 10,000 / [3] 50,000}	50,000	85,000	35,000
New Martinsville	June 20, 1916	12,250	12,500	.....	85,000	.....
Philippi	Apr. 13, 1914	8,000	8,000	.....	60,000	.....
Williamson	Oct. 28, 1911	6,500	{[2] 7,500 / [3] 50,000}	50,000	250,000	200,000
Wisconsin:						
Madison	Nov. 19, 1923	336,448	550,000	213,552	853,552	640,000
Milwaukee, west side.	No appropriation.	.....	100,000	.....	350,000	.....
Mineral Point	Dec. 9, 1921	4,468	[1] 60,000	55,500	70,500	15,000
Monroe	Aug. 1, 1911	7,500	7,500	.....	110,000	.....
Tomah	July 18, 1917	8,000	[1] 55,000	47,000	72,000	25,000
Waupun	Sept. 3, 1913	3,400	5,000	.....	80,000	.....
Wyoming:						
Buffalo	Sept. 14, 1911	7,000	{[2] 7,000 / [3] 62,500}	62,500	97,500	35,000
Cody	Apr. 20, 1912	4,500	{[2] 6,000 / [3] 50,000}	50,000	125,000	75,000
Green River	Oct. 6, 1911	6,000	6,000	.....	70,000	.....
Newcastle	Dec. 22, 1916	4,400	5,000	.....	75,000	.....

[1] Site and building.
[2] Site.
[3] Building.
[4] Donated.
[11] Present site not suitable; changes in legislation contemplated.
[12] New site and building.

EXHIBIT B.

LIST OF BUILDINGS INCLUDED IN EXHIBIT A, WHERE DRAWINGS HAVE BEEN PREPARED OR ARE CONTEMPLATED.

California: Bakersfield, Red Bluff, and San Luis Obispo.
Georgia: Douglas and West Point.
Idaho: Sandpoint.
Illinois: Geneseo, Jerseyville, and Mount Carmel.
Indiana: Bluffton, Clinton, and North Vernon.
Kentucky: Shelbyville.
Louisiana: Thibodaux.
Maryland: Salisbury.
Massachusetts: Leominster.
Michigan: Cheboygan and Midland.
Mississippi: Water Valley.
Missouri: Fayette and Liberty.
Nevada: Fallon.
New Jersey: Vineland.
New Mexico: East Las Vegas.
New York: Cohoes, Saranac Lake, Walden, and Waterloo.
Ohio: Kenton, Steubenville, and Washington Court House.
Pennsylvania: Dubois, Franklin, Lewistown, Pittston, and State College.
Tennessee: Franklin.
Texas: Gilmer, Mount Pleasant, and Pittsburg.
Vermont: St. Johnsbury.
Wisconsin: Mineral Point.
Wyoming: Buffalo and Cody.

TREASURY DEPARTMENT,
OFFICE OF ASSISTANT SECRETARY,
Washington, February 27, 1924.

Hon. DUNCAN U. FLETCHER,
United States Senate.

MY DEAR SENATOR: Reference is made to your letter of February 23 asking to be furnished with certain totals of the amounts in connection with authorized public buildings and sites contained in Senate Document No. 28. These amounts are as follows:

(1) The total amount of appropriations available for the construction of certain buildings (col. e)---------- $9,280,822
(2) An estimate of the total additional amount necessary for Congress to appropriate in order that those buildings may be constructed (col. g)---------- 15,130,780
(3) The total amount estimated necessary to be appropriated for the construction of buildings on sites heretofore acquired for which no appropriation was made for the construction of a building (col. f)---- 23,557,500

Very truly yours,

MCKENZIE MOSS, *Assistant Secretary.*

Mr. FLETCHER. Mr. President, it will be noted from the document and the letter that in order to carry out the intent and purpose of Congress—expressed in previous legislation—to construct buildings on those certain sites mentioned it will be necessary to pursue the matter further by enacting legislation making appropriations available in the sum of $15,130,780 to supplement the unexpended appropriations heretofore made amounting to $9,280,822—that being the balance on hand in the Treasury—before those buildings can be constructed, due to the increased cost of labor and materials, and it will also be necessary to make available the sum of $23,557,500 in order to construct buildings on those certain sites for which no appropriations were made for the construction of buildings. It is now necessary to appropriate or make available a total of $38,688,280 in order to carry out the intent and purpose of Congress that suitable buildings be constructed on all those certain sites mentioned in the document.

To illustrate the situation I refer to the fact that the Government acquired a site at Cheboygan, Mich., on October 2, 1906, at a cost of $7,900. The appropriation for site and building was $70,000, but it was found that a suitable building could not be constructed on that site for the balance of the appropriation—$62,100. That was almost 20 years ago, yet no building has been constructed and the site is vacant; and in order to carry out the intent and purpose of Congress that a suitable building be constructed at Cheboygan it will be necessary to appropriate or make available the sum of $25,000 additional, for it is now estimated by the Treasury Department that it will cost $87,100 to construct the building. I note from the document that a number of sites were acquired during 1909, 1911, and 1912 on which no buildings have been constructed. It is to be hoped that Members of Congress will give careful consideration to the matter in order that the general situation may be better understood and appreciated.

As I stated on a former occasion, there has been no general public buildings appropriation legislation since 1913 due to the fact that the World War came on soon afterward and practically all activity in that direction ceased, but that condition does not obtain at this time and Congress should go ahead and provide suitable buildings on all those sites heretofore acquired and relieve the inadequate and unsightly conditions that exist in many, if not all these cities and towns. In this connection I am advised that the rental charged the Government for some quarters amounts to 25 to 30 per cent interest on the estimated cost of the building that could be constructed by the Government. Furthermore, the business of the Government can not be satisfactorily transacted in inadequate quarters, and it is a poor policy to delay action longer.

Mr. President, while it is understood that this administration is for the time being, at least, opposed to the enactment of a general public buildings bill, this bill introduced by me is not such a bill. It can not be termed "pork barrel legislation." It provides (a) for covering the increase in the limit of cost of construction of those certain public buildings heretofore authorized by Congress to be constructed and for which insufficient appropriations were made, and (b) for the construction of public buildings on those certain sites heretofore acquired but for the construction of which buildings no appropriations were made. Its object and purpose is to carry out the intent of Congress expressed from time to time, written into the law and never repealed, that those buildings should be constructed, and we should now keep faith with the people and appropriate the money in order that the work may proceed in an orderly manner. If it is feared that to engage upon an

extensive building program at this time would disrupt the business and economic condition of the country then why not provide for the construction of these certain buildings and provide for the construction of other buildings at a later day? That would be dividing up the work and make it possible to continue it over a period of years rather than all at one time and not disrupt conditions.

It may be that to undertake a "very extensive building program" would be disadvantageous at this time, but that is not what I propose. And so I say, Congress should appropriate the thirty-eight-odd million dollars now in order that the construction of those buildings referred to in the document may be undertaken, and later provide funds for the construction of suitable buildings in other cities and towns where the need is most urgent. Let us complete the present program which has heretofore been mapped out, and then take up something else along the same line. I wish to remind Senators that the estimated cost of constructing these buildings is perhaps 50 per cent greater than when the appropriations were originally made some years ago, and that unless prompt action is taken the original estimate of cost may be doubled; and so I feel it will prove more economical to proceed immediately.

I addressed the Senate about two weeks ago on this same subject—"brought the Members a message" as one correspondent expressed it—and since then I have received a number of letters, telegrams, and newspaper clippings from over the country expressing approval of my efforts in that direction and urging that I introduce this bill. I am not disposed, Mr. President, to burden the RECORD with those communications, but do ask that a letter received from the Chamber of Commerce of Lewistown, Pa., be printed in connection with my remarks to-day, for that letter refers to a situation there similar to that in other localities, especially with reference to the enhanced value and the condition of Government-owned sites.

The PRESIDING OFFICER. If there is no objection, the letter will be printed in the RECORD.

The letter is as follows:

LEWISTOWN CHAMBER OF COMMERCE,
OFFICE OF THE SECRETARY,
Lewistown, Pa., March 14, 1924.

Senator DUNCAN U. FLETCHER,
United States Senate, Washington, D. C.

DEAR SENATOR FLETCHER: We note with interest an article in our local newspaper, the Sentinel, pertaining to your effort toward providing for the erection of Federal buildings on sites now owned by the Government.

We are aware of the President's attitude in respect to a general public buildings bill and your action is of unusual interest to our community. The situation in Lewistown differs slightly from the situation in De Funiak Springs, Fla. While the Lewistown site was not donated to the Government, it was sold to the Government for $16,500 and to-day is worth $80,000. The man who sold this property was actuated by public spirit and named a price that is considered unusually fair by everyone. At the time of sale a three-story hotel building occupied the property. This building was razed and the property has stood vacant for a number of years. We can safely state that had this hotel property been allowed to remain standing it would have been put to excellent use during the past several years, as our community is rapidly growing and hotel facilities are greatly needed.

Our Representative, Hon. EDWARD M. BEERS, has introduced a bill providing for $100,000 additional appropriation for our Federal building, and on January 16 a committee from this organization, conducted by Mr. BEERS, was granted interviews with Mr. James A. Whitmore, Supervising Architect for the Treasury Department; Representative JOHN W. LANGLEY, chairman of Buildings and Grounds Committee; Senator GEORGE WHARTON PEPPER; and others, in behalf of Congressman BEERS's bill. This committee met with encouragement from these officials, and it was the opinion that if a general building bill was passed Lewistown would be included.

Your action in asking for erection of public buildings on sites already owned by the Government brings our community within its scope, and we trust it will meet with success. We note your action is in the nature of a message to the Senate. Should you introduce this matter in the form of a bill, we will be very glad to ask the support of our Representative and Senators in its behalf.

Very truly yours,

LEWISTOWN CHAMBER OF COMMERCE,
R. P. FOLTZ, *Secretary.*

Mr. FLETCHER. It will be noted from Secretary Mellon's letter that the site for a public building at Lewistown was acquired May 15, 1917—almost seven years ago—the Senators from Pennsylvania will keep that in mind, I am sure—for $16,500, out of the appropriation of $75,000 for site and building; that there remains in the Treasury of the United States $58,500 of that appropriation, and that it will now be necessary for Congress to provide an additional appropriation of $45,000 in order to construct the building. I dare say that if the appropriation is not made very soon it will be necessary for the Supervising Architect of the Treasury to revise his estimate and increase the amount to perhaps $50,000 or $60,000, and that per cent of increase would no doubt apply in all other cases. I refer to the Lewistown, Pa., case, because it is typical.

The letter from the chamber of commerce states that the building on the lot was torn down and that the property has stood vacant ever since—some six or seven years—and yet the value of that vacant lot has increased to $80,000.

It cost the Government $16,500, and has increased in value to $80,000. I assume that similar conditions in regard to increase in value and unsightly conditions of the lot apply to all the sites acquired on which no buildings have been constructed. Just think of the Government owning a vacant, unsightly, unproductive building site, from which no one derives revenue! The property is not subject to tax by the city, county, district, or the State, and the Federal Government is not even liable for the cost of improving the streets about it. That must be done at the expense of the community, the taxpayers.

That letter states that the gentleman who sold the lot to the Government was actuated by "public spirit" and agreed to accept $16,500 for it. Perhaps he was put to the expense of tearing down the building on it, and now the unimproved lot is worth $80,000, which is quite an increase in value. The seller has lost and the Government has benefited, but the city of Lewistown has not gained anything by reason of that transaction. No doubt that gentleman conceived the idea that he would live to view a fine Federal building on the lot once owned by him and be able to refer and point with pride to his contribution to the community; but that man may have already gone to his reward or, if not, may go before Congress acts. I hope not.

It will be noted from Secretary Mellon's letter that several of the sites were "donated" to the Government. I recall that one was donated by public-spirited citizens of my State. At DeFuniak Springs a site was donated in 1917 by Mr. and Mrs. Charles Murray, sr., of that place, but on account of the fact that no building has been constructed the donors have been seriously considering requesting me to introduce a bill providing that the property be reconveyed to them. That lot has also increased in value. The Government required that the building on it be removed; it has remained vacant ever since, and does not yield revenue to anyone, so far as I am informed. The Government is not liable for taxes or assessments of any nature against it.

I say, Mr. President, that is not a fair and just way to treat our citizens and these communities. There was an excuse for delay just prior to, during, and for several years after the World War, but there is no justification for delaying action further.

It will be remembered that during the campaign of 1922 the voters were given to understand that if the Republican nominees were elected, if that party maintained a majority in the House, a general public buildings appropriation bill would be enacted almost immediately upon the convening of the next Congress. I believe it was the chairman of the House Committee on Public Buildings and Grounds, Mr. LANGLEY, of Kentucky, who let that be understood. It begins to look as if that "understanding or promise" might become a slogan on the part of the Republicans during the approaching campaign. It is my opinion that the good people at Lewistown and elsewhere who have been promised reasonably quick action in the matter of having a suitable building constructed in their respective communities have a right to complain and are justified in feeling they have not been justly treated. Certainly there can be no excuse whatever for longer delay of wise economy, and it does mean the people will get something for their money.

I submit, Mr. President, that we ought to act in this matter. We ought to take care of those buildings that have been authorized, but for which insufficient appropriations have been made, and erect buildings on those sites which have been donated to the Government but which have remained vacant and in an unsatisfactory condition ever since, yielding no revenue for the benefit of anyone. While the enactment of the bill I have introduced would not mean a direct reduction of taxation, it would mean the wise practice of economy, and it would also mean that the people would be getting something for their money.

Mr. WILLIS. Mr. President, I desire to ask a question of the Senator from Florida. Has he made any estimate as to the probable appropriation that will be necessary to provide the buildings to which he has referred?

Mr. FLETCHER. Yes; that is all set out in the report of the Secretary of the Treasury.

Mr. WILLIS. Can the Senator state the total amount, for information?

Mr. FLETCHER. I have it here in this statement. An appropriation of $15,130,780 will be required to supplement the unexpended appropriation already made and now in the Treasury to complete the buildings, and an amount of $23,557,500 will be required in order to construct the buildings on the sites which the Government now owns, either by donation or by purchase.

Mr. WILLIS. So the amount involved will be approximately $40,000,000?

Mr. FLETCHER. The amount will be $38,688,280.

Mr. JONES of New Mexico. Mr. President, I should like to inquire if it is the request of the Senator from Florida that the bill be referred to the Appropriations Committee?

Mr. FLETCHER. It is. It has been referred to the Appropriations Committee.

Mr. JONES of New Mexico. I am very glad that course has been taken, because I was going to make the suggestion that this is really in the nature of a deficiency appropriation bill.

Mr. FLETCHER. It is. That is the reason why I wanted to present these thoughts, to justify its reference to the Committee on Appropriations.

ARMS AND MUNITIONS SOLD TO MEXICO.

Mr. WALSH of Montana. I offer a resolution which I send to the desk, and ask unanimous consent for its immediate consideration.

Mr. SMOOT. Let it be read.

The PRESIDING OFFICER. The Secretary will read the resolution.

The resolution (S. Res. 193) was read, as follows

Resolved, That the Secretary of War be, and he is hereby, directed to furnish the Senate with a statement of the particular statutory authorization by virtue of which he is reported to have sold and delivered, or engaged to sell and deliver, arms and munitions to the Government of Mexico; and to furnish also copies of the particular instruments embodying the agreements of sale; and to furnish also copies of all opinions as to the lawful nature of the transaction furnished to him by his own law officers or by those of other departments of the Government; and to furnish also all memoranda, interdepartmental communications, correspondence with persons not in the Government service, and other relevant documentary material, notes of conversations and similar material concerning the sale of arms; and to furnish also a complete and detailed list of all precedents for his action and of all inquiries ever received by the War Department, so far as its files disclose, concerning the transfer to foreign governments or factions, for money, of arms and munitions of the United States; and to furnish also a description of the materials actually delivered, or in process of delivery, classifying the arms and munitions as to their immediate availability and relative degrees of obsolescence.

The Secretary of War is directed to furnish the material requested herein as rapidly as it can be secured, submitting each variety of data according as it is brought together.

Mr. BORAH. Mr. President, I wish we could incorporate in that resolution also an inquiry as to how long the arms remained in the possession of those to whom we delivered them.

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

The resolution was considered by unanimous consent and agreed to.

INVESTIGATION OF AFFAIRS OF THE CHIPPEWA INDIANS OF MINNESOTA.

Mr. KING submitted the following resolution (S. Res. 194), which was referred to the Committee on Indians Affairs:

Whereas the eleventh general council of the Chippewa Indians in Minnesota on July 10, 1923, unanimously passed the following resolution:

"Whereas pursuant to the authority contained in the act approved January 14, 1889, the Chippewa Indians occupying or belonging on reservations located within the limits of the State of Minnesota entered into agreements with the duly authorized representatives of the United States for the allotment of their lands in severalty and the cession of all the residue property and its sale and disposition upon specific terms for the exclusive use and benefit of a designated class of people, namely, all those members of the different bands or tribes occupying or belonging to reservations within the limits of the State of Minnesota and entitled to allotments of land and their issue thereafter born, said funds to be paid to them at stated times and in stated amounts; and

"Whereas the Bureau of Indian Affairs of the Department of the Interior has had direct and immediate charge of the administration of said estate for a period of nearly 34 years; and

"Whereas the administration of said estate by the said Bureau of Indian Affairs has been characterized by inefficiency and by great abuses resulting in the despoliation of said estate entailing great losses running into millions of dollars upon the said designated class of persons and from which estate they have and are now receiving no substantial benefits; and

"Whereas the more flagrant violations of said agreements by the said Bureau of Indian Affairs and its officers may be specifically enumerated as follows:

"1. Said agreements provided for the immediate preparation of complete allotment and money payment rolls of all the Chippewa people entitled to share in said estate. Said rolls have not yet been completed.

"2. The illegal patenting of the State of Minnesota, without a dollar of consideration therefor, of large bodies of valuable timber and other lands, causing a loss of somewhere between $4,000,000 and $10,000,000.

"3. The illegal issuance of patents to lands classified as 'agricultural lands' in violation of the plain terms of said agreements without the payment of a dollar therefor and which has resulted in a loss of more than $2,000,000.

"4. The illegal disposition of the lands classified as 'pine lands' under said agreements, which were to have been disposed of at public auction to the highest bidder, and which lands have been disposed of at the arbitrary price of $1.25 per acre, only a fractional part of their true value, resulting in losses of several million dollars.

"5. The illegal inclusion of the ceded trust lands in the Minnesota National Forest Reserve in violation of the plain terms of said agreements, the taking of the timber thereon at only a fractional part of the compensation agreed to be paid therefor, and the taking of the land at the arbitrary price of $1.25 per acre, which was only a small fractional part of the amount agreed to be paid, resulting in losses of several million dollars.

"6. The attempt to confer exclusive ownership of all the property on the diminished Red Lake Reservation upon the members of the Red Lake Band to the exclusion of all the other Chippewa Indians of Minnesota, who are entitled to share therein, after allotments are made to the members of the Red Lake Band, under the agreements, resulting in a loss to all the Chippewas of Minnesota, exclusive of the members of the Red Lake Band, of several million dollars in property heretofore disposed of and now remaining.

"7. The illegal creation of the Red Lake Forest Reserve and the diversion of the proceeds received therefrom from the fund standing to the credit of all the Chippewa Indians in the State of Minnesota to the exclusive credit of the members of the Red Lake Band, resulting in a loss to the Chippewa Indians of Minnesota, exclusive of the members of the Red Lake Band, of several million dollars.

"8. The refusal of the Indian Bureau to carry out the agreements of 1889, supplemented by positive acts of Congress directing that allotments should be made to the members of the Red Lake Band. Under the agreements the trust period of 50 years does not commence to run until allotments to all the Chippewa Indians have been completed. By refusing to make the allotments on the Red Lake Reservation the bureau has held up the commencement of the running of the trust period for 33 years, and improperly and illegally prolonged its administration of the trust, at a heavy annual expense to all the Chippewa people, and has at the same time denied to the members of the Red Lake Band allotments of land to which they were and are lawfully entitled. Forty per cent of those Indians who were entitled to allotment in 1889 on the Red Lake Reservation have since died without receiving their allotments. The conduct of the Indian Bureau with reference to the Red Lake situation is inexcusable and has resulted in great financial loss to all the Chippewa people and great loss to the Red Lake Indians, in that they have been deprived of all the advantages that would have flown from the allotment of the lands, the sale and disposition of the residue lands, and the establishment of schools, churches, roads, and all those other attributes of civilization.

"9. The use by the Indian Bureau of the school funds of all the Chippewa Indians in the maintenance of boarding schools for the benefit of a few in violation of the terms of the agreements, and its failure and refusal to intelligently use and expend the school fund so as to afford proper school facilities for all the Indian children.

"10. The insistent demand of the Indian Bureau that the expenses of its service in Minnesota should be paid out of the trust funds of the Chippewas, which is in violation of the terms and provisions of the agreements creating the trust fund. The policy inaugurated in 1911 by the Indian Bureau in disregard of the terms of the agreements, and approved by Congress at its insistence, has cost the Chippewa people several million dollars. The service maintained has been primarily for the benefit of the Indian Bureau with only incidental benefits to

the Indians, and the maintenance of said service out of the trust funds has been and is a flagrant abuse of power.

"11. The inclusion in State drainage districts of the ceded Indian lands under the act of Congress approved May 23, 1908 (33 Stat., 169) from which the Indians have received only incidental compensation, the State of Minnesota being the main beneficiary, and all of which was in violation of the terms of the agreements and has resulted in great losses.

"12. The illegal inclusion of Indian allotments in State drainage projects, the assessments upon many of which have resulted in confiscation of the allotments.

"13. The frauds practiced by the employees of the Indian Bureau in the estimation and appraisal of the timber on the ceded lands shown in the report of Inspector J. George Wright submitted in 1897 (S. Doc. No. 85, 55th Cong., 1st sess.). These frauds cost the Indians millions of dollars for which they now have only a claim against the United States and were the direct result of inefficient administration.

"14. The unlawful use of the trust funds in the payment of tuition of Indian children in the public schools of Minnesota, fostered and promoted by the present Commissioner of Indian Affairs. Under the law every Indian child is entitled to free admission to its public schools. The payment of tuition, except in exceptional cases where it is necessary to extend aid to the school districts of the State in order to provide proper school facilities for Indian children is a flagrant abuse of official power.

"14a. The inclusion of children in mission and Government boarding schools who have adequate public schools at their homes. The mission and boarding schools should be open only to Indian children who are without public-school facilities.

"15. The removal of the agency from White Earth to Cass Lake. Seven-twelfths of all the Chippewa people were allotted on the White Earth Reservation. Upon that reservation are suitable accommodations for the agency and its employees, erected and maintained in part out of the funds of the United States and in part out of the funds of the Indians. Cass Lake is situated about 70 miles by direct line from the White Earth Reservation and within the ceded territory. Only a comparatively few Indians were allotted land or reside in the vicinity of Cass Lake. From White Earth to Cass Lake by railroad is a distance of about 130 miles, with no direct line, necessitating transfer at intersections of railroads and long delays. There are no public buildings at Cass Lake that can be used for agency purposes. They are now located in rented quarters, the expense of rental and maintenance being paid out of the trust funds. The removal was the direct result of protests filed with the department by the White Earth Indians against conditions in and about the agency that had become intolerable. As a rebuke to the Indians for their attempt to bring the true situation to the attention of the President of the United States and the Secretary of the Interior, the Commissioner of Indian Affairs secured the approval of an order by the President of the United States for the removal of the agency. The location and maintenance of the agency at Cass Lake is of no benefit to the Indians allotted on the White Earth Reservation and operates as a distinct hardship, entailing useless and unnecessary expense.

"16. The repeated donations of the trust lands to various institutions without a dollar of consideration therefor;

"17. The failure or refusal of the Indian Bureau to classify the Chippewa people so that the competent and incompetent might be known, and so that Congress in making appropriations might know the number of Chippewa people who needed any supervision or aid; and

"Whereas each and every one of said acts under which said authority is now being claimed by said bureau was enacted upon its recommendations; and

"Whereas, had the Indian Bureau performed its proper duty and correctly advised Congress of the effect of the legislation it has been asked to enact by the Indian Bureau, said legislation would never have been enacted to the great loss and injury of the Chippewa people; and

"Whereas it has only been since the creation of the General Council of the Chippewa Indians of Minnesota, and through its efforts, that said vicious legislation, confiscatory of the property of the Chippewa people, has ceased; and

"Whereas the General Council of the Chippewa Indians of Minnesota is the only representative body through which the Chippewa people can give a dependable expression of their views relative to the administration of their estate to the officers of the United States charged by law with its administration; and

"Whereas the said Indian Bureau did, in 1921, in order to prevent the true situation with reference to the Chippewa estate from becoming public and in order that it might cover up its mistakes, protest against further appropriations by Congress for the maintenance of said general council, and did, by misrepresentation of fact, induce Congress to discontinue said appropriations for said general council; and has ever since pursued the same course; and

"Whereas since said time said Indian Bureau has used its influence to promote strife and discord among the Chippewa people and has refused to accord the Chippewa people an opportunity to meet under governmental supervision and give a dependable expression of their views relative to their estate; and

"Whereas said Indian Bureau through its present officials has exerted its influence to break up the General Council of the Chippewa Indians and to leave them and retain them in a position where they had no official organization and could give no dependable expression of their views to the officers of the United States charged by law with the administration of their estate, and to put them, and retain them in a position where they could make no official protest against the improper administration of their estate that has been, and is now, going on; and

"Whereas notwithstanding the confused conditions relating to said estate and the imperative necessity of the Chippewa people having a proper representative to speak and act for them, said Indian Bureau has refused, and still refuses, to permit them to employ an attorney of their own selection and to pay said attorney out of their own funds; and

"Whereas while denying to all the Chippewa Indians in the State of Minnesota the right to employ an attorney to represent them in the adjustment of their matters with the Government of the United States the said Indian Bureau has sanctioned and approved the employment of an attorney to represent the Red Lake Band for the sole purpose of perpetuating the present unlawful conditions existing on said reservation; and,

"Whereas the present officials of the Indian Bureau have and are now, with full knowledge of the facts, retaining in office an employee who, while an employee of that bureau and intrusted with the preparation of legislation vitally affecting the rights of the Chippewa people, demanded of their representative a division of any compensation he received for his services or from the prosecution of any claims of the Chippewa people against the United States, and which employee is to-day, with full knowledge of his misconduct by his superiors, being retained and is passing upon and submitting recommendations on many, if not all, matters passing through the Indian Bureau pertaining to Chippewa affairs; and

"Whereas the despoilation of said estate is now going on under the present administration of the Indian Bureau, the consummation of Minnesota National Forest Reserve matter, as a result of which the Chippewa people sustained a loss of from three to five million dollars, being a single instance; and,

"Whereas throughout the entire history of the administration of said estate by said bureau extending over a period of 34 years no reform ever been brought by said bureau on its own initiative; and,

"Whereas every reform that has been accomplished has been directly due to the efforts of the Chippewa people: Now, therefore, be it

"*Resolved*, That the President of the United States and the Secretary of the Interior be, and they are hereby, respectfully requested to place in charge of the affairs of the Indian Bureau, honest, capable, and efficient officials who will honestly and efficiently administer the affairs of the Chippewa people and of all other people coming under its control; and be it further

"*Resolved*, That the Secretary of the Interior be, and he hereby is, requested to make a complete investigation into the affairs of the Chippewa people; to accord them a representative; to correct the abuses now present; to adjust these matters in which the Chippewa people have sustained great losses, either through direct negotiation with the representatives of the Chippewa people or by reference to a court of competent jurisdiction, to the end that the Chippewa estate may be wound up; the trust funds segregated; the Indians classified so that the competent and incompetent may be known; the funds of the competent Indians paid to them, and the funds of the incompetent held for their use and benefit": Now therefore be it

Resolved, That the Committee on Indian Affairs is directed to investigate the allegations contained in the foregoing resolution of the general council of Chippewa Indians of Minnesota, and report to the Senate its findings in the premises, together with such recommendations as to action on the part of the United States which said committee shall be advised to make.

Such committee, as a whole or by subcommittee, is authorized to hold hearings, to sit during the sessions or recesses of the Sixty-eighth Congress, at such times and places, to employ such counsel, experts, and accountants, and clerical and other stenographic assistants as it may deem advisable. The committee is further authorized to send for persons and papers, to require by subpœna or otherwise the attendance of witnesses, the production of books, papers, and documents, to administer oaths, and to take testimony, as it may deem advisable. The cost of stenographic service to report such hearings shall not be in excess of 25 cents per 100 words. Subpœnas for witnesses shall be issued under the signature of the chairman of the committee or sub-

committee thereof. Every person who, having been summoned as a witness by authority of said committee or any subcommittee thereof, willfully makes default, or who, having appeared, refuses to answer any question pertinent to the investigation heretofore authorized, shall be liable to the penalties provided by section 102 of the Revised Statutes of the United States. The expenses of the committee shall be paid from the contingent fund of the Senate.

HOUSE BILL REFERRED.

The bill (H. R. 6817) to provide for the construction of a vessel for the Coast Guard was read twice by its title and referred to the Committee on Commerce.

PULLMAN SURCHARGE.

Mr. DIAL. Mr. President, I have to leave the Chamber in a few minutes to keep an engagement, and I will ask the indulgence of the Senate just for a few moments to call the attention of the Senate to the question of the Pullman surcharge.

A month or two since the Legislature of South Carolina passed a bill abolishing the Pullman surcharge. I am sorry to notice in the papers that the officials have been enjoined from putting that act into effect. An injunction was granted by the judges of the United States courts. This shows how little the rights of the States are regarded.

This matter is receiving very great attention at the hands of the public. Something like 117 bills have been introduced in Congress trying to accomplish this purpose. That is almost a bill by every fourth Member of the House and the Senate. It is greatly desired that we get some legislation at an early date, as it seems that the Interstate Commerce Commission will not or does not take steps to abolish the surcharge. It is a very serious matter. In my State, for instance, we have trains with no day coaches on them, and for short distances, even between some of our magnificent cities, a distance of 30 miles, for example, I believe the minimum surcharge is 75 cents. The people either have to pay that surcharge or wait for some other train, and it delays and inconveniences the transportation of passengers greatly.

I understand that just this week Canada has restored the pre-war rates both on passengers and on freight. It seems to me that we might begin to emulate Canada in that respect. I believe that this amount could be made up to the railroads by reason of the additional number of passengers that would travel if the surcharge were removed. I sometimes travel on these trains, and I see ofttimes that the coaches are almost empty. I believe that if a proper rate were in effect it would encourage travel, and the roads would lose nothing.

However that may be, I do not favor any kind of camouflage. If the rate is not sufficient, then the railroads ought to be allowed to increase their rates; but they should not be permitted to collect money from the public under any misapprehension.

If they can not exist on the rate that is allowed, they should be allowed to increase the rate; but I do not believe that is the case. This is a long time after the war, and all these nuisance taxes and unusual taxes should be abolished, and it seems to me it is high time for us to take steps now to relieve the public. Anyone who travels on the trains or sits around hotel lobbies will hear this question discussed as one that is uppermost in the minds of the traveling public.

I know that it took us a good, long time here to get our Committee on Interstate Commerce functioning, and I am glad that it is making progress, as I learn, along this line; and I trust it will soon bring in a bill abolishing this surcharge, so that we can get our country and travel and trade back to normal conditions. I am sure there is nothing that would please the public more, and I feel at the same time do justice to the railroads.

I am urging the Interstate Commerce Commission to act, and sincerely hope relief will be speedy, not only regarding Pullman-car surcharges but also as to passenger and freight rates.

Mr. ROBINSON. Mr. President, with the indulgence of the Senate, I desire to make a brief statement respecting the subject just discussed by the Senator from South Carolina [Mr. DIAL].

During the last session of Congress I presented a bill to eliminate the Pullman surcharge. Other bills for the purpose were presented in both Houses of Congress. During the present Congress a large number of measures on the subject have been introduced in the Senate, and a very large number in the body at the other end of the Capitol.

The subject has been under consideration by the Committee on Interstate and Foreign Commerce. It is expected that action will be taken upon the measure in the early future. A request has been made of the Interstate Commerce Commission for information respecting the effect of the passage of such a bill upon the revenues of the railroads. I am also informed that measures are pending before the committee looking to a reduction of freight rates, particularly those that relate to the transportation of farm products and of commodities that are essential to agricultural production.

BRIGHT ANGEL TRAIL, ARIZ.

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives disagreeing to the amendment of the Senate to the amendment of the House to Senate amendment No. 47 to the bill (H. R. 5078) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1925, and for other purposes.

Mr. SMOOT. I move that the Senate insist upon the amendment adopted by the Senate yesterday to the House action on Senate amendment No. 47 and ask a conference with the House, and that the Chair appoint conferees on the part of the Senate.

Mr. WALSH of Montana. Will the Senator kindly advise us what is amendment No. 47?

Mr. SMOOT. Amendment No. 47 has reference to the Bright Angel Trail.

Mr. McNARY. I have just come into the Chamber. I would like to know what is the motion of the Senator from Utah.

Mr. SMOOT. The House disagreed to the Senate amendment to the action of the House on Senate amendment No. 47, the Bright Angel Trail matter, and I have just moved that the Senate insist upon its amendment, ask for a conference with the House, and that the Chair appoint the conferees.

Mr. McNARY. I think that would be very satisfactory, except that the Senator from Arizona [Mr. CAMERON] telephoned to me that he would be here about half past 1, and said that he would like to have no action taken until he can be present on the floor. I assume he would not object to this motion, but I wanted the statement of the Senator from Arizona to be known.

Mr. CURTIS. Mr. President, I want to make an inquiry before the motion is submitted. We already have a conference, and the item now in dispute is in connection with a bill which is already in conference. Are we to have two separate sets of conferees and two separate reports in relation to the same bill? This item ought to be carried in the bill and recommitted to the committee of conference which is already in existence.

The PRESIDING OFFICER. The motion made by the Senator from Utah provides for a conference.

Mr. SMOOT. The same conferees will be appointed on this disagreement.

Mr. CURTIS. That is true, but it does not accord with the action taken the other day when we appointed conferees on this appropriation bill. It seems to me the proper course would be for the Senate to insist on its amendment and refer it to the conferees who have already been appointed.

Mr. SMOOT. Let me state the situation. Yesterday the Senate disagreed to the House amendment by adopting an amendment to that amendment. The conference report was only a partial report. I asked then that the House grant a conference. The action of the Senate went back to the House. The House did not appoint conferees, but they insisted upon their amendment, and therefore when the message of the House was laid before the Senate I moved that the Senate further insist on its amendment and ask for a conference upon the item. We agreed to the House amendment with an amendment yesterday, and that ended it as far as the Senate was concerned, with a request for a conference; but the House did not agree to the conference that was asked for, so that I had to move for a conference upon this item.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Utah.

The motion was agreed to, and the Presiding Officer appointed Mr. SMOOT, Mr. CURTIS, and Mr. HARRIS conferees on the part of the Senate at the further conference.

OPERATIONS OF UNITED STATES SHIPPING BOARD.

Mr. KING. Mr. President, I request that Senate Resolution 170 be taken from the table, and I ask for its present consideration.

Mr. BURSUM. What is the resolution?

Mr. KING. Let it be read. I am asking that the resolution be taken from the table and immediately considered. It will take only a few moments.

The PRESIDING OFFICER. The Secretary will read the resolution.

The resolution, which had been submitted by Mr. KING February 22, 1924, was read and agreed to as follows:

Resolved, That the United States Shipping Board is directed to inform the Senate whether the board, through the Emergency Fleet Corporation or otherwise, is a member of or is represented in the North Atlantic and United Kingdom Conference, Eastbound, having an office at No. 8 Bridge Street, New York City; whether said board has participated through said conference in raising the rates on ocean freight from American ports or in restricting or attempting to restrict ports of sailing of Shipping Board vessels for the purpose of diverting trade from American ports to Canadian ports or otherwise; whether said conference is maintaining charges for the transportation of ocean freight, particularly on American agricultural products, at higher charges than would be paid on open competitive rates; whether the board regards the arbitrary fixing of rates by said conference as a violation of the antitrust laws of the United States; whether the board has prevented or attempted to prevent operators of vessels owned by the board from withdrawing from said conference; whether the board has knowledge that the British Board of Trade discriminates, by rebates or deferred rebates, to British shipping through said North Atlantic and United Kingdom Conference, Eastbound; and whether the board has knowledge of discrimination against American shipping by withholding insurance from American shipping, or by granting preferential rates to British shipping by British insurance companies; and that said board is further directed to transmit to the Senate all documents, correspondence, and records in its possession relating to the premises, including the minutes of meetings of said North Atlantic and United Kingdom Conference, Eastbound, in which said board or its representatives have participated.

PENSIONS AND INCREASES OF PENSIONS.

Mr. BURSUM. Mr. President, I desire to call the attention of the Senate to the fact that during the fiscal years from 1922 to 1924 the following numbers of veterans of the Civil War passed away:

1922	25,082
1923	25,452
1924 (8 months)	13,906
	64,440

That during the same fiscal years widows of veterans of the Civil War passed away as follows:

1922	21,259
1923	23,947
1924 (8 months)	13,474

Mr. SMOOT. The Senator is referring to fiscal years?

Mr. BURSUM. Yes; fiscal years. In all, of veterans and widows of veterans, 123,120 have died since 1922.

I desire further to call the attention of the Senate to the fact that of widows of veterans of the Civil War there are 12,215 of the age of 74; there are 15,000 of the age of 75; there are 15,000 of the age of 76; there are 14,000 of the age of 77; there are 13,000 of the age of 78; there are 14,000 of the age of 79; there are 18,000 of the age of 80; there are 14,000 of the age of 81; there are 8,000 of the age of 82; there are 3,000 of the age of 83; there are 4,000 of the age of 84; there are 3,909 of the age of 85; there are 488 who are 94 years of age. There are, all told, 157,000 widows of Civil War veterans over the age of 74.

The amount of pension now being received by these people is wholly inadequate. The old veterans, and the widows of veterans, have for two years been petitioning Congress to grant them a raise. A bill was passed through the last Congress granting a raise, but it did not become a law. A bill looking to that end is now upon the calendar, and has been on the calendar for some time. These veterans are entitled to some consideration. Petitions have been sent in from every Grand Army post in the United States, and by posts of Spanish war veterans, urging the passage of the bill. The bill as reported has the indorsement of all veterans' organizations.

It seems to me that the least we can do is to bring the bill up for consideration and have it disposed of. I therefore move that the bill (S. 5), granting pensions and increase of pensions to certain soldiers and sailors of the Civil and Mexican Wars and to certain widows, former widows, minor children, and helpless children of said soldiers and sailors, and to widows of the War of 1812, and to certain Indian war veterans and widows, be taken up for consideration at this time.

Mr. DIAL. Mr. President, I hope the Senate will not take that bill up.

Mr. BURSUM. Mr. President, I submit that the motion is not debatable.

The PRESIDING OFFICER. The calendar under Rule VIII is next the order. Motions to take up bills on the calendar are not debatable. The question is on the motion of the Senator from New Mexico.

Mr. KING. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state his inquiry.

Mr. KING. If this motion shall not prevail, we will proceed, then, to the consideration of the calendar under Rule VIII?

The PRESIDING OFFICER. The calendar under Rule VIII is the next order of business for the Senate, unless the Senate otherwise directs.

Mr. KING. Would it be permissible to move as a substitute that we proceed to the consideration of the calendar under Rule VIII?

The PRESIDING OFFICER. The Chair is of the opinion that that would not be in order, because no such motion would be necessary, as the calendar under Rule VIII is the next order of business.

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

The PRESIDING OFFICER. The Secretary will call the roll.

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

Adams	Edwards	King	Robinson
Ball	Ernst	Ladd	Sheppard
Borah	Ferris	Lodge	Shields
Brandegee	Fletcher	McKellar	Shipstead
Brookhart	Frazier	McKinley	Shortridge
Broussard	George	McLean	Smith
Bruce	Glass	McNary	Smoot
Bursum	Hale	Mayfield	Spencer
Cameron	Harreld	Moses	Stanfield
Capper	Harris	Neely	Stephens
Caraway	Harrison	Norris	Swanson
Copeland	Heflin	Oddie	Wadsworth
Couzens	Howell	Overman	Walsh, Mass.
Curtis	Johnson, Minn.	Pepper	Walsh, Mont.
Dale	Jones, N. Mex.	Phipps	Warren
Dial	Jones, Wash.	Pittman	Watson
Dill	Kendrick	Ralston	Willis
Edge	Keyes	Ransdell	

The PRESIDING OFFICER. Seventy-one Senators having answered to their names, there is a quorum present. The question before the Senate is the motion of the Senator from New Mexico [Mr. BURSUM] to proceed to the consideration of Senate bill 5.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to the consideration of the bill (S. 5) granting pensions and increase of pensions to certain soldiers and sailors of the Civil and Mexican Wars and to certain widows, former widows, minor children, and helpless children of said soldiers and sailors, and to widows of the War of 1812, and to certain Indian war veterans and widows, which had been reported from the Committee on Pensions with amendments.

Mr. BURSUM. Mr. President, there ought not to be any objection to the passage of the pending measure. The Senate a year ago passed a bill far more liberal than the one now presented to the Senate. The rates contained in the bill, to my mind, are very reasonable. For instance, in the bill which passed the Senate last year there was a flat increase given to all widows of the Civil War, making their pensions $50 a month. Under the pending bill only widows of 74 years of age are given a raise of $15 a month, which means a total pension of $45 a month, $5 less than the Senate gave when it passed the bill last year as to all widows. Widows between 60 and 74 years of age are given a $5 increase. Widows under 60 years of age are given no increase whatever. There are no additional veterans of the Civil War placed on the pension roll.

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

Mr. BURSUM. There is no change. The date we fix in this bill is the same as the present law, namely, 1905, regarding the time of marriage of a veteran's widow. I yield now to the Senator from South Carolina.

Mr. DIAL. Did not President Harding veto the bill that we passed last year?

Mr. BURSUM. It was a far different measure. There is no connection between that bill and the pending bill. This is a far less expensive bill and far less liberal in its provisions than the other bill. I would say that this bill represents the very minimum that a policy of human decency would permit the Senate to approve.

Mr. DIAL. As a matter of fact, he did veto a bill along the same line last year, did he not?

Mr. BURSUM. Oh, no; not along the same line. He vetoed a pension bill. The cost of this bill is one-half of what the other bill was. It is a far different bill.

Mr. WILLIS. Mr. President——

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

Mr. BURSUM. I yield.

Mr. WILLIS. Is it not a fact that the specific grounds alleged by the Executive for his veto of the bill then passed are omitted specifically and definitely from this bill?

Mr. BURSUM. They are definitely omitted, and none of the provisions of the former bill to which he made objection are retained in this bill. Furthermore, this bill is less liberal. It gives a less increase than the other bill did, even that portion of the bill which was not objected to by the President. It does not place an additional widow on the roll.

Mr. FLETCHER. Mr. President, will the Senator specify just the objectionable features in the other bill that are not included in this bill?

Mr. BURSUM. Certainly. The features objected to by the President in the former bill were that it extended pensions to widows beyond 1915; that it also provided for pensions for widows for the future, with the proviso which required that the woman should have been married at least two years and should have lived with the veteran until his death. Those provisions related to pensions to those becoming widows after 1915 and even in the future. The pending bill makes no provision for placing any additional widows on the rolls. The provisions are the same as the law now in effect, namely, that a widow who was married to a veteran in 1905 or before is entitled to a pension. There is no portion of the bill to which the President found objection that is contained in the present measure.

Furthermore, the aggregate cost of the present bill is approximately one-half of the bill which was passed by the Congress last year, even though it includes and takes in all of the Spanish war veterans and Indian war veterans. The total gross cost of the bill would be approximately $55,000,000. The total appropriations which will be required would not be out of line with what we have already expended for war pensions. For instance, in 1921 we expended $258,000,000; in 1922, $253,000,000; and in 1923, $263,000,000. The total appropriation that would be required for the first year under the operation of this bill would not exceed $277,000,000.

Mr. DIAL. Mr. President, will the Senator yield again?

Mr. BURSUM. Certainly.

Mr. DIAL. When was the last increase in pensions granted to these people?

Mr. BURSUM. In 1920.

Mr. DIAL. A most magnificent increase was granted then, was it not?

Mr. BURSUM. Oh, yes; a far larger increase than we are proposing now; but it must be recalled that age is an element of disability.

Mr. DIAL. The increase in 1920 carried $65,000,000 additional, did it not?

Mr. BURSUM. The increase in 1920 was $43,000,000. This bill would only increase $14,000,000 over 1923. In fact it would be less than $14,000,000 over the amount of the appropriation for 1923. I undertake to say that by 1925 the cost will be less than it was in 1923 on account of the deaths. The death rate is very large, and while the number diminishes, yet the inability of the veterans is far greater and their needs are greater as they become older.

Mr. FLETCHER. I inquire of the Senator how it is that deaths are so frequent and the number so enormously diminished year after year and yet we keep increasing the amount of pensions paid? What is the increase now provided in the bill over the amount provided in the act of 1920 per pensioner?

Mr. BURSUM. Does the Senator mean the number?

Mr. FLETCHER. No; not the number, but the amount.

Mr. BURSUM. The amount of the appropriation?

Mr. FLETCHER. The amount for each individual pension.

Mr. BURSUM. It would be approximately a little over $35,000,000.

Mr. FLETCHER. No; that is not my question. Suppose a man or widow was drawing a pension in 1920; what is the increase now over what he or she was drawing then? Under this bill what will be the amount of the increase?

Mr. BURSUM. Over 1920?

Mr. FLETCHER. Yes.

Mr. BURSUM. As I said, the increase over 1920 would be approximately $40,000,000.

Mr. FLETCHER. I am speaking about each pensioner, each individual drawing a pension.

Mr. BURSUM. The widows under 60 years of age would get no increase, the widows between 60 and 74 years of age would get a $5 increase, and the widows over 74 years of age would get a $15 increase over the amount paid in 1920.

It must be also considered that since the 1920 act was passed many of the Spanish War veterans have become eligible for pensions, and it is natural to expect that there will be an increase, although there is not a net increase for 1923 as compared with 1922. There was a net decrease of all pensions, including the Spanish War veterans, Regular Army, and Civil War, and all other classes of veterans and widows. There was a net increase of 8,000 in 1923. There were large increases of veterans who served during the Spanish War. There was a large number of pensioners who had served during the Civil War who were dropped from the rolls on account of death. The death list is increasing very much.

Mr. WILLIS. I do not desire to interrupt the Senator's argument, but I am wondering whether he has available figures which show the death rate among the pensioners, particularly the survivors of the Civil War. I am impressed by the fact that if we are to have additional pension legislation it should be enacted very soon because of the rapidity with which the old soldiers are passing away.

Mr. BURSUM. I gave the figures for the last three years.

Mr. WILLIS. I did not hear them when the Senator gave them.

Mr. BURSUM. There have been dropped from the pension rolls of Civil War veterans and widows since 1922 and including eight months of the fiscal year 1924, 123,119. The estimated losses for this year are 26,000. There is no doubt, when one takes into consideration the age of the veterans and of the widows, that we may expect a far more rapid death rate than we have had at any time in the past. For instance, there are 12,000 widows 74 years of age; of widows 75 years of age there are 15,475; of widows 76 years of age there are 15,076; and so on up to the age of 81, running close on to 14,000 and 15,000. There is no doubt that the losses will be greatly increased in the very near future. The average age of the veterans is 81 years.

The widows are not young widows. There has been some talk about granting pensions to young widows who were designing women who had hooked a veteran for the sake of his pension. There is nothing of that kind covered by the bill. I may say that the talk about young widows is largely buncombe. For instance, there are 488 widows 42 years of age, which is the youngest age of any of the widows. There are 488 of respective ages, 43 to 52 years of age. The number is very insignificant.

This bill if enacted will equalize the pensions which are paid to children of veterans. At the present time there is great discrimination between the pensions which are allowed the children of veterans. For instance, the child of a veteran of the Regular Establishment is entitled to $2 a month, the child of a veteran of the Spanish war is entitled to $4 a month, the child of a veteran of the Civil War is entitled to $6 a month, while the first child of a veteran of the World War is entitled to $10 a month. This bill seeks to equalize that discrimination. Surely there should be no difference as to the amount allowed children of veterans, whether it be the child of a World War veteran or of a Spanish war veteran or of a Civil War veteran or of a veteran of any other war. This bill seeks to equalize the treatment accorded to children of war veterans, and allows $8 a month to the child of the veterans of all wars.

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

Mr. BURSUM. I yield.

Mr. DALE. Is it not a fact that the decrease in the number of pensioners caused by death in the years to come will much more than offset any increase in appropriations which may be occasioned by the passage of the pending bill?

Mr. BURSUM. Certainly. Within three years the total expenditures for pensions under this bill will be less than what they are now under the present law. There will be no increase after the second year. That will all be taken care of by the decrease in the number on the pension roll, as it has been in the past.

I do not think that a total expenditure of $275,000,000 in order to take care of 540,000 veterans and widows of veterans is such an unreasonable amount. I think there are, perhaps, 300,000 veterans of the World War who are now drawing compensation; and, including hospitalization, if I am not mistaken, the appropriations for their payment have run from $500,000,000 to $600,000,000 annually. This bill proposes to take care of twice the number of persons with less than one-half the amount of appropriations.

I submit that the veterans of the Civil War, of the Spanish war, and of other wars, and their widows, are human; they

must live. If we are to take care of them we ought to take care of them decently. To fail to take care of the aged veterans of the Civil War and their widows would simply be an exhibition of inhumanity which I can not conceive for a moment would be entertained by any Member of Congress.

Mr. FLETCHER. Mr. President, I wish to suggest to the Senator that the percentage he states is not quite accurate, because the veterans of the World War who are getting compensation and hospitalization are veterans who were injured, who have suffered disability in the line of service.

Mr. BURSUM. Yes; they have suffered disability; they are disabled, of course, and they are entitled to compensation; but so are the veterans of other wars disabled, and so are their widows disabled. They are unable to provide for themselves. Age is just as much an element of disability as is a wound. The question involved here is one of principle. It is a question of whether the Government will take care of its defenders, of those who bared their breasts in time of peril when we needed them most. A government which will not take care of its defenders is not much of a government and it will not long retain its prestige and power.

Mr. WALSH of Massachusetts. Mr. President——

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

Mr. BURSUM. I yield.

Mr. WALSH of Massachusetts. This bill, as I understand, is similar to the bill which was passed by the Senate at the last session?

Mr. BURSUM. It is only similar in that it is a pension bill. It grants, however, to the veterans of the Civil War the same rate of $72 a month, as a maximum.

Mr. WALSH of Massachusetts. Is this similar to the bill which failed of passage?

Mr. BURSUM. No. This bill will cost but one-half of what that bill would have cost had it been enacted. This bill gives an increase of pension to widows who are 74 years of age and over of only $15 and only $5 increase to those who are between 60 years of age and 74, and no increase to those who are below 60 years of age.

Mr. WALSH of Massachusetts. I thought this was similar to the bill which was introduced late in the last session and which passed the Senate after the President had vetoed the bill, which had previously passed Congress.

Mr. BURSUM. It is very similar, except that it is less liberal than was the bill to which the Senator from Massachusetts refers.

Mr. WALSH of Massachusetts. What I was going to say was that I do not believe there is much opposition to the bill, it having been discussed in the last session; so if the Senator would recite a few of the changes which the bill proposes in the present law, he might be able to get a vote on the bill very shortly and have the bill sent to the other House.

Mr. BURSUM. Surely there ought not to be any opposition to the bill. If the Senate was willing to pass the former bill, as it did, it ought to be willing to pass this bill.

I have stated the changes proposed to be made by the pending bill as to veterans of the Civil War and the widows of veterans of the Civil War, and I have also stated the provisions relating to the children of veterans of all wars. There is a change relating to veterans of the Spanish war; they are given an increase. Under this bill they will be given from $20 as a minimum up to $50 in proportion to their disabilities. Fifty dollars is the maximum proposed for total disability, and $20 is the minimum. That is the change which the bill proposes with reference to Spanish-war veterans. The Indian-war veterans are given identically the same increases and the same amount of pension as provided for the veterans of the Spanish war.

Mr. FLETCHER. I think that is very fair and just and proper. I think those veterans all ought to be on the same plane.

Mr. BURSUM. We are proposing to give them identically the same treatment as other war veterans receive.

Mr. BRANDEGEE. Mr. President, will the Senator yield to me?

Mr. BURSUM. I yield.

Mr. BRANDEGEE. My impression is that my colleague [Mr. McLEAN] has submitted an amendment to the Senator's bill. Has the Senator considered that amendment?

Mr. BURSUM. I have not. What was the nature of the amendment?

Mr. BRANDEGEE. I really do not know. Some one wrote me from home that my colleague had submitted such an amendment, and I did not know but that he had conferred with the Senator from New Mexico about it. I did not know whether the Senator's bill as it now stood covered the point.

Mr. BURSUM. I understood that that was an amendment to Senate bill 33, which is a different bill and relates to the retirement of emergency officers.

Mr. BRANDEGEE. It is possible the Senator is right about that.

Mr. BURSUM. I know of no such amendment to this bill.

Mr. President, I have recited practically all the provisions which the bill covers. The bill will also take in, as is estimated, approximately 1,000 veterans who served the country in organizations known as militia. Under the bill they are placed upon the same status as Civil War veterans, but they must have served 90 days. They ought to have been pensioned long ago, and many of them were pensioned prior to 1874. The portion of the bill will probably involve approximately 1,000 additional pensions.

THE MERCHANT MARINE.

Mr. FLETCHER. Mr. President, this morning the Senator from Utah [Mr. KING] called up for consideration and had passed a resolution making certain inquiries of the Shipping Board. That resolution raises some very important questions, and I think it appropriate to address some observations to the subject of ocean freight rates, trans-Atlantic rate conferences, parities, neutral and initiative commodities, with basis of rates between North Atlantic, South Atlantic, and Gulf ports. I think I am in a position to supply a portion of the information called for by the resolution, having before me reports from the Shipping Board with reference especially to the so-called conferences.

Before proceeding with that subject let me say that I noticed in the newspapers that the President has recently appointed at least two advisory committees with a view of making a study and perhaps submitting recommendations particularly on the subject of the coordination of water and rail transportation and on the subject of the replacement needs of the American merchant marine. My impression is that all of the information which it is desired to have these special committees cover is available already. I remember in the hearings last year on the ship subsidy bill it developed that the Shipping Board had spent a great deal of money employing experts, special counsel, and investigators to perform research work and collect and compile data on almost every phase of the subject of the merchant marine. I have not any doubt but what there are thousands and thousands of pages of reports resulting from the studies and research work which the board has carried on in order fully to inform itself regarding the whole subject and in order that it might be in a position to recommend legislation to Congress.

The question of replacement has all been thoroughly considered and investigated by the Shipping Board, all this at no little expense to the Government, and after great labor on the part of the board itself in these fields; so I am quite confident that all the information that the special committee now chosen have been sent out to collect and submit can be found on file in the records of the Shipping Board to-day.

Of course, I have no objection to any further studies, or to the good advice of special committees. It may be that in some way conditions have to some extent changed since the last investigations were made. It may be that all these authorities on merchant marine and shipping are somewhat out of date in some respects; but I doubt if there is anything new that can be offered and can be developed by these committees and these special inquiries. The whole collection of material, studies, and research on this subject of shipping, from Noah's Ark down to date, can be found in the Shipping Board's records and files; and I question very much if we are going to accomplish a great deal in this direction by the work of special committees.

There is, of course, no disposition on the part of anyone to minimize or obstruct any efforts that may be put forth to establish and maintain on a sound basis an adequate American merchant marine.

I find in the New York Sun of March 14, 1924, another article on the subject of ship sales. Not a great while ago I had occasion to refer to some sales that had been made by the Shipping Board, and to a certain policy which seemed to have actuated the former board, and which I hoped would not be so marked during the present administration of Shipping Board affairs. This clipping from the New York Sun is headed:

Roosevelt ships are built abroad.
Four vessels to be placed in round-world run.

In this clipping it is said:

Kermit Roosevelt, president of the Roosevelt Lines, announced yesterday that his company is building four motor ships in England. They will be delivered this spring and placed on a round-the-world run in a joint service with a Japanese steamship company. All four of the vessels are owned by the Kerr-Roosevelt interests.

Each ship is 11,000 tons, of 3,500 horsepower, capable of attaining a speed of 11 knots an hour.

The clipping further says:

Mr. Roosevelt said his company had tried to buy some ships from the United States Shipping Board, but was unsuccessful.

The first question which suggests itself is, Why build abroad? With American yards idle and well equipped, why should American citizens not build ships here?

I am not sure whether or not it was this company, but some company, according to information which I believe is absolutely accurate, offered the Shipping Board, for instance, for the *William Penn*, $606,000. This was about $75 a gross ton. The terms were one-third cash and the balance in five years at 4½ per cent interest. This was a very much better offer than they obtained for "the President" ships, which were sold to the Dollar Line. There the Shipping Board sold some of the finest ships we had at $50 per gross ton, and the terms, which were accepted, were 11 years at 4 per cent.

Mr. BURSUM. Mr. President, did I understand the Senator to say something about allowing $50 pensions? Is the Senator talking about pensions?

Mr. FLETCHER. No; I am talking about shipping—the sale of ships.

Mr. BURSUM. I will advise the Senator that the pension bill is up for consideration.

Mr. FLETCHER. I am much obliged to the Senator for that information. I quite understood it. I am inclined to think that the matter I am presenting now can not very well wait. It ought to be discussed to-day. No doubt the Senator's pension bill will have due consideration. Surely he did not expect to pass it in an hour or two this morning. We will have every opportunity to vote for the bill, and to see that it is passed. I have not any question but that it will get very prompt action; but I see no reason why we can not allude to some other subjects for a very short while. There will be plenty of time for the pension bill.

Mr. BURSUM. Mr. President——

The PRESIDING OFFICER (Mr. LADD in the chair). Does the Senator from Florida further yield to the Senator from New Mexico?

Mr. FLETCHER. I yield.

Mr. BURSUM. I beg the Senator's pardon for having suggested the propriety of considering the subject before the Senate.

Mr. FLETCHER. I quite understand what is before the Senate, and I think I am quite within the proprieties and within the practice and the customs of the Senate; and therefore I wish to proceed with the consideration of this matter, which I should have been glad to present immediately following the passage of the resolution offered by the Senator from Utah [Mr. KING] this morning, because I have here some of the very identical information which that resolution calls for, and I am approaching it just as rapidly as I can.

I mention the sale of these President ships at about $50 a gross ton on 11 years' time and at 4 per cent interest. No cash at all was paid at the time, but there was a two-year letter of credit for the partial cash payment. Since we are anxious to get the ships into private ownership, I can not quite understand why the board should turn down a proposition of $606,000 for the *William Penn*, and sell these magnificent cargo and passenger ships, "the President" ships, at about $25 a ton less than the offer for the *William Penn*. However, I make no criticism about it, because I understand that the policy of the board—and a very proper policy it is, too—is to reserve the right to specify and attach as a condition of the sale the placing of the ships in service which they consider important to be engaged in, and also requirements as to both flag and route; and it is perhaps those conditions that interfered with the acceptance of the offer made for the *William Penn*. I recognize that each transaction ought to stand upon its own merits, and that without full details as to the transaction we have no right to criticize it. I am simply calling attention to the fact, as indicated here, that an effort was made by this line to buy United States Shipping Board ships, and they say they were unsuccessful. The offer which they made for the *William Penn*, as I say, was $75 a ton, or about that, and the Shipping Board declined it, although they did sell the President ships to the Dollar Line for about $50 a gross ton, and although they did sell the *City of Los Angeles* last year for $100,000, when they had recently spent on her nearly that amount in furnishings alone, and had spent within three years over two and a half million dollars in putting her in condition.

The statement has been made, too, as I gather from the papers, that the Interstate Commerce Commission has put into effect section 28 of the merchant marine act of 1920. That is an important step. Section 28 of that act provides:

That no common carrier shall charge, collect, or receive for transportation subject to the interstate commerce act of persons or property under any joint rate, fare, or charge, or under any export, import, or other proportional rate, fare, or charge, which is based in whole or in part on the fact that the persons or property affected thereby is to be transported to, or has been transported from, any port in a possession or dependency of the United States, or in a foreign country, by a carrier by water in foreign commerce, any lower rate, fare, or charge than that charged, collected, or received by it for the transportation of persons, or a like kind of property, for the same distance, in the same direction, and over the same route, in connection with commerce wholly within the United States, unless the vessel so transporting such persons or property is, or unless it was at the time of such transportation by water, documented under the laws of the United States. Whenever the board is of the opinion, however, that adequate shipping facilities to or from any port in a possession or dependency of the United States or a foreign country are not afforded by vessels so documented, it shall certify this fact to the Interstate Commerce Commission, and the commission may, by order, suspend the operation of the provisions of this section with respect to the rates, fares, and charges for the transportation by rail of persons and property transported from, or to be transported to, such ports, for such length of time and under such terms and conditions as it may prescribe in such order, or in any order supplemental thereto. Such suspension of operation of the provisions of this section may be terminated by order of the commission whenever the board is of the opinion that adequate shipping facilities by such vessels to such ports are afforded and shall so certify to the commission.

They have made that certificate, and the commission has ordered section 28 put into effect. That is an important step, and I think it will mean a very considerable benefit to the American merchant marine. I can very well understand how foreign lines and foreign interests object to it; but it is clearly within our rights and clearly within our duty, I think, for us to legislate in a way that will, at least, prevent preference being given to foreign lines over our own lines in the matter of foreign commerce.

The fact that the putting into effect of section 28 arouses some criticism and opposition on the part of our competitors does not particularly disturb me. It simply shows that it is a valuable piece of legislation which has stood upon our statute books without effect since 1920, which was intended to be of benefit to the American merchant marine, and will prove of benefit to the American merchant marine; and for that reason our competitors do not care to have it put into operation.

Mr. WALSH of Massachusetts. Mr. President——

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Massachusetts?

Mr. FLETCHER. I yield.

Mr. WALSH of Massachusetts. I do not want to divert the Senator's attention from the matter which he is developing and from the purpose for which he rose; but I should like to ask the Senator, as a member of the Committee on Commerce, if there is any prospect of any shipping legislation at this session? I find the people along the Atlantic seaboard very much dissatisfied with the present policy of the Government. They consider it an unsettled policy. They think the Government is neither in nor out of the shipping business; and there is an earnest desire and wish among the business interests, the shipping interests of the country, and those interested in an American merchant marine that there shall be a definite, fixed policy. Is there any prospect whatever of any legislation to that end at this session?

Mr. FLETCHER. Frankly, I must say to the Senator that I do not see very much hope for any legislation along that line at this season. I wish I could say otherwise. Some bills have been introduced in the House and some in the Senate which embody some very important features, and some of them, I think, ought to be passed; but I have not seen indications up to this time that they are being given very serious consideration.

Mr. WALSH of Massachusetts. What is the reason? Is it because private shipping interests have influence enough to prevent our Government from declaring an independent policy of its own?

Mr. FLETCHER. I think undoubtedly that is the great influence that is being exercised.

Mr. WALSH of Massachusetts. Hidden, subtle, indirect influence?

Mr. FLETCHER. I think so, in a measure, unquestionably.

Mr. WALSH of Massachusetts. Preventing affirmative action by our Government in developing a merchant marine?

Mr. FLETCHER. I would not be surprised, if we could get to the bottom of it, to find that underneath and underlying that influence the Senator mentions are foreign shipping interests and foreign financial interests.

Mr. WALSH of Massachusetts. That is almost incredible.

Mr. FLETCHER. I will show very shortly, when I get to it, that foreign interests control this North Atlantic conference in which we are participating, and I think it will appear before I finish that all these conferences in which we participate are dominated by foreign interests.

Mr. WALSH of Massachusetts. With the result that we have absolutely no American shipping policy?

Mr. FLETCHER. That is about the situation. I have urged that we take our position firmly now, and let the world know that this Government is going to own and operate merchant ships to meet the needs of our overseas commerce. That is the only definite position I can see we can take now, in these circumstances.

Mr. WALSH of Massachusetts. The one lesson we ought to have learned from the war was the importance and necessity of having merchant-marine ships in time of war to take care of our trade, and to transport our troops, if necessary.

Mr. FLETCHER. Precisely.

Mr. WALSH of Massachusetts. We seem to have taken no advantage of the lesson that was brought home to us so clearly at that time.

Mr. FLETCHER. I think that is quite true. I do hope, among other things, that the bill which is pending in the House, and upon which they have had hearings, with reference to a replacement policy, the "Dieselizing" of our ships, will be considered by both Houses, and it ought to be passed at this session so that we can take advantage of conditions which enable us to equip, construct, and put into service ships having the very latest and most economical type of machinery the world affords. I think that measure ought to be agreed to, and perhaps it will be. But at present, it seems to me, there is a discouraging lack of interest in outlining and writing into our law just what we mean to do with reference to our ships.

Mr. WALSH of Massachusetts. May I suggest to the Senator that I hope he will take an early opportunity to present his views in full to the Senate on that subject. I do not know of any man in this Chamber who has studied the question more intimately, who has a wider range of knowledge about it, and I really think the Senator could not render a better public service than to put before the country the present situation in regard to our shipping policy, and point out the causes of inaction upon the part of the administration.

Mr. FLETCHER. I am much obliged to the Senator, and before I finish I shall endeavor to offer some thoughts on that subject. It is a most important subject. The people of this country have put $4,000,000,000 into this thing, and they want to know what is being done with it, what it all means, and what to expect from it; whether they are going to have an adequate merchant marine for their national defense, and for the handling of their foreign commerce.

The joint conference, to which I have referred, is to meet very soon, in April. As I have said, we have put into effect section 28 of the merchant marine act of 1920. It is vitally important, therefore, that the situation to which I shall refer in detail should be presented, and I feel that to-day is the time for me to make plain a condition which calls for correction, because this thing has gone on for four or five years, under remonstrances and under protests, with all the facts perfectly well known, and it is inconceivable that the discriminations which I will point out very soon should be allowed to continue any further.

I am not discouraged by reason of the fact so often referred to, which the former Shipping Board shouted from the housetops, and almost boasted about, that our ships have lost money; that they are not being operated at a profit. I have before me some pages from Fairplay for February 28, 1924, wherein it is shown that with few exceptions all British shipping companies are losing money. Senators will probably be surprised to know that practically every voyage of the great P. & O. Line last year resulted in a loss. The P. & O. Line, running from England to the Far East and Australia, is probably the largest British shipping company in existence. Lord Inchcape, who is chairman, stands at the very top of the shipping men in England.

That statement, at page 541, which I have marked, from Fairplay, I ask to have inserted in the RECORD without reading. It gives the details of the various voyages, and it shows that the shipping companies of this great maritime nation, the greatest in the world, have been losing money right along for a year past, at least on their shipping, on practically every voyage made by these steamers owned in Great Britain.

The PRESIDING OFFICER. Is there objection?

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

[From Fairplay, February 28, 1924.]

Now, seeing that in the case of the P. & O. practically every voyage last year resulted in a loss, the directors apparently—I have to put it that way, thanks to the hide-and-seek fashion in which the accounts are presented—had to make up the deficiency from the reserves included under the head of sundry creditors.

* * * * * * *

I have received statements of accounts signed by chartered accountants of the results of the voyages during the year 1923 of the whole of the vessels owned by eight different companies, and have summarized them below. I would point out that the figures as to profit or loss have been arrived at before providing for management expenses, depreciation, interest, salaries, office rent, or taxation, while as to capital employed it will be seen that, with vessels standing in the books at £10,403,000 after 5 per cent per annum had been written off for depreciation, there is a net loss of £194,646, equal to 1.87 per cent. These figures clearly show how shipowners have been hit by the depression and how essential it is that they should resist any claim which seeks to make them responsible for the higher wages demanded.

Summary of steamers' voyage results, with percentage of loss or profit on capital employed.

Company.	Number of voyages	Profit or loss.	Capital employed based on original cost, less 5 per cent per annum.	Percentage of profit or loss on capital.
A	74	+£13,456	£623,918	+2.16
B	76	−33,847	3,711,128	−.91
C	18	−1,897	381,000	−.49
D	75	−38,770	2,048,276	−1.89
E	16	−35,157	941,099	−3.73
F	37	−48,301	1,215,131	−3.97
G	19	−17,370	728,843	−2.38
H	22	−32,760	753,796	−4.34
		208,102		
Less		13,456		
	337	−194,646	10,403,191	−1.87

I have also had an opportunity of going through the whole of the accounts of the voyages made by the steamers owned by 50 different companies. Practically the whole of the voyages have resulted in a loss, and this is without charging anything for depreciation or interest on capital at stake. I have summarized, at random, the results of some of the trips, which include coasting vessels in the short sea trades, boats trading to the Mediterranean, and those going to America, the Plate, and Australia, and give them below. These figures could all have been placed before the court of inquiry, and could have been substantiated by auditors' certificates. In only one or two cases out of hundreds of voyages are very small profits shown—

Size of steamer.	Voyage days.	Earnings.	Expenses.	Loss or profit.
415 (dead weight)		£110	£145	−£35
415 (dead weight)	11	158	246	−88
663 (dead weight)	9	183	246	−63
3,200 (dead weight)	19	921	1,046	−125
244 (dead weight)	8	90	136	−45
654 (dead weight)	15	219	340	−121
1,880 (dead weight)	41	2,338	2,605	−266
5,700 (dead weight)	365	17,182	18,385	−1,203
3,400 (dead weight)	127	49,496	59,254	−9,758
8,200 (dead weight)	135	14,112	16,850	−2,738
6,600 (dead weight)	88	8,342	8,818	−475
6,800 (dead weight)	360	14,662	15,799	−1,137
4,200 (dead weight)	217	12,804	13,957	−1,153
5,400 (dead weight)	193	14,275	15,536	−1,261
1,050 (dead weight)	186	4,004	4,408	−403
7,000 (dead weight)	73	6,420	6,894	−474
7,000 (dead weight)	193	17,500	19,170	−1,670
6 (steamers)	365	49,245	50,660	−1,415
6,700 (dead weight)	149	13,667	15,027	−1,360
6,850 (dead weight)	268	11,005	15,252	−4,247
5,050 (dead weight)	135	8,356	10,345	−1,989
1,500 (dead weight)	205	5,962	6,891	−929

Size of steamer.	Voyage days.	Earnings.	Expenses.	Loss or profit.
8 (voyages)	435	£43,240	£64,331	−£21,091
3,140 (dead weight)	78	3,039	5,268	−2,229
5,200 (dead weight)	119	16,842	18,635	−1,793
8,650 (dead weight)	94	9,730	12,669	−2,939
7,200 (dead weight)	170	52,632	51,472	+1,160
7,200 (dead weight)	155	34,732	38,603	−3,871
8,300 (dead weight)	178	29,935	47,477	−17,542
8,400 (dead weight)	183	55,129	64,674	−9,545
8,300 (dead weight)	180	61,318	67,287	−5,969
8,300 (dead weight)	180	48,156	67,702	−19,246
8,300 (dead weight)	183	64,679	72,921	−8,242

* * * * * * *

Judging from the accounts of the Great Western Railway Co., the steamers owned by the railway companies have done badly during the past 12 months. The company owns 17 steamers, of 6,971 tons net and 59,300 indicated horsepower, and which cost £481,080. During the year the gross receipts amounted to £279,260 and the expenses, including depreciation and insurance, to £324,236, thus showing a loss of £44,976, against a loss of £81,425 in 1922. In view of the fact that the depreciation and insurance funds for steamers stand at £820,297, or £339,000 more than the vessels cost, the necessity for writing off £68,231 for depreciation and insurance was not urgent.

Mr. FLETCHER. Mr. President, these are conditions which are world-wide, and we could not expect to be conducting the shipping business profitably now, because commerce is not moving. The situation is such that practically all countries have idle ships. Great Britain has something like a million tons tied up idle, and yet it is contended that because our Shipping Board has some nine or ten hundred vessels tied up and because they are not making a profit on those which are being operated—probably 390 or 400 vessels—it is demonstrated that we can not have a merchant marine in this country and that we ought to abandon this venture entirely.

Mr. WALSH of Massachusetts. Mr. President——

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Massachusetts?

Mr. FLETCHER. I yield.

Mr. WALSH of Massachusetts. If we accept the view that merchant ships are necessary for defense in time of war, the argument that the Government is operating at a loss is of no more weight than to argue that the Navy is operated in time of peace at a loss, is it?

Mr. FLETCHER. The Senator is undoubtedly correct about that; and if we learned one lesson out of this most gigantic and disastrous war of all time, it was the lesson which England and the whole world must have learned—that while the Royal Navy stood intact Great Britain would have been forced to her knees and out of that war within two weeks after the German submarines began their devastating work if she had not had her merchant ships.

It was the merchant ships of England which really saved her from defeat in that war. We ought to know that. We ourselves should not be left so that we will be dependent upon our competitors in foreign markets for bringing to us the things we need, in the first place, and for the carriage of our commerce overseas, and we ought not to be in a helpless condition in case war should ever come again. We must stand by this policy announced in the merchant marine act of 1920. We are pledged to establish an adequate merchant marine.

Mr. WALSH of Massachusetts. Mr. President, the reason for the first shipping act recommended by President Wilson, before we went into the war, was that American business could not get any ships anywhere to carry their goods, that the British ships and the other ships were taken off the sea, and we were powerless. We were without transportation facilities upon the sea, and the Government was forced into the business of building a merchant marine.

Mr. FLETCHER. Precisely.

Mr. WALSH of Massachusetts. Now we are drifting into the condition from which we suffered then, so that when another war comes we will have no merchant ships, and we will be obliged to spend $4,000,000,000 or more in another useless adventure such as we have just made.

Mr. FLETCHER. The Senator is undoubtedly correct. Private enterprise could not have built those ships. The cry, not only throughout this country but all over the world, was for "more ships." The conditions were such that the Government had to go into the business of building ships. The Senator is correct, too, with regard to the increase of rates. When the German ships were tied up in the various ports of this country and abroad, and out of commission, when the British ships were commandeered largely for war uses, and the French and the Italian ships were needed at home, we had no ships to move our products, which were weighing down the warehouses and terminals everywhere on the Atlantic, Pacific, Gulf, and Great Lakes. We recall especially that the freight rate on wheat went from 3 cents a bushel to 50 cents a bushel from New York to Liverpool, and the rates on cotton went from $2.50 a bale to $50 a bale from Galveston to Liverpool. So it was all along the line.

Getting back to the subject of these ocean freight rates and conference agreements, in January I called on the Shipping Board for information respecting various rate conferences having to do with traffic to and from the North Atlantic, South Atlantic, and Gulf, and the United Kingdom and continental Europe.

On January 23, 1924, Admiral Palmer, president of the Fleet Corporation, replied, and submitted data, which reply and statement I ask to have incorporated in the RECORD at the conclusion of my remarks, without reading.

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

[See Appendix 1.]

Mr. FLETCHER. In February I requested further information of the Shipping Board, and Chairman O'Connor replied on February 23, and I ask to have his communication and statement also incorporated at the conclusion of my remarks.

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

[See Appendix 2.]

Mr. FLETCHER. On March 1, at page 3405 of the CONGRESSIONAL RECORD, I made reference to the subject, and placed in the RECORD an extract from the Traffic World and comment thereon by Mr. R. L. McKellar, to which I would direct the attention of all concerned without repeating. I would especially pointed out what Mr. McKellar said—page 3405—in giving examples of existing distances in mileage and ocean rates as between North Atlantic, South Atlantic, and Gulf ports.

I have referred this data received from the Shipping Board and the Fleet Corporation to foreign freight traffic and rate experts, and obtained what would seem to be a clear and accurate analysis of that material showing the situation, which calls for correction without further delay, as follows:

TRANSATLANTIC OCEAN RATES AND DIFFERENTIALS.

An analysis of conference committee data submitted by President Palmer in his letter of January 23 reveals the following outstanding points:

1. Ocean rates to United Kingdom ports are under the jurisdiction and control of the North Atlantic-United Kingdom freight conference.

2. Ocean rates to continental ports are under the jurisdiction and control of the North Atlantic-continental freight conference.

3. Transatlantic ocean rates from North Atlantic, South Atlantic, and Gulf ports are under the jurisdiction and control of a joint conference committee composed of the North Atlantic, South Atlantic, and Gulf conferences, and when changes are made in rates, differentials, or parities, the unanimous concurrence on the part of the three conferences is required.

4. To arrive at a joint working arrangement between the North Atlantic, South Atlantic, and Gulf groups of ports commodities are classed as follows:

(a) North Atlantic initiati › commodities.

(b) South Atlantic and Gulf initiative commodities.

(c) Neutral commodities.

5. North Atlantic initiative commodities are supposedly commodities largely peculiar to the North Atlantic district, and the North Atlantic district may change the rates on these commodities without the concurrence of South Atlantic and Gulf districts.

6. Gulf and South Atlantic initiative commodities are supposedly commodities largely peculiar to South Atlantic and Gulf districts, and the Gulf and South Atlantic districts may change these rates without the concurrence of North Atlantic district.

7. Neutral commodities are commodities which are not considered peculiar to any one district, and no district can change a rate on a neutral commodity without obtaining concurrence of the other districts.

8. Fixed differentials or parities have been established as between North Atlantic, South Atlantic, and Gulf districts, and when any rate is changed by the district having the initiative such change is automatically followed by the other districts in accordance with differentials as fixed.

9. No change in the differential on any commodity as between the three districts can be made without the unanimous concurrence of the three districts.

10. No provision is made for independent action on the part of any district or any member steamship line.

11. In determining rates ocean distance and steaming time are not the sole factors, but all operating costs, as well as competitive transportation and commercial conditions, are considered.

NORTH ATLANTIC-UNITED KINGDOM FREIGHT CONFERENCE.

This conference was formed in February, 1918, by the Glasgow, London, Liverpool, Manchester lines, which since 1901 had more or less operated as individual unities. Since December, 1919, the Emergency Fleet Corporation, and since October, 1920, the Canadian Government Merchant Marine (Ltd.), although not members, have attended meetings and cooperated with member lines.

This conference has no officers. All matters for consideration are dealt with at meetings by the conference as a whole or referred to committees appointed from time to time as occasion requires. Sidney E. Morse acts in the capacity of secretary with offices at 8-10 Bridge Street, New York City.

Its membership is composed entirely of British lines, 15 in number, with the exception of one British-Norwegian line. Canadian Government lines and six United States Shipping Board lines are permitted to sit in and cooperate, but with no rights or voice as members.

In other words, the establishment and maintenance of eastbound ocean rates from North Atlantic ports to United Kingdom ports is wholly under the control of British lines. As American lines have no voice in the establishment of these rates from North Atlantic ports it automatically follows under the general conference plan that South Atlantic and Gulf ports have no voice whatever, which means that in the field of competition their winning chance is comparable to the proverbial wooden-legged man in a foot race.

NORTH ATLANTIC-CONTINENTAL FREIGHT CONFERENCE.

This conference was formed March 9, 1922, and is composed of 16 member lines of which 4 are United States Shipping Board lines, 1 other United States ownership, and 2 other joint United States and foreign ownership. The majority membership is, therefore, foreign, and 8 out of 16 members are either British or associate British. It has no officers, with the exception of a secretary, who acts in the same capacity for the United Kingdom conference.

While American flag lines are members of this conference, with rightful voice as such, still they are in the minority, and as they are not a controlling force in establishing eastbound ocean rates to the Continent, it naturally follows that the South Atlantic and Gulf have little, if any, voice in establishing these rates.

SOUTH ATLANTIC STEAMSHIP CONFERENCE.

This conference was formed in March, 1920. The chairmanship rotates, each member acting as chairman for one week. Its secretary, with office at Savannah, is the only elected officer. Its membership is about equally divided between United States Shipping Board lines and foreign lines, but as American flag lines have little or no voice in establishing ocean rates from North Atlantic ports, it naturally follows that the South Atlantic conference lines have even less voice.

GULF SHIPPING CONFERENCE.

This conference was formed in March, 1920, and comprises a joint conference composed of a British conference of nine British lines and a Fleet Corporation-United Kingdom conference of four American lines. Its secretary is E. A. McGuirk, British, located at New Orleans, and the chairmanship alternates between British and American. A subconference is located at Galveston with an assistant secretary. As the majority of the membership of this conference is British and largely composed of subsidiary lines controlled by British parent companies with head offices in New York, it naturally follows that the Gulf conference has little or no voice in establishment of rates other than to adopt what is fixed at New York.

GULF FRENCH ATLANTIC HAMBURG RANGE CONFERENCE.

This conference was formed in March, 1920. Its chairman is selected each meeting by the members. The secretary is at New Orleans, and a subconference is located at Galveston with an assistant secretary, these two latter officers being the same as the Gulf Shipping conference. The Gulf French Atlantic Hamburg Range Conference is composed of 20 members, 14 foreign and 6 Shipping Board lines. Its rate-making powers, like other South Atlantic and Gulf conferences, are controlled by the unanimous concurrence of the joint conference composed of the three districts, whose action in turn is controlled beyond a doubt by the North Atlantic Conference, which, in turn, is controlled beyond a doubt by foreign lines.

Apparently, the principal function of the South Atlantic and Gulf conferences, both in the establishment of rates and existing differentials, is, in brief, to acquiesce in what is proposed by the foreign the controlled North Atlantic Conference. Shipping Board operators, regardless of their individual views, must necessarily, of course, voice the policy outlined for them by the Shipping Board organization at Washington.

The pyramided control of subsidiary lines by the chairman of the board of the United States Steel Corporation is no more complete than the interlocking directorate control of joint conference ocean rates by the North Atlantic Conference directed from London.

Mr. KING. Mr. President——

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

Mr. FLETCHER. I yield.

Mr. KING. The resolution which was adopted this morning, and which I had offered some time before, called attention to alleged combinations between the Shipping Board and various other trans-Atlantic shipping lines, some of which were owned by foreigners. The question has been asked me since then whether or not I had any information to show that Gulf lines were parties to the agreement to which I have referred, or any agreement with foreign ships as the result of which higher rates were charged or rates maintained. Has the Senator discussed that question and has he answered it in the speech he is making?

Mr. FLETCHER. I am answering it now. I have heretofore referred to it. I have not read, but have asked to have inserted in the RECORD without reading, a letter from Admiral Palmer, president of the Fleet Corporation, dated January 23, 1924, which gives the list of those participating in the North Atlantic United Kingdom fleet conference and the other conferences. Then I have asked to have inserted in the RECORD also a letter from the chairman of the Shipping Board dated February 23, 1924, which gives a list of parities and other data handled by the conference.

Mr. KING. Will the Senator permit another inquiry?

Mr. FLETCHER. Certainly.

Mr. KING. If such an agreement has been entered into, participated in by the Shipping Board, what advantage is it to the American ships to have the Shipping Board; that is to say, if our own vessels, owned by the Government, enter into combinations for the purpose of maintaining or increasing marine rates, then the advantages which some have claimed for a Government-owned and operated fleet, it seems to me, would be nonexistent.

Mr. FLETCHER. I think, beyond any question, marine conferences might be considered advantageous, so as to prevent anything like a rate war, for instance. I have no question that any conference is of advantage to a shipping enterprise that has already an established business, but I doubt if conferences are of the advantage to a line that has to go out and hunt business. I doubt very much if the conference would be of any advantage to the Shipping Board at all.

Mr. KING. If the Senator will pardon me, the Senator appreciates that under the interstate-commerce clause of the Constitution we could legislate, if we had not already done so, to prevent common carriers from combining for the purpose of maintaining or increasing rates. Indeed we have taken over the control of rates by setting up the Interstate Commerce Commission, and they have established their regulations which must be complied with. If we fix rates for interstate commerce on land, does the Senator think that it is of advantage to the American exporter and the American importer and the American public generally to permit these combinations of shippers engaged in marine transportation for the purpose of maintaining rates? Do we not thereby violate the Sherman antitrust law?

Mr. FLETCHER. I doubt very much if there is any violation of the Sherman antitrust law. I doubt if that law would apply to conferences having to do with overseas trade on the high seas. But we have provided the machinery in our legislation with respect to ships, that is, the shipping act, the merchant marine act, and various other laws we have enacted, which give authority and power to the Shipping Board to see that there are no violations of law in the practice of shipping lines using our ports and to protect our own shipping against combinations which existed prior to our legislation on the subject and prior to our becoming interested in ships as a Government; combinations, for instance, which resulted in the establishment of what were called fighting ships, sent out especially to prevent any independent action in the way of bringing about competition with old established lines. That authority we vested in the Shipping Board. It seems to me it is the function which thus far they have failed fully to appreciate. The main use of the Shipping Board, it seems to me, from now on will be to enforce the laws with reference to ocean rates and prevent the violation of laws such as the Senator suggests. I think instead of its being, perhaps, in conflict with the Sherman antitrust law, such a thing as he suggests is in conflict with other laws by which we have created an agency in the Shipping Board to correct; and I am trying to invoke the activities of the Shipping Board in taking steps to prevent occurring what the Senator has indicated there might be danger in.

I have heretofore alluded to the situation with reference to these conferences, and I think it is clearly shown by the

analysis which I have offered here and the data which have been furnished me and the examination of that material that the North Atlantic conference is now under the absolute control of British interests, dictated from London, and that is the conference that is fixing the ocean rates.

PARITIES, NEUTRAL, AND INITIATIVE COMMODITIES.

The list of parities, neutral, and initiative commodities, as submitted by Chairman O'Connor in his letter of February 23, shows commodities taking parity rates from North Atlantic, South Atlantic, and Gulf ports as numbering 23. With the exception of tobacco, these commodities are largely unimportant, and six of them are limited to Pacific coast origin.

The list of neutral commodities on which the initiative in rate making lies with either of the three conferences but requires concurrence of other conferences numbers 14. These commodities are largely unimportant and so interwoven with parity commodities as to be confusing.

The list of Gulf and South Atlantic initiative commodities numbers 19, consisting mainly of cotton, cottonseed products, lumber, and naval stores.

The Gulf and South Atlantic districts may change rates on this list of commodities without the concurrence of the North Atlantic; but on the three principal moving commodities, namely, cotton, lumber, and naval stores, the North Atlantic has fixed differentials under the South Atlantic and Gulf which automatically gives to the North Atlantic full protection on the principal moving southern commodities supposedly within the initiative of the South Atlantic and Gulf but in reality rendered favorable to the North Atlantic under the differential adjustment fixed by the North Atlantic; as, for example, the rate on cotton from the Gulf is 25 cents per hundred pounds higher than from the North Atlantic, which at times results in a higher ocean rate from Gulf to European ports than the combination from the Gulf to New York plus the differential rate New York to European ports.

NORTH ATLANTIC INITIATIVE COMMODITIES.

The North Atlantic conference does not list the commodities on which it has the initiative in rate making, except by process of elimination. Its initiative covers all commodities, regardless of origin, not included in the parity, neutral, and Gulf and South Atlantic initiative lists, and includes practically all the actively moving commodities from competitive territory except certain leading southern commodities on which the North Atlantic is protected by favorable differentials so adjusted as to operate automatically; as, for example, under the blanket inclusion of all other commodities the initiative on carbon black from Louisiana oil fields, at the back door of the Gulf, rests with foreign lines in New York the same as on any commodity manufactured in the New York metropolitan district. Another illustration is that last year southern mills adjacent to southern ports manufactured 64 per cent of the cotton manufactured in this country, and on this manufactured product the trans-Atlantic rates from South Atlantic ports were 7½ cents per hundred pounds and from Gulf ports 15 cents per hundred pounds higher than from North Atlantic ports.

In short, the progression of trans-Atlantic ocean rate control is substantially as follows:

1. On commodities originating in competitive territory in the Middle West and far West, the initiative and control is with the North Atlantic Conference and the North Atlantic Conference is controlled by foreign lines.

2. On important moving commodities originating in the South and peculiar to South Atlantic and Gulf ports, the initiative is with southern ports. This initiative, however, is nullified by differentials in favor of North Atlantic ports fixed by the North Atlantic Conference under control of foreign lines.

Prior to the war there was no American flag trans-Atlantic steamship service from South Atlantic ports and service from Gulf ports was largely subsidiary lines service controlled by foreign lines with main offices in New York. Therefore, it quite naturally followed that ocean rates were so adjusted as to favor North Atlantic ports, and primarily New York, from which the main trans-Atlantic foreign line service was operated.

After the war when American flag service was established from both South Atlantic and Gulf ports, the Shipping Board apparently adopted and published substantially what was offered by the North Atlantic Conference in the way of both rates and differentials, and after having done this it closed the door to the removal of discriminations against southern ports by entering a joint conference obligated to make no changes in existing rates or differentials without the unanimous concurrence of the three district conferences, with result that the North Atlantic Conference, having its own basis adopted by the Shipping Board for the South Atlantic and Gulf, occupies a fully protected position that can not be changed except by its own consent, whereas the South Atlantic and Gulf, with a grossly discriminating adjustment saddled upon it, is powerless to protect its interests, except by independent notice which is prohibited.

At the close of the war when cargo offerings from all ports were largely in excess of ship tonnage a differential of 15 cents per hundred pounds from the Gulf over the North Atlantic represented only about 15 per cent of the ocean rate and was readily paid, but to-day when ship tonnage is in excess of cargo offerings the same differential represents from 30 per cent to 40 per cent of the ocean rate and can not be paid. Such a condition should not be permitted to continue any longer than the time required for the Shipping Board to serve notice upon all at interest that this discrimination will be removed at once.

The North Atlantic argument that the distance from southern ports is greater is completely annihilated by past and present practice in that rates from all Atlantic and Gulf ports to the Far East are on a parity, and in some cases cargo is actually carried to Yokohama at a lower rate than to Liverpool, notwithstanding that the distance is more than twice as great to Yokohama and, in addition, the Yokohama carrier has to pay Panama Canal dues. The general cargo rate from New York to Sydney, Australia, a distance of 9,704 miles, has been the same as from New York to Algiers, a distance of only 3,621 miles, while the rate to Cape Town, a distance of 6,795 miles, has been actually less than the rate to Algiers. The rate from New York to Tampico is the same as from New Orleans, although the steamer from New York must cover a distance three times as great.

SUGGESTED READJUSTMENT.

Three alternate plans of needed readjustment are offered, as follows:

1. Place all commodities originating in competitive territory in the Middle West and Far West on the parity list and agree upon fair and reasonable differentials on such essentially southern commodities as cotton, cottonseed products, lumber, naval stores, and phosphate as will primarily protect southern ports but without closing the routes through North Atlantic ports from reasonable participation in the movement of these commodities.

2. Dissolve the joint conference of the three conference districts and continue separately the North Atlantic, the South Atlantic, and the Gulf conferences, with full rate-making authority vested in each, but with an arrangement for exchanging information as to rates agreed upon in the several conferences, without obligation on the part of any conference to base its rates on those of any other conference.

3. Make ocean rates from South Atlantic and Gulf ports to Cuba and other Gulf and Caribbean ports based on the lesser mileage from southern ports. It is not likely that trans-Atlantic lines will agree to this, as they have no interest or control in these particular Gulf rates.

Ocean rate conferences may be considered essential to the stability and regulation of ocean rates and, it may be thought, should be, therefore, continued in some form or other, but they surely should not be permitted to create and perpetuate discriminating adjustments as between ports.

Such an adjustment as proposed in paragraphs 1 and 2 will insure to the ports of each section business originating in territory contiguous to such ports and an equal chance to secure business in what may be termed "common" territory competitive to all three districts.

The whole of the Pacific is on a parity with reference to interior points, and there is no reason why the same should not be the case with the whole Atlantic coast. This differential mentioned to European ports in respect to the North and South Atlantic coast can not be ascribed to distance nor port conditions merely, as it applies to European points generally. Moreover, the same rate is given by the Shipping Board from Boston and New York to South America and Cuba as from Charleston, Savannah, Jacksonville, Tampa, Pensacola, Mobile, and New Orleans, although the distance is in some cases double.

Take Charleston, for comparison, although the difference is more marked in the case of each of the other ports named:

Liverpool.	Gibraltar.	Colon.	Habana.
Boston, 3,058 miles [1]	[1] 3,064	[2] 2,157	[2] 1,415
Norfolk, 3,367 miles [1]	[1] 3,369	[2] 1,779	[2] 985
Charleston, 3,613 miles [1]	[1] 3,595	[2] 1,565	[2] 646

[1] Same rate plus 7½ cents.
[2] Same rate.

If there is to be a genuine effort to build up a permanent service from the various coasts of the country, differentials ought to be removed.

If no readjustment can be effected as I have indicated, then, it seems to me, it would be advisable for the Shipping Board to withdraw from all conferences.

The truth is a conference is desirable for those lines which are established and have the business; they are not advantageous to those who must go after and build up their business.

For some four years this unjust discrimination has again and again been complained of, and it is amazing that it has been allowed to continue.

I again appeal to the Shipping Board to put an end to it.

Mr. President, that is all I care to submit for the present.

APPENDIX 1.

UNITED STATES SHIPPING BOARD
EMERGENCY FLEET CORPORATION,
Washington, January 23, 1925.

Hon. DUNCAN U. FLETCHER,
United States Senate, Washington, D. C.

MY DEAR SENATOR: Referring further to your letter of December 28, addressed to the Shipping Board, requesting information in connection with various rate conferences.

It is assumed that your letter has reference only to trans-Atlantic lines (United Kingdom and continental Europe), and I take pleasure in advising that the data desired by you has now been compiled, as per copy attached.

If there is any further information you desire relative to this subject, I will be very glad to furnish same.

Yours very truly,

L. C. PALMER, *President.*

NORTH ATLANTIC UNITED KINGDOM FREIGHT CONFERENCE.

OFFICERS.

There are no officers. All matters for consideration by the conference are dealt with by the conference as a whole at meetings or referred to committees appointed from time to time as occasion requires. Mr. Sydney E. Morse acts in the capacity of secretary, with offices located at 8–10 Bridge Street, New York City.

MEMBERS.

Anchor Line (British).
Anchor-Donaldson Line (British).
Atlantic Transport Line (British).
Canadian Pacific Steamships (Ltd.) (British).
"Head" Line and "Lord" Line (British).
Bristol City Line (British).
Cunard Line (British).
Donaldson Line (British).
Ellerman's Wilson Line (British).
Furness Lines (British).
Inter-Continental Transport Services (Ltd.) (British and Norwegian).
Lamport & Holt Line (British).
Thomson Line (British).
White Star Line (British).
White Star, Lamport & Holt, Ellerman, Bucknall Line (British).

LENGTH OF TIME CONFERENCE IN EXISTENCE.

In February, 1918, the Glasgow, London, Liverpool & Manchester Lines, which since 1901 had more or less operated as individual units, formed what now is the North Atlantic United Kingdom Freight Conference (eastbound). Since December, 1919, the Emergency Fleet Corporation, and since October, 1920, the Canadian Government Merchant Marine (Ltd.), although not members, have attended the meetings and cooperated with the members.

EMERGENCY FLEET CORPORATION OPERATORS.

A list of the operators attending the above conference is as follows:
Baltimore Steamship Co.
W. A. Blake & Co.
Export Transportation Co.
Moore & McCormack Co. (Inc.).
United States Lines.
J. H. Winchester & Co.

PROCEDURE FOR ESTABLISHING AND CHANGING RATES.

Unanimous concurrence.

INDEPENDENT ACTION.

No provision for independent action.

METHOD OF FIXING RATES.

Ocean distances and steaming time are not the sole factors in determining rates. All operating costs are considered, as well as competitive transportation and commercial conditions.

NORTH ATLANTIC CONTINENTAL FREIGHT CONFERENCE.
(Antwerp, Rotterdam, Amsterdam, Hamburg, and Bremen.)

OFFICERS.

There are no officers. All matters for consideration by the conference are dealt with by the conference as a whole at meetings, or referred to committees appointed from time to time as occasion requires. Mr. Sydney E. Morse acts in the capacity of secretary, with offices located at Nos. 8–10 Bridge Street, New York City.

MEMBERS.

American Line (United States).
Black Diamond Steamship Corporation (United States).
Canadian Pacific Steamships (Ltd.) (British).
Cosmopolitan Shipping Co. (United States).
Cunard Line (British).
Ellerman's Phœnix Line (British).
"Head" Line and "Lord" Line (British).
Holland-America Line (Dutch).
Inter-Continental Transport Services (Ltd.) (British and Norwegian).
North German Lloyd (German).
Red Star Line (United States, Belgian, and British).
Rogers & Webb (United States).
Royal Mail Steam Packet Co. (British).
United States Lines (United States).
United American Lines (United States, Panamanian, and German).
White Star Line (British).

LENGTH OF TIME CONFERENCE IN EXISTENCE.

This conference was formed on March 9, 1922.

EMERGENCY FLEET CORPORATION OPERATORS.

Black Diamond Steamship Corporation.
Cosmopolitan Shipping Co.
Rogers & Webb.
United States Lines.

PROCEDURE FOR ESTABLISHING AND CHANGING RATES.

Unanimous concurrence.

INDEPENDENT ACTION.

No provision for independent action.

METHOD OF FIXING RATES.

Ocean distances and steaming time are not the sole factors in determining rates. All operating costs are considered, as well as competitive transportation and commercial conditions.

SOUTH ATLANTIC STEAMSHIP CONFERENCE.

OFFICERS.

The chairmanship rotates, each member acting as chairman for one week. The secretary, Mr. Frank P. Latimer, is the only elected officer. Headquarters are located in Room 1306, Savannah Bank & Trust Building, Savannah, Ga.

MEMBERS.

Atlantic & Gulf Shipping Co., Savannah, Ga. (Swedish and Norwegian).

Carolina Co., Charleston, S. C.; Jacksonville, Fla.; and Wilmington N. C. (United States).

Strachan Shipping Co., Savannah, Ga., and Jacksonville, Fla. (Italian and British).

Tampa Inter-Ocean Steamship Co., Savannah, Ga., and Jacksonville, Fla. (United States).

Trosdal, Plant & Lafonta, Savannah, Ga., and Jacksonville, Fla. (United States, Japanese, Swedish, Norwegian).

Williamson & Rauers Co., Savannah, Ga. (French and Dutch).

LENGTH OF TIME CONFERENCE IN EXISTENCE.

This conference has been in operation since March, 1920.

EMERGENCY FLEET CORPORATION OPERATORS.

The Carolina Co.
Tamps Inter-Ocean Steamship Co.
Trosdal, Plant & Lafonta.

PROCEDURE FOR ESTABLISHING AND CHANGING RATES.

Unanimous concurrence.

INDEPENDENT ACTION.

No provision for independent action.

METHOD OF FIXING RATES.

Ocean distances and steaming time are not the sole factors in determining rates. All operating costs are considered, as well as competitive transportation and commercial conditions.

GULF SHIPPING CONFERENCE.

OFFICERS.

Mr. E. J. McGuirk, British, and Mr. Harold LeJeune, Emergency Fleet Corporation are alternating permanent chairmen. The general secretary is Mr. H. J. Devereux, headquarters, Rooms 822–823 Carondelet Building, New Orleans, La. A subconference is located at Galveston; assistant secretary, Mr. R. J. Bissell.

MEMBERS—JOINT CONFERENCE.

British Conference.

Leyland Line (British).
Harrison Line (British).
Head Line (British).
Lord Line (British).
Maclay Line (British).
Elder Dempster Line (inactive) (British).
Larrinaga Line (British).
Royal Mail Steam Packet Co. (British).
Donaldson Line (British).

EMERGENCY FLEET CORPORATION—UNITED KINGDOM CONFERENCE.

Trosdal, Plant & Lafonta (American).
Lykes Bros. Steamship Co. (Inc.) (America).
Waterman Steamship Corporation (American).
S. Sgitcovich & Co. (American).

LENGTH OF TIME CONFERENCE IN EXISTENCE.

This conference has been in operation since March, 1920.

EMERGENCY FLEET CORPORATION OPERATORS.

Trosdal, Plant & Lafonta.
Lykes Brothers Steamship Co.
Waterman Steamship Corporation.
S. Sgitcovich & Co.

PROCEDURE FOR ESTABLISHING AND CHANGING RATES.

Unanimous concurrence.

INDEPENDENT ACTION.

No provision for independent action.

METHOD OF FIXING RATES.

Ocean distances and steaming time are not the sole factors in determining rates. All operating costs are considered, as well as competitive transportation and commercial conditions.

GULF FRENCH ATLANTIC HAMBURG RANGE CONFERENCE.

OFFICERS.

Chairman is selected at each meeting by the members. Secretary is Mr. H. J. Devereux; headquarters, Rooms 822–823 Carondelet Building, New Orleans, La.; subconference is located at Galveston; assistant secretary, Mr. R. J. Bissell.

MEMBERS.

French Line (French and British).
Holland-America Line (Dutch).
Hugo Stinnes Line (German).
Charles Harrington Agency; agent, Westfal-Larsen Line (Norwegian); also general chartering.
Southern Shipping and Trading Co.; agents, Oriental Navigation Co. (American and British); also general chartering.
Strachan Shipping Co., agents Donaldson Line (British); also general chartering.
Lykes Bros. Steamship Co. (Inc.) (American).
Mississippi Shipping Co. (American).
Page & Jones (American).
Waterman Steamship Corporation (American).
S. Sgitcovich & Co. (American).
Daniel Ripley & Co. (American).
Lallier Steamship Co., agents United American Line (German).
Castle Line (British).
Saint Line (British).
Lloyd Royal Belge (Belgian).
Ellerman's Wilson Line (inactive) (British).
Royal Holland Line (inactive) (Dutch).
Leyland Line (inactive) (British).
East Asiatic Line (inactive) (Danish).

LENGTH OF TIME CONFERENCE IN EXISTENCE.

This conference has been in operation since March, 1920.

EMERGENCY FLEET CORPORATION OPERATORS.

Lykes Bros. Steamship Co. (Inc.).
Mississippi Shipping Co.
Page & Jones.
Waterman Steamship Corporation.
S. Sgitcovich & Co.
Daniel Ripley & Co.

PROCEDURE FOR ESTABLISHING AND CHANGING RATES.

Unanimous concurrence.

INDEPENDENT ACTION.

No provision for independent action.

METHOD OF FIXING RATES.

Ocean distances and steaming time are not the sole factors in determining rates. All operating costs are considered, as well as competitive transportation and commercial conditions.

GENERAL EXPLANATION.

The above simply outlines the conferences from a local standpoint. The conferences of the three districts cooperate in the establishment of rates as outlined below.

To arrive at a joint working arrangement, commodities are classed as follows:

1. North Atlantic initiative commodities.
2. South Atlantic and Gulf initiative commodities.
3. Neutral commodities.

North Atlantic initiative commodities are commodities largely peculiar to the North Atlantic district. The North Atlantic district may change the rates on these commodities without the concurrence of the South Atlantic and Gulf districts.

Gulf and South Atlantic initiative commodities are commodities largely peculiar to the South Atlantic and Gulf districts. The Gulf and South Atlantic districts may change these rates without the concurrence of the North Atlantic district.

Neutral commodities are commodities which are not considered peculiar to any one district. No district can change a rate on a neutral commodity without obtaining the concurrence of the other districts.

In further explanation of above there is a fixed differential or parity on all commodities, and in making rate changes the procedure works out as follows:

For example—cotton: Cotton being a Gulf and South Atlantic commodity, the southern districts initiate the rate changes and the North Atlantic district automatically follows this rate based upon the fixed differential on same.

No change in the differential on any commodity as between the three districts can be made without the concurrence of the three districts.

APPENDIX 2.

UNITED STATES SHIPPING BOARD,
Washington, February 23, 1924.

Hon. DUNCAN U. FLETCHER,
United States Senate, Washington, D. C.

MY DEAR SENATOR: Acknowledging your letter of February 18:

I have had the Fleet Corporation obtain from the various conferences a statement covering parities, neutral and initiative commodities, with basis of rates as between the North Atlantic, South Atlantic, and Gulf, and take pleasure in quoting you a copy herewith.

If any further information is desired, I will be very glad to obtain same for you.

Yours very truly, T. V. O'CONNOR, *Chairman.*

PARITIES.

The North Atlantic, South Atlantic, and Gulf apply the same rates on these commodities:

Asphalt, barytes, beans (Pacific coast), borax, coffee (green), cooperage, dense weight, fruit (dried, Pacific coast), goods (canned, Pacific coast), grain, honey (Pacific coast), hops (Pacific coast), ixtle, logs (except pitch pine and cypress), lumber (except pitch pine and cypress), milk (condensed), molasses, peas (Pacific coast), shooks (box), sisal, sulphur, sirup (sugar-cane), and tobacco.

NEUTRAL COMMODITIES.

The initiative in rate making lies with either of the three conferences, but concurrence must be obtained from the other conference, and if not obtained rate changes can not be made.

Alcohol, antimony, coffee (green), cooperage, grain, logs (hardwood, except pitch pine), lumber (hardwood, except pitch pine), barytes, borates, dense weight, molasses, shooks (box), spelter, and sirup (cane).

GULF AND SOUTH ATLANTIC INITIATIVE COMMODITIES.

Cake (cottonseed), cotton, cotton linters, garbanzos, hulls (cottonseed), ixtle, logs (pitch pine and cypress), lumber (pitch pine and cypress), meal (cottonseed), oil (cottonseed), pitch, rice, phosphate rock, rosin, sisal, sulphur, tar, timber (pitch pine and cypress), and turpentine.

NORTH ATLANTIC INITIATIVE COMMODITIES.

The North Atlantic conference has the initiative in rate making on all other commodities.

On Gulf, South Atlantic, and North Atlantic initiative commodities, it is not necessary to obtain concurrence from other conferences, but they are immediately advised of any rate change.

FREE LIST.

Hay, oil (crude), and staves.

BASIS OF RATES BETWEEN DISTRICTS.

Except in the case of parities, the agreed basis between the North Atlantic, South Atlantic, and Gulf conferences are as follows:

Cotton:	Per 100 pounds.
North Atlantic	$0.00
Norfolk	.10
South Atlantic	.17½
Gulf	.25

	Per 1,000 superficial feet.
Lumber (when rate applied per 100 superficial feet):	
North Atlantic	$0.00
South Atlantic	3.00
Gulf	6.00
	Per 100 pounds.
Turpentine:	
North Atlantic	$0.00
South Atlantic (by agreement the Gulf applies 30 cents per barrel higher than South Atlantic on turpentine)	.07½
Gulf (by agreement the Gulf applies 30 cents per barrel higher than South Atlantic on turpentine)	.15
	Per ton.
All rates shown per ton of 2,240 pounds:	
North Atlantic	$0.00
South Atlantic	1.50
Gulf	3.00
	Per cubic foot.
All rates shown per cubic foot:	
North Atlantic	$0.00
South Atlantic	.02
Gulf	.05
	Per 100 pounds.
All other rates shown per hundred pounds:	
North Atlantic	$0.00
South Atlantic	.07½
Gulf	.15

During Mr. FLETCHER's speech,

The PRESIDING OFFICER (Mr. SPENCER in the chair). The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, Senate Joint Resolution 4, proposing an amendment to the Constitution of the United States relative to the adoption of amendments thereto.

Mr. BURSUM. Mr. President——

The PRESIDING OFFICER. The Senator from Florida has the floor. Does he yield to the Senator from New Mexico?

Mr. FLETCHER. For a question; but I do not want to lose the floor.

Mr. BURSUM. I desire to ask unanimous consent to lay aside the unfinished business temporarily for the purpose of continuing the consideration of Senate bill No. 5.

Mr. DIAL. I object.

The PRESIDING OFFICER. Objection is made.

Mr. BURSUM. I desire to make another request. I ask unanimous consent that when the unfinished business shall have been disposed of, Senate bill 5 shall follow for consideration and thus become the unfinished business.

Mr. KING. I object.

Mr. DIAL. I object.

The PRESIDING OFFICER. Objection is made.

After the conclusion of Mr. FLETCHER's speech,

AMENDMENTS TO THE CONSTITUTION.

The Senate, as in Committee of the Whole, resumed the consideration of the joint resolution (S. J. Res. 4) proposing an amendment to the Constitution of the United States relative to the adoption of amendments thereto.

Mr. FLETCHER and Mr. WADSWORTH suggested the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum being suggested, the Secretary will call the roll.

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

Adams	Dial	Jones, Wash.	Robinson
Ashurst	Dill	King	Sheppard
Ball	Edge	Ladd	Shipstead
Borah	Ferris	Lodge	Smoot
Brandegee	Fletcher	McKellar	Spencer
Brookhart	Frazier	McKinley	Stanfield
Broussard	George	McNary	Stephens
Bruce	Gerry	Mayfield	Swanson
Bursum	Gooding	Moses	Wadsworth
Cameron	Hale	Neely	Walsh, Mass.
Capper	Harris	Norris	Walsh, Mont.
Caraway	Harrison	Oddie	Warren
Copeland	Heflin	Pepper	Watson
Curtis	Howell	Phipps	Weller
Dale	Johnson, Minn.	Pittman	Willis

The PRESIDING OFFICER. Sixty Senators having answered to their names, there is a quorum present.

Mr. FLETCHER. Mr. President, I ask permission to have inserted in the RECORD an editorial from the Florida Times-Union of March 14, entitled "Saving the Constitution." It bears on the question now before the Senate.

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

The editorial is as follows:

SAVING THE CONSTITUTION.

Congress has under consideration a bill that is intended to save the Constitution of the United States from the assaults of those who would destroy its power and its usefulness, although they pretend, in most instances by amendment, to be acting in the interests of the people. There is ample proof for saying that many proposed amendments, and some adopted in the recent past, solely are and were conceived and intended to serve special interests or purposes, some of them fanatical and others purely selfish.

Under the law as it is at present it is too easy to "put over" amendments to the Constitution. The Wadsworth-Garrett amendment proposes to make Constitution tinkering more difficult, to take the power of making changes out of the hands of those who have selfish interests to serve, away from the professional reformer and the agitator, and restoring to the people the power that originally and justly was intended by the framers of the Constitution they should have, under that righteous fundamental that all just government must rest on the consent of the governed, not by or with the consent of this faction or that.

Tinkering of the Constitution, and recent attempts thereat, justly cause alarm on the part of all sober-minded, liberty-loving people. The purpose of the Wadsworth-Garrett amendment, as proposed, is to quiet this alarm and at the same time provide for the safeguarding of the Constitution in the interests of all the people. The bill's sponsors and those who understand its purpose and who give it their hearty approval believe the time has come to call a halt in proposals for changing the Constitution by amendment to suit every wind that blows. The proposed amendment continues the original text of Article V of the Constitution, with reference to two-thirds vote in the Houses of Congress and approval by three-fourths of the States, in the process of amending the fundamental law of the land, and then stipulates further that ratification of proposed amendments shall be effective—

> "*Provided*, That the members of at least one house in each of the legislatures which may ratify shall be elected after such amendments have been proposed; that any State may require that ratification by its legislature be subject to confirmation by popular vote; and that until three-fourths of the States have ratified, or more than one-fourth of the States have rejected or defeated a proposed amendment, any State may change its vote: *And provided further*, That no State, without its consent, shall be deprived of equal suffrage in the Senate."

Here are three distinct steps in the Constitution amendment process: Requiring legislators of at least one house of each legislature to be elected after an amendment has been proposed gives the people an opportunity to express directly their will in the matter. Action by the legislature is the second step. The next is by the people, permitted to vote "Yes" or "No" on that which it is proposed to take from or add to their Constitution, their organic law, the first words of which are, "We, the people of the United States."

The Wadsworth-Garrett amendment is intended to deliver the Constitution "back to the people," where rightfully it belongs. Powerful lobbies, liberally financed organizations or groups of individuals, propagandists, and the like, under this amendment will find their work of Constitution tinkering more difficult, if, indeed, it is not made impossible, because the people by their votes, variously provided for, will have the final and deciding expression and action. And this, in the final analysis, is democratic government, government by and with the consent of the governed.

In conclusion, it may be called to mind that the constitution of Florida provides that—

> "No convention nor legislature of this State shall act upon any amendment of the Constitution of the United States proposed by Congress to the several States unless such convention or legislature shall have been elected after such amendment is submitted."

thus giving to the people of this State the very opportunity of voting on any and every proposed constitutional amendment, as is proposed in the Wadsworth-Garrett amendment. The people of every State in the Union should have and enjoy this method of safeguarding their rights under the Constitution. Florida, therefore, has seen the need of doing, and has done, what the Wadsworth-Garrett amendment proposes shall be done by all the States.

Mr. BRUCE. Mr. President, a considerable group of Maryland citizens, including George Stewart Brown and Thomas F. Cadwalader, two of the leading citizens of Maryland, have been active supporters of the joint resolution which is now under consideration. I share their convictions in relation to it, and I feel that I should not let the occasion pass without saying a few words with respect to it.

That the principle which underlies the resolution is one that commends itself strongly to approval is shown first of all, of course, by the fact that it has been reported favorably, though with an amendment, by the Judiciary Committee of the Senate, and also by what has already been said touching it upon this floor; so, really, the question here is not whether the primary object of the resolution itself is a good one, but whether or not the amendment offered to it by the Judiciary Committee looking to the direct action of the voters upon amendments to the Federal Constitution when submitted to the people, is a judicious one. In other words, the question arises between the resolution as it was originally framed and introduced into this body and the committee amendment.

Of course, I realize as clearly as anyone can that there is a very strong trend in the current of political thought at the present time in favor of pure democracy that is in favor of the submission of all imported political questions as far as possible to the direct action of the voters; and that tendency I approve, and I may say strongly approve; subject, however, to some material qualifications.

We all know that the attitude of the founders of the Republic toward pure democracy, or, as we now say, the direct action of the people, was in many respects not very friendly. Our American ancestors cherished a profound distrust not only of kings and kaisers but also of the great mass of the electorate except under carefully guarded conditions. They believed with Pope, that the worst of tyrants at times is the mob.

In other words, they kept their eyes no more on the possibility of oppression in high places than they did upon what they conceived to be the caprices, the passions, the sudden gusts of impulse in one form or another to which men en masse are subject. They believed in representative government rather than in pure democracy.

We are all thoroughly familiar, too, I am sure, with the historic circumstances which, as time went on, brought about a change in the attitude of the American people and its leading statesmen in this respect toward government. Great party organizations sprang up, and they produced powerful party machines; and party spirit and party effort became so highly developed that finally the very electoral system that had been devised by the Federal Constitution for the election of the President became a mere automaton. Then, later on, other circumstances arose to make the people feel more and more that it was important that the mass of the voters in their primary character should have some sort of check upon the action of their representatives, too often controlled or strongly influenced by political bosses or cliques. Consequently such devices as the initiative and the referendum were adopted throughout almost the entire country and became formally embedded in the constitutions of the different States.

As I have intimated, I approve to no small extent of the alteration that has taken place in the popular attitude toward representative government as distinguished from pure democracy. I do not think that representative government in the main should ever be superseded by the direct action of the people, because I believe that the people never act so wisely, except under circumstances wholly extraordinary, as when they have lodged their powers of action in selected agents, in whose integrity, ability, and experience they entertain a high degree of confidence. I do think that the popular initiative or referendum is a good gun, as has been happily said, for the people to keep behind the door for use in emergencies. Those devices are not good if made the daily bread of the Constitution, but they are good if resorted to as its occasional medicine.

Of course, the amendment offered by the Judiciary Committee looks exclusively to the direct action of the people. Under it amendments to the Federal Constitution are to be proposed by Congress, and then they are to be passed upon by the voters of the States in their primary capacity. No provision is made in the committee amendment for the interposition of the legislature at all. In other words, to the extent to which it goes, it contemplates only such public action as belongs to a pure democracy.

I approve of the committee amendment in principle, for I think that it would be a great improvement over the existing Article V of the Federal Constitution, in that it provides for the submission to the people of proposed amendments to the Federal Constitution. If I had to take my choice between the present Article V and the committee amendment, I would without the slightest hesitation fix my choice upon the latter. I think that it is better that we should have exclusive popular action on constitutional amendments than that we should have exclusive legislative action upon them.

It seems to me that unquestionably, so far as a certain class of amendments to the Federal Constitution are concerned, the people themselves in their original character are not the best instruments for ratification. They undoubtedly are the best when some great question going down to the very roots of our institutions, and profoundly affecting the welfare and happiness of the people, is under discussion, such a question, for instance, as the prohibition question or the woman-suffrage question. It is eminently proper that an issue of that kind should be passed upon by the voters themselves rather than by the State legislatures. But all who are familiar with the electoral history of amendments to State constitutions know how perfectly careless, unreflecting, and perfunctory is the attention that is often given by the voters to them. All of us, I am sure, have had our attention called to the very small votes cast for or against such amendments as compared with the vote for candidates.

Mr. President, I trust that Senators will defer their conversations until I can conclude my brief remarks.

The PRESIDING OFFICER (Mr. PEPPER in the chair). The Senate will be in order.

Mr. BRUCE. The murmurs about me remind me of something which once happened when I was a youth. Governor Whyte, of Maryland, who was at one time a Member of this body, was addressing an audience, and he was constantly interrupted by an Irishman, one Larry Finnegan. Governor Whyte was a good-natured man and bore the interruptions for a time patiently; but finally he turned and said, "Larry, please be aisy, and if you can't be aisy, be as aisy as you can." So I will ask my friends to try to be as "aisy" as they can until I am through.

A most striking illustration of the unthinking and often confused manner in which the electorate often deals with ordinary propositions submitted to its approval is furnished by the State of Oregon. Some years ago two propositions affecting the salmon industry of Oregon, one of the great industries of that State, as we all know, diametrically opposite in their nature, were submitted to its voters and both were ratified. That incident seems to me to supply apt proof that, so far as ordinary amendments to constitutions are concerned, the people are not the best instruments for passing upon their merits or upon their demerits, though, of course, as I have said, where the question is vital or fundamental there can be no better instrument for the purpose.

There is a class of constitutional amendments which it is almost absurd to submit for approval to the mass of the people. Fore instance, take such constitutional provisions as those which you find in many of the State constitutions in this country; that every bill shall be read three times before its final passage; that every bill shall contain but one subject matter, and that shall be reflected in its title; that no act shall be revived by a mere reference to its title, and that where an act is repealed and reenacted with amendments the language of the amendments must be set forth verbatim in the bill. Or take the amendment to the Federal Constitution which we approved a day or so ago fixing the first Monday in January and the third Monday in January as the days, respectively, for the convening of Congress and the inauguration of the President. I do not think that anyone could successfully contend that the American voters generally are the best agency for passing upon questions of that kind. Some of them are purely technical in their nature and far more proper to be passed upon by State legislatures, which are largely composed of lawyers, than by the people themselves.

So it seems to me that the Senator from New York has been peculiarly happy in the form that he has given to his proposed amendment to the Constitution. It secures, first of all, deliberate, thoughtful action by the State legislatures.

At the same time it provides that the States may make such provisions as they choose in their constitutions or statutes for the confirmation by the people themselves of all amendments to the Federal Constitution which have received the approval of their legislatures. So we not only have the deliberate action of the legislatures, but, in addition to that, we have a supreme popular check upon anything which may be of real detriment to the welfare of the people in the fact that the approval of the State legislatures is to be subject to the confirmation of the voters themselves. If the coachman on the box proves drunken, faithless, or careless, the people can resume the reins.

Then, of course, a very admirable feature of the resolution introduced by the Senator from New York is the provision that an amendment to the Federal Constitution shall not be passed upon by a legislature, one branch of which has not been elected by the people since the submission of the constitutional amendment by the Congress to the people.

Another provision in the resolution settles the vexed question as to how far a State, after once giving its assent to an amendment to the Federal Constitution, can retract that consent.

So it seems to me that in many most important particulars, when all the aspects of the case are duly regarded, the resolution originally introduced by the Senator from New York is decidedly preferable to the committee amendment.

All the benefits of the latter are conserved by the original resolution, and at the same time we have also this other machinery, afforded by State legislatures or conventions, for thorough, searching, deliberate consideration.

If the constitutional amendment brought forward by the resolution goes into effect, it will operate, I think, as a very great check upon precipitate action on amendments to the

Federal Constitution when submitted to the States. Everybody knows that there is all the difference in the world between the amount of discussion which under ordinary circumstances usually precedes the handling of an amendment to the Federal Constitution by a legislature and that which precedes the action on such an amendment by the people themselves in their original capacity as voters. Usually, before a constitutional amendment comes up in the legislature, it is fully discussed in the press; then when it reaches the legislature it is carefully examined by the appropriate committee and public attention is pointedly drawn to it, and at times drawn to it for weeks before the legislature convenes and for weeks after the legislature convenes. There is undoubtedly, it seems to me, a most important point to be gained by preserving legislatures and conventions as a part of the machinery for the ratification of amendments to the Federal Constitution by the States.

Then, as I said before, there is the gun behind the door; that is the power of the State, if it sees fit, after the legislature has given its approval to an amendment to the Federal Constitution, to subject that approval to the final test of popular revision.

Nothing remains for me to add except to say in conclusion what I said in the beginning, that in my judgment the original resolution in this case secures all the advantages that could possibly be secured by the committee amendment and secures other and additional advantages of the very highest degree of significance besides.

Mr. WALSH of Montana. Mr. President, I do not believe there is any occasion whatever for this amendment to the Constitution. I do not believe there is any public demand for it. If it has been the subject of any considerable discussion in the public press of the country or in the journals, the fact has entirely escaped my attention. The entire indifference to it throughout the country, or at least the lack of apparent interest in it, is manifested, I think, sufficiently by the fact that no one is paying any attention whatever to the debates in the Senate upon the joint resolution, which is a joint resolution to amend our fundamental law.

I may be wrong about the matter and I may do the distinguished Senator from New York [Mr. WADSWORTH], the author of the joint resolution, an injustice, but I can not help feeling that he is suffering from some considerable disappointment over the adoption of two amendments to the Constitution—the eighteenth and nineteenth—both of which were opposed by him.

Mr. WADSWORTH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from New York?

Mr. WALSH of Montana. Certainly.

Mr. WADSWORTH. Of course, the Senator has a right to attempt to read my mind. He was not here yesterday when I commenced my remarks, at which time I begged the Senate to believe, and I beg him to believe, now that he is present, that I had no thought whatsoever about the merits or demerits of the eighteenth or nineteenth amendments. My only thought is that certain incidents occurred in connection with the ratification of those amendments which are worthy of the consideration of the American people, and which incidents should not be permitted in the future.

Mr. WALSH of Montana. I have not the slightest doubt about that, and I have not the slightest doubt, either, if the Senator will permit me to say it, about the entire honesty of his conviction with reference to the matter——

Mr. WADSWORTH. The Senator could not resist expression of his opinion.

Mr. WALSH of Montana. And that his conviction arose out of his disappointment at the adoption of those two amendments, I entertain not the slightest doubt.

Mr. WADSWORTH. The Senator is entitled to his own opinion.

Mr. WALSH of Montana. Of course I am. I just merely express it as my belief.

Mr. WADSWORTH. The Senator could not resist expressing it.

Mr. WALSH of Montana. Oh, I could, but I see no reason why I should not.

Mr. President, the provisions of the Constitution of the United States by which its terms may be amended necessarily imply, almost, that the amendment proposed shall have been extensively debated before the people of the country prior to the time it takes form at all.

The distinguished Senator from New York, in his very able argument against the amendment reported by the Committee on the Judiciary, expresses some apprehension that an amendment being offered to the people by a joint resolution of Congress during the month of June would be voted upon by the entire electorate of the country at the succeeding November in the midst of the general election when no opportunity would be afforded to give calm consideration to the question. No such precipitateness as that is to be apprehended at all, but the Senator overlooks the fact that in all reasonable probability an amendment that can command a two-thirds vote in both Houses of Congress must necessarily have had some considerable discussion before the people and through the press and upon the stump before it ever is submitted for ratification.

Why, Mr. President, take the amendments to the Constitution following the fifteenth. The sixteenth amendment gives the Congress power to lay and collect taxes on incomes. How many years, indeed decades, was that matter agitated before the people of the country? It was talked about in every campaign for at least 20 years before it was adopted. It took form in an act of the Congress of the United States, which was subsequently declared unconstitutional by the Supreme Court of the United States, and finally, when the force of public opinion assumed such proportions and such strength as to be utterly irresistible, the Congress of the United States, by a two-thirds vote, then passed a joint resolution, and just as quickly as the legislatures of the various States could get at it, it was ratified. So with the next amendment, providing for the election of United States Senators by direct vote of the people, in exactly the same way. That was canvassed from one end of the country to the other.

Of what significance is it that the prohibition amendment was ratified very promptly after it was submitted. Had it not been the subject of discussion before the people of the United States during the entire generation through which we have lived? I do not believe that by reason of anything that happened in Tennessee in connection with the woman's suffrage amendment, or anything that happened in the State of Ohio with reference to the prohibition amendment, there is any such general demand throughout the country, passing through such a period of time and such active discussion as the income-tax amendment passed through, or the amendment providing for the election of United States Senators went through, or the prohibition amendment went through. I undertake to say that the discussion in the country, so far as there has been any, of this particular amendment bears no relation whatever in point of volume or intensity to the great debates through which those other amendments passed.

But if there were going to be an amendment to the Constitution I do not think that any superiority can be claimed for the joint resolution as originally introduced over the joint resolution as it was reported by the Committee on the Judiciary. If I were engaged at the present time in writing the Constitution of the United States I would have any proposed amendment submitted to a vote of the people, as is provided for in the amendment recommended by the Committee on the Judiciary. But I would not make any change at all, not because I am not in favor of having these matters passed upon by the people rather than having them passed upon by legislators who are elected oftentimes without any reference whatever, and usually, I might say, without any reference whatever to the particular amendment to the Constitution of the United States which is submitted to them—not at all. So that if we were now engaged in writing the Constitution of the United States I would not have any hesitancy at all in my choice. But we are not so engaged. We are proposing an amendment to the Constitution as it stands now.

As I said in the course of a colloquy with the Senator from New York the other day, there are scores of provisions in the Constitution which might possibly under conceivable circumstances result in disaster to our Nation. Of course, the Constitution of the United States was an illogical compromise between two contending forces, and hence many of its provisions can not be defended upon the basis of reason; but of what consequence is that? They worked out all right. We have lived through 135 years under the existing instrument and we have gotten along pretty well notwithstanding there are perils lurking in the language in one respect or another. If we went to work to pick out all of those which might possibly under some conceivable circumstances result in injury to the United States, we would not be doing much of anything else.

I listened with much interest to the able argument and admonition of the Senator from Idaho [Mr. BORAH], who does me the honor to be among the few who listen to my remarks this afternoon, urging the Congress of the United States to get down to the business of legislation, and particularly to legislate upon the subject of reduction of the burden of taxes and to do something to relieve the awful situation, the desperate condition in which the industry of agriculture in this country, and particularly in the Northwestern States, finds itself. We could,

I think, much more profitably be engaged in that work than in an endeavor to amend the Constitution in some particular in which experience has shown no injury has ever come.

I remember that in Bryce's American Commonwealth that distinguished author and great statesman indulges in some reflections upon the superiority of the English system of appointing judges for life as against the prevailing American system of electing judges for limited terms. He goes on to say how under an elective system the decisions can scarcely ever be expected to be as free from the influence of local prejudice, as free from political considerations, as under the system of which he is so proud. Indeed, he expresses surprise that we could tolerate the elective system at all so far as judges are concerned, and he denounces it roundly as contrary to good reason and to the experience of the world. But he said, "The thing seems to work all right in America." In some of the States they do appoint the judges—Massachusetts, for instance—but other States, like New York and California, elect their judges. He said:

> I do not say, by any means, that the decisions of the Court of Appeals of the State of New York or of the Supreme Court of the State of California are inferior in any respect to those of the Supreme Court of the State of Massachusetts.

Then he said that it can often be reasoned out that a particular institution of government is not logical or is not sound and yet it works out admirably in practice, and he instances the royal family in Great Britain, which, he said, subserves a very useful purpose in the State and yet logically nobody can urge any particular sound reason for it.

So let us not spend our time in trying to pick out things in the Constitution which will not stand before the light of reason and sound analysis and endeavor to correct them, unless some evil is likely to ensue by reason of those defective provisions. Take the election of United States Senators by direct vote of the people. It was not a mere theory that the existing system was likely to involve the country in injury or damage, but it was demonstrated that under the then existing system of electing Senators by the legislatures of the various States corruption of the most disgraceful character had entered into our system, and that men were elected to public office and to seats in this body who did not represent the prevailing sentiment of their States at all and who never could have been or would have been chosen had they been submitted to the judgment of the people whom they were supposed to represent. That thing went on for years until grievous evils in the body politic ensued, and therefore it was wise to change it.

So exactly with the income tax amendment, it was not a mere theory. But just consider for one single moment what we would have done when the great World War was upon us and we were obliged to assume all the responsibilities of that great contest if we were not able to bring the great fortunes of the country to the service of the Government in order to carry on that war. The necessities of the case compelled us to give our adherence to the proposition that the Congress of the United States ought to have power to levy income taxes. So on down the list.

But here what harm has resulted?

What amendment has ever been adopted to the Constitution of the United States that did not reflect the sober and settled judgment of the people of this country? I know very well that the Senator from New York [Mr. WADSWORTH] thinks that is not the case as to the prohibition amendment and the woman's suffrage amendment.

Mr. WADSWORTH. No; Mr. President, I hope the Senator will qualify that and will be quite certain when he again attempts to read my mind that he is correct. I made no such assertion.

Mr. WALSH of Montana. I know the Senator did not.

Mr. WADSWORTH. I do not believe that to be the fact.

Mr. WALSH of Montana. I am glad to be reassured.

Mr. WADSWORTH. But if the Senator will pardon me, I do look toward the future, and if the incidents that occurred in connection with those two amendments are to be repeated in the future, on a magnified scale, God help the Constitution.

Mr. WALSH of Montana. Yes; of course that is what I say, if it is going to be repeated in the future on a magnified scale; but what has happened? Down in Tennessee they were a little bit uncertain about whether they would vote for the amendment or vote against the amendment, and of course the advocates of both sides were there lobbying as best they could.

Mr. WADSWORTH. That is not all.

Mr. WALSH of Montana. That is all I know.

Mr. WADSWORTH. The Senator had better read the history of the Tennessee case.

Mr. WALSH of Montana. It may be that there are some details that I do not know.

Mr. WADSWORTH. The Senator has not described one-tenth of it.

Mr. WALSH of Montana. I suppose so; there are lots of details that I have not undertaken to state. So in the case of Ohio. In the Ohio case the courts held that it was not of any consequence that the amendment was not submitted to the people of the State for ratification. Of course, that is one State in each particular instance. In order to be of any consequence whatever there would have to be 12 times that number.

Mr. WADSWORTH. Mr. President, will the Senator permit an interruption there?

Mr. WALSH of Montana. Certainly.

Mr. WADSWORTH. Tennessee was not the only State that sinned in the way that Tennessee sinned. There were four other States which acted similarly on the same amendment; and those five States——

Mr. WALSH of Montana. Now, just what does the Senator from New York mean when he says that there were four others?

Mr. WADSWORTH. There were 38 States which through their legislatures ratified the nineteenth amendment. Five of them did so in violation of their own State constitutions.

Mr. WALSH of Montana. Oh, well; but the Supreme Court of the United States declared that it was not in violation of their own constitutions, because their own constitutions were contrary to the Constitution of the United States.

Mr. WADSWORTH. Have the people of the States no right to expect their own legislators to abide by their oaths of office?

Mr. WALSH of Montana. Oh, well; that does not bother me at all.

Mr. WADSWORTH. "Oh, well."

Mr. WALSH of Montana. What the Senator means is that in five States it was provided, as in the case of Tennessee, that the ratification of a proposed amendment to the Constitution must be submitted to a legislature, one branch of which has been elected after the submission?

Mr. WADSWORTH. Yes.

Mr. WALSH of Montana. And that five States did not thus ratify?

Mr. WADSWORTH. Yes; five States that had such constitutional provisions did not observe them.

Mr. WALSH of Montana. Of what consequence is that?

Mr. WADSWORTH. Mr. President, every member of the legislature in those five States had taken an oath when he took his office to be faithful to the constitution of his State.

Mr. WALSH of Montana. Yes; and the Senator will remember that the members of the legislature did not take only such an oath. They took first an oath to support the Constitution of the United States, and if any provision of the constitution of Tennessee was in violation of the Constitution of the United States, that member did not take an oath to support that.

Mr. WADSWORTH. But it was not in violation of the Constitution of the United States.

Mr. WALSH of Montana. But the Supreme Court has held that it was.

Mr. WADSWORTH. No; the Supreme Court has not held that the constitution of Tennessee was in violation of the Constitution of the United States. The Supreme Court has merely said that Tennessee, having certified to the ratification of the amendment, there was nothing further to be said about it.

Mr. WALSH of Montana. Oh, well; what is the difference?

Mr. WADSWORTH. What is the difference? Are we not to have any morality in connection with this matter in the discussion and consideration of constitutional amendments? The Senator asks, What is the difference when scores of representatives of the people violate their oaths to the people who elected them?

Mr. WALSH of Montana. There is no use haggling about this matter. The decision of the Supreme Court of the United States was to the effect that the State can impose no conditions whatever upon the ratification of an amendment by the legislature.

Mr. WADSWORTH. Will the Senator cite that decision?

Mr. WALSH of Montana. I have it in mind perfectly well. The decision was to the effect that it is beyond the power of the State by its constitution to put any limitations whatever upon the act of the legislature in ratifying a constitutional amendment.

Mr. WADSWORTH. That is the Ohio case.

Mr. WALSH of Montana. That is the doctrine in both cases.

Mr. WADSWORTH. I would be interested to see the decision in reference to the Tennessee case.

Mr. WALSH of Montana. I repeat, that is the doctrine laid down in both cases; so the Tennessee legislator did not violate his oath of office at all.

Mr. WADSWORTH. I hope the Senator from Montana would not apply that rule of conduct to all political activities. These men said they would not do a certain thing when they were elected by their people.

Mr. WALSH of Montana. Oh, no; they did not say anything of that kind.

Mr. WADSWORTH. Yes, they did.

Mr. WALSH of Montana. Oh, no.

Mr. WADSWORTH. When they took their oath of office and accepted election, they swore to support that provision of their State constitution which had been adopted by the people of those five States.

Mr. WALSH of Montana. I simply do not agree with the Senator from New York. It does not make any difference. If such a provision was in the State constitution and it was violative of the Constitution of the United States, it was no part of the law of Tennessee.

Mr. WADSWORTH. Would the Senator like to see that condition corrected?

Mr. WALSH of Montana. I have no objection at all to anything that the Senator may care to submit.

Mr. WADSWORTH. Does not the Senator think that that situation should be corrected?

Mr. WALSH of Montana. No; I do not see why the situation should be corrected at all. The Constitution of the United States provides how it shall be amended; and I fully agree with the Supreme Court of the United States to the effect that, the Constitution of the United States having prescribed how it shall be amended, no State has a right to prescribe any other way.

Mr. WADSWORTH. I was asking this question: Does not the Senator think that that situation should be corrected in the Constitution?

Mr. WALSH of Montana. There is nothing to correct.

Mr. WADSWORTH. Does the Senator think that the people should be deprived of all influence, direct or indirect, in the matter of the ratification of amendments to the Constitution?

Mr. WALSH of Montana. Certainly not; so I have proposed an amendment giving the people an opportunity to express themselves.

Mr. WADSWORTH. But I thought the Senator said there was no necessity for any amendment?

Mr. WALSH of Montana. Exactly; that is what I do say. I think that the people, so far as amendments to the Constitution are concerned, by an experience of 135 years have shown themselves sufficiently expressed through the action of their legislatures. It is just simply a matter of how you will do it; that is all. Now, as I have stated, if I were framing the Constitution, I should not hesitate in my opinion at all; I would submit the question of ratification directly to the people.

Mr. BRUCE. Mr. President, may I ask the Senator from Montana a question?

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Maryland?

Mr. WALSH of Montana. Yes.

Mr. BRUCE. Does the Senator not think, however, that it is rather a suggestive thing that the action of the State legislatures and of the people in their primary capacity with reference to the eighteenth and nineteenth amendments should have been so absolutely opposed? In both of those instances, under the present system, the people passed on the amendment in one way, while the legislatures passed on it in the other. Does the Senator not think that is an unfortunate state of affairs?

Mr. WALSH of Montana. I do not understand the Senator.

Mr. BRUCE. I am sorry. Perhaps the Senator is not familiar with the history of the ratification of those amendments in some of the States. Take, for instance, the history of the action of Maryland on the eighteenth amendment. By an overwhelming popular vote the voters of Maryland declared against prohibition, yet the legislature ratified the eighteenth amendment. So in other States the legislature acted counter to the action of the people themselves in their primary capacity with regard to this subject of supreme importance.

Mr. WALSH of Montana. I agree that the legislature does not always accurately represent the views of the people.

Mr. BRUCE. That is it exactly; and therefore, if I may say so, it does not seem to me entirely logical for the Senator to contend that the present system of ratifying amendments to the Federal Constitution is so faultless as he appears to believe it is.

Mr. WALSH of Montana. The Senator has not interpreted me right, but I think it rather significant that the outstanding representative of the antiprohibition forces on the Republican side and the outstanding representative of the antiprohibition forces on the Democratic side should be both urging this amendment. Let me say with reference to the illustration of the Senator that I do not think——

Mr. BRUCE. Will the Senator from Montana allow me to interrupt him for just a moment again?

Mr. WALSH of Montana. I will yield in just a moment. In the case of the prohibition amendment, which, with three exceptions, was ratified by the legislatures of every State in the Union, including the legislature of the State of the Senator who has just interrupted me and the legislature of the State of the Senator who introduced the joint resolution and who is its chief protagonist, if the fact is that the Legislature of Maryland did not accurately represent the sentiment of the people of the State of Maryland, that would increase the number in opposition so that there would be four; and if the people of New York were not accurately represented by the action of the legislature the number in opposition would be increased to five, but we would still be a long way from the 12 which would be necessary to defeat the amendment. Now I gladly yield to the Senator from Maryland.

Mr. BRUCE. I wanted to say that the Senator is entirely mistaken in imputing to me any bias arising out of my aversion to prohibition in principle.

Mr. WALSH of Montana. I was merely referring to the coincidence, that is all.

Mr. BRUCE. Of course, but sometimes coincidences, like other things, are extremely misleading.

Mr. WALSH of Montana. That is quite true.

Mr. BRUCE. Now, if I were influenced by my profound aversion to prohibition in principle, I would support the amendment of the Senator from Montana, because if the question of prohibition or nonprohibition ever came up under his amendment, it would come up before the voters and not before the legislatures, and, of course, it is my conviction that if the question of prohibition could be fairly submitted to the voters of the country as distinguished from the legislatures of the States, there is no doubt but that the popular fiat would be against prohibition, whereas legislatures, of course, are subject to the pressure of highly organized minorities, to do away with which is one of the very objects of this joint resolution. So the Senator will see——

Mr. WALSH of Montana. I understand perfectly well——

Mr. BRUCE. So the Senator will see that my idea is that this compound system of having amendments to the Constitution ratified both by the legislature and the people does not rest at all upon my convictions in relation to the subject of prohibition.

Mr. WALSH of Montana. I understand perfectly well that the Senator from Maryland and the Senator from New York—I beg pardon; the Senator from New York has repudiated the idea; but the Senator from Maryland is profoundly convinced that the eighteenth amendment to the Constitution does not reflect the sober judgment of the people of the United States and therefore he wants to amend the Constitution.

Mr. BRUCE. I am so convinced at the present time, and I may say to the Senator that during the last election in Maryland, for instance, which I imagine is merely typical of all the States on the Atlantic seaboard, our Democratic candidate for governor, who ran on that issue almost exclusively, was elected by the largest popular majority that has ever been cast in the State for any candidate for governor since the Civil War.

Mr. WALSH of Montana. Yes; but let me remind the Senator that the Atlantic seaboard is not the United States.

Mr. BRUCE. Of course, it is not; but so far as the question of drinking liquor illicitly is concerned I think it is not a little typical of much of the rest of the country, so far as my limited observation has gone.

Mr. WALSH of Montana. I think the Senator's opportunity for observation has been limited.

Mr. BRUCE. I do not know as to that. I do know that Virginia, with which I am familiar, is supposed to be a State in which prohibition is the most rigidly enforced, but I see that the chief of police in the city of Norfolk has just reported that there never was so much drunkenness in the city before prohibition as there is at the present time, and I see that in Lynchburg also there has been a marked increase in unlawful drinking.

Mr. WALSH of Montana. I do not intend at this time to engage in discussion or controversy with the Senator from Maryland about the success or failure of prohibition or the wisdom or unwisdom of that movement.

Mr. BRUCE. The Senator from Montana provoked the discussion, however.

Mr. WALSH of Montana. I am merely reminded, however, that in the interesting address delivered by the Senator from Maryland a few days ago he referred to the fact that during a recent visit to the State of Virginia he was hospitably offered some of the good liquor of that State.

Mr. BRUCE. Indeed I was, and I enjoyed it to the very highest degree, and hope to repeat the experience just as soon as possible. [Laughter.]

Mr. WALSH of Montana. I am reminded that I was honored by an invitation to address the Bar Association of that distinguished State a year ago, and was treated most hospitably by the gentlemen, but I do not remember that I was offered anything to drink.

Mr. BRUCE. The same honor, I am happy to say, was paid to me only a few weeks ago.

Mr. WALSH of Montana. Now, Mr. President, I want to say a word or two about the substitute. I have expressed my view about it. I do not think there is any occasion for any amendment to the Constitution on this subject; but, if there is, I think that the obvious tendency of the times and the wisdom of our age suggests that the matter be submitted to the people of the State. Indeed, I understand that the purpose of the amendment as it is proposed by its author, the Senator from New York [Mr. WADSWORTH], is to bring the thing back to the people; and it provides that the amendment shall not be subject to ratification by the legislature of the State unless or until at least one branch of the legislature shall have been elected, so that the people themselves will have an opportunity to pass upon the question by the election of one branch of the legislature.

Of course, we all appreciate that in all reasonable probability the matter of whether a candidate for member of the legislature does or does not approve of an amendment to the Constitution of the United States will be not the paramount issue, but will be one of the collateral issues of such insignificant moment that the ordinary voter will not have it in his mind at all; but it will be observed that the very essence of the thing is to get an expression from the people themselves upon the subject. Of course, if we are going to do that, the way to do it is to submit the proposition to them as is proposed in the amendment.

The Senator, however, as I have heretofore suggested, is apprehensive that action will be precipitate under that system; that, as heretofore suggested, the amendment might be submitted by action of both bodies of Congress in the month of June, say, and voted on inconsiderately and hastily at the following November election. As I have heretofore indicated, it is in all reasonable probability likely that before two-thirds of both Houses can be induced to submit the matter at all it will already have been the subject of earnest discussion in the press and upon the stump.

The fact of the matter is, however, that there is no reason to apprehend that all the States will vote on the subject at exactly the same time. As indicated, in some States they have annual elections, in some other States biennial elections, and in some other States only quadrennial elections; and of course the amendment will be submitted to the legislature next after the joint resolution has the approval of both Houses of Congress, and will not be voted upon at the same time at all, in all reasonable probability, although it may be. All States, of course, have congressional elections every two years, and a presidential election every four years; so it might come, as is suggested, within a few months, but the probability is the other way, and in any case, as I have suggested, it will have had consideration before the people theretofore.

But, Mr. President, if there were anything to that objection it would lie equally well as against the amendment as it stands, because in practically every State one branch of the legislature is elected at least every two years, and in some of the States every year; so, upon the assumption made by the Senator from New York, it would go to the legislatures of the States as precipitately as it would go before the people in their election. That is to say, the legislatures ordinarily would assemble immediately after the 1st of January, while the election would be held the first Tuesday after the first Monday in November, and there would be a matter of two months' difference, and that is all.

Mr. WADSWORTH. Mr. President——

Mr. WALSH of Montana. I yield to the Senator.

Mr. WADSWORTH. When the Senator makes that comparison, is he referring to the present situation or the situation proposed in the original joint resolution?

Mr. WALSH of Montana. I am suggesting now that the same danger which the Senator feared would be involved in the amendment proposed by the Judiciary Committee—that is to say, precipitate action—is just as tenable against the amendment which the Senator himself proposes.

Mr. WADSWORTH. I can not see how the Senator works that out.

Mr. WALSH of Montana. This is the way I work it out: We will assume that this joint resolution now passes both Houses of Congress. It would then be submitted to the people of the States, under the amendment proposed, next November. If the joint resolution passes as the Senator proposes it, it can not be submitted until after the election of one branch of the legislature. In nearly every State one branch of the legislature will be elected next November.

Mr. WADSWORTH. The Senator is referring only to presidential years when he says that?

Mr. WALSH of Montana. Not at all. I think the rule in most States is that members of the lower branch hold either one or two years, and members of the upper branch hold either two or four years.

Mr. WADSWORTH. That is true.

Mr. WALSH of Montana. So that, if they hold two years, members of the lower branch will all be elected at the November election.

Mr. WADSWORTH. Yes; the November election of 1924—not in every November election. There is another November following.

Mr. WALSH of Montana. Why, certainly.

Mr. WADSWORTH. Suppose the amendment should be submitted next year?

Mr. WALSH of Montana. Very well; suppose it is submitted next year. The general election would then occur in 1926. Under the amendment proposed it would go before the voters in November, 1926. Under the original resolution, if it were adopted, it would go before the legislature one branch of which would be elected at the election in November, 1926. In other words, there would be just two months' difference between the two.

Mr. WADSWORTH. Two months measuring only from election day and the first day's meeting of the legislature.

Mr. WALSH of Montana. Certainly.

Mr. WADSWORTH. Is that a fair measure?

Mr. WALSH of Montana. I think so.

Mr. WADSWORTH. Does the Senator think the legislature would act conclusively the very first day it met?

Mr. WALSH of Montana. No; certainly not, but the legislature would be at liberty to do so.

Mr. WADSWORTH. Certainly at liberty, but is it humanly possible for it to do so?

Mr. WALSH of Montana. It is humanly possible, but of course we understand——

Mr. WADSWORTH. Is it politically so?

Mr. WALSH of Montana. No; it is not; certainly not.

Mr. WADSWORTH. The purpose of that clause of the original print of this joint resolution is to get the thing into a legislature, one house of which has been elected by the people at a time when the people know that such an amendment is being submitted, and that after the legislature meets it shall, at an appropriate time in its session, debate the question. Much more than two months will go by subsequent to that election day in November before any legislature takes final action in ratification. It is not fair to say there is only two months' difference.

Mr. WALSH of Montana. Well, suppose we put on two months more. Most legislatures are limited to 60 days. The difference between one and the other, then, is four months, we will say—four months at the outside.

Mr. WADSWORTH. That is twice as long.

Mr. WALSH of Montana. That is twice as long.

Mr. BORAH. Mr. President——

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

Mr. WALSH of Montana. I yield; yes.

Mr. BORAH. It seems to me that the mere question of time is not so important as the fact that the branch of the legislature which is to be elected after the submission of the amendment will be a branch of the legislature which is elected at a general election; and there would not be, it seems to me, one instance in five hundred where the constitutional amendment would be anything like a controlling or a dominating issue in the campaign. The local legislature will be almost inevitably elected upon local questions, and there will be practically no debate or discussion of the constitutional question involved in the election of the legislature; so you practically have no discussion at all of it.

Mr. WADSWORTH. Mr. President, if the Senator will permit me, that is a sweeping assumption. It depends somewhat

upon the nature of the amendment proposed. I can think of amendments, some of which are now pending in the Congress, which, if once submitted to the people of the several States, will arouse nation-wide interest and constant discussion.

Mr. BORAH. If that is true, then let us not have homeopathic doses. If that is true, and it would become of such prime concern to the people as to arouse their interest, I think it is better to have a direct vote upon the entire proposition. There you get it recorded in the booth, without the exercise of the influence which accomplished what was accomplished in the Tennessee Legislature.

Mr. WALSH of Montana. Mr. President, just another thought.

The Senator from New York was desirous of having greater deliberation in the matter of the adoption of amendments to the Constitution, and it was suggested to him by the junior Senator from Pennsylvania [Mr. REED] that if the matter were submitted to the legislature instead of to the people, as proposed in the amendment offered by the Judiciary Committee, the matter would have more careful and more thoughtful consideration. That was the argument which for years was offered to support the original plan of the Constitution for the election of United States Senators—in other words, that the members of the legislature were wiser than the body of the people; that they could make a better selection than could the people in the booth. I think that idea is exploded.

Mr. President, the real fact about this matter is that some one wants to make it a little harder to amend the Constitution. I think it is hard enough as it is. Let us see.

In the first place, with respect to all very important amendments, as in the cases to which I have referred—the election of Senators by direct vote of the people, the income-tax amendment, and other amendments of that character—a campaign will go on in the various congressional districts. Let us take prohibition for the purpose of illustration. Members of Congress will be elected or rejected upon the question as to whether they are for prohibition or against prohibition. Those who are against the proposition will have one inning there. Then they come before the House of Representatives, if the joint resolution is introduced first there, or the Senate, if the joint resolution is introduced first there, and they fight the thing in that body. Then they come before the other branch of the Congress of the United States, and they fight the thing there, and finally they get whipped by a two-thirds vote in both Houses. Then they go to the legislatures of the various States, and the thing is fought out then before the legislatures of three-fourths of the various States—36 out of the 48.

They have to make the fight one after another in every one of these, sometimes with such varying prospects as were indicated in the State of Tennessee with reference to the woman suffrage amendment; and then finally the thing goes through by the votes of the legislatures of three-fourths of the States. When there is such an overwhelming opinion in the United States as to enable the proposition to run that kind of a gamut I think it is about time that we have that amendment.

But that is not quite enough. Under the amendment proposed by the Senator from New York, when the thing comes before the legislature another fight will ensue as to whether the legislature shall itself immediately act upon the matter, either ratifying or rejecting, or whether it will submit the matter to a vote of the people. There is another chance.

So the opponents of the amendment will move in the legislature that the resolution be submitted to a vote of the people, and there goes on another fight—shall it be submitted or shall it not be submitted? They then are able to muster enough votes to submit it, and then you go back again to the people the second time, after it has run the whole gamut, to fight the thing out before the people. That is the purpose of this thing.

Mr. WADSWORTH. Now, may I say that is not the purpose of this thing, and that can not be read into the language. Let me read the language of the second sentence:

That any State—

Not any legislature, any particular session of the legislature, but—

any State may require that ratification by its legislature be subject to confirmation by popular vote.

What does that comprehend? Just what was attempted by the people of Ohio. They required, under certain conditions, that Federal amendments acted upon by the Legislature of Ohio should be confirmed by popular vote. It was a part of their State constitution. The discretion was not left with the legislature itself, and under this language is not left with the legislature. It says, "Any State may require that ratification"—not any one ratification, but ratification generally—"shall be submitted to popular vote."

Mr. WALSH of Montana. What does that mean? It simply means that the people may by their constitution take away from the legislature the power they would have under this, if they desired to do so.

Mr. WADSWORTH. Exactly; and I want them to have that power.

Mr. WALSH of Montana. The Senator wants them to have that power so they will go through the same form I have indicated. But you will bear in mind, Mr. President, that only a few of the States have such a provision in their constitutions. As to every other, it would of course be acted upon in the manner which I have indicated, unless the people of the various States should go on and change their constitutions accordingly.

Mr. WADSWORTH. That is exactly what I apprehend will be done within a very short period. The people will not deny themselves the exercise of this power as soon as they know they can get it.

Mr. WALSH of Montana. I am of the opinion that the people have not waked up to the proposition at all. They have no interest in it whatever, if I have been able to judge by the public press. That is all I care to say about this—that the amendment ought to be adopted and that then the joint resolution should be defeated.

Mr. BORAH. Mr. President, I can say in a few moments, I think, what I desire to say with regard to this amendment, and what I have to say shall be addressed principally to why I favor the committee amendment rather than the original proposition.

The Constitution ought to be regarded as the people's law, the people's charter. I think just so nearly as is practicable and possible the judgment of the people, direct and immediate, should be taken as to what should be found in the Constitution. Certainly, if we were making a constitution or rewriting the Constitution and resubmitting it, we would feel under obligation to submit it as directly to the people as practicable, and I feel that in incorporating amendments we should observe the same rule.

There are a number of reasons for this, but one of the reasons is largely what you might call a sentimental or psychological reason, that is, I feel that people ought to be permitted to feel that when this Constitution is completed from time to time, and as it stands, it is their expression, an instrument which they have made; that it is their charter; that upon them it depends largely for its existence, and I should therefore want to bring home to them as nearly as possible the changing of it or the amending of it or the modifying of it in any respect.

Again, if there is any political act of a people which ought to be free from—stripped of—all sinister influence in its performance, it is the making of a constitution or the amending of a constitution. I have always been, and I am still, a very firm believer in representative government. Of course, in a country like this, as large as ours, we can not have any other kind of a government than a representative republic. But there are exceptions which should be made, and instances in which we should adopt the principles of complete democracy as nearly as it is practicable to do so, and I think one of them is in the instance of making the fundamental law or of modifying it.

There is another reason why I am particularly in favor of the amendment or the substitute. I think the most dependable and the most responsible force in American politics to-day, the one which can be most thoroughly relied upon to preserve our institutions as we would like to have them preserved, is the voter in the booth, alone with his conscience and his God. It is about the only influence in American politics that is left that is not subject to the modern system of controlling legislation and public affairs through what is known as propaganda. Propaganda has become a menace to representative government. The scheme of organizing to put through legislation in the name of the people but too often solely in the interest of a selfish few is one of the evils of modern legislation.

In my opinion, the things which the able Senator from New York [Mr. WADSWORTH] would avoid would be accomplished under his amendment, perhaps not so easily, but nevertheless with marked success. I conceive, for instance, if one body of the legislature were elected after an amendment were submitted, and assuming that it was only one of the factors in the election, that the same influence which exercised sufficient power—in the Tennessee Legislature or elsewhere—could again exert its influence upon that body after it was elected. In the making of the Constitution or in amending it I should like for us to get back to the individual who is casting his ballot in

the booth, in so far as we can do that, as a practical proposition.

I was at one time very much disturbed over the question of the initiative and referendum, but as I have observed its working in Switzerland and elsewhere, I find, instead of its being a radical proposition, it is an extremely safe and conservative proposition. In my opinion a constitutional amendment which was submitted direct to the people and finally approved by the people would come more nearly to being a true expression of what the people desired in their charter than if it were ratified by a legislature or by legislatures, subject to the same influences which caused to be adopted the amendments which have been criticized, and to which some felt a keen objection.

As I said a moment ago, the election of one branch of the legislature would not, in my judgment, be a sufficient guaranty against what this amendment is designed to prevent. In the first place, in all probability the legislature would be elected upon different issues, and therefore we would not get a true expression of the people upon this one proposition. In the second place, if the constitutional amendment were an issue, and if that was the controlling proposition upon which they were elected, there is no reason why their voice should not be recorded as conclusive, as it is registered in the booth, instead of trusting it to an agent, which, as we have found in the past, does not always record according to the pledge which it made to the people.

As I understand the proposition submitted by the Senator from New York, it is desired to get back closer to the people upon this proposition.

Mr. WADSWORTH. The next sentence following the one just being discussed by the Senator discloses that, not the one the Senator has been discussing so much.

Mr. BORAH. Let us take it up. The language is:

> The Congress, whenever two-thirds of each House shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the legislatures of two-thirds of the several States, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by three-fourths of the several States through their legislatures or conventions, as the one or the other mode of ratification may be proposed by the Congress or the convention: *Provided*, That the members of at least one house in each of the legislatures which may ratify shall be elected after such amendments have been proposed; that any State may require that ratification by its legislature be subject to confirmation by popular vote.

If it is to be assumed that this second proposition is to become the controlling proposition—and, as the Senator from New York said a few moments ago, the States finding and the people finding that they have an opportunity for a popular vote upon the proposition, they will naturally call for that right and exercise it—we will have arrived at the same conclusion and the same destiny that we would arrive at by the adoption of the substitute.

Mr. WADSWORTH. May I interrupt the Senator?

Mr. BORAH. Certainly.

Mr. WADSWORTH. It is true—and I am glad the Senator has said that—we have arrived at the same objective, but the road traveled in arriving at that objective is different in the original resolution, which the Senator has just read, from that suggested by the Senator from Montana [Mr. WALSH], in this, that it shall go through the legislature for debate, and give the people of the States an opportunity to have that matter threshed out in the only arena competent to discuss it. Then the people have the right to say "yes" or "no" to it, as they please. I want simply to preserve the legislature as a part of the machinery. I do not believe in casting it out altogether. The principal object of my amendment is to bring this thing back to the people.

Mr. BORAH. What would be the virtue of having the legislature discuss it? What would be attained by that?

Mr. WADSWORTH. Publicity, a general understanding of its terms, the significance of the amendment, and the furnishing of information to the public generally before they vote.

Mr. BORAH. I think that could all be secured, and ought to be secured, by the discussion in the campaign in which the popular vote was to be recorded.

Mr. WADSWORTH. But, Mr. President, the Senator has said that in campaigns those things are not discussed.

Mr. BORAH. If the only discussion which takes place is before the legislature, and if, the legislature having adjourned, it then goes to the people without any further discussion, certainly there would be no real presentation of it to the people.

Mr. WADSWORTH. To that I can not agree. I think any discussion of it, even though it be small or for a short time, is to the good.

Mr. BORAH. Do I understand it to be the Senator's idea that each amendment to the Constitution, when submitted to the States, would first go to the legislature and then the legislature would discuss it, and if they saw fit then they would submit it to the people?

Mr. WADSWORTH. No. If the people saw fit to amend their own statutes or Constitution, as the case might be, the legislature would have to submit it. It is not to be left to the discretion of the legislature. Note the phrase, "The States may require."

Mr. BORAH. I understand that. That is precisely what I had in mind. If, for instance, the State of Ohio should have incorporated in its constitution a provision that all constitutional amendments should be submitted to direct vote of the people, that would be an expression on the part of the State. The State would have spoken upon the proposition. Then the legislature, under the provision of the constitution of the State of Ohio that it must go to direct vote of the people, would have nothing to do with it except such cursory discussion as they might see fit to give it.

Mr. WADSWORTH. They must vote on it. That is what happened in Ohio.

Mr. BORAH. But that would not be what would happen here.

Mr. WADSWORTH. Oh, yes; "the legislatures which may ratify" is the language.

Mr. WALSH of Montana. Mr. President——

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

Mr. BORAH. Certainly.

Mr. WALSH of Montana. I do not understand that under the provisions of the joint resolution the action of the State legislature would be perfunctory in any sense whatever.

Mr. WADSWORTH. No; not perfunctory.

Mr. WALSH of Montana. No matter what the State provided concerning submission to the people, under this amendment ratification would have to come from the legislature, but it would be ineffective unless afterwards ratified by the people. In every case under this amendment ratification must be by the legislature, one branch of which was elected after submission of the proposed amendment, but the people of the State might go further than that and say even that would not amend the Constitution until the action of the legislature was ratified by the people.

Mr. BORAH. Am I to understand it is the Senator's construction of the proposed amendment that if a State should put into its constitution the proposition that the amendment should be ratified by direct vote of the people, it would still have to come back to the legislature for a vote?

Mr. WADSWORTH. Yes.

Mr. BORAH. And if the legislature turned it down the popular vote would have no effect?

Mr. WALSH of Montana. It would be canceled.

Mr. BORAH. Of course, that presents an almost insuperable obstacle to the proposition, because the idea of permitting the people to vote upon it would be a perfectly idle matter unless the legislature should see fit to conform its ratification to that of the people. In other words, the legislature could absolutely annul the popular vote.

Mr. WALSH of Montana. That is the plain language of the joint resolution.

Mr. BORAH. Then under the amendment proposed by the Senator from New York the people really have no voice in it except as that voice may at last be heeded by the legislature.

Mr. WADSWORTH. The people have a complete veto under a strict construction of the language.

Mr. BRANDEGEE. But suppose the legislature rejects it?

Mr. WADSWORTH. I understand, and I was coming to that. The Senator from Idaho said they have nothing to do with it at all, and I wanted to correct the impression.

Mr. BRANDEGEE. He does not say so now, I think.

Mr. BORAH. I was trying to put a construction upon it which would justify the idea put out in favor of this amendment that it was "back to the people." As it turns out, it is not back to the people in any practical sense at all. It is back to the legislature.

Mr. WADSWORTH. It is back to the people in the sense that their consent must be obtained before the amendment to the Constitution is adopted, if they want to exercise their right to consent.

Mr. BORAH. The language is:

That the members of at least one house in each of the legislatures which may ratify shall be elected after such amendments have been proposed.

That is in case the legislature ratifies.

That any State may require that ratification by its legislature be subject to confirmation by popular vote.

May I ask the Senator again just what he understands by that language? Suppose the constitutional amendment goes to the State legislature and the State legislature rejects it?

Mr. WADSWORTH. Then under a strict construction of the amendment I do not believe there is opportunity for action by the people. That is well worthy of consideration. We are discussing making it double-handed.

Mr. BRANDEGEE. Furthermore, if the Senator will pardon me, unless the legislature ratifies it, it can be acted upon and rejected by a legislature, one branch of which must have been chosen since the amendment was submitted.

Mr. WADSWORTH. May I ask the Senator from Connecticut to state his observation again?

Mr. BRANDEGEE. Under the language of the amendment, in line 11 of the proviso, it is provided:

That the members of at least one house in each of the legislatures which may ratify shall be elected after such amendments have been proposed.

Suppose there is a legislature that is not ratifying but is rejecting? A legislature, the members of one house of which have not been elected since the amendment was proposed, could reject the amendment finally under the language of the amendment.

Mr. WADSWORTH. That is true.

Mr. BORAH. I do not believe the Senator would want that to happen. I do not think he wants a legislature to act upon it at all either way, in that event.

Mr. WADSWORTH. Legislatures should not be permitted to pass upon it unless the members of one house have been elected subsequent to submission of the proposed amendment.

Mr. BRANDEGEE. The language could be improved there to make that clear, possibly, and in the other case that follows.

Mr. BORAH. As it is written now, it is almost a certainty for rejection, but when it comes to ratification the people could pass upon it.

Mr. WADSWORTH. Yes; they may pass upon it with full force and effect.

Mr. BORAH. I am sure the Senator would want to amend that.

Mr. WADSWORTH. I am perfectly willing to accept any suggestion along that line.

Mr. BORAH. The Senator would not have rejection made easy, as it now stands, and ratification made exceedingly difficult?

Mr. WADSWORTH. No. Whatever is done, I want done deliberately.

Mr. BORAH. The substitute provides:

The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution, or, upon the application of two-thirds of the legislatures of the several States, shall call a convention for proposing amendments, which, in either case, shall be vadid to all intents and purposes as a part of this Constitution when ratified by a vote of the qualified electors in three-fourths of the several States, said election to be held under such rules and regulations as each State shall prescribe, and that until three-fourths of the States shall have ratified or more than one-fourth of the States shall have rejected a proposed amendment any State may in like manner change its vote: *Provided*, That if at any time more than one-fourth of the States have rejected the proposed amendment, said rejection shall be final and further consideration thereof by the States shall cease: *Provided further*, That any amendment proposed hereunder shall be inoperative unless it shall have been ratified as an amendment to the Constitution as provided in the Constitution within six years from the date of submission thereof to the States by the Congress.

Mr. WALSH of Montana. The first word in line 16, on page 3, should be "thereof" instead of "hereof."

Mr. BORAH. Yes. That submits the question directly to popular vote in the States. Whether it is ratification or rejection, the people have the first and final and only say in regard to it. It seems to me that in making the Constitution, in changing the fundamental law and making the charter, which is the people's charter, the question ought to go directly to a vote of the people. If it is of sufficient importance to warrant discussion and to call forth general public interest, the direct vote will really and effectually record the desires of the people in regard to it. No constitutional amendment is likely to be submitted to the people, requiring a two-thirds vote of the Congress before it shall be submitted, until it shall have become of sufficient importance and of sufficient concern to elicit the approval or disapproval of the people as nearly as any popular question can.

I favor the substitute for the reason that it is a direct appeal to popular vote upon a constitutional question. I think that ought to be as nearly true as can be made true under our system of government.

Mr. BROOKHART. Mr. President, I desire to offer an amendment to the substitute. On page 2, in line 22, after the word "whenever," I move to strike out the words "two-thirds of both Houses" and insert in lieu thereof "a majority of the Members elected to each House," so as to read:

The Congress, whenever a majority of the Members elected to each House shall deem it necessary, shall propose amendments to this Constitution.

And so forth.

Mr. President, I think one great process of evolution in the Government of the United States has been the change from the original theory that the people should not participate in the Government. We started out by providing that only one branch of the Congress should be elected by direct vote of the people. Senators were elected by the legislatures. The President was elected and still is elected by an electoral college and not by direct vote of the people. Perhaps that method was wise at that time. Perhaps our people in those days had not reached the stage where they were entitled to self-government. But there has been a constant process of evolution to get away from that idea.

The first great amendment that enfranchised a great portion of our people was that abolishing slavery. Then we had that followed by the amendment providing for direct election of United States Senators, and by the nineteenth amendment giving the right of suffrage to women. George Washington said in his farewell address:

The basis of our political systems is the right of the people to make and to alter their constitutions of government.

We have fenced around the amendment of our Constitution by so many barriers that it is only after a generation of campaign and of education that we are able to get an amendment at all. It is defeated over and over again by the different political influences that arise in our country. I think that while the people should have the sole power as provided in the substitute for the ratification of constitutional amendments, they should really have the power to initiate amendments to the Constitution. The amendment I have proposed only goes to the extent of permitting the Congress of the United States, by a majority of those elected in each House of the Congress, to submit a constitutional amendment to the people. It requires two-thirds at the present time and would require two-thirds under the amendment or substitute if adopted.

I fully agree with the argument of the Senator from Idaho [Mr. BORAH] as to the difference between the substitute and the original joint resolution; but I think that the people are entitled to have submitted to them for their consideration amendments to their fundamental law on the vote of a majority of their Congress.

Mr. BRANDEGEE. Several years ago, Mr. President, I introduced an amendment proposing to amend the Constitution of the United States along the lines of the Walsh amendment to the Wadsworth joint resolution; that is, I introduced an amendment providing, in effect, that the constitutional amendments proposed to the several States should be submitted to the electors of the States for ratification instead of to the legislatures. That amendment was reported favorably by unanimous vote of the Senate Committee on the Judiciary, but at a time in the session when it could not obtain consideration and action. It was debated on several occasions for short periods, but intervening business came up, and so many other amendments designed to carry it further and to enlarge it and to change the Constitution in other respects were introduced to it that it failed to come to a vote at all in the Senate. So I was very glad to see the Senator from New York introduce his amendment, which brought the subject again before the Committee on the Judiciary.

I have given the matter the best consideration which I am capable of giving to it, and after such consideration I voted in the committee, and feel constrained to vote here, in favor of the amendment proposed by the Senator from Montana [Mr. WALSH] to the amendment introduced by the Senator from New York.

The amendment of the Senator from Montana proposes to submit proposed constitutional amendments which shall receive favorable action of two-thirds of the Members of both Houses of Congress directly to the electors of the States under such rules and regulations as the States themselves may provide.

I favor the Walsh amendment for this, among other reasons: As I stated several days ago in a colloquy on the floor, the matter of amending the Constitution of the United States is no different nor other from the subject matter of amending the constitution of a single State. They are both amendments to the organic law of a government. It requires just as much brains and just as much consideration and wisdom to act upon one as it does to act upon the other.

The constituency in a State which acts upon an amendment to its own constitution is already authorized under the constitution of every State to be the judge of whether that amendment shall take effect or not after it has been recommended to it by the legislature. If the constituency of a State is capable of considering and acting upon an amendment to its own State constitution it is equally capable of deciding whether or not it wants the United States Constitution amended. Indeed, the question of amending the Constitution of the United States, if it differs from the constitution of a State, is the same question as amending the constitution of a State, because when the Constitution of the United States has been amended, ipso facto, by that very act, automatically, the constitution of every State which conflicts with it is amended so as to accord with the Constitution of the United States; so that there can be no difference in the demand upon the intelligence or the character and quality of the mind or capacity of those who are to act upon constitutional amendments, whether to State constitutions or the Federal Constitution. Therefore, why should there remain in the Constitution any provision for the submission of amendments to the legislatures of the States?

I am not criticizing the existing system in the sense of saying that we have not gotten along under the present Constitution and the methods provided for its amendment fairly well for 135 years, but I do say I think the method can be improved upon; and I think it can be very much improved upon. I do not see why the people themselves should not have submitted to them as electors of the States the question of amending the United States Constitution.

I see very little to commend in the process suggested by the Senator from New York, The object of his amendment and of his proposed change is really, as the Senator from Idaho has suggested, to bring the question, so far as possible, back to the people instead of to the legislatures. If it be correct that the legislatures are the better qualified to decide such questions and that we shall get better results by letting the legislatures ratify an amendment which is proposed to the Constitution, then we ought to leave the Constitution alone. If the object is to get the real judgment of the mass of the people, I do not see but that we should get it better by submitting the question directly to all the people than we should by submitting it to legislatures which have been chosen by the people, thereby removing it one step from the people. I know the Senator from New York thinks it would receive better consideration in that way and better explanation and debate; but, Mr. President, that is only a matter of opinion.

It seems to me it can be said with a great deal of force that where the amendment is submitted to the people themselves, there will be a great deal more debate upon it, more explanation to the people, than there would be where it was only submitted to the legislature, after that legislature had been chosen. I think some such feeling as that must lie at the base of the action of the Senator from New York himself, in view of his argument in justification of his process of submission to the legislatures. The Senator from New York said that we are only going back to the people with proposed constitutional amendments, in so far as one branch of the legislature which is to consider them shall have been elected by the people since the amendment was submitted.

Mr. WADSWORTH. Mr. President, will the Senator suffer an interruption?

Mr. BRANDEGEE. Certainly.

Mr. WADSWORTH. All I want the legislature to do is to help inform the public before they vote.

Mr. BRANDEGEE. I agree to that, but the Senator in providing that at least one branch of the legislature acting upon the ratification of a proposed constitutional amendment must be chosen after the amendment was submitted to the States, thinks that he would get a better debate upon the amendment, because he says it would be an issue in the election of the candidates for representative and State senator running in the campaign. There is where I differ with him. It might be alluded to, and it might be an issue, but it would not, in my judgment, be half so much of an issue as if the amendment itself was submitted to all the people, because then that topic would be squarely in print in the newspapers, and there would be a campaign upon that amendment. If it were a very immaterial amendment there would not be much campaign about it, no matter who considered it; it would go as a matter of course, but any vital amendment affecting a fundamental right of the people, if submitted to the people themselves, could not help being a cause of discussion and a subject of debate, not only by the candidates but by the speakers in the campaign, and by the newspaper press all over the country. Furthermore, I think that it would be a valuable educational process for the people themselves.

Mr. BRUCE. Mr. President, may I interrupt the Senator for just a moment?

Mr. BRANDEGEE. I yield.

Mr. BRUCE. I have been listening with the greatest pleasure to his pointed and instructive observations about this matter and have obtained a great deal of help and much light from the Senator, but does he not think that the reference of an amendment to the judiciary committee of the State legislature, which is, of course, composed exclusively of lawyers, men who not only have a good knowledge of the law but are more or less trained in political history, would result in a very searching examination of the amendment in all of its bearings and that the discussion that would follow would be of great advantage in diffusing general knowledge of the amendment and of its merits and demerits? I think there is a great deal of force in what the Senator says about the possibility of constitutional amendments sometimes being overlooked in political campaigns. The people as a rule are more interested in the rivalries of candidates than they are in constitutional amendments—that has been my experience—unless the constitutional amendments are of a very vital and fundamental character. I certainly think it would be of very great advantage to have a constitutional amendment first strained, so to speak, through the sieve of the legislature before it reaches the people.

Mr. BRANDEGEE. I admit freely that there are two sides to this question. We have had one side for 135 years. If it can not be improved, I am sure I do not want to make any change. I do not believe that the public interest is advanced by multiplicity of laws, nor that progress consists in mere motion, although it may be in the wrong direction. This matter is a serious matter.

I admit freely that the statement made by the Senator from Maryland has been the theory upon which the constitutional provision has been based hitherto—that there would be a straining of the matter by the legislature, who were themselves a selected body, and by the judiciary committee, which is, so to speak, a second strainer of the legislature composed of lawyers supposed to be skilled and qualified in the discussion of such questions, and that they would get better results in that way than by a submission to the people themselves. But the Senator, in order to make up his mind which of the two methods is preferable, must consider the results that we have been getting and that this proposed amendment is an attempt to cure. Although the members of the judiciary committee of any legislative body have more technical knowledge, perhaps, and are better qualified from their knowledge of legal history and of governmental questions to judge of such a matter, that does not avail them when pressure is put on them, when the organized minority with its fad and its finance and its appeal to the public and its avenues of publicity and its worked-up artificial enthusiasm gets going. The Senator himself this afternoon has been recounting the results that have come from the very judiciary committees to which he refers now as a safeguard, and it does not work; it does not prove that it is a safeguard.

Mr. BRUCE. Mr. President, if I may interrupt the Senator a moment, in that case the legislatures were not subject to popular referendum. I think that would have a powerful influence over the legislature.

Mr. BRANDEGEE. What does the Senator mean when he say the legislature was not subject to a popular referendum?

Mr. BRUCE. The legislature had the exclusive power to ratify or reject the constitutional amendment. They did not have the possibility, in fact, the certainty, of a revision by the people hanging over their heads.

Mr. BRANDEGEE. One reason, also, why the legislatures as at present constituted, and without a referendum, are inclined to ratify too easily is this:

In the first place, before the proposed amendment gets to the legislature it has the moral effect of a two-thirds vote of both branches of Congress, which is quite persuasive with the

ordinary legislature, most of the members of which are new men, with a few scattered older members. When you say to a small State, with a green legislature, that "the great Congress of the United States, by a two-thirds vote of both Houses, have thought that a certain amendment was necessary"—as the language of the Constitution provides when we submit it—it is a very persuasive thing to a legislature. When that is backed up and fortified by the influence produced by the organized minority and the nationally organized propaganda which has been powerful enough by its organization and resources all over the country to obtain two-thirds votes in both branches of Congress; when it precipitates itself in mass attack upon the green legislature of a single State, moving from one to the other seriatim as they take up the matter, the sweep is irresistible and the legislatures are stampeded. They are stampeded largely by our action, and we do not wholly perform our duty, because when we hear an insistent call, a persistent propaganda for a constitutional amendment, and it is sustained year after year, we finally begin to take the view that although individually we may not think it is the best thing to do, we ought not to stand in the way of the legislature of our own State saying whether they want it or not.

As the Senator from New York [Mr. WADSWORTH] says, it is very easy to "pass the buck." When you get a great constituency at home, when you are yourself a candidate, shouting for some constitutional amendment which is artificially propagated and maintained, perhaps by your opponent, with a lot of newspapers shouting for it, backed up by organizations of all kinds of well-meaning people who you think are on the wrong track, perhaps, it is very difficult for a Senator to stand up on his own individual opinion and vote "No" on a thing that they are demanding simply to have submitted to them.

We can not prevent the pressure on us, of course, by any constitutional amendment; but I say that inasmuch as so many things go through Congress by reason of that artificially generated pressure, I would rather trust the conservatism of all the people than I would the conservatism of such portion of the people as happen to be members of a legislature that year when they are to be beset in each State by the forces that have made Congress itself surrender to their demands.

As I said in starting, we admit the capacity of the people to deal with their own constitutions, and not one of them can be changed unless a majority of the electors of the State who care enough about it to go to the polls approve of it. The Constitution itself states that the people made it. It does not say that "We, the sovereign States," or "We the legislatures of the States," or "We, the State governments," but "We, the people of the United States," made that Constitution; and it was ratified by conventions elected directly by the people for that particular purpose and no other. If a legislature of a State were elected for that particular purpose and no other, it would be like a convention. The convention, at least, is elected upon that specific issue. I think, of the two systems or choices between a legislature and a convention, I would infinitely prefer the judgment of a convention elected upon that issue; but if the judgment of a convention elected upon that issue is to be taken, you had better take the judgment of the people who elected it upon that issue. They are the ultimate source of authority who elected the delegates to the convention.

There is no surety about these changes. They are matters of opinion.

The Senator from Iowa [Mr. BROOKHART] has just offered an amendment to the Walsh amendment proposing that instead of two-thirds of both branches of Congress being allowed to submit an amendment to the several States a majority of both branches shall be allowed to do it. Mr. President, I do not think that is wise at this time. It may be that the country will want to come to that. They have majority rule in most other things, not in all. We require two-thirds in the ratification of treaties and other important things of that kind.

Here is an amendment of the fundamental law. I suppose the thought in the minds of the framers of the Constitution when they required two-thirds of both Houses of Congress in order to propose an amendment was to prevent a political party who happened to be temporarily in the ascendant by a mere majority, by mere arbitrary action, out of political spite or seeking political advantage, to be allowed to recommend an amendment to the Constitution.

It may be in the future, if it is tried, that the amendment of the Constitution by the suggestion of a mere majority of the House and the Senate may work better than to require two-thirds, but as at present advised I would not touch that part of the Constitution, and I would not try to complicate this amendment—which I think is a wise one—by introducing that additional feature of contention into it. As I say, we lost the previous amendment to the Constitution in this respect by the offering of amendments seeking to carry it further and further, and every such amendment which is offered tends to raise more opposition to the good that you are already trying to get through.

Mr. BROOKHART. Mr. President——

Mr. BRANDEGEE. I yield to the Senator from Iowa.

Mr. BROOKHART. I appreciate the argument which the Senator makes, but this amendment incorporates the old two-thirds proposition; and it seems to me that when we are requiring three-fourths of the States to ratify we have an abundance of safeguards to prevent any mere arbitrary action of a majority upon the adoption of amendments to the Constitution. I think one of the great causes of unrest among our people is these restraints that prevent them from having, in a reasonable time and way, a direct voice in their Government. Whatever might have been the intelligence of our forefathers, I believe that at the present time the American people are equal to the occasion. Of course, the Senator's argument has been along that same line, and therefore it seems to me that the time has come when the proposing of amendments for the consideration of the people should be easy, so that they may more readily have something to say about their Government in a direct way.

I do not want to do anything hastily about the situation; but when I read the history of how slow we have been in the income-tax amendment and the woman-suffrage amendment and all these other amendments I think it is time for us to speed up and get a little abreast of the progress of the times.

Mr. BRANDEGEE. Mr. President, of course, I understand that the Senator who offered the amendment to abolish the two-thirds rule and substitute the majority rule in this respect believed in it. I did not expect to change his view about it. I was simply suggesting that I thought those of us who were interested in getting the case decided by the right tribunal were more interested in getting that thing through than in making other changes and experiments; and the more changes and experiments you heap together in the same joint resolution, of course the more difficult you make it to get the two-thirds vote which is required to get it through both Chambers of the Congress of the United States.

Mr. BROOKHART. Mr. President——

Mr. BRANDEGEE. I yield.

Mr. BROOKHART. I am so strongly in favor of direct ratification or ratification by direct vote that I myself do not want to embarrass it by doing anything else. I think that is an important step toward progress, and in that respect I am in complete accord with the Senator.

Mr. BRANDEGEE. Of course, I understand that the Senator would not propose this amendment if he thought it would tend to defeat the main proposition, and perhaps it will not. I mean, if it were attached to it, and a majority of the Senate voted to put it on, then we might not get a two-thirds vote for the complete joint resolution. I do not say that by way of threat, but simply to show what the parliamentary situation is that this proposed amendment can be amended by a mere majority vote of the Senate now acting in Committee of the Whole, but if amendments are put on which two-thirds of the Senate do not believe in, we may not get anything out of this procedure.

Mr. President, I have said all that I care to say upon this occasion. I could talk longer, and answer more of the points which have been made, but for the present I yield the floor.

BIRTHDAY OF NEAL DOW.

Mr. JONES of Washington. Mr. President, I shall take but a few moments of the Senate at this time, but I rise to call attention to the fact that to-day is the anniversary of the birth, 120 years ago, of General Neal Dow, of Maine. While he was a citizen of Maine he was even more a citizen of the United States—we of the Pacific coast claim him as one of our very greatest benefactors and so I am glad to do what I am doing. General Dow was one of the most striking personalities in a century conspicuous for pioneers and discoverers in every field of research and invention. He was born in the city of Portland, lived there through all the labors and battles of an eventful and heroic life, and honored and respected for his sturdy character and his moral and physical courage in the stirring period of the Civil War and the testing times of conflict in promotion of the temperance reform; he died there at the ripe age of 93, as the best known and most highly honored citizen of a State conspicuous for the number and character of its great men.

Neal Dow is chiefly known for his part in the adoption of what is called the Maine law, of which he is "The Father."

This was the original State prohibition law. Such had been its influence for the moral and material welfare, in spite of all opposition and at times poor enforcement, that Maine has maintained this policy unbrokenly for almost two-thirds of a century, and other States, convinced of the righteousness and expediency of the policy, one after another since Kansas, in 1882, and North Dakota, in 1889, have voluntarily adopted prohibition until 33 out of our 48 States had enacted prohibition laws for themselves before the eighteenth amendment was adopted.

Neal Dow's name and fame are known througout the civilized world where an ever-increasing warfare is being waged against the arch destroyer of the human race—alcohol.

The following quotation relative to the Maine prohibition law, its effects and enforcement, is taken from a volume of reminiscences of General Dow, and contains much of value to be remembered in the situation with which we are confronted in the nation to-day:

Ever since the enactment of the Maine law, the liquor interests in and out of Maine, through every agency it has been able to control, has insisted that prohibition has increased the sale and consumption of liquor; and many individuals, above suspicion of any interest in the traffic, have been misled by that clamor, though the constant and virulent opposition of the trade to prohibition should suggest that in such assertion as the liquor sellers and their sympathizers are stating what they know to be untrue.

To all such declarations, coming from what source they may, I enter a general denial without fear of contradiction by any honest, observing citizen of Maine, and maintain that whenever and wherever any reasonably active and earnest effort has been made to enforce prohibition in this State the results have amply justified the hopes of its friends. That such has been the case as to a very large portion of the State has been publicly certified to again and again by large numbers of our clergymen and by others among our best citizens, including men as widely known as are ex-Governors Lot M. Morrill, Sidney Perham, Nelson Dingley, jr., Selden Connor, and Frederick Robie; by United States Senators Eugene Hale and William P. Frye; by ex-Governor and ex-Vice President of the United States Hannibal Hamlin, and by James G. Blaine.

A volume might be filled with the testimony of these and other citizens of Maine to the great benefits the State has derived through the policy of prohibition, but I will content myself with quoting from a recent letter of James G. Blaine, which has been extensively circulated, in which he said:

> "The people of Maine are industrious and provident, and wise laws have aided them. They are sober, earnest, and thrifty. Intemperance has steadily decreased in the State since the first enactment of the prohibitory law, until now it can be said with truth that there is no equal number of people in the Anglo Saxon world among whom so small an amount of intoxicating liquor is consumed as among the 650,000 inhabitants of Maine."

If the absolute suppression of the liquor trade all through our territory were required to prove the usefulness of prohibition, it might be said with truth that it is a failure. But such a test is applied to no other statute in the criminal code, and there is no reason for its application here. It may be admitted that in some places, most of the time, and in others, at various times, the enforcement of the law has been lax, and that as a consequence the traffic in a more or less unattractive form has obtained a foothold in such places. But, on the other hand, at times in substantially all of the State, in a great portion of it for most of the time, and in some of it for all of the time, the traffic has been practically extinct, while scarcely anywhere for any portion of the time has such of the trade as has existed been conducted with the seductiveness of surroundings that gives to it its greatest power for harm.

A magnificent steamboat is lying at the wharf. What is her purpose? To carry tons of valuable freight worth many thousands of dollars and hundreds of precious lives across the seas. She is constructed to safely ride the stormiest waves with power sufficient to breast the fiercest storms, but she is lying there idle. Her propeller is not moving. She is a steamboat, to be sure, but some one tells us that she is a failure. Why? Because she is not moving; she is doing nothing. And persons standing by, persons professing to desire that freight and passengers shall be safely carried across the ocean, and who would gladly approve of steamboats, so they say, if they could do that, applaud the man who says she is a failure. Well, after a time the wheels begin to revolve, the ropes are cast off—

> "She walks the waters like a thing of life."

She is no failure now, though she is the same steamboat that an hour ago was idle, denounced as a failure by the loungers on the wharf. All that was necessary was an order for the engineer to move the throttle valve and let on the steam.

If anywhere in Maine there has been a failure under prohibition to enjoy the advantages always to be expected from the absence of the liquor traffic, it is due not to prohibition but because some one whose duty it was to apply it has failed so to do, or, if it is preferred, because the people have not insisted that only those who could be trusted to perform their official duty should be vested with official power. There is no more difficulty with prohibition than in the case of the steamboat.

With the consent of the Senate, I ask that there may be added to my remarks appraisements of General Dow and his work by ex-Governor and ex-Senator Morrill, of Maine; Reverend Doctor Tyng, Henry Ward Beecher, and Reverend Doctor Cheever, of New York; and also a letter just received from the president of the Neal Dow Association for World Peace and Prohibition, Mr. Arthur C. Jackson, of Portland, which speaks of a plan to place a memorial statue of General Dow in National Statuary Hall, a project which I hope in the near future may be successfully carried out.

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

In regard to Mr. Dow, he is one of the best men that ever lived. He is warm-hearted, generous, and candid. No man enters the legislative hall, no man goes to a mass meeting and is received with such enthusiasm as Mr. Dow is. Whatever he says is listened to with profound respect. (Governor Morrill, of Maine.)

I would rather go with Neal Dow's reputation to posterity and to have to meet at last the gathering up of the influence of his life in the noble contemplation of an eternal world than be any other man who lives or has lived in this country, the magnificent Father of his Country not excepted. (Reverend Doctor Tyng, of New York (Episcopal).)

THE MAINE LAW.

It is a legislation of consummate wisdom, thoroughness, and energy. Maine is worthy, if her course from this step is straightforward, to direct the legislation of the whole world and the policy of all civilized communities. (Reverend Doctor Cheever, of New York, pastor of the Congregational Church of the Puritans, New York, 1846 to 1868.)

Referring to the Maine (prohibitory) law, Henry Ward Beecher said:

We ask that liquor dealers and their dwellings be treated as we treat counterfeiters and their shops or houses. We propose to treat men who secrete liquor for sale just as we would a smuggler who stored contraband laces and silks for sale. We propose to treat men who keep, for illegal and criminal traffic, the implements of death to the citizen just as in time of war we would treat those suspected of treasonable intercourse with an enemy and of keeping arms and provisions in their dwellings for the aid and comfort of an enemy.

THE NEAL DOW ASSOCIATION,
FOR WORLD PEACE AND PROHIBITION,
Portland, Me., March 18, 1924.

Hon. WESLEY L. JONES,
United States Senator, Washington, D. C.

MY DEAR SENATOR: Thursday, March 20, 1924, is the one hundred and twentieth anniversary of the birth of Neal Dow, the author of the Maine law and father of prohibition, one of the greatest benefactors of mankind.

The Neal Dow Association for World Peace and Prohibition requests your good offices in placing in the CONGRESSIONAL RECORD the purposes of this beneficent organization as formulated in its brief constitution, and invites the further attention of Congress and all believers in the potency and power of peace and prohibition to eventually achieve through education the inestimable blessing of world sobriety and brotherhood to the intention of the association to secure the presentation of a worthy statue of Neal Dow for Statuary Hall, under the provision of the act of Congress of July 2, 1864, which reads:

> "The President is authorized to invite each and all of the States to provide and furnish statues in marble or bronze, not exceeding two in number for each State, of deceased persons who have been citizens thereof, and illustrious for their historic renown or from distinguished civic or military service, such as each State shall determine to be worthy of this national commemoration; and when so furnished the same shall be placed in the old Hall of the House of Representatives—which is hereby set apart as a national statuary hall."

Prominent in this old House of Representatives, where Webster, Clay, Calhoun, and a host of other leading American statesmen aroused the patriotism of a former generation, now stands among 50 others from the several States a striking statue by Simmons of Maine's first Governor—William King. It was provided nearly 50 years ago, and you will surely agree that no other among the long list of illustrious citizens of Maine is quite as worthy to fill the quota of its national commemoration as Neal Dow, or any other time more peculiarly fitting than the present.

Sincerely yours,

ARTHUR C. JACKSON, *President.*

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House insisted on its disagreement to the amendment of the Senate to the amendment of the House to the amendment of the Senate No. 47 to the bill (H. R. 5078) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1925, and for other purposes; agreed to the further conference requested by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. CRAMTON, Mr. MURPHY, and Mr. CARTER were appointed managers on the part of the House at the further conference.

REFUND OF INCOME TAXES.

Mr. McKELLAR. I ask unanimous consent to have printed in the RECORD a letter from Secretary Mellon in reference to refunds of income taxes for the years 1921 and 1922, and also the figures in reference to those two years taken from the record furnished by the Secretary.

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

THE SECRETARY OF THE TREASURY,
Washington, March 17, 1924.

Hon. KENNETH MCKELLAR,
United States Senate.

MY DEAR SENATOR: Referring to your letter of March 11, with reference to the publication of refunds of income taxes, I beg to advise you that the annual report covering refunds of taxes illegally collected for the fiscal year 1921 was submitted by me to the Speaker of the House of Representatives under date of December 5, 1921. The annual report of refunds for the fiscal year 1922 was submitted by me to the Speaker of the House of Representatives under date of December 4, 1922. This report was returned by the Ways and Means Committee for insertion of addresses and redelivered to that committee in two supplements under date of January 19, 1923. The annual report of all refunds for the fiscal year 1923 was submitted to the Speaker of the House of Representatives under date of December 3, 1923.

Very truly yours,

A. W. MELLON,
Secretary of the Treasury.

Fiscal year 1921 refunds.

($25,000 and over.)

Philadelphia Traction Co	$42,303.84
United Electric Co. of New Jersey	25,053.74
Union Traction Co. of Philadelphia	47,628.64
Hollingsworth & Whitney Co	88,349.78
Carbon Steel Co	68,547.97
George Hall Coal & Transportation Co	25,056.18
Samuel F. Pryor	57,762.99
John B. Semple & Co	56,525.86
Eastman Kodak Co	20,498.36
Eastman Kodak Co	136,429.45
American Can Co	52,864.00
American Trading Co	547,500.04
Moses C. Migel	48,603.65
Edgar J. Lownes	42,630.08
General Refractories Co	169,344.48
Gulf Production Co	439,792.51
Gypsy Oil Co	255,595.62
Indiana Oil & Gas Co	69,083.58
Charles J. Nichols	57,836.24
Curtiss Aeroplane & Motor Corporation	58,012.83
Union Central Life Insurance Co	40,257.47
Carver Cotton Gin Co	98,064.16
American Merchant Marine Insurance Co	26,090.82
Chicago Sandoval Coal Co	37,800.46
Osceola Silica & Fire Brick Co	28,101.60
Total refunds, 1921	28,656,357.95

Refunds—Fiscal year 1922.

($20,000 and over.)

Embree Iron Co., Chicago	$24,807.18
Priscilla Publishing Co., Boston	28,769.44
Standard Accident Insurance Co., Detroit	24,518.41
American Metal Co. (Ltd), New York	122,792.97
W. J. Jenkins & Co. (Ltd.), New York	52,192.38
Saltzburg Coal Mining Co., Philadelphia	31,779.64
Marie Antoinette Evans, William D. Hunt et al., executors, Boston	1,057,774.68
Archibald Douglas, George Notman, Edmond Coffin, executors w/w James Douglas, New York City	108,378.29
Joseph J. Slocum et al., executors w/w Margaret Olivia Sage, New York City	116,565.58
James M. Davis, executor w/w Walter Davis, Pullman, Wash	39,260.78
Robert E. Smith et al., trustees w/w Jacob P. Smith, Chicago	44,569.76
McQuay, Norris Manufacturing Co., St. Louis	21,655.88
Z. Marshall Crane, executor estate of Zenas Crane, New York City	306,448.28
Penick & Ford (Ltd.), New Orleans	139,015.41
Paige Detroit Motor Co., Detroit	21,816.38
Sears, Roebuck & Co., Chicago	184,393.79
Elsie S. Rockefeller, New York City	26,118.17
Ernest Goodrich Stillman, New York City	264,387.78
Jaques E. Blevins, Houston, Tex	$26,673.71
F. C. Vogel, Vinita, Okla	28,401.63
Brooklyn Union Publishing Co., Brooklyn	20,068.03
Will H. Jenkins, North Seattle, Wash	24,716.99
Katherine C. Camp, executrix estate of William C. Chorne, Washington, D. C	51,348.04
Otto Goetz Co., New York City	34,882.93
Wollenberger & Co., Chicago	46,430.20
Rodman Wanamaker, 2d, by Rodman Wanamaker, guardian, Philadelphia	25,500.64
Gulf Oil Corporation, Pittsburgh	61,402.31
Estate Frederic C. Talbot, W H. Talbot, extr. San Francisco	38,014.92
Wm. R. Johnston Mfg. Co., Chicago	36,993.86
Embrace Iron Co., Chicago	39,210.50
Lee Mercantile Co., Salina, Kans	42,959.74
Milliken Co., Arkansas City, Kans	85,900.03
Christopher J. Hay, New Orleans	26,102.92
Reymond Syndicate, Inc., Boston	42,655.89
National Newark & Essex Banking Co., Newark, N. J	60,430.15
T. A. Gillespie Co., New York City	147,827.70
T. A. Gillespie Loading Co., New York City	107,162.55
Gillespie Foundry Co., New York City	24,751.69
Mary E. Muir, New York City	117,912.55
Wm. D Ellis, est., George D. Cochran, extr, New York City	20,027.76
Joseph Joseph Bros. & Co., Cincinnati, Ohio	83,884.46
Interstate Foundry Co., Cleveland, Ohio	28,091.08
Clarkson Coal Mining Co., Cleveland, Ohio	128,023.81
Northwest Steel Co., Portland, Oreg	841,842.34
Porter, Foulkrod & McCullogh, Esq., extr. estate Wm. J. Cahan, Philadelphia	144,365.55
Penn Mutual Life Ins. Co., Philadelphia	30,651.10
Edwin H. Vare, Philadelphia	69,120.83
Do	173,490.29
The Koppers Co. & Affl. Co., Phg., Pittsburgh	55,699.92
Hardin County Oil Co., Austin, Tex	26,499.79
Brannson, R., Wichita Falls, Tex	38,283.64
Extrs, James R. Castle, Honolulu, Hawaii	28,304.64
Police Relief Fund, New York City	41,365.85
Eisemann Magneto Corp., Brooklyn	22,193.97
Packard Motor Car Co., Detroit	20,564.51
Freeport Sulphur Co., New York City	21,973.73
	20,338.05
Freeport Texas Co., New York City	28,146.04
White Oil Corporation, New York City	24,784.56
McQuay, Norris Manufacturing Co., St. Louis, Mo	82,063.63
William Rockefeller, 55 Wall Street, New York City	1,451,044.48
Metropolitan Life Insurance Co., New York City	138,445.30
Joseph H. Frantz, Clarence M. Fento, and Fondon Battelle, executors John Gordon Battelle, Columbus, Ohio	35,904.44
City Baking Co., Baltimore, Md	38,938.26
Mrs. J. S. Carr, jr., Durham, N. C	31,661.28
Martin L. Cannon, Concord, N. C	33,470.97
Joseph F. Cannon, Concord, N. C	33,939.82
James W. Cannon, jr., Concord, N. H	33,792.23
J. Ross Cannon, Yack, S. C	36,314.38
Laura Cannon Lambeth, Charlotte, N. C	32,968.62
Mary C. Hill, Winston-Salem, N. C	32,932.22
Eugene T. Cannon, Concord, N. C	40,664.49
Charles A. Cannon, Concord, N. C	30,438.36
Adelaide C. Blair, Winston-Salem, N. C	31,798.56
Camden Fire Insurance Association, Camden, N. J	29,596.27
Inspiration Consolidated Copper Co., New York City	66,826.44
The Blair Milling Co., Atchison, Kans	103,366.82
Webster Woolen Co., Sabattus, Me	31,937.58
Cushman Chuck Co., Hartford, Conn	35,352.68
Procter & Gamble Manufacturing Co., Cincinnati, Ohio	34,733.74
Pittsburgh Iron & Steel Foundries, Midland, Pa	49,382.04
F. A. Sieberling, Akron, Ohio	82,022.50
Eliza Ruedeman, executrix estate William Ruedeman, Louisville, Ky	57,693.59
Estate of Joseph W. Cochran, Madison, Wis	21,425.48
Canadian Kodak Co., Ltd., Toronto, Ontario, Canada	74,336.87
Old Colony Trust Co., F. H. Adams and D. F. Buckley, executors of Wm. Hadwen Ames, Boston	153,779.37
Henry H. Rogers, jr., Walter P. Winston, and the Farmers Loan & Trust Co., executors of will of Henry H. Rogers, New York City	59,401.70
American Sulphur Royalty Co., Houston, Tex	70,669.31
Cuba Co., New York City	36,970.11
American Linoleum Manufacturing Co., New York City	27,138.60
Allonez Mining Co., Boston	97,725.78
Executors of Sarah G. Hall, Hartford, Conn	28,977.04
Chicagoff Mining Co., Tacoma, Wash	45,191.32
Springfield Provision Co., Chicopee, Mass	93,709.97
Estate of John Worthington, Present	133,817.54
W. J. McCahan Sugar Refining Co., Philadelphia	110,824.58
Imperial Oil, Ltd., Sarina, Ontario, Canada	70,646.19
Do	61,639.32
Eiseman Magneto Corporation, Brooklyn	23,289.50
Police Reserve Fund, New York City	44,493.75
Standard Forging Co., Chicago	88,875.09
W. C. Tyrrell, Beaumont, Tex	21,406.32
Estate of Richard J. Reynolds, Winston-Salem, N. C	286,612.91
Do	124,079.60
Frederick W. Gneff, Newburgh, N. Y	32,328.65
Southern Pacific Co., New York City	75,366.61
Central Pacific Railroad Co., San Francisco	36,438.88
Woonsocket Dyeing & Bleaching Co., Woonsocket, R. I.	28,015.30
Liberty Steel Products Co., Pittsburgh, Pa	34,706.49
W. C. Tyrrell, Beaumont, Tex	22,296.70
Standard Steel Castings Co., Cleveland, Ohio	57,123.90
American Connellsville Coal & Coke Co., Pittsburgh, Pa.	40,734.85
Estate of Henry W. Partol, Philadelphia	38,358.34
Estate of J. H. Bartelle, Columbus, Ohio	22,552.52
Etienne J. Caire, Edgard, La	61,079.71
Dunmore Worsted Co., New York City	22,357.94
Leigh Ellis, Austin, Tex	23,133.77
Estate of Jos. R. DeLamar, New York City	23,293.93
Muskegon Motor Specialities Co., Muskegon, Mich	57,797.54

Procter & Gamble Co., Cincinnati, Ohio	$21,493.00
Estate of Josephine E. Carpenter, New York City	72,331.39
Cordingly & Co. (Inc.), Boston, Mass	48,816.01
Johnson Litherage Co., New York City	20,198.10
New York, New Haven & Hartford Corporation, New Haven, Conn	54,329.00
H. B. Carter, New Orleans, La	25,126.22
Claiborne Johnston & Co., Baltimore	30,033.21
Estate of Mary E. McC. Darlington, Pittsburgh	146,636.33
Curtis & Co. Manufacturing Co., Willston, Mo	368,477.23
Gulf Oil Corporation, Pittsburgh	95,042.50
Locomobile Co. of America, Bridgeport, Conn	152,165.55
Eddy Palmer, New York City	32,970.63
Stratton-Warren Hardware Co., Memphis	25,225.54
Procter & Gamble Co., Cincinnati	40,665.50
Carnegie Steel Co. of New Jersey, Pittsburgh	219,540.79
E. I. du Pont de Nemours & Co., Wilmington	80,661.21
Saxon Motor Car Corporation, Detroit	23,794.30
McQuay, Norris Manufacturing Co., Washington, D. C	83,076.13
Sears, Roebuck & Co., Chicago	104,039.35
Isabel S. Rockefeller, New York City	29,307.38
Estate of Edward C. Smith, Brooklyn, N. Y	22,082.53
Bernadette K. Soden, Chicago	26,532.91
T. E. Pollock, Flagstaff, Ariz	45,260.42
Estate of Laura L. Case, Boston	161,967.84
Eagle Picher Lead Co., Chicago	102,281.02 20,929.33
Valier & Spies Milling Co., 905 Pierce Building, St. Louis, Mo	21,013.56
Armboro Operating Corporation, Madison Avenue and Forty-second St., New York City	25,458.32
John J. Bagley & Co., 483 East Warren Avenue, Detroit, Mich	31,006.89
Hartford Steam Boiler Inspection & Insurance Co., 60 Prospect Street, Hartford, Conn	61,763.59
Hisylvania Coal Co., 8 East Broad Street, Columbus, Ohio	25,800.07
Johnson-Peter Co., care of G. W. Hamilton, P. O. Box 192, Washington, D. C	39,393.07
Grace P. Bremner, administratrix of estate of Alexander F. Bremner, care of Parsons, Wadleigh & Crowley, Lynn, Mass	27,588.87
B. F. Dillingham Co., Ltd., 404 Stagenwald Building, Honolulu, Hawaii	40,599.18
Peter Kerr, 1000 Lewis Building, Portland, Oreg	23,580.72
Lovell-Buffington Tobacco Co., Covington, Ky	27,546.88
Julius Marqusee, 141 Water Street, New York City	87,955.13
Miami Electric Light & Power Co., Twelfth and Court Streets, Miami, Fla	34,003.23
M. Wollstein Mercantile Co., 524 New York Life Building, Kansas City, Mo	21,389.53
Aetna Insurance Co., 670 Main Street, Hartford, Conn	141,182.64
Florida East Coast Car Ferry Co., St. Augustine, Fla	522,477.84
Charles T. Jeffrey, 30 North Michigan Boulevard, Chicago, Ill	39,380.16
Kate E. Jeffery, 566 Durkee Avenue, Kenosha, Wis	50,612.65
Philippine National Bank, 37 Broadway, New York City	87,641.74
Saxon Manufacturing Co., 1034 Grand Avenue, Toledo, Ohio	42,117.23
Singer Manufacturing Co., Trumbull Street, Elizabeth, N. J	75,425.67
Frank L. Young Co., 111 Purchase Street, Boston, Mass	39,769.10
Brown Corporation, care of H. J. Brown, 404 Commercial Street, Portland, Me	141,337.32
J. B. C. Grangnard, Edgard, La	26,417.85
Calvin H. Haynes, Olympic Club, San Francisco, Calif	22,052.21
Standard Gauge Steel Co., First Avenue and Eleventh Street, Beaver Falls, Pa	44,507.03
N. & G. Taylor (Inc.), care Joseph E. O'Toole, 2115 P Street NW., Washington, D. C	148,245.08
Police relief fund, 240 Center Street, New York City	31,068.99
Double Seal Ring Factory, by K. D. Holland, 316 Lake Street, Fort Worth, Tex	22,117.12
Imperial Oil (Ltd.), care of James H. Hayes, 26 Broadway, New York City	63,738.32 29,786.48
The Northern Trust Co., executor n/w Charles W. Pardridge, Chicago, Ill	45,257.44
Dario Orena, administrator estate of Maria Antonia de la Guerra de Orena, care of James I. Parker, 1319 F Street, Washington, D. C	40,734.21
Arizona Copper Co. (Ltd.), Clifton, Ariz., care of Sherman & Sterling, 55 Wall Street, New York City	150,700.54
Adolph Hamberg, 809 West Second Street, Little Rock, Ark	21,884.08
Acme Shear Co., 100 Hicks Street, Bridgeport, Conn	21,067.16
Estate of Charles Miller; Ralph H. Smith, executor; 150 Prospect Street, Waterbury, Conn	22,727.30
Bristol Co., Waterbury, Conn	45,814.84
P. Berry & Sons (Inc.), 390–400 Windsor Street, Hartford, Conn	31,206.05
Hannifin Mfg. Co., 621–633 South Kolmar Avenue, Chicago, Ill	23,205.51
Clarke Bros. Co., 1200 Lehmann Building, Peoria, Ill	60,446.82 196,476.30 2,038,326.90
Cudahy Packing Co., Chicago, Ill	4,104.82 93,415.35 50,000.00
Chicago Malleable Castings Co., Racine Avenue (West Pullman), Chicago, Ill	32,210.15 58,281.60
Hess Steel Corporation, care Baltimore Trust Co. (receivers), Baltimore, Md	25,892.16
McCawley & Co. (Inc.), 400 East Lombard Street, Baltimore, Md	9,316.29 38,939.76
Henry Walters, 5 South Street, Baltimore, Md	41,667.85
Estate of Henry A. Langhorst, 38 South Dearborn Street, Chicago, Ill	23,434.33
Wm. L. Brown, 332 South Michigan Avenue, Chicago, Ill	50,825.12
C. P. Wheeler, 332 South Michigan Avenue, Chicago, Ill	25,315.43
Martha S. Wheeler, 332 South Michigan Avenue, Chicago, Ill	$23,075.47
Hawkeye Tire & Rubber Co., Des Moines, Iowa	44,180.30 1,495.08
Austin P. Cristy, 426 Salisbury Street, Worcester, Mass	29,466.53
Austin & Doten, 102 North Street, Boston, Mass	20,381.11
Gordon-Pew Fisheries Co., 329 Main Street, Gloucester, Mass	41,664.22
Fearing, Whiton & Co., 65 Franklin Street, Boston, Mass	48,777.68 23,284.17
International Steel & Ordnance Co., 7 Dey Street, New York City	648,202.10
Hon. John W. Weeks, 97 Valentine Street, West Newton, Mass	21,151.61 6,366.42
Arkell & Smith, Hill Street, Canajoharie, N. Y	34,731.59 151.94
Mente & Co., Robin and Peters Streets, New Orleans, La	28,446.20
Carter Dry Goods Co., 729 Main Street, Louisville, Ky	49,137.97 135,028.80
Cliff Electrical Distributing Co., Canal Basin, Niagara Falls, N. Y	22,301.45
American Body Co., 1255 Niagara Street, Buffalo, N. Y	170.64 21,556.79
Estate of Eugene Horton, 17 Battery Place; J. H. Morrison, executor, New York City	21,336.68
American Zinc & Chemical Co., 61 Broadway, New York City	141,555.09
Southern Pacific Co., 165 Broadway, New York City	213,716.58 155,124.72
Scandinavian-American Insurance Co. (Ltd.), 72 Beaver Street, New York City	53,240.20 43,192.91
Bartlesville Zinc Co., 61 Broadway, New York City	29,044.63
Federal Motor Truck Co., Leavitt and Federal Streets, Detroit, Mich	23,103.71
Dae Health Laboratories (Inc.), 103 Congress Street, East Detroit, Mich	9,136.68 60,615.49
Mayo Clinic, Rochester, Minn	28,762.38
Maas & Waldstein, New York, N. Y	453,396.18
Estate of James Douglas, care of Douglas, Armitage & McCann, 233 Broadway, New York City	108,055.24
S. M. Jones Co., Toledo, Ohio	28,611.00
Ayres Mineral Co., Zanesville, Ohio	41,180.73
Mable Dale Potts, Yale, Okla	50,449.03 15,743.74
Joseph A. Magnus, room 23, Bodmon Building, Cincinnati, Ohio	80,392.32
Ohio Butterine Co., 50 Walnut Street, Cincinnati, Ohio	71,543.62
Joseph Joseph & Bros. Co., 1248 Harrison Avenue, Cincinnati, Ohio	238,267.07
Hamilton Fire Insurance Co., 111 William Street, New York City	34,120.58
Gillespie Manufacturing Co., 50 Church Street, New York City	23,000.00
Frederick Strauss, 54 Wall Street, New York City	21,034.00
American Trading Co., 25 Broad Street, New York City	519,690.40
Omega Chemical Co., 576 Fifth Avenue, New York City	30,103.74
National Aniline & Chemical Co. (Inc.), 21 Burling Slip, New York City	80,118.08
Standard Refractories Co., Claysburg, Pa	28,777.85
Newton Machine Tool Co., Twenty-third and Vine Streets, Philadelphia, Pa	53,021.72
Mount Pleasant-Connellsville Coke Co., Greensburg, Pa	27,525.37
Eureka Co., North East, Pa	37,419.89
Edwin H. Vare, 2221 South Broad Street, Philadelphia, Pa	22,212.72
American Rio Grande Land & Irrigation Co., Mercedes, Tex	24,339.25
Monarch Manufacturing Co., 70 Chicago Street, Milwaukee, Wis	44,005.70
American Peanut Corporation, 601 Water Street, Norfolk, Va	25,008.19
Pocahontas Fuel Co. (Inc.), 1 Broadway, New York City	168,770.01
Adolfine Forstmann, 85 Passaic Avenue, Passaic, N. J	34,714.41
Hill & Mount, Essex Building, Newark, N. J	23,550.11
Franklin Manufacturing Co., Franklin, Pa	26,131.17
Do	3,121.68
Standard Underground Cable Co., Westinghouse Building, Pittsburgh, Pa	120,221.02
Total	48,134,127.83

Approximate number of refunds in 1922, 4,420.

AMENDMENTS TO CONSTITUTION.

The Senate, as in Committee of the Whole, resumed the consideration of the joint resolution (S. J. Res. 4) proposing an amendment to the Constitution of the United States relative to the adoption of amendments thereto.

Mr. PEPPER. Mr. President, I had risen with the expectation of making a suggestion designed to meet the criticism of the joint resolution of the Senator from New York made by the Senator from Idaho [Mr. BORAH] in the course of his remarks. The Senator from New York tells me that he himself has prepared a form of words which he thinks meets the difficulty, and therefore what I was going to say upon that point would be unnecessary to inflict upon the Senate.

I have followed this debate with a very great deal of interest and attention. I am unable to share the view of the Senator from Montana [Mr. WALSH] that this subject is one unworthy of consideration at the present time. It seems to me that while the experiences incident to the adoption of recent amendments are fresh in our minds, and at a time when we are not distracted by the pendency of any great amendment involv-

ing a question of policy upon which the country is divided, is the ideal time to propose for consideration a measure designed to prevent in future the evils which have been incident to the process of amendment in the past.

I may also say that I ought not to be suspected, in advocating the proposal of the Senator from New York, of advocating it in the spirit of one who is irritated as a result of action taken by the country upon recent amendments, because I was one of those who favored the income-tax amendment, who favored the prohibitory amendment, and who favored the woman suffrage amendment. I speak from the point of view of one who took an affirmative position on all three of those amendments.

Mr. President, I quite agree with the Senator from Idaho, and, indeed, with all others who have spoken in this debate, that ultimately it is the will of the people which expresses itself when their Constitution is amended. I like to think of the Constitution as being the body of good resolutions which the American people have formed for self-government. The Constitution is nothing more than the ordered good resolutions for government which at a certain time in history the people have imposed upon themselves to determine the course of their national life, and therefore it must be true that when we are to add to those resolutions or subtract from them it is the people who are to be affected by the resolutions who must be heard from. Everybody, I take it, is agreed upon that proposition.

The question is how the people may be best informed respecting the proposal pending at any given time to modify the body of resolutions by which they are governed. Are they more likely to be well informed to the end that they may vote intelligently if the pending measure is thrown in with other issues in a popular election, usually held in the month of November in all the States? Or are they more likely to be intelligent and informed respecting a pending measure if it shall have been made an issue in the election of members of one at least of the branches of the legislature which may be called upon to act upon the amendment, either affirmatively or negatively? I think that it is a question requiring some delicacy of judgment. It does not seem to me that it is one of those questions which can be made the subject of demonstration.

My own judgment is that those questions receive most attentive consideration from the people of a State which have been injected into issues that are peculiarly local, either those issues which concern the election of senators or representatives in the State legislature, or which have received discussion during the sessions of the State legislature and are reported from day to day in the local papers.

I apprehend that it is really a question of effective publicity of the amendment for the information of the intelligence of the people of the States, which is the thing to which we are addressing ourselves, and I can not change the minds of those who believe that the legislature has no useful function to perform in that matter, but I believe for myself that it has.

My observation is that the process of electing members of the two houses of the legislature is a process which results in widespread interest on the part of the people in important measures upon which the people so elected are going to be called upon to act, and if, indeed, the State shall exercise the power which will be given it under the form of the amendment proposed by the Senator from New York and shall embody in its fundamental law a provision that the act of its legislature must be ratified by popular vote, then we shall have the spectacle of the legislature of the State debating at length and at large the question of ratification or rejection of the amendment for the edification of the voters of the Commonwealth, and the subsequent reference of its decision, be it negative or affirmative, to the body of the electorate of the State.

I say its conclusion, whether affirmative or negative, because I intended to make a suggestion which would change the pending proposal in such a way as to provide for either of those contingencies. I believe the Senator from New York will make that proposal.

So the substance of what I wish to say, Mr. President, is this: In the first place, that such a change should be made. In the second place, that as between the method of direct reference to popular vote and the utilization of the legislature as a forum for the information of the people, I am in favor of the latter, and I very much hope that the constitutional amendment proposed by the Senator from New York will prevail rather than the other.

I share the view of the Senator from Connecticut [Mr. BRANDEGEE] that the chance that any proposal of this important sort will prevail is very much prejudiced if we load it up with a proposal to change the percentage of membership of the two Houses of Congress which is necessary to start a constitutional amendment upon its way. For that reason, and that reason only, I hope that the amendment proposed by the Senator from Iowa [Mr. BROOKHART] will not prevail.

Mr. WADSWORTH. Mr. President, I desire to offer an amendment to the text of the original joint resolution, but I am not sure that I have that right under the rule.

The PRESIDING OFFICER. The Chair is of the opinion that the amendment of the Senator from New York would take precedence over the pending amendment.

Mr. WADSWORTH. Then I move to strike out, on page 2, line 13, after the word "proposed," the words "that any State may require that ratification by its legislature be subject to confirmation by popular vote," and to insert in lieu thereof the words "that any State may provide for a popular vote to affirm or reverse the action of its legislature."

The PRESIDING OFFICER. The amendment will be printed.

ADJOURNMENT.

Mr. LODGE. Mr. President, it is obvious we can not hope to get a vote this evening on the pending amendment, and I therefore move that the Senate adjourn.

The motion was agreed to; and the Senate (at 5 o'clock p. m.) adjourned until to-morrow, Friday, March 21, 1924, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

THURSDAY, *March 20, 1924.*

The House met at 12 o'clock noon, and was called to order by the Speaker pro tempore (Mr. TILSON).

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

Almighty God, infinite in power, wisdom, and goodness, we would approach Thee in the spirit of humility and in the consciousness of our needs. Thou hast intrusted us as Thy bearers of truth and justice, and we would earnestly beseech Thee to be the inspiration of all our conceptions of duty and the guide of all our deliberations. May we have Thy approval of all our countless acts, which pass observation, yet mean so much in human happiness. Oh, do Thou share our lot and our burden. Then nobly will our work be done, and Thou wilt establish it in human lives and homes. Through Christ our Saviour. Amen.

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

EXTENSION OF REMARKS.

Mr. DICKSTEIN. Mr. Speaker——

The SPEAKER pro tempore. For what purpose does the gentleman rise?

Mr. DICKSTEIN. To ask unanimous consent to extend my remarks in the RECORD on the question of immigration and the Nordic race.

The SPEAKER pro tempore. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD on the subject of immigration. Is there objection?

Mr. CABLE. Mr. Speaker, reserving the right to object, is the speech the gentleman's own?

Mr. DICKSTEIN. My own.

The SPEAKER pro tempore. The Chair hears no objection.

RESTRICTION OF IMMIGRATION.

Mr. DICKSTEIN. Mr. Speaker, it would be idle to pretend that there is behind the so-called Johnson bill for the restriction of immigration any motive other than the desire to discriminate against certain peoples coming from eastern and southern Europe and to give preference to certain other people coming from western and northern Europe. The Committee on Immigration and Naturalization of the House has failed to heed the eloquent and earnest appeals of the able and well-informed opponents of the measure, and has chosen to place itself upon record as supporting the unfounded claim of the restrictionists that the peoples from northern and western Europe are better, finer, and more acceptable to the United States than those of eastern and southern Europe. Although the restrictionists are unable to deny that the peoples from southern and eastern Europe have contributed vastly to the prosperity and progress of the United States, they nevertheless indulge in the age-old and repeatedly refuted claim that the peoples from eastern and southern Europe tend to lower our standard of living.

The restrictionists charge the peoples from eastern and southern Europe with every conceivable evil. They not only depress the American standard of living, but they fill our institutions for the insane and the criminals, they clog our industrial centers, they undermine our ideals, and breed so

rapidly that soon there will be no trace left of the American Nation. It is the fear of this last calamity that has prevailed upon the members of the committee to adopt the 1890 census as a quota basis for future immigration instead of the 1910 census. They hope thereby to equalize the number of rapidly breeding peoples of southern and eastern Europe with the slowly breeding people of northern and western Europe. By permitting more peoples from northern and western Europe to come here we will have an evenly balanced foreign population, and happiness will reign supreme. In short, we must have more "Nordics," more peoples with blue eyes, blond hair, and long statures.

The following table shows how the committee, by the adoption of the 1890 census, hopes to increase the number of Nordics and decrease the number of peoples from eastern and southern Europe to be admitted. It will be seen that the so-called Nordics are to be permitted an annual immigration quota of 112,987 out of a total of 169,083, leaving only 56,096 for the combined quotas of the other 39 peoples.

Estimated immigration quotas based on Census Reports of 1890, 1900, 1910, and 1920.

TWO PER CENT PLUS 200 FOR EACH NATIONALITY.

"The term 'quota' when used in reference to any nationality means 200, and in addition thereto 2 per cent of the number of foreign-born individuals of such nationality resident in the United States as determined by the United States."

[Printed for the use of the Committee on Immigration and Naturalization, House of Representatives.]

Country or region of birth.	Estimated quotas based on 2 per cent of census.			
	Census of 1890.	Census of 1900.	Census of 1910.	Census of 1920.
Albania	204	221	392	312
Armenia (Russian)	217	241	352	519
Austria	1,190	1,991	5,094	11,610
Belgium	709	849	1,242	1,456
Bulgaria	200	200	402	411
Czechoslovakia	2,073	3,631	11,572	7,450
Danzig, Free City of	423	414	400	350
Denmark	2,982	3,398	3,946	3,944
Esthonia	302	437	1,098	1,584
Finland	345	1,465	2,814	3,213
Fiume, Free State of	210	217	248	310
France	4,078	3,834	4,020	3,277
Germany	50,329	48,181	45,272	33,805
Great Britain, North Ireland, Irish Free State	62,658	55,924	51,762	43,729
Greece	235	359	2,242	3,725
Hungary (including Sopron district)	688	1,332	4,032	8,147
Iceland	236	242	250	250
Italy	4,089	10,315	28,238	32,415
Latvia	317	471	1,226	1,781
Lithuania (including Memel region and part of Pinsk region)	502	755	1,952	2,901
Luxemburg	258	261	262	452
Netherlands	1,837	2,100	2,604	2,838
Norway	6,653	6,957	8,334	7,525
Poland (including eastern Galicia and part of Pinsk region)	9,072	16,377	20,852	23,002
Portugal (including Azores and Madeira Islands)	674	1,116	1,844	1,716
Rumania	831	1,612	5,146	2,257
Russia (European and Asiatic, excluding the barred zone)	1,992	4,696	16,470	25,261
Spain (including Canary Islands)	324	345	808	1,320
Sweden	9,761	11,872	13,562	12,749
Switzerland	2,281	2,514	2,702	2,577
Yugoslavia	935	1,604	4,484	3,600
Other Europe (including Andorra, Gibraltar, Liechtenstein, Malta, Monaco, and San Marino)	325	245	258	316
Palestine	201	204	238	264
Syria	212	267	788	1,242
Turkey (European and Asiatic, including Thrace, Imbros, Tenedos, and area north of 1921 Turko-Syrian boundary)	223	318	1,970	941
Other Asia (including Cyprus, Hedjaz Iraq (Mesopotamia), Persia, Rhodes with Dodecanesus and Castellorizzo, and any other Asiatic territory not included in the Barred Zone. Persons born in Asiatic Russia are included in Russia quota)	245	439	262	307
Africa (other than Egypt)	238	243	270	299
Egypt	206	208	212	217
Atlantic Islands (other than Azores, Canary Islands, Madeira Islands, and islands adjacent to the American continents)	241	246	280	1,091
Australia	320	340	396	423
New Zealand and Pacific Islands	267	252	254	278
Total	169,083	186,693	248,550	249,867

The obvious purpose of this discrimination is the adoption of an unfounded anthropological theory that the nations which are favored are the progeny of fictitious and hitherto unsuspected Nordic ancestors, while those discriminated against are not classified as belonging to that mythical ancestral stock. No scientific evidence worthy of consideration was introduced to substantiate this pseudoscientific proposition. It is pure fiction and the creation of a journalistic imagination. All we know is that these immigrants are all human beings, and none of them is regarded by the majority of the committee as undesirable so long as they meet the test of the act of 1917.

Those who in the past have been admitted into this country, whether born in one part of Europe or another, have been industrious and useful accessions to our population. Many of them have become citizens and have performed their civic duties and during the war entered our Army and Navy in large numbers and were loyal to our Government. Their childen, whether they were born in this country or arrived here at an early age, have been trained in our public schools and can rarely be distinguished from native Americans of elder generations. Those who have come from the lands upon which a bar sinister is to be imposed have made valuable contributions to science, art, and literature, to a hundred different industries, to every imaginable form of commerce, and have performed much of the heavy work in our mines, furnaces, manufactories, farms, and forests, upon our railroads, and other public works. Without them our material progress would not have been as rapid as it has proved to be; and they are needed to-day as they have been in the past. It is closing our eyes to known facts to suggest that this country, large sections of which are sparsely populated and whose development has not even begun, can not absorb additional immigrants, and that hereafter only men of certain types or of certain creeds or nationalities may be added to our great army of workers.

In their eagerness to indulge in this discrimination the restrictionists, who have made propaganda for it and who do not understand the real sentiment of this country, forget that hundreds of thousands of immigrants who have come to this country for the purpose of making it their home, of rendering loyal service whenever called upon to do so, and of exerting themselves in every direction to advance its interest, and notwithstanding statements to the contrary these immigrants have become citizens of the United States, and that they, as well as their children, are proud and grateful for that privilege. What, we beg to ask, can be their sensations when they are told that it is proposed by an act of Congress to declare them, because of their birth and ancestry, to belong to an inferior class, and that those of their blood are henceforth to be discriminated against in our immigration laws? Is it to be expected that they will concede that those who by this legislation would be pointed out as a favored class are superior morally, physically, or mentally? Such an assumption would be contrary to human nature. It is inevitable that a feeling of resentment would be engendered by such action. It would be the first instance in our modern legislation for writing into our laws the hateful doctrine of inequality between the various component parts of our population. The consequences of such differentiation would be deplorable and in the end would be heard above the strident outcries of those who are seeking to stimulate and foster racial, religious, and national hatreds which carry with them a curse wherever they prevail.

It is interesting to examine the statistics which form a part of the majority report, and especially the table showing the future permanent residence of immigrant aliens admitted to the United States during the past quota year. It will be found that 116,129 came to New York, 36,374 to Massachusetts, 33,722 to Illinois, 36,374 to Michigan, 23,941 to New Jersey, 37,515 to Pennsylvania, a notable majority of all the immigrants who arrived.

Does the outcry against immigration emanate from those States? Decidedly not. Sound public opinion in these very States where the immigrants settle, as expressed through the most potent channels, is opposed to this contemplated discriminatory legislation and gives support to a liberal as distinguished from a hostile immigration policy. There is no complaint in those States of unemployment or lack of prosperity or lack of progress. Nor has there been any complaint from those quarters regarding the alleged unassimilability of the men and women and children who have come from southern and eastern Europe.

Let us examine the next table, which specifies by captions the occupations of immigrants admitted to the United States during the same period. The statistics relate principally to males. There were 15,056 members of various professions, 1,136 architects, 2,600 electricians, 3,302 professional engineers, 967 musicians, 2,058 teachers, 646 physicians, 470 literary and scientific persons, 226 sculptors and artists among them. There were 103,339 skilled workmen, including a large number of trades. Among those classified as miscellaneous there were 62,144 laborers, 19,152 farm laborers, 12,066 farmers, 38,283 servants, a total coming under that head of 160,578.

This is a demonstration that among these arrivals there were no drones, no persons likely to become public charges, no members of the leisure class, no drags upon the Nation. They were men of brain and brawn, ready and anxious to do their part

of the world's work. It is perhaps because of their industry that objection is made to their reception in this land, where the prevalence of liberty has in the past been our proud boast.

The majority report of the House Committee on Immigration insinuates that some of those who have come from foreign countries are nonassimilable or slow of assimilation. No facts are offered in support of such a statement. The preponderance of testimony adduced before the Committee on Immigration is to the contrary. What is meant by assimilation is difficult of definition. The mere fact that an immigrant, when he arrives or even after he has lived here for a number of years, still speaks his native language does not indicate that he is not being assimilated. Every day that he lives here he imbibes American ideas. Whatever his garb may have been when he came, the first suit of clothes that he purchases with his honestly acquired earnings, which represent his creative efforts from which the country profits, is made according to the American model. His work is performed in accordance with the methods adopted in our industrial centers. He becomes familiar with our form of government. His acquaintance with our laws equals that of the average inhabitant of our country, and his obedience to them measures up to that of the average native. It is true that he reads books and newspapers printed in foreign languages, but it is by means of them that he acquires a fund of information relative to the true spirit of America. Anybody familiar with the foreign-language press, and with what it has done in the direction of educating the immigrant into an appreciation of what America stands for, can testify to this fact. The children of these foreign parents brought up in American public schools grow up without even an ability to read the foreign press.

It is likewise important to know that, however slow some immigrants may be in acquiring the ability to speak the English language fluently, to a great extent they have familiarity with more than one language, a condition which is unfortunately not true of the average native American. At all events, before such an immigrant may be naturalized he must become familiar with our language and our customs and in a general way with our form of government or else the courts which admit him to citizenship have not performed their duty. Those who have really studied the immigrant in the centers where the great majority of immigrants and their descendants have taken up their abode and are best known are able to demonstrate that he is not only capable of assimilation but that he has become assimilated to a marked degree in a remarkably short period of time, and we repeat that, so far as his children are concerned, in one generation they can not be distinguished as Americans from the elder immigration. The official records of our public schools bear eloquent testimony to this fact.

It has been fashionable of late for professional restrictionists and alarmists to behold in the immigrant a menace to our institutions. There is no justification for the charge. There may have been a few strident individuals who have enunciated doctrines which can never obtain a foothold here, but it will be found that a majority of them and those who have been most vicious have been native Americans. Our laws are adequate to deal effectively with these individuals, who, after all, confine their energies to barking. The rank and file of our immigrants are heartily opposed to these destructive radicals. What is true of the entire body of our population, both native and foreign born—that with but few exceptions all of them love this country and its institutions, are loyal to its Government, and obedient to its laws—is equally true of the recent immigrants. Any statement to the contrary is a malicious fabrication.

It has also been claimed that the immigrant has reduced the standard of living which prevails here. This is likewise untrue. Those who have lived among immigrants, as distinguished from those who write about them for the purpose of establishing a thesis, know that almost from the moment of their landing they begin to shape their lives according to the prevailing standards of living. As soon as permitted to do so those engaged in the various trades become members of labor unions, and their presence here in no manner affects the earning capacity of those who preceded them to this country. It may be that they are economical and thrifty; that they save a portion of their earnings in order to provide for the future and to secure their own homes. By doing so, however, they are merely perpetuating those standards of living which were adopted by those who have justly been held up as the models of ideal citizenship.

Complaint has been made that many immigrants congregate in the cities. That, however, is a tendency which has been manifested and has been growing even in those sections of our country or of foreign countries where immigration is not a factor, and especially is this true in all parts of the United States. That is largely due to the fact that our great industrial and commercial establishments are located in the cities. Of necessity those who engage in the occupations affiliated with the various forms of industry and commerce seek their livelihood where these important attractions are located. If they could be successfully operated in the rural districts, there is no doubt that those in search of employment would find their way into those districts to the same extent that they are now gravitating to the cities. Everybody knows that the sons and daughters of the American farmer leave their homesteads where their ancestors may have lived for decades and likewise seek their fortunes in the cities. It is, after all, the natural result of modern economic conditions as well as of the operation of the fundamental law that supply follows demand.

It is also asserted that the immigrant is clannish and lives in districts where those of his own nationality abound. Is not this true also of other strains in our population? Members of the same church, of the same social environment, of the same economic status, form little communities of their own, have their own society and club life, and rarely emerge from their own circles. It is as unlikely that they would associate with the immigrant as that the latter should expect to be welcomed by those who may date their advent into American life 30, 40, or 50 years ago or whose American pedigree may run back even as far as a century. We know, however, that it is an admirable feature of American life that an opportunity exists for everybody who is worthy to advance in civic life and social position by exerting those virtues which have at all times enabled men to progress. An analysis of the social register, a study of the biographies of the men and women who now occupy the highest rank in every department of human endeavor in this country, of those who are contributing to its development in every direction, will show that a very large percentage of them had lowly beginnings, and that many of them, and certainly their parents, arrived here as friendless immigrants. It is safe to say that there is less clannishness even among the most recent immigrants than there is in those parts of our country where there are but few immigrants and where there exists the greatest opposition to the immigrant.

There has been the further unjustifiable charge and contention that there is in this country an undigested mass of alien thought, alien sympathy, and alien purpose which creates alarm and apprehension and breeds racial hatreds. This, like most figures of speech, can not bear analysis. What is meant by alien thought and alien purpose as applied to immigrants? Does it mean that they are opposed to the land in which they live, in which they earn their livelihood, where they have established a permanent home for themselves and their children? Does it mean that they would invite conquest by foreign nations, and having to a great extent left the lands of their birth because deprived of liberty and that freedom which they enjoy in this country that they would be willing to forego the blessings that have come to them under our benign institutions? Have they not by coming here severed their political relations with foreign lands? Does any considerable portion of them ever expect to leave our shores? Have the thought and purpose of that Europe which they left behind been such as to attract instead of increase the repulsion which drove those immigrants to America? Are men apt to choose misery and unhappiness when they are enjoying contentment and comparative prosperity and are looked upon not as cannon fodder but as men? As well might it be said that the Puritans of New England, the Cavaliers of Virginia and Maryland, the Knickerbockers of New York, the Quakers of Pennsylvania, and the Scandinavians of the middle West brought with them undigested masses of alien thought, alien sympathy, and alien purpose, which made of them a menace to this country.

It is not the immigrants who are breeding racial hatreds. They are not the inventors of the new anthropology. Nor do they stimulate controversy. It would rather appear—in fact, clearly shows—to be those who are seeking to restrict or to prohibit immigration who entertain such sentiments and who are now attempting to formulate a policy which is indeed alien to the thought, the sympathy, and the purpose of the founders of the Republic and of that America which has become the greatest power for good on earth. This alleged menace is identical with that which 70 years ago was paraded as a bogy by Know-nothingism, and which, happily, made no impression upon our history except to lead a sound public opinion to keep open our doors to those who desired to come here and to make themselves a part of that grand composite—the American people.

The proponents of the Johnson bill can not justify the special privilege that they seek to have incorporated into law in favor of the peoples of northern and western Europe. I have great

faith in the doctrine that all men are equal and that there is no such superiority of one people over another as is contended by the restrictionists. I know nothing of any "Nordic" race whose qualifications are alleged to be higher than those of the peoples coming from southern and eastern Europe.

At this point I am incorporating into my remarks an article by Johan J. Smertenko, in which he discusses the claim of the "Nordic" superiority, and I trust that you will devote to it a few moments of careful reading. You will then, I am sure, agree with me that these people have no valid claim to superiority. This article is to appear in the April issue of the Current History Magazine, and with their kind permission I quote it, as follows:

THE CLAIM OF "NORDIC" RACE SUPERIORITY.

[By Johan J. Smertenko, formerly lecturer on English literature and modern drama, Hunter College; later professor of journalism at Grinnell College, Grinnell, Iowa; contributor to many American publications, including the Bookman, the Nation, and the American Mercury.]

ORIGIN OF THE PERNICIOUS DOCTRINE OF "RACE SUPERIORITY"—ITS SUBSEQUENT DEVELOPMENT IN GERMANY AND ITS RECENT APPEARANCE IN AMERICA AS AN ALARMIST WARNING AGAINST NON-NORDIC INCREASE—HYPOTHESIS DISAPPROVED BY MODERN SCIENCE.

"A nation to be great ought to be compressed in its increment by nations more civilized than itself."—(Coleridge.)

When the immigrant wrote back to his people in Ireland that in America every man is just as good as his neighbor, if not better, he expressed in a typical Irishism a universal sentiment which is undoubtedly as old as it is widespread. Every man feels in some way superior to his neighbor, whether because he is rich or poor, modest or proud, giant or pigmy, carnal or pious, quick-witted or plodding, for it is in every man's power and it is every man's custom to make a virtue of his special condition and characteristics. Moreover, in this task of marking "Superior brand" on distinctive traits and qualities, the individual does not stop with himself; he exalts similarly his family, his town, and his tribe, thus unconsciously creating a vicious circle by admiring what he has because he has it.

What is true of individuals is equally true of nations. From the earliest times a given nation's feeling of superiority to its neighbors has been one of the most powerful forces influencing and molding the life of peoples. There is hardly a nation which has not suffered because at some time in its history it acted in the belief that this feeling was a fact. Furthermore, both the records of ancient civilization and the history of our more immediate past show us that the nations have followed an identical formula to justify this national arrogance. We see, in the first place, that a given people claims to have a monopoly of some desirable quality, then we find that it believes this quality to be particularly acceptable to God and by virtue thereof becomes "the chosen people," and finally, with sanctimonious hypocrisy, the nation in question takes upon itself a mission to excuse its policy of territorial aggrandizement and all the acts of exploitation and oppression which such a policy entails. In the chronicles of every nation infected by this arrogance there is a story of misery, famine, and bloodshed, often of complete ruin, all a direct consequence of this theory of superiority. The Greeks and Jews suffered from it, it spread like a plague in France, showed itself in England during the Victorian era, and broke out in Germany a few years ago in its most violent and fatal form. The tragedy of this disease lies not so much in the theory itself as in the fact that it has always been made to serve political purposes and hence has always affected most intimately the political history of virtually every nation in the world.

Lately, however, those who would exploit man's self-conceit for political ends have substituted a racial in place of the national unit of comparison. They speak now in terms of Semite, Mongol, and Aryan, or Alpine, Nordic, and Mediterranean; they interpret God's favoritism not through oracles and prophesies, but by means of cranial dimensions and basketry weaves, and, most important development of all, they no longer attempt to establish their unique qualities but arbitrarily assert their superiority and throw the burden of proof on the "inferior" races. It would seem to the student of history that in the course of civilization mankind has had sufficient tragic experience with these delusions of chosen peoples and superior races to make it wary when another such theory is put on the market. But quite the contrary is true, and hence it becomes necessary to take notice of the most absurd claims of superiority for fear that the fanatical activity of a handful of believers may cause again irremediable harm.

EVOLUTION OF THE "NORDIC" THEORY.

One of the latest and undoubtedly one of the most absurd and pernicious applications of this "superiority" theory has made its appearance in the United States. The doctrine propounded is that the white race is biologically superior to all the others and that a certain division of the white race, called "Nordic," is the acme of its excellencies. This theory, propagated in a passionate, melodramatic manner, is finding acceptation among the ignorant, and through them is already exerting an influence on such important practical problems of American life as immigration, eugenics, and education. The theory is voiced by members of the legal profession posing as temporary anthropologists, by journalists transformed into ominous prophets, by professors seeking lecture fees, and by that curious anomaly, the lady novelist, striving for distinction as socioliterary critic.

Before we become panic-stricken with fear that the great blond race will disappear into the mysterious twilight zone to which its gods and its heroes are said to have passed in times remote, it may be profitable to examine the fundamental elements of the "Nordic" theory and to see what the anthropological and ethnic facts, which have only recently been brought to light, mean when they are interpreted in the hard, cold light of truth. The curtain for the first act of this romantic melodrama concerning our "Nordic" race rose about 70 years ago. At that time Comte Arthur de Gobineau (1816–1882), inspired by the great scientific discoveries of his time, and anxious to warn his countrymen against hybridization through intermarriage or intermating with the Germans, who were peacefully penetrating into France, wrote his Essai sur l'Inégalité des Races Humaines (Essay on the Inequality of the Races of Mankind). Although he announced that "if the Bible declares that mankind is descended from the same common stock, all that goes to prove the contrary is mere semblance, unworthy of consideration," the count succeeded in interpreting the Scriptures in such a way as to permit him to differ from the common notion that all men are alike, inasmuch as they are all descended from Adam. He proceeded to indicate "the moral and intellectual diversity of races" and came to two important conclusions, (1) that the white race is superior to all other and (2) that to be great every nation must be pure in stock. As to the comparative greatness of the numerous divisions of the white race, Gobineau offered no opinion except in so far as his examples were drawn from the ancient Mediterranean civilization. He writes, for example:

"If Rome, in her decadence, had possessed soldiers and senators like those of the time of Fabius, Scipio, and Cato, would she have fallen prey to the barbarians of the north?"

SEIZED BY GERMANS TO GLORIFY TEUTON.

Although Gobineau's book was almost immediately translated in America to be used as an argument for slavery, it had little influence on the thought of the day. Not until the biologists, August Weismann and Gregor Mendel, formulated their theories of heredity, not until the discovery of "primitive man" offered a basis for the most imposing superstructures of speculation, did the idea of racial inequality fire overwrought and egoistic imaginations. The Weismann doctrine is based upon the idea that every individual is composed of two independent types of tissues, the germplasm and the somatoplasm. It holds that the germplasm consists of the generating cells, which reproduce themselves and pass on unchanged from generation to generation, each time building new bodies out of somatoplasm as temporary containers for this precious fluid. The argument that found most favor in the eyes of the propagators of the superior-race prejudice is that the individual to-day is essentially the same as his unknown ancestor of the neomonkey era, since the vital qualities he had at the beginning were passed on by the germplasm, while the characteristics he acquired in each generation were lost at his death with the disintegration of his body.

Among the individuals who combined the supposition of Gobineau with the speculations of Weismann was a renegade Englishman named Houston Stewart Chamberlain, whose book, Die Grundlagen des Neunzehnten Jahrhunderts (The Foundations of the Nineteenth Century) raised the old "chosen people" delusion to a height of magniloquent absurdity which it had never before attained. Chamberlain simply and systematically classified all virtues and abilities under the heading "Teuton" and all vices and failings under that of "non-Teuton." After that one could see at a glance the superiority of the northern blond giant over the dark, stubby southerner. The Kaiser is said to have bought 30,000 copies of the book to be distributed where it would do most good. That the distribution was thoroughly efficient may be gathered by the loud and numerous echoes of these absurdities throughout Europe and America.

ALARMIST DOCTRINE IN UNITED STATES.

This statistical race ecstasy was fostered in Germany to give an appearance of scientific support to the position of the junkers and to bolster up the belief in the divine right of kings. But it was presented in America as a prophylactic against an imminent danger to mankind. In the books of Madison Grant, Lothrop Stoddard, and others, all the virtues which Chamberlain had monopolized for the Teuton were ascribed to the "Nordic," and the incense which Chamberlain, Woltmann, and Wirth burned before the idol of their own making was transferred to a shrine less bespattered by the venom of the World War.

It is significant that the authors of these publications devoted to self-admiration exhibit similar mental characteristics and qualifications and employ the same technique in setting down their dogmatic dicta. They are sentimentalists blinded by fear, staggering under a prejudice, and wholly lacking in any basis of scientific knowledge. Consciously or not, they base this fantastic farrago of cephalic indices, skull sutures, brain

weights, intelligence tests, and cultural stages on the very earliest and most antiquated ethnological postulates and shun the later investigations and the demonstrated conclusions of such anthropologists, physiologists, biologists, and psychologists as Ripley, Boas, Lowie, Dixon, Spencer, Haeckel, Lamarck, Pawlow, Cunningham, Stockard, Guyer, Smith, Griffith, Weigert, and Woodworth, to mention only a few of the most noted in each field. The situation has no parallel in science; it is as if some radio amateur, troubled by a nightmare, had studied the lightning experiments and accepted the conclusions of Benjamin Franklin and on the basis of that knowledge had published books and magazine articles alarming the public with his hysterical dread of the dangers of electricity.

At its best this amateur anthropology is a carefully reasoned plea in support of preconceived notions; the author never admits that his main thesis is not established and, in the present state of scholarship, is not capable of establishment, that his arguments rest on debatable assumptions and his determinations on most questionable evidence. The average product, however, is usually far below this level. In the main these volumes are monstrous statistical romances given a certain plausibility by the tone of solemn dogmatism, the use of quasiauthentic traditions, and the show of pseudoscientific method. As Professor Boas once put it:

> "Books of this type try to bolster up their unscientific theories by an amateurish appeal to misunderstood discoveries relating to heredity and to give in this manner a scientific guise to their dogmatic statements which misleads the public."

A Main Street President has pondered on the awful spectacle of a dying race thus presented; congressional committees have summoned and still summon the authors who voice this alarmist theory to ask their counsel on pressing problems and pending legislation; sensational magazines publish articles in which the patriotism of skin, hair, and language is exploited to the utmost; and the man in the street mumbles shibboleths and discovers ancestors in Walhalla. Yet contradictions and exaggerations abound on every page of these pseudoscientific treatises and absurdity vies with absurdity. Mr. Stoddard writes:

> "Our glorious civilization is the work of Nordics, sole possessors of the desirable mental qualities, who have taken their faith from Palestine, their laws of beauty from Greece, and their civil laws from Rome."

Mr. Grant says:

> "Europe was Germany and Germany was Europe until the Thirty Years' War. * * * When by universal suffrage the transfer of power was completed from a Nordic aristocracy to lower classes of predominantly Alpine and Mediterranean extraction, the decline of France in international power set in."

A report of some eugenic commission states:

> "Admit inferior races to dig subways and to labor as farmers, but sterilize them that they shall not act as seeds for future crops."

And again Mr. Grant:

> "One of the greatest difficulties in classifying man is his perverse predisposition to mismate."

A chorus of voices, indeed, a veritable cloud of witnesses, declare that though Christianity is essentially the religion of Mediterranean slaves, Christ was a Nordic. I have yet to read a book, however, which can avoid the confession that the great beginnings and the large achievements of European culture were made by the Alpine and Mediterranean stocks.

"NORDIC" THEORY DISPROVED BY MODERN SCIENTIFIC RESEARCH.

These advocates of the Nordic theory mislead the public; this is certain. What are the facts? Ever since Mendel, scientists have been testing the fluidity of human traits, and independent scientific experiments the world over have disproved Weismann's theory and have established beyond doubt the great fact that the human body is molded and modified by its environment, that it passes on to following generations the physical changes and mental habits which it acquires, and that these characteristics, whether acquired in prehistoric times or in the last generation, remain the same only as long as the environment is unchanged. In other words, science dismisses the idea that a tall, blond race settled in the North while a short, dark race occupied the South, and justifies the belief that through countless ages the northern people were bleached in complexion and were increased in stature, whereas the southerners were tanned and diminished in size by the climate and the living conditions peculiar to each division of the earth. We have had it demonstrated in the United States that minute modifications of both extremes toward a new type, or rather toward new types, best fitted to survive in the various sections of our vast country, take place within one or two generations.

As for the nebulous "Nordic," the latest anthropological analysis by Prof. Roland B. Dixon, of Harvard University, finds the origins of this type in the mixture of Caspian and Mediterranean types. It is safe to assume a "mixture" for the "Nordic," as for all other races, inasmuch as recent research has shown that the closest sort of contacts existed between North and South even in the earliest days of our civilization. The tens of thousands of Arabic coins which have been found on Swedish soil which date back to the first dynasties form one instance of the constant intercourse between the South, which wanted amber, and the North, especially Scandinavia, which needed bronze. War, however, was more effective as a means of merging the types than peace. Long before the great migrations of Goths to the equatorial regions, as a result of which northern blood infiltrated every people of the Mediterranean, there occurred Viking raids in which the warriors, if they got away at all carried off as many women as the ship would hold to bear more Vikings in the northern fastnesses. In later days conquests, invasions, alliances, and crusades brought alien armies into every spot of Europe and intermingled every type and people. The conclusion of anthropologists that "every modern race and nationality is of strongly mixed descent" is founded on many kinds of evidence.

These facts in themselves are sufficient to destroy the illusion of a perpetually superior race, responsible for a superior culture, but the preposterous impudence of this theory becomes fully apparent when we consider the history of civilization. We find, to begin with, that different nations or races are at various times in the vanguard of cultural development. Thus, in the fifteenth century the standard of civilization in China is much higher than that of Europe. Western Europe surpassed the Orient during the Renaissance, but western civilization was taken over and improved upon in many respects by the Japanese during the lifetime of the average middle-aged man. It is clear that a cultural advance is an inexplicable phenomenon; it is an accidental and fortunate combination of the right mind, the propitious time, and the proper place. Cultural expansion, the shattering of old walls, and the enlargement of life is always the result of a flash of genius in the powder magazine of economic and political conditions. If the leader is lacking or the time is unpropitious, the masses stagnate, whether they be white, black, red, or yellow. But though nothing can explain the rise and continuation of culture in primitive peoples, we see that after a certain stage the civilization of a race is the cumulative increment of all other cultures.

CULTURE ORIGINS DUE TO NON-NORDIC RACES.

Nowhere is this better illustrated than in the evolution of western civilization. The very first step of the "Nordic" from the primitive condition of the Stone Age to the higher era of bronze was impossible without southern help, because tin, a prerequisite for the bronze alloy, was lacking in the Scandinavian Peninsula. Whether this or other causes delayed their development, the fact remains that the northern peoples continued in a savage state for thousands of years, and it is precisely the races which our hysterical anthropologist regards as debased and inferior, which he would exclude from formative American, which have laid the foundations for whatever civilization the world now possesses, and which, in numerous instances, have reached such cultural heights as we are still unable to attain, for all the aid of precedent and example.

The truth is that the origins of culture are wholly Mongolian, Semitic, and Mediterranean. As Dr. Robert H. Lowie points out in his excellent book, "Culture and Ethnology":

> "Our economic life, based as it is on the agricultural employment of certain cereals with the aid of certain domesticated animals, is derived from Asia; so is the technologically invaluable wheel. The domestication of the horse certainly originated in inner Asia; modern astronomy rests on that of the Babylonians, Hindus, and Egyptians; the invention of glass is an Egyptian contribution; spectacles come from India; paper, to mention only one other significant element of our civilization, was borrowed from China. * * * It is worth noting that momentous ideas may be conceived by what we are used to regard as inferior races. Thus the Maya of Central America conceived the notion of the zero figure, which remained unknown to Europeans until they borrowed it from India; and eminent ethnologists suggest that the discovery of iron technique is due to the negroes."

It is a matter of common knowledge that literature and art, religion and ethics, as well as other esthetic, spiritual, and material expressions of humanity reached their apogee among the Greeks, Jews, and Romans, inheritors of this earlier culture, at a time when the northern barbarian was slowly evolving from a state of savagery. There is an intriguing coincidence in the fact that the Nordic apologist is thus attacking the nations to whose racial progenitors he owes an irredeemable debt and that the parvenu among civilized peoples is seeking to establish his superiority to the Spaniard and Greek, Jew and Italian, Mongolian and Arab. Without the inventions of India, China, and Egypt, inventions which the Jews, Greeks, and Romans passed on in an improved state, industry and agriculture, astronomy and mathematics, music and art might still be in a primitive condition.

A PROBLEM OF EUGENICS.

A discussion by the partisans of the Nordic theory, of the comparative merits of the various cultural contributions made by this or that race, or of the greatness of its heroes, or of its physical fitness, invariably ends with the Nordic on the debit side of the ledger, but this proves nothing because it is trivial and irrelevant. It simply indicates the existing confusion as to who and what constitute the individuality of a race. It is a demonstrated fact that the masses of every race are mentally on a par with the masses of every other race. After testing primitive intelli-

gence and comparing it with that of all types of white men, Professor Woodworth found no appreciable difference in the average of any of them except that the Igorrote of the Philippines, the Negrito and the pygmies of the Congo, were somewhat deficient. "This crumb," he writes, "is about all the testing psychologist has yet to offer on the question of racial differences in intelligence." Furthermore, each race contains every grade of intellectual capacity, ranging from the imbecile to the genius. The proportion of idiots and geniuses is regulated almost entirely by the social, economic, and political conditions in which each generation of the race happens to be living. Thus the perpetuation of any race as a whole means the perpetuation of many types—the undesirables, the inferior and the dead-level, as well as the gifted and the genius types. Hence, not only every homogeneous nation, but every nation which, like the United States, has become a vast racial melting pot, faces a problem in eugenics, viz, the problem of improving its stock.

In teeming Europe and Asia there is only one solution, the elimination of the inferior types of all races. But our own vast and sparsely settled country need not take up the surgeons' scalpel until it has tried therapeutics. It can wait to see the wondrous effects of its climate and soil, its principles of liberty and its democratic institutions. Unless all we know of the development of civilization is false, these basic gifts that America offers her immigrant will bring about the fullest expression and the finest flowering of his racial and individual qualities. If these qualities are not the vices and virtues of a single strain, but rather the characteristics of a cross section of mankind in which the gifts of each will supplement and enrich the rest, our country, like a great orchestra, will play such harmonies as no single instrument can produce. And that will mean not the passing but the making of a great race; that will be the concrete manifestation of the ideals and the mission of America.

The only humane provision in House bill 7995, which is the latest measure introduced by Mr. JOHNSON of Washington, and supersedes House bills 101 and 6540, is the clause known as the nonquota immigrant clause found on page 5, section 4, of the bill. This clause allows the admission, exempted from the quota restriction, of the wife, minor unmarried children, and father and mother over 55 of an American citizen. Nothing further can be said in favor of the bill.

Senate bill 2576, an immigration measure introduced by Senator REED of Pennsylvania, attempts to fix the basic quota of 2 per cent on the census of 1910. It is a better bill than the Johnson proposal, in that it avoids the stigma of discrimination which attaches to the Johnson measure providing for the 1890 census as a basis. In other respects, however, the Reed bill is even worse than the Johnson bill, because it does not contain the one good feature of the Johnson bill, the "nonquota immigrant" feature. It only provides that preference be given the wife and minor children under 21 of citizens of the United States. This preference provision is of no practical value.

It appears to me that both Houses of Congress are attempting to deal with the immigration problem without a scientific basis for a permanent immigration policy. None of the proposed measures undertake properly to cure the ills from which the immigration situation has been suffering during the last three years. Instead of uniting families there seems to be a tendency to separate them and keep them apart; instead of aiding the alien already here there seems to be a tendency to oppress him; instead of helping him bring his wife and children here and become a satisfied and grateful American citizen there is a tendency to leave him to the mercy of the fates and his wife and children to the hazards of a quota restriction.

This is not as it should be. Before any policies are adopted a thorough and impartial study of the immigration question should be made by an impartial commission of this Congress.

EXTENSION OF REMARKS.

Mr. GARBER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the bill H. R. 7959.

The SPEAKER pro tempore. Is there objection?

Mr. UNDERHILL. Mr. Speaker, reserving the right to object, will the gentleman tell us what it is?

Mr. GARBER. Adjusted compensation.

The SPEAKER pro tempore. The gentleman from Oklahoma asks unanimous consent to extend his remarks in the RECORD on the subject of adjusted compensation. Is there objection?

Mr. BEGG. Mr. Speaker, reserving the right to object, I would like to ask the gentleman if he will not withdraw that request.

Mr. BLANTON. Mr. Speaker, I ask for the regular order.

The SPEAKER pro tempore. Objection is heard.

Mr. FRENCH. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 6820, the naval appropriation bill——

Mr. CRAMTON. Mr. Speaker, before that I desire to call up——

Mr. GARRETT of Tennessee. Mr. Speaker——

The SPEAKER pro tempore. For what purpose does the gentleman from Tennessee rise?

Mr. GARRETT of Tennessee. I want to ask who made objection to the request of the gentleman from Oklahoma a moment ago.

The SPEAKER pro tempore. The gentleman from Texas demanded the regular order.

Mr. BLANTON. I did not object.

Mr. BEGG. Mr. Speaker, I object.

The SPEAKER pro tempore. The gentleman from Ohio objects.

MESSAGE FROM THE SENATE.

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

IN THE SENATE OF THE UNITED STATES,
March 19, 1924.

Resolved, That the Senate concur in the amendment of the House of Representatives to the amendment of the Senate No. 47 to the bill (H. R. 5078) entitled "An act making appropriations for the Department of the Interior for the fiscal year ending June 30, 1925, and for other purposes," with the following amendment, in which it requests the concurrence of the House, viz: In lieu of the matter proposed by the House amendment insert the following:

"For the purchase of the Bright Angel toll road, within the Grand Canyon National Park, $100,000, or so much thereof as may be necessary, to be immediately available and to remain available until expended: *Provided*, That no purchase shall be made of the said Bright Angel trail until the people of Coconino County, Ariz., shall have ratified such purchase by vote at an election for such purpose."

Resolved further, That the Senate agree to the amendment of the House of Representatives to the amendment of the Senate No. 60.

Resolved further, That the Senate further insists upon its amendments Nos. 15, 16, 17, 18, 19, 38, and 39, and that it agree to the further conference asked by the House on the disagreeing votes of the two Houses thereon.

Ordered, That Mr. SMOOT, Mr. CURTIS, and Mr. HARRIS be the conferees on the part of the Senate.

INTERIOR DEPARTMENT APPROPRIATION BILL.

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent, if that is necessary, to call up the bill H. R. 5078, the Interior Department appropriation bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan? [After a pause.] The Chair hears none.

Mr. CRAMTON. And I move that the House disagree to the amendment of the Senate to the amendment of the House to the amendment of the Senate No. 47.

Mr. BLANTON. What is that amendment?

Mr. CRAMTON. The Bright Angel Trail amendment.

The motion was agreed to.

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent to proceed for two minutes on this subject.

The SPEAKER pro tempore. Is there objection?

Mr. BLANTON. Mr. Speaker, reserving the right to object, can the gentleman tell us and will he tell us within the two minutes who this Bright Angel is?

The SPEAKER pro tempore. The Chair hears no objection.

Mr. CRAMTON. Mr. Speaker, there is a warfare waged against the appropriation that has been recommended by the House concerning the Bright Angel Trail leading down into the Grand Canyon, and I have spoken heretofore on this subject. I am constrained by the rules of comity between the two Houses, although that comity has not been observed in this matter at the other end of the Capitol. But I want to make this one statement now, that the opposition to the action recommended by the House centers in a man who, while denying that he is a party to any litigation concerning mineral claims now or for a number of years heretofore, was a party to litigation in the Supreme Court of the United States in 1920, and in that case his asserted rights were denied. It was denied that he had rights, but he is still, in defiance of that decision, maintaining possession of strategic points in the Grand Canyon National Park and has even in the past month interfered with the furnishing of water safe to drink to park visitors or the providing of facilities necessary to comfort and health.

Mr. BANKHEAD. Will the gentleman yield?

Mr. CRAMTON. In a moment—and that so far from not being a party to litigation, he has within a month been in conference with the Secretary of the Interior asking that in pend-

ing litigation over mineral claims in the Grand Canyon the hearing be postponed until after the adjournment of Congress so that he may attend the hearing upon it in Flagstaff. I now yield to the gentleman.

Mr. BANKHEAD. In view of certain precedents that have been established, does not the gentleman think it might be a good idea to send some marines out there to see the interests of the Government are protected?

Mr. CRAMTON. There might appear to be something in the gentleman's idea, in view of precedents that have been established. Another body in this Capitol has spent almost all its time in investigating scandals. I say the use of high official position to carry on a private warfare is a scandal that might also have attention. [Applause.] It has been suggested in another body that if this thing is continued an investigation will also be asked for. In Heaven's name, let us have the investigation. [Applause.]

EXTENSION OF REMARKS.

Mr. ABERNETHY. Mr. Speaker, I ask unanimous consent that my colleague [Mr. HAMMER] may extend his remarks, to be printed in 8-point type, on the rent act. He is a member of the District Committee.

The SPEAKER pro tempore. The Chair is informed that there can not be printed in 8-point type speeches delivered outside of the House of Representatives.

Mr. ABERNETHY. Well, this speech was delivered inside the House of Representatives.

The SPEAKER pro tempore. Oh, it is?

Mr. ABERNETHY. Yes, sir; it is his own speech.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina? [After a pause.] The Chair hears none.

THE NECESSITY FOR CONTINUING THE WASHINGTON RENT ACT.

Mr. HAMMER. Mr. Speaker, almost within a stone's throw of the Capitol Building and the splendid building which the Members of the House and the Members at the other end of the Capitol occupy we have wretchedness and misery.

Some three years of careful study and investigation of the situation convinced me that the statement is true that there are at least 30,000 residents of the District of Columbia inadequately housed, and because of exorbitant rentals they are crowded into congested quarters, forced to surrender the privacy of their homes, and to give up much that life holds dear in order to fill the pockets of a few rent profiteers. There are now approximately four instead of nine in the crowded one-room apartments.

A beautiful city is Washington, but behind its doors we find much that is not conducive to health and morality. And these conditions are not confined to the alleys.

So greedy are many of the landlords that repairs are not made, and they are letting the buildings fall into decay and filth that menace the public health. He does not forget to raise the rent, however, and thereby adds congestion to an already indescribably deplorable situation.

If an epidemic or conflagration should break out, it would be very difficult to stop it, and if the minds of the masses became inflamed it would take an armed force to quell mob violence. The people will be oppressed only so long and to a certain extent.

Investigations I have made convince me that after the war there was a disbanding of the war-emergency departments which threatened to deplete the population of the city about 20,000. It is not true that the departure was great enough to relieve the housing congestion. This was due to several causes:

First. A large number of the clerks separated from the service did not leave the city.

Second. During the war there were 8 to 10 people living in one room and making the best of it, because it was a national emergency.

Third. While some of the war workers went home, their places were quickly filled by others. Washington has taken the lead over all cities in the race for securing national headquarters of nation-wide business organizations. According to estimates made by the Merchants and Manufacturers' Association, there are upward of 300 organizations in this city with either national headquarters or a substantial permanent representation. This has grown up almost entirely during the war.

Fourth. The houses of the well to do thrown open to war workers were closed again.

Fifth. Houses which had been condemned before the war, but inhabited during the war, were ordered torn down by the authorities.

An investigation of the city shows that fully 20,000 people are living in crowded, insanitary dwellings, paying exorbitant rents. No houses are being built that will meet the requirements of the moderate salary.

Unjust and unreasonable and oppressive rentals are being demanded of tenants under prevailing conditions. There is no freedom of contract between landlord and tenant. The housing congestion is still great enough in houses renting for less than $60 per month—and to the great majority of the people—to menace public welfare, health, and morals.

Rent-restrictive legislation in Washington was enacted first in the fall of 1919, going into effect October 22, 1919. The Rent Commission of three members were recommended by the President and confirmed by the Senate, and the work of the commission commenced by February, 1920. The commission began in a small office on Pennsylvania Avenue and with a staff of half a dozen members. The number of cases filed in the early days was amazing, and it was soon obvious that the commission would have to be enlarged in order to take care of the work imposed upon it.

The act expired in October, 1921, and was extended until May of the next year. This short extension caused an unsettled condition that resulted in great hardships to both tenants and owners. Nothing is more destructive than the indefinite execution of a plan.

The declaring of the act unconstitutional by the Court of Appeals of the District of Columbia in June of 1920 made the situation even worse, unjust and unreasonable owners putting a frightful pressure upon intimidated tenants; enormous increases were demanded in rental, and threats of eviction forced the payment of such increases. This was a period, I am advised, that Washington will never forget, and to-day she shows scars of this terrific conflict between selfish interests and unfortunate masses. The Federal Supreme Court declared the act constitutional in April of 1921. This made the operation of the act more normal, and the commissioners were able to accomplish much more.

The act was extended from May, 22, 1922, for two years more, and will expire on May 22, 1924, unless it is continued, as it should be, under the bill now in committee.

When the act was declared constitutional the extremely interesting decision was written by Mr. Justice Holmes. This is an important decision. It is in part as follows:

> The fact that tangible property is visible tends to give a rigidity to our conception of our rights in it that we do not attach to others less concretely clothed. But the notion that the former is exempt from the legislative modification required from time to time in civilized life is contradicted not only by the doctrine of eminent domain, under which what is taken is paid for, but by that of the police power in its proper sense, under which property rights may be cut down and to that extent taken without pay. Under the police power the right to erect a building in a certain quarter of a city may be limited to from 80 to 100 feet; safe pillars may be required in coal mines; billboards in cities may be regulated; watersheds in the country may be kept clear. These cases are enough to establish that a public exigency will justify the legislature in restricting property rights in land to a certain extent without compensation. But if to answer one need the legislature may limit height, to answer another it may limit rent.
>
> Housing is a necessary of life. All the elements of a public interest justifying some degree of public control are present.
>
> But if the public interest be established, the regulation of rates is one of the first forms in which it is asserted, and the validity of such regulation has been settled since Munn v. Illinois.
>
> The statute is objected to on the further ground that landlords and tenants are deprived by it of a trial by jury on the right to possession of the land. If the power of the commission established by the statute to regulate the relation is established, as we think it is, by what we have said, this objection amounts to little. To regulate the relation and to decide the facts affecting it are hardly separable.

It has been truthfully said that no great war has ever been fought without the teaching of some great principles. The havoc created by the war in Europe made very plain the necessity for laws governing groups of people where community interests made common necessity, especially in densely populated communities like the District of Columbia, wherein the population exceeds more than 8,000 persons to the square mile. Mr. Justice Holmes has cited the public interest established in the regulation of rates, in the regulation of the height of buildings, and in regard to billboards, safe pillars in coal mines, and watersheds, and so forth.

Certainly the housing situation after the war which resulted in untold suffering in congested centers the world over has pointed to the fact that housing, too, takes on a public interest. Then why should we talk about a war emergency which is never so great while the war is being fought as during the period in the aftermath of war? Take, for instance, the War

between the States, as has been so well said by one of the witnesses before our subcommittee while considering the proposed execution of the rent act; everybody knows that what it took 5 years to do it has taken 60 years to undo; that the desolation and ruin in the States of the South is still in evidence in some sections of the country.

America knew none of the devastation that the countries of Europe knew, but one very definite result is shown in the even cruel congestion in the larger cities of the country. The great industrial cities of the Middle West felt the housing shortage very keenly, and some of them still feel it. Labor and materials had been allocated to war needs for practically five years. Few repairs had been made on any houses during that period, and 1920 found the United States with a shortage of some 2,000,000 dwelling places.

The two cities that felt this the most keenly were New York and Washington. New York always has its housing problem as it concerns immigrants, thousands of these people from every corner of the world pouring through Ellis Island into Manhattan every day. Both New York and Washington have limited areas. Washington grew from approximately 300,000 to 600,000 almost in a night. One must consider, too, that one-third of this 300,000 were colored people, who occupy perhaps half the floor space that the white people do. This increase to 600,000 was largely white, so the scarcity of housing was even greater than it would be were this not true. These people had to live somewhere. It is possible to go without necessary clothing and without necessary food; it is even possible to starve oneself; it is possible to deprive children of education and of all forms of refined amusement, but it is not possible to live without a roof over your head; the long arm of the law seizes the culprit who tries to go without shelter and forces shelter upon him at the Government's expense, as was so well said by one testifying before our subcommittee on this bill.

After the armistice had been signed and the Nation attempted to sit back in its armchair and become once more comfortable and normal, it found that this was an impossible thing to do. Not only this Nation but every nation in the world felt this shortage, and it began to be pretty generally understood that the housing problem was one that could not be left to adjust itself. Laws were passed in France, Austria, Italy, Finland, America; in fact, in very nearly all the countries of the world, relieving buildings of taxation, extending government aid, protecting tenants from unjust rentals, forcibly taking over certain space in residences to house the unsheltered. Some two weeks ago, or a little more, England and Italy passed rent-restrictive laws.

Many of you are familiar with the laws passed by New York and Washington. While they grew out of the war emergency itself, they have become increasingly more important as the months have gone by, the emergency ceasing to exist in the houses of the rich and becoming increasingly exaggerated where the pressure is always found to be the greatest, on the shoulders of the poor.

The difference between the laws in the District of Columbia and New York is chiefly this: Here we operate primarily through a commission empowered to determine and fix a just and reasonable charge for rental property; the New York law makes the fact that a rent is unjust and unreasonable a defense to an action for recovery through the courts.

DESCRIPTION OF THE ACT.

The act contains two definite features, the fixing of a fair and reasonable rental value and the protection of tenants in occupancy. The fixing of a fair and reasonable rental is based upon a certain per cent of net return on a true value of the property to-day. This the commission discovers by finding, usually, 8 per cent on the value and adding to that the annual expenditures, which include such items as taxes, water rent, insurance, repairs, replacements, depreciation, and the general cost of management with commissions to agent for same. The depreciation allowed by the commission, I am advised, is usually 1½ or 2 per cent on the present-day value of the structure. This value is usually discovered by multiplying the cubical contents by the cost of reconstruction per cubic foot, and then subtracting from that the depreciation for the number of years the building has been in existence. A nonfireproof building usually calls for from 2 to 3 per cent and a fireproof building for from 1 to 2 per cent. The commission allows the same depreciation in finding the net return for the year to follow the determination as it has used in discovering the depreciation to be subtracted from the cost of reconstruction. It is practically impossible for an owner to lose money on his property or for any such bugaboo as confiscation to be considered when so just a method of procedure is followed.

What is called the "possession feature" was within the jurisdiction of the Rent Commission until the act of 1922 extending the rent law, when certain landlords, together with their attorneys, appeared before the subcommittee, of which I was a member, in the consideration of the bill extending the rents act, for many days and weeks, with care and caution as to its provisions and wording proposed to transfer to the municipal court the power to make the provision of the act applicable to this feature. Finally it was agreed that this change be made, and, as I recall, the realtors agreed to it, but, so far as I am advised, it is admitted now that this was an unwise provision and has been unsatisfactory. The present bill restores the provisions of the former act providing for the Rent Commission to pass upon this question.

There are now five commissioners instead of three, and there seems to be good reason for returning to this original procedure of the rent act prior to the extension two years ago, as it is better for the commission itself to go into the bona fides of these transactions rather than a court which knows nothing of the acts leading up to the threat of eviction. In the past it has been the habit of landlords to serve a 30-day notice on the tenants to quit as soon as the landlord learns the tenants have taken advantage of the legislation enacted by the Congress for their protection. It is pretty safe to assume that were the Rent Commission to go out of existence on the 22d of May next there would be a wholesale eviction of tenants.

OPERATION OF THE ACT.

A hearing before the Rent Commission is initiated either by the tenant, owner, or agent, or the Rent Commission itself. Usually the tenant or owner files a petition to fix a fair and reasonable rent, whereupon the Rent Commission serves a copy of this appeal upon the defendant, this petition to be answered within 10 days. The case is then set for hearing. The commission acts as a jury and as judges, hearing both sides to the dispute, giving everyone connected with the controversy a fair chance to be heard in open court. Then follows a very careful and thorough inspection of the premises.

The commissioners inspect everything from the furnace to the roof gardens. They inspect the plumbing and the condition of the walls and floors. This is an extremely arduous task, and has taken much time and energy, to say nothing of expense in the way of automobile tires, gasoline, and so forth; the commission has no automobile for such inspections and is obliged to use personal machines or to pay for taxis. The case is then taken under consideration and a fair and just determination made to all.

COST OF THE COMMISSION.

The cost of operating the commission is, at the minimum, $90,000. If it is operated as it should be, it will cost from $100,000 to $115,000 to function promptly, properly, and efficiently.

THE CONDITION OF THE DISTRICT OF COLUMBIA HOUSING SITUATION AS COMPARED WITH OTHER YEARS.

In 1919 and 1920 the peak of population was reached in the District of Columbia. This is not generally realized, most people thinking that the large number of clerks left Washington when they were separated from the service following the signing of the armistice and the suspension of war activities. This was not true, however, a large number of clerks remaining here and new activities taking the place of war activities rapidly, bringing to the city hordes of new workers from all parts of the country. The population is probably as great to-day as it was at the peak of operations and it is growing steadily.

The congestion in the rooming houses is not so great as it was, but the oversupply is found principally in the shabby, dilapidated, run-down houses which really form the lower strata. There is still an undersupply of good, clean, well-ventilated rooms. The supply in one room, kitchen, and bath apartments is adequate to meet the demand, but the rental is too high to justify the clerk in the Government who desires such an apartment to occupy it.

I am fully convinced, after a careful consideration of the recent hearings before the District subcommittee, the congestion in the apartment house or dwellings at under $50 per month rental is greater than it has ever been, and the distress being felt by these people is not only pathetic but pitiful. There are sufficient houses for the rich, but the poor are suffering untold hardships in the District.

The need for high-priced dwellings and apartments, particularly the latter, has been fairly adequately met. However, it must be noted that although high-priced dwellings are on the market for rent, the floor space has been decreased to such an extent that even in this type there is a scarcity of houses for a family of more than two. The adequate supply is in one-room

and bath, or one room, kitchenette, and bath. Like sheep these builders have followed a few leaders and have cut up their floor space into hundreds of these little bachelor apartments. A cheap deal table and two chairs painted and costing about $12—but should not have to cost anything like that—two cupboards, consisting of two or three cheap little shelves for a partition; a silly little stove, with no place to broil, and a baking oven too small to bake a self-respecting North Carolina chicken; another insignificant little pine table, with two more shelves about it, and you have one of these so-called Pullmanettes. The realtors call this two rooms, although the only partition there is two misplaced shelves. Adding a 9 by 12 living room, with a Murphy bed on a door that swings to on the only closet, the agent hypnotizes the tenant into thinking this a three-room and bath apartment and into paying from $60 to $75 for it.

Money is tight, and the tighter it is the greater must be the established income to obtain it. The value of the property does not count as much in getting money as the income derived from it; or, putting it another way, money is loaned on a value boosted by bloated rent schedules.

The rate of interest on first-mortgage loans is 6 to 7 per cent, with 1 per cent commission or brokerage. On second mortgages the rates are higher, according to the risk involved and the personal element of character and financial responsibility of the borrower. The rate of interest can not legally be higher than 8 per cent, but a bonus is usually charged, from 5 to 40 per cent. One big builder said that if he needed money he did not care what he paid for it, and it could not be gotten without a heavy bonus.

There is small doubt but that the main reason small homes are not being built is found in the method of financing. An unconscious profit is being reaped through the discounting of these second mortgages.

A custom prevails among the builders to make a payment of 25 to 50 or larger per cent of the contract price on second or even third mortgage on the building to be erected. Before the contractor gets through with the buildings, as a rule, he gets a second or third mortgage on the building, and having taken them full par value is compelled to take his second or third mortgage received as part payment for the contract price of the building to one of these discounting corporation trust companies, where his second or third mortgage is cashed in for a discount of about 25 to 50 per cent, frequently 50 per cent or more.

The trust company which discounts these mortgages for contractors usually are connected with and partly owned by the landlord who is having his houses built. So it will be readily seen that instead of costing the landlord the contract price often costs him much less because of the interlocking of the arrangement by which he is benefited to the extent of as much as 25 per cent. In some instances the landlord, it is said, discounts these mortgages himself and carries them at a rate as high as 50 per cent.

One of these mortgage discount corporations ran for several issues an advertisement in all the Washington newspapers soliciting the public to purchase its 20,000 shares of preferred stock at $100 par value, with positive dividends of 8 per cent guaranteed in large headlines in these advertisements.

Attention was called to this matter at the hearings, and a portion of one of these advertisements, which might be called "How to get rich in one act," was placed in the hearings.

I have attempted an analysis of one of these mortgage and discount corporations which may be of sufficient importance to interest you. I take from the prospectus of one of these corporations appealing to the public:

(1) The capital stock consists of 20,000 shares of preferred stock at $100 par value with a positive dividend obligatory of 8 per cent per annum; and (2) 50,000 shares common stock of no par value. With each share of preferred stock will be allotted one share of common stock. Minimum dividend payable on common stock, as provided by charter, is $4 per share, with every prospect of its reaching a materially larger amount.

Thus each share of preferred stock has a potential dividend value of $12 on each $125 paid in. Possession of the common gives you a voting voice in the affairs of the corporation. An additional safeguard is placed on the preferred stock, in that the 8 per cent takes precedence and preference over the assets and earnings of the corporation.

Thus we have a prospectus which amounts to this:

The public is asked to pay in to capitalize the company—

20,000 preferred, $100 par (1), cash	$2,000,000
Bonus extracted from the public, obviously, for the common stock	500,000
Total cash asked from the public for capitalization, entire capital	2,500,000

(1) 20,000 preferred, $2,000,000; interest, at 8 per cent	$160,000
(2) 20,000 common, to public, $4 per share per annum	80,000
Total return to public for investment of $2,500,000, if the company earns sufficient	240,000
(2) 30,000 common retained without charge to the corporation, to earn $4 a share (as $360,000 is to $2,500,000)	120,000

Thus, though the entire capitalization secured from the public, the stockholders, $120,000, is retained of the earnings to go to parties unknown, a portion of the income is retained on a basis of prospectus, or 50 per cent of what the public would get; or one-third of the estimated earnings, one-third of the potential possibilities, are withheld from those putting up the capital.

Possession of the 30,000 shares common bars you from having a vote that would be effective in the corporation. The security is based on second mortgages of doubtful value, manipulated by interested people. Corporation must actually earn 14 per cent to pay even the above, without speaking of materially larger amount. This, I think, is not an unjust analysis, but is a fair sample of high financing in the Nation's Capital.

There is apparent an interlocking of the interest of the builder and financiers. In the advertisements to investors such large profits are shown in second mortgages that it is not an exaggeration to state that even counting out the exaggerations of the advertising writer the charges are not within the laws of legitimate profit.

There is no shortage in high-priced houses to satisfy the demands of the richer but lesser part of the population, a very small minority able to conform to scandalous financing practices prevalent in executing these second mortgages.

Enforcement of the claims of tenants for rentals paid in excess of amounts fixed by the commission, which, under the present rents act, is a function of the office of the attorney to the Rent Commission, presents a difficulty for which a remedy is provided in the present bill in which it is proposed to continue the rent act to August 1, 1926. The law at present provides that suit may be brought in municipal court and judgment obtained for the amount finally due the tenant. It frequently occurs that after determination and even after judgment is obtained the rental premises involved are sold without notice to the new purchaser of the pending claims of these tenants and the purchaser thereupon discovers an indebtedness which was not disclosed in the report provided him by the title company. On the other hand, the commission had several cases wherein the former owner was "judgment proof" or had created conditions so that a judgment against him could not be collected. For the best interest of the public, therefore, it is deemed advisable to provide by law that when a determination of the Rent Commission shows an amount due for excess rent paid by the tenant, it should be the right and duty of the tenant to enter notice thereof in the clerk's office of the Supreme Court of the District of Columbia, thus docketing his judgment. When this is done it is a lien or judgment of the same force and effect as any other docketed judgment, and why should it not be? If this is not done, the liability does not pass with the property to the new purchaser. Thus both sides are fairly and fully protected—the purchaser against unknown claims and the tenant against landlords who try to evade their obligations by "wash sales."

NAVAL APPROPRIATION BILL.

Mr. FRENCH. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 6820) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1925, and for other purposes.

The SPEAKER pro tempore. The gentleman from Idaho moves that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 6820, the naval appropriation bill. The question is on agreeing to that motion.

The motion was agreed to.

The SPEAKER pro tempore. The gentleman from Illinois [Mr. GRAHAM] will resume the chair.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 6820, the naval appropriation bill, with Mr. GRAHAM of Illinois in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 6820, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 6820) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1925, and for other purposes.

The CHAIRMAN. The Clerk will proceed with the reading of the bill for amendment.

The Clerk read as follows:

PAY, MISCELLANEOUS.

For commissions and interest; transportation of funds; exchange; mileage and actual and necessary expenses and per diem in lieu of subsistence as authorized by law to officers of the Navy and Naval Reserve Force while traveling under orders, and for traveling expenses of civilian employees; and for mileage, at 5 cents per mile, to midshipmen entering the Naval Academy while proceeding from their homes to the Naval Academy for examination and appointment as midshipmen; for actual traveling expenses of female nurses; actual expenses of officers while on shore patrol duty; hire of launches or other small boats in Asiatic waters; for rent of buildings and offices not in navy yards; expenses of courts-martial, including law and reference books, prisoners and prisons, and courts of inquiry, boards of inspection, examining boards, with clerks, and witnesses' fees, and traveling expenses and costs; expenses of naval defense districts; stationery and recording; religious books; newspapers and periodicals for the naval service; all advertising for the Navy Department and its bureaus (except advertising for recruits for the Bureau of Navigation); copying; ferriage; tolls; costs of suits; relief of vessels in distress; recovery of valuables from shipwrecks; quarantine expenses; reports; professional investigation; cost of special instruction at home and abroad, including maintenance of students and attachés; information from abroad and at home, and the collection and classification thereof; all charges pertaining to the Navy Department and its bureaus for ice for the cooling of drinking water on shore (except at naval hospitals), and not to exceed $175,000 for telephone rentals and tolls, telegrams and cablegrams; postage, foreign and domestic, and post-office box rentals; for necessary expenses for interned persons and prisoners of war under the jurisdiction of the Navy Department, including funeral expenses for such interned persons or prisoners of war as may die while under such jurisdiction, and for payment of claims for damages under naval act approved July 11, 1919; and other necessary and incidental expenses; in all, $2,500,000: *Provided*, That no part of this appropriation shall be available for the expense of any naval district unless the commandant thereof shall be also the commandant of a navy yard, naval training station, or naval operating base: *Provided further*, That the sum to be paid out of this appropriation, under the direction of the Secretary of the Navy, for clerical, inspection, and messenger service in navy yards and naval stations, for the fiscal year ending June 30, 1925, shall not exceed $560,000.

Mr. ROGERS of Massachusetts. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Massachusetts moves to strike out the last word.

Mr. ROGERS of Massachusetts. I ask unanimous consent, Mr. Chairman, that I may proceed for 10 minutes in the discussion of the conference ratio.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to proceed out of order for 10 minutes to discuss the matter mentioned by him. Is there objection?

There was no objection.

Mr. ROGERS of Massachusetts. Mr. Chairman, the question is being widely discussed, both in technical quarters and in popular quarters, as to whether the United States in the last two or three years has actually maintained its treaty ratio as laid down in the Washington conference agreement of 1921–22. I want to read in this connection a paragraph from a speech made by Capt. Dudley W. Knox, an officer of the United States Navy attached to the Office of Naval Operations, on this point. The speech was delivered on December 6 last before the District of Columbia Department of Reserve Officers. I should like to call the especial attention of the gentleman from Idaho [Mr. FRENCH] to his statements. Captain Knox said:

We are not keeping up the ratio of naval strength agreed upon for the United States at the Washington conference. We have already fallen so far behind the other nations that our Navy is only half as powerful as it is supposed to be. Our battleship force instead of being equal to the British in this type is only half as strong; this is due to the fact that their ships are modernized while ours are not. We need about 50 per cent more personnel than is in the Navy to-day if the treaty Navy is to be properly maintained on a peace basis. To approach our ratio of strength in auxiliary ships we should have at least 18 more high-speed cruisers of about 10,000 tons each, and 11 more large submarines of long cruising radius.

Here we have the explicit statement by a naval officer of high rank to the effect that the famous 5–5–3 naval ratio, as among Great Britain and the United States and Japan, has become a 5–2½–3 ratio, and that the United States to-day has the unenviable position of being the last in the scale. One of two things follows: Either Captain Knox is wrong and should be reprimanded for misleading this country; or Congress—and for that matter the administration—should be taken to task for allowing the Navy to be weakened to the point where the United States has become the third world power in strength, instead of tying Great Britain for naval supremacy.

Mr. COOPER of Wisconsin. Mr. Chairman, will the gentleman yield for a question?

Mr. ROGERS of Massachusetts. Yes, indeed.

Mr. COOPER of Wisconsin. Does the gentleman remember that certain officers of the Navy assured Mr. Secretary Hughes and Assistant Secretary Roosevelt a year ago or more when we were in session that the British were elevating their guns and doing other things greatly to increase their power on the sea and in direct violation of, if not the letter, then the spirit of the Washington conference, and that subsequently both Secretary Hughes and Assistant Secretary of the Navy Roosevelt publicly admitted that they had been misled or misinformed and retracted their statements? Now, then, is the same officer or officers like him now furnishing this information that we are running behind either in the ratio?

Mr. ROGERS of Massachusetts. I shall try and deal with the point made by the gentleman from Wisconsin in a moment.

Mr. LITTLE. Mr. Chairman, will the gentleman yield for a question right there, to go with that?

Mr. ROGERS of Massachusetts. Yes.

Mr. LITTLE. Might it not be that the reason for the discrepancy was that the British had modernized their fleet? Will you in your discussion tell us when they did modernize it and how?

Mr. ROGERS of Massachusetts. Yes, I will do that.

A very able speech was made in the House last Saturday by a very able Member whom we all respect and admire, the chairman of the Naval Subcommittee [Mr. FRENCH]. In his speech Mr. FRENCH said:

There is no question in the minds of the members of the committee that the Navy of the United States is adequate under the basis of the treaty ratio. We have our allotted number of ships, to start off with, of the capital type; we have an excess number in some other types, as to which the number is not limited; other nations have excesses in some other lines. We are not well rounded out in some types. We shall need as we go along, probably, to modify the number of ships of different types, and other nations will need to do the same. But there is no question in the minds of the members of the committee that our Navy is second to none in the world. [Applause.]

The gentleman from South Carolina [Mr. BYRNES], who is highly skilled on this subject and has given it as much attention as any man in the House unless it be the gentleman from Idaho, said this, a little later in the same session:

We really ought to provide for aircraft and cruisers that would put us on an equality with any other nation. I have been an advocate of economy in Government, but when it comes to the Navy I do not want a Navy superior to any other power, but I do not want a Navy that is inferior to any other power on the face of the earth.

While I do not wish to misinterpret the gentleman from South Carolina, I gathered from his statement that he agreed with the comment of the gentleman from Idaho that at this moment our Navy is equal to that of Great Britain and does maintain the treaty ratio. If I am incorrect in that, I should like to be informed.

Mr. BYRNES of South Carolina. The gentleman is incorrect. I referred to the fact that in so far as cruisers are concerned we were certainly deficient as compared with Great Britain.

Mr. ROGERS of Massachusetts. Of course, I am dealing with the Navy as a single unit for this purpose, as the gentleman from Idaho was and as I thought the gentleman from South Carolina was. Does he think that upon that general comprehensive view our Navy maintains the 5–5–3 ratio?

Mr. BYRNES of South Carolina. I do not.

Mr. ROGERS of Massachusetts. Neither do I.

Mr. VINSON of Georgia. Is it not a fact that a larger Navy did exist after the conference?

Mr. ROGERS of Massachusetts. Yes.

Mr. VINSON of Georgia. The ratio is based entirely on tonnage. As a matter of fact, the four old ships of the capital line have 12-inch guns, while there is not a single British ship

that has a 12-inch gun. So the ratio is simply a question of tonnage.

Mr. ROGERS of Massachusetts. It is difficult—and every man who has studied this question knows it is difficult—to arrive at an exact appreciation of what the true ratio is. Many factors enter into the question, and skilled opinions will vary widely as to the appropriate interpretation of admitted facts.

What I want to do in the few minutes I have—and what I want to do in more detail in printing my remarks—is to lay before the House the admitted facts, which will enable each of us to make up his mind for himself. I hope that Congress will interpret these facts rightly and act accordingly.

Let me say emphatically—and in this I corroborate the statement just made by the gentleman from South Carolina [Mr. BYRNES]—that I think it can not be questioned that, whether the figures and the ratio as given by Captain Knox are correct or not, the United States is not to-day anywhere near naval parity with Great Britain.

Mr. SNELL. Will the gentleman yield?

Mr. ROGERS of Massachusetts. Yes.

Mr. SNELL. I am certainly very much surprised at the gentleman's statement. It is information to me anyway. Why have we been destroying large ships—as I suppose we have been doing—if we are so much behind the naval powers of the world?

Mr. ROGERS of Massachusetts. We have been complying with the agreement reached at the Limitation of Armament Conference. I think I can say that as far as capital ships are concerned we are falling behind in quality what is allowed to us by that treaty.

Mr. SNELL. Why should we destroy capital ships if we are *falling behind*?

Mr. ROGERS of Massachusetts. Because we agreed to do so.

Mr. SNELL. I supposed we agreed to destroy them in order to get down to a certain basis.

Mr. ROGERS of Massachusetts. Let me explain exactly what I mean. To-day the United States has dropped behind in the 5–5–3 standard, so far as capital ships are concerned, through the deterioration of 4 of the 18 capital ships which we were allowed to retain under the Washington treaty of 1921–22. Those 4 vessels—*Florida*, *Utah*, *Wyoming*, and *Arkansas*—which have been very much discussed in the newspapers of late in connection with the Caribbean Sea maneuvers, were all among the 18 which were reserved to the Unitd States by that treaty.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ROGERS of Massachusetts. May I have five minutes more?

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to proceed for five additional minutes. Is there objection?

There was no objection.

Mr. ROGERS of Massachusetts. Under the treaty the date when each of the 18 may be replaced is explicitly provided. The four vessels which I have mentioned can not be replaced until 1934 and 1935. For compelling reasons of safety, growing out of the disclosures in connection with the operations in the south, the boiler pressures on these four vessels have been reduced from 220 pounds to 180 pounds. That involves a reduction in steaming speed of from 20 knots per hour to 12 knots or less an hour. I do not need to suggest to the Members of this House that when you reduce the speed of a vessel to 12 knots an hour you take her out of the battle line for any efficient purpose. She can not even take part in maneuvers, let alone be considered as fighting material in the event of an emergency. The four vessels in their present condition are lost to us for battle and also for peace-time purposes. They simply can not hold their places in the line.

According to the statements of the Navy Department, which I think are not controverted, in order to restore these four vessels to worth-while battleship strength it is necessary to do two things: First, to convert them into oil burners, and second, to give them additional torpedo and deck protection, which would cost altogether for the four vessels the sum of $11,500,000, as estimated by the Navy Department.

I understand that the Acting Secretary of the Navy, in view of the revelations of the maneuvers, has very recently taken this matter up anew with the Director of the Budget.

Now, gentlemen, as things now stand, with those four vessels out of the battle line, we have a ratio of 5–4–3 instead of 5–5–3, with the United States reduced in its unit from 5 to 4. There are two other vessels—the *New York* and the *Texas*—that are gradually getting toward the same level as the other four, as just described. If those two vessels are not restored, reconditioned, and converted into oil burners within a year, they also will be put out of commission for practical purposes, just as is the case with the other four. In other words, if the United States does not authorize within a year the reconditioning of these last two vessels, the ratio will have become 5–3½–3, and the United States will find herself a trifle superior, but only a trifle superior, to Japan and well behind the strength of Great Britain.

So far as cruisers are concerned, to which the gentleman from South Carolina [Mr. BYRNES] has referred to-day and previously in his speech, the condition is much more serious. The British Empire has 50 cruisers built since 1910, building or authorized; the United States has 10, and Japan has 29. The ratio in respect to cruisers is: Great Britain, 5; United States, 1; Japan, 3. If you take them on a tonnage basis instead of in accordance with their numbers, the ratio becomes 5 for Great Britain, 1½ for the United States, and 3 for Japan.

Beyond that, we are told within the last week that Great Britain, in spite of the fact that the new labor government has just come into power, is going to lay down five more cruisers. Under date of February 21, 1924, the parliamentary secretary to the Admiralty, Mr. Ammon, said——

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

Mr. ROGERS of Massachusetts. Mr. Chairman, I ask unanimous consent to proceed for two minutes more.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to proceed for two additional minutes. Is there objection?

There was no objection.

Mr. ROGERS of Massachusetts. The parliamentary secretary to the Admiralty said:

> The Government have decided, in view of the serious unemployment, to proceed with the laying down of five cruisers—three of which will be built in the royal dockyards—and two destroyers.

Tenders will be invited at once from contractors so that it will be possible to proceed with the work as soon as the necessary parliamentary sanction has been given.

And the estimates which were announced a week ago to-day in Parliament show that five new cruisers have in fact been provided for, and two destroyers in addition. So that when those cruisers are added to the 50 of the British Empire we have 55 as their total, as compared to the 10 which the United States has built, is building, or has authorized.

Now, Mr. Chairman, in my prepared statement I have proceeded in some detail in this same vein. I have taken up, class by class, the vessels which go to make up the American Navy, the British Navy, and the Japanese Navy. I have tried to show in compressed form exactly how the three powers stand to-day in accordance with the latest estimates and figures which are available. I think that the Members of the House will be convinced that something needs to be done, and needs to be done very quickly, if we agree, as I believe we do agree, that the 5–5–3 ratio represents a sound naval policy for the United States.

And, Mr. Chairman, in order that I may make this information available in printed form I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. HOWARD of Nebraska. Will the gentleman yield?

Mr. ROGERS of Massachusetts. I yield.

Mr. HOWARD of Nebraska. The gentleman from Massachusetts should understand that all of this House lifts its hat to him in the matter of knowledge of naval affairs. Let me now see, as one landlubber in the House, what the contention of the gentleman is. Does the gentleman mean to tell us that the United States is keeping faith with its pledge at the Washington disarmament conference and that England is not?

Mr. ROGERS of Massachusetts. I think the United States is falling below the maximum which was permitted her by the Washington conference. I have heard it said on this floor that we had an obligation to keep up to the five. I never believed that myself. I thought our obligation was merely not to go above the five. I think Great Britain has kept faith implicitly, as far as any information which has come to me would indicate. I think that Japan has complied perfectly with her obligations. In this connection we should note that because of the earthquake horror there has resulted a postponement of the completion of her building program for a year, from 1927 to 1928.

As things now stand, I have shown that the United States has lost four ships from her battle line. The comparative total of the three powers becomes—

Great Britain	580,450
United States	405,000
Japan	301,320

a position for the United States of below a 5–4–3 ratio.

Two other ships, the *New York* and the *Texas*, within a year will reach the depth of inadequacy to which the four just mentioned have fallen. Although to-day the *New York* and the *Texas* are not quite as ineffective in boiler efficiency as the four ships previously mentioned, both of them are in need of conversion and within a year, I repeat, will be as inefficient as the others. If we do not immediately authorize the conversion to oil and the installation of additional protection, 6 of our 18 battleship units will have become ineffective. Our total ratio would then become—

Great Britain	580, 450
United States	351, 000
Japan	301, 320

or worse than 5–3½–3.

The cost of reconditioning the *New York* and *Texas* would be $6,800,000. Chairman BUTLER, of the Naval Affairs Committee, has recently introduced a bill (H. R. 6580) for this purpose, and President Coolidge has stated that the passage of such a bill would not conflict with his financial program.

Cruisers.

[Cruisers built or authorized since 1910.]

	Ships.	Tons.
British Empire	50	239, 630
United States	10	75, 000
Japanese Empire	29	176, 680

Ratio in number of cruisers is, Great Britain, 5; United States, 1; Japan, 3, and on tonnage basis about 5–1.5–3.

To comply with the spirit of the limitation of armament treaty, therefore, in so far as Great Britain is concerned, the United States needs to construct 199,020 tons of cruisers, and in so far as Japan is concerned, 219,466 tons of cruisers.

At the Conference for Limitation of Armament Secretary Hughes proposed the limitation of auxiliary combatant craft, which included cruisers, but this proposal was not incorporated in the final treaty. At that time both the British Empire and the Japanese Empire were superior to the United States in completed modern cruisers, and since the treaty have continued to increase their cruiser strength.

For many years prior to the World War the United States had concentrated on building capital ships, realizing that the primary element of a navy second to none is a battleship fleet second to none. These battleships gave our statesmen an attentive hearing at the arms conference. While building those ships we had deferred building cruisers; but other powers, notably the British and Japanese Empires, built cruisers concurrently with battleships, so that now they have an overwhelming superiority in cruisers. Twenty 10,000-ton cruisers are now required to bring our cruiser tonnage to the treaty ratio for capital ships of the British Empire and twenty-two 10,000-ton cruisers are required to bring our cruiser tonnage to equal the ratio 5–3 of Japanese cruiser tonnage, even if their existing programs are not augmented.

But even aside from attaining our treaty status and proper relative strength an efficient fleet needs vessels that can scout and gather information when opposed by enemy cruisers, vessels that can beat off destroyer attacks and break through enemy destroyer screens, swift vessels that can protect convoys and maintain their speed in rough weather. The destroyers, of which the United States has a sufficient number, except for flotilla leaders, are incapable of performing these duties.

The Secretary of the Navy has asked for eight light cruisers for 1925. None has been authorized. The Butler bill, mentioned above, H. R. 6580, would authorize the President to have constructed eight scout cruisers, carrying protection and armament suited to their size and type, to have the highest practicable speed and greatest desirable radius of action, and to cost, exclusive of armor and armament, not to exceed $11,100,000 each. As to this also the President has stated that the proposal is not in conflict with his financial program. The cost of our most modern cruisers hitherto built is about $7,000,000 each.

Destroyers.

(First line effective, built or authorized.)

Great Britain, 201 ships; including 18 destroyer leaders.

United States, 288 ships; no destroyer leaders, but including 14 mine layers.

Japan, 93 ships; no leaders.

Or ratio in numbers, 5–7–2.

It should be noted that a large proportion of United States destroyers are tied up and are fast becoming obsolete

Submarines.

[Built and building, 485 tons and over.]

	Ships.	Tonnage.
British Empire	41	47, 130
United States	99	76, 388
Japan	74	75, 413

Tonnage ratio, 4.7–7.6–7.5.

Of these, the United States has no mine layers or cruiser submarines, important types in fleet action, as shown by the use the Germans made of them.

To have 5/3 the strength of Japan we require 5/3 × 75,000, or 125,000 tons. United States deficiency is thus 49,000 tons.

Of the United States submarines, 43 are from 485 to 569 tons; while of the 74 Japanese boats not one is less than 689 tons, and 63 are over 900 tons. So that of our 76,388 tons as compared with Japan's 75,413 tons, 56 only of our boats are comparable in size with her 74. The United States deficiency is therefore much in excess of 49,000 tons, if effective vessels are to be considered.

Japan has 41 submarines building or projected, 23 of which are over 1,000 tons. That means they can cruise long distances. Eleven were completed in 1922–23. As previously stated, the United States has no cruiser or mine-laying submarines.

Six United States submarines of those authorized in the naval act of 1916 have not been started because no funds have been appropriated for them. Money for work on three of these has been asked for in the Budget for 1925. The Secretary of the Navy in his annual report for 1923 expressed the hope that a future Congress will appropriate funds for the remaining three of this program, and further recommends the authorization and appropriation of funds for three new submarines of the cruiser type.

Aircraft carriers.

[Limited by treaty to 135,000 tons for United States and Britain and 81,000 tons for Japan.]

	Number of carriers.	Tonnage.	Total.
British	3 completed	48, 190	
Do	3 building	56, 300	104, 490
United States	2 building	66, 000	
Do	1 built	12, 700	78, 700
Japanese	2 building	53, 900	
Do	1 built	9, 500	63, 400

Ratio of 5–4–3.

The question has been asked what effect the earthquake would have upon the naval plans of Japan. I am advised that its only effect has been to result in the postponement of the completion of the building program from 1927 to 1928.

Summary.

Type.	Required to maintain 5–5–3 position.	Secretary recommends in his annual report, 1923.
Battleships	Install oil burners and give additional deck and torpedo protection in the case of six vessels.	Install oil burners and give additional deck and torpedo protection in the case of six vessels.
Cruisers	With Japan, 22 of 10,000 tons each; with England, 20 of 10,000 tons each.	8 of 10,000 tons each.
Submarines	With Japan, 49,000 tons; with England, none.	Appropriation to finish 6 already authorized and to begin 3 new cruiser submarines.

On the whole, it must be concluded that America as a naval power is rapidly falling behind the conference ratio and that unless Congress takes prompt and vigorous action the disparity will seriously imperil our security. Even as things now stand, the relative inferiority of the United States means that in the event of a supplementary naval limitation conference we should not be in nearly as strong a position as in 1921 to secure anything like the appropriate reductions from the principal powers of the world.

Battleships.

[Ships retained and dates when replacements are allowed by treaty.]

	1922		1924		1925		1934		1936	
	Ships.	Tons.	Ships.	Tons.	Ships.	Tons.	Ships.	Tons.	Ships.	Tons.
British	22	580,450	22	580,450	20	558,950	18	528,950	15	525,000
United States	18	500,650	18	525,850	18	525,850	17	525,450	15	525,000
Japanese	10	301,320	10	301,320	10	301,320	10	308,820	9	296,320

The CHAIRMAN. The time of the gentleman has expired.

Mr. FRENCH. Mr. Chairman——

Mr. BLANTON. Mr. Chairman, I rise in opposition to the pro forma amendment.

The CHAIRMAN. The gentleman from Idaho is recognized.

Mr. FRENCH. Mr. Chairman, I want to offer a few observations upon the subject that the gentleman from Massachusetts [Mr. ROGERS] has discussed. First, I have respect for Captain Knox and for his estimates upon the Navy of the United States and other navies; at the same time this is a subject as to which the authorities are not all one way. I believe Captain Knox greatly exaggerates the situation, though he does so without intent. Other students of the naval establishments of the different countries believe that the United States is abundantly strong from the standpoint of ratio, and, in fact, many urge that it is stronger than other countries. However, omitting to discuss the opinions of men, let me refer to just a few facts that are pertinent to the question from the standpoint of ships that were allocated to the different nations, and especially to Great Britain, the United States, and Japan.

The situation to-day is practically the same as it was at the time the limitation conference came to an end two years ago and when the treaty was finally ratified by the last nation to ratify the treaty, on August 28 of last year.

Turning first to the ships of the capital line, the United States has 18, Great Britain 18, and Japan 10. If any mistake was made, it was made two years ago by those having in charge the designation of particular capital ships from the ships of the Navy of the United States that might be retained in comparison with capital ships that might be retained or finished by Great Britain and Japan. There is nothing to show that any mistake was made. Some of the ships we retained were old, comparatively speaking, but so were some of the ships retained by Great Britain and by Japan. I could wish we could have maintained more modern ships than some of the ships we did retain, but it was a question, if gentlemen will remember, in part, not only of satisfying Great Britain and Japan, but a question, too, of economies within the United States. You will remember, as I recall it, that the four ships that could possibly have been completed to take the place of the four ships that broke down at Panama would have cost approximately $60,000,000, in addition to what had been spent upon them, if the United States had completed those ships at that time, instead of retaining as part of the Navy the four ships to which the gentleman referred.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. FRENCH. In just a moment. Now let us see with regard to the ships that broke down. We are told by the head of the Bureau of Engineering that for an expense of $100,000 those ships can be put back into the fleet, and three of them I believe will be put back into the fleet within 60 or 90 days. They will not be altogether efficient, but they will be efficient to do service during the year 1925. This refers to temporary overhauling. However, let us consider more extensive improvements. By an expenditure of approximately $375,000 apiece their coal burners can be largely replaced and they can be made comparable to the other coal-burner ships of our Navy. Or by an expenditure of approximately $3,400,000 to install oil burners they can be made fairly comparable to oil burners of the same type, and be made to do the service that would be expected of ships of that type.

Now, let me compare our capital ships with the capital ships of Great Britain. That question was before our committee. We asked representatives of the Navy Department in regard to those ships, and I will say that we knew the ones that were in the poorest state of repairs, and finally we asked in regard to the ships generally making up the capital ships. I asked this question of Colonel Roosevelt, the Assistant Secretary of the Navy:

Is it true that on an average our capital ships are more modern and are better ships in every way than the British ships?

What was the answer of Colonel Roosevelt:

Yes; on an average.

Then Colonel Roosevelt followed with this statement:

I remember an expression used by Admiral Chatfield, at the time we were talking about that.

And he then referred to conversations at the time the limitation conference was on:

He said—

That is, Admiral Chatfield—

the tail of your [United States] column is not as good as the tail of our [British] column, but the body of your column and the head of your column are very much better than any of the rest of our column.

So much, then, for the capital ships.

I now yield to the gentleman from Iowa.

Mr. GREEN of Iowa. The gentleman is probably well aware that distinguished English authorities contend the same as was stated by Secretary Roosevelt, namely, that the American battleship fleet is much superior to the English battleship fleet. I saw an article to that effect from a distinguished English authority just the other day.

Mr. FRENCH. Yes; there is no doubt about that.

Then, with regard to the ships that may be maintained under the treaty and as to which there are no limitations, I recognize that in cruisers we are outclassed by Great Britain and by Japan.

On the other hand, in destroyers we outclass either Great Britain or Japan.

Mr. GREEN of Iowa. Both of them put together.

Mr. FRENCH. Yes. I am reminded, both of them put together. More than that, from the standpoint of efficiency of our submarines, there is no question that there we stand again the peer of any other nation, and I stand upon the statement I made under general debate, that we are second to none, and that we are maintaining our proper ratio under the treaty.

I want to refer to two or three other matters that the gentleman in his speech has suggested. From the standpoint of officers and men, how do we rank? At this time we carry in the law for the current year appropriations for 86,000 enlisted men, 4,529 line officers, and 2,000 staff officers, 19,500 marines, 2,000 marine officers, approximately, or a total of 114,039. If you leave your marines out entirely—and it has been debated whether or not there are those in the British Navy that are comparable with our marines—we have of officers and men upward of 92,000.

The CHAIRMAN. The time of the gentleman from Idaho has expired.

Mr. FRENCH. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. FRENCH. Great Britain at this time has of officers and men in her establishment 99,500, and it is considered that she will probably ask for 100,500 next year.

Mr. LITTLE. Mr. Chairman, will the gentleman yield?

Mr. FRENCH. Yes.

Mr. LITTLE. The gentleman from Massachusetts [Mr. ROGERS] quoted a naval captain who said that by modernizing her ships England had gained a very considerable advantage over us. Was that due to our carelessness or to their breach of good faith? I think we better get to the point and find out if something of that kind has happened. We must have been indifferent and not have lived up to our opportunities, or they must have slipped in on us.

Mr. FRENCH. Let me say in response to the question of the gentleman from Kansas [Mr. LITTLE] that as to the statements that were made touching modifications of British ships in the elevation of guns, as to which there was considerable discussion a year ago, it has been very satisfactorily represented to our Government, and we are fully assured that those modifications were not made after the conference, but that whatever modifications were made were made prior to that time.

Mr. NEWTON of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. FRENCH. Yes.

Mr. NEWTON of Minnesota. It is true that modifications were made prior to that time, but they were made following the experiences gained in the battle of Jutland in the late war.

Mr. FRENCH. I have no doubt about that.

Mr. NEWTON of Minnesota. And it is also true that if we do not change our elevations we will be outranged by a considerable number of British capital ships.

Mr. FRENCH. That is true.

Mr. NEWTON of Minnesota. Then does not the gentleman think that this Congress ought to reauthorize an expenditure of a sufficient amount of money to change those elevations?

Mr. FRENCH. That is a question for the naval legislative committee.

Mr. LITTLE. Does the gentleman from Minnesota mean that we have been careless in this and indifferent?

Mr. NEWTON of Minnesota. I do not mean anything of the kind. The gentleman from Idaho, of course, does not contend that a change in the elevations, such as has been suggested, is desirable, would in any way violate the terms of the naval treaty, or that any nation has suggested it would violate the terms of the naval treaty.

Mr. FRENCH. I do not believe it is necessary for me to discuss that particular question at this time. The ships and the gun ranges that we have are precisely the same as they were at the time the Limitation of Armament Conference was concluded, and the question of whether we could properly under the treaty modify the elevation of guns is a question that I do not think is necessary to be considered at this moment.

Mr. LITTLE. Might I add that it would be necessary in a fight to know about that, would it not?

Mr. FRENCH. There are one or two other matters in connection with maintaining our ratio that I desire to discuss, and one of them is the possible naval budgets for Great Britain and Japan for the coming fiscal year. In this bill we carry something more than $294,000,000.

I do not know what the present ministry in England is going to recommend to Parliament. The ministry that went out of power some 60 days ago, according to newspaper reports, proposed to recommend a budget of approximately £59,300,000, or something like $297,000,000. After the present ministry came into power it was suggested that a reduction of £5,000,000 would be made, and there seemed to be considerable adverse reaction on the subject in the press of Great Britain. I think that we can look to Great Britain as probably planning on appropriations somewhere between $270,000,000 and $297,000,000.

Turning to Japan—and Japan has gone through a tremendous crisis—the ministry before the present one, and which was in power about the time we were conducting our hearings, 90 days ago, according to press dispatches, indicated that it was proposing to recommend to the Diet a budget aggregating 238,000,000 yen, or, in other words, $119,000,000. The present ministry, I understand, is not more liberal. I think, then, from the standpoint of the money that it is expected will be put into the Budget for next year, we are keeping up our share in the amount carried in the pending bill.

The CHAIRMAN. The time of the gentleman from Idaho has again expired.

Mr. ROGERS of Massachusetts. Mr. Chairman, I ask unanimous consent that the gentleman may have two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. FRENCH. Yes.

Mr. ROGERS of Massachusetts. Concerning the program as to the four vessels which broke down, there are various proposals involving various amounts of money and various degrees of efficiency as to how to restore them to their place in the battle line. If I understood the gentleman correctly, he said that something is to be done without legislation here by the Navy Department to bring them back to efficiency.

Mr. FRENCH. Under existing appropriations the department is planning to spend approximately $100,000, which will put these ships back into the Navy.

Mr. ROGERS of Massachusetts. Is that $100,000 each?

Mr. FRENCH. Not $100,000 each, but $100,000 for the entire four—$35,000 for material and the balance, approximately, for labor.

Then, as I understand it, the department, and probably the legislative committee, will be called upon to consider whether these ships will be continued as coal burners with large alterations made at a cost of probably $1,400,000 or be converted into oil burners at a cost of approximately $3,400,000. I do not know what the program will be, but I believe it will depend on what the administration and the legislative committee will recommend.

Mr. ROGERS of Massachusetts. The chairman of the Committee on Naval Affairs [Mr. BUTLER] has pending a bill for the modernization of the *New York* and *Texas* at a total cost of $6,800,000 for the two vessels.

Mr. FRENCH. That will probably include other items; it probably includes deck protection and also the blisters on the hulls to protect them against torpedoes.

Mr. ROGERS of Massachusetts. It involves both, but do we not want that extra protection?

Mr. FRENCH. That again is a question for the legislative committee.

The CHAIRMAN. The time of the gentleman has again expired. Without objection, the pro forma amendment will be withdrawn.

Mr. BLANTON. Mr. Chairman, I move to strike out the paragraph. Mr. Chairman, I want to say in answer to the question of the gentleman from Nebraska [Mr. HOWARD], who asked a pertinent question awhile ago that the kind of speech which was made here awhile ago by the gentleman from Massachusetts [Mr. ROGERS] is just the kind of speech that got us into trouble last year when, without any authority of law and against our solemn treaty provisions, we appropriated $6,500,000 to raise the turrets of certain guns on certain battleships so as to give our guns a greater range. When the appropriation was proposed I made a point of order against it and called attention to our treaty provisions which prevented us in direct specific language from doing that very thing. Yet, because of just such speeches as the gentleman from Massachusetts made, it got your blood roused up. You believed from just such speeches that England was not keeping her pact with us, and that she was modernizing ships and raising the turrets so as to increase the range of her guns, and that worked you up to such a pitch that through expediency alone my point of order was overruled and that $6,500,000 was appropriated for that purpose.

Then Congress adjourned and what happened? When the administration got a proper opportunity to look into it, Mr. Secretary Hughes decided that it might be violative of our treaty. And he decided something else. He made an investigation and he reported to the country that the representations as to what England had done made to our committee and to the Congress by our naval officers were not true. He caused the statement to be made to the country that England was not violating her pact, and England had not gone beyond the terms of her treaty; that neither England nor any of the other powers that entered into that agreement had in any way violated their agreement.

Then what happened? We had the ridiculous spectacle just the other day of the chairman of the Committee on Appropriations being forced to put an amendment on the deficiency bill to return that $6,500,000 back into the Treasury because it had not been used. I am not criticizing the distinguished chairman of our great Appropriations Committee, but commending him for putting the money back into the Treasury. I am criticizing the speeches that caused the money to be taken out.

Mr. MADDEN. Will the gentleman yield?

Mr. BLANTON. Certainly. Was not that the fact?

Mr. MADDEN. Allow me to tell the story.

Mr. BLANTON. Did it not happen?

Mr. MADDEN. I will tell the story.

Mr. BLANTON. Please do not do it in my time. I have only five minutes.

Mr. MADDEN. I will do it in my time.

Mr. BLANTON. That is the fact, and you can not deny it, $6,500,000 was thus appropriated and you put it back in the Treasury the other day in your deficiency bill, and you will not deny that Mr. Secretary Hughes, after Congress adjourned, stated to the country that the naval officers had misrepresented the facts and had misled your committee and had misled the House into passing such a law.

Mr. NEWTON of Minnesota. Will the gentleman yield there?

Mr. BLANTON. I will.

Mr. NEWTON of Minnesota. The gentleman made a statement that Mr. Secretary Hughes stated that the change in the elevation of the guns would be a violation of the treaty?

Mr. BLANTON. I say I read that statement in the press, and it was so reported to the country.

Mr. NEWTON of Minnesota. According to my recollection he never made any such statement.

Mr. BLANTON. Has the gentleman got a copy of what he gave out to the country?

Mr. NEWTON of Minnesota. I am giving it from my own recollection and I presume the gentleman is doing so.

Mr. BLANTON. I am giving it from my recollection. I will accept the exact statement from the printed copy if the gentleman has one.

Mr. NEWTON of Minnesota. So will I.

Mr. BLANTON. But my recollection is that the treaty question was raised in the State Department. He may not have given it out because he may not have wanted thus to embarrass Congress and the committee, but violation of our treaty was the main question, and that was the decision of the Secretary of State's office. It was a question of whether this Government was violating the terms of the treaty because the Navy wanted to modernize these ships and these guns and wanted to raise the turrets and increase the range of the guns. The Navy wanted to do it, but our State Department did not want to violate our sacred treaty. I am just making this point, that the gentleman from Massachusetts [Mr. ROGERS] ought not to make that kind of a speech. It gets us roused up and makes us think somebody is imposing on us, and we are ready then to vote all kinds of money out of the Treasury to increase our Navy to make it as big as anybody else's navy. That is the result of such a speech.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MADDEN. Mr. Chairman, I would like recognition.

Mr. LITTLE. Mr. Chairman, I move to strike out the last line.

The CHAIRMAN. The gentleman from Illinois is recognized.

Mr. MADDEN. There is no secret, Mr. Chairman, about the fact that the Committee on Appropriations had some doubt when it was considering the request of the Navy Department for $6,500,000 for the elevation of the turret guns on the battleships as to the propriety of making the appropriation, but the technical men of the Navy testified positively before us that England had elevated the turret guns of her ships to give them a longer range. In common with other members of the Committee on Appropriations I felt at the time that if we elevated our turret guns we would be violating the treaty, but we thought that in the face of the statement by responsible naval officers of the Government that England was, as a matter of fact, elevating the guns on her ships since the conference that we would be derelict in the performance of the duty devolving upon us if we failed to bring our guns up to the same degree of efficiency as theirs.

Being still in doubt, we took the precaution to put the appropriation in such language that it could not be used if it violated the treaty. But it did not rest on that. The matter of the violation of the treaty was not the thing that the question turned on afterwards. The question was one of veracity, and the investigation that I made personally as chairman of the Committee on Appropriations, after the appropriation had become a law, led me to the conclusion that somebody had lied.

Mr. BLANTON. That is exactly what I said. You are corroborating me.

Mr. MADDEN. I did not deny what the gentleman said. I then assumed the responsibility, as chairman of the Committee on Appropriations, of going to the Navy and demanding that the money should not be used. [Applause.] I said if it were to be used I would get on the floor of the House and denounce the whole procedure. It was not used.

The President of the United States issued an order that it should not be used. In the face of all the facts in connection with the proposition I thought that the Committee on Appropriations would be justified in repealing the appropriation, and I offered an amendment on the floor when the deficiency bill was under consideration, providing for the repeal of the appropriation and the authority which the provision carried to elevate the turret guns on the American battleships, and the House unanimously voted to concur in the amendment which I offered.

There is nothing secret about what we did. We have no apology to offer as members of the Committee on Appropriations for what we did. We did our duty in the beginning as we saw our duty, and when we discovered that we had done what we ought not to have done, we did our duty in the second instance by repealing the appropriation.

Mr. BLANTON. I was not criticizing the Appropriations Committee or its efficient chairman. I commend him for what he did in keeping this money from being used and in having it returned to the Treasury where it belongs. He bravely calls a spade a spade.

I was criticizing the speeches of the gentleman from Massachusetts and others, that caused this $6,500,000 to be appropriated.

Mr. MADDEN. Let me finish this statement. I think it is important. The Secretary of State categorically asked the question of the British Government, what they had done, and they denied that they had done anything, and the Secretary of State made a public announcement to that effect, and Mr. Roosevelt, the Assistant Secretary of the Navy, also made public an announcement to the effect that they had made a mistake when they said to the Committee on Appropriations that England had elevated her guns.

Mr. LITTLE. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Kansas moves to strike out the last word.

Mr. LITTLE. Gentlemen of the House, a few moments ago the gentleman from Massachusetts [Mr. ROGERS] brought out the fact that a captain in the Navy had stated a situation which either places great blame on the carelessness of our people or impugned the faith of Great Britain. I asked which it was, and up to the present moment I have been unable to get from anybody a civil answer. My own judgment is that when obscure and unknown Members like myself endeavor to learn what is going on about these big bills we ought to be able to get the facts. I thank the gentleman from Illinois [Mr. MADDEN]. I find out why I could not get the facts. Somebody had been lying. Has somebody else been lying now? Before I can vote on this I would like to have some information, so that I can vote on it intelligently. If such a matter as this happened in the House of Commons it might result in a vote of lack of confidence in the ministry. I see now a set of statements alleged on the authority of this captain in the Navy. Before we go any further I think we ought to have these facts. I do not think the chairman of the committee, who contains in his bosom a full deposit of all this information, should hesitate to bring out the facts. It is unquestioned that somebody lied; and that being so, we should know, and he knows it. When some unknown Member wants an answer to his question you should give it to him. In that way you might have avoided these red-hot questions at the time, if somebody had told me that somebody had lied.

Mr. BYRNES of South Carolina. Mr. Chairman, may I inquire if there is a filibuster going on on that side to delay the consideration of the bill? On this side we want to expedite the consideration of the bill so that we may bring to pass the hope of the President that Congress will adjourn by the 1st of June. It seems we have had thus far a filibuster that threatens to fritter the entire morning away.

Mr. MADDEN. Mr. Chairman, I ask unanimous consent to proceed for one minute. I am very anxious, as I am sure the House is, that all of the appropriations shall be passed by the middle of next month. Every bill except one is ready in the committee, waiting for consideration by the House. We must send the bills over to the Senate to get them enacted into law. We have discussed this present bill for two days. Every angle of the bill has been discussed, and I hope that gentlemen of the House will help us to pass not only this bill as rapidly as decent consideration will justify but also the other bills as they are brought on the floor, so that we may be able to get away and get home as early as possible. [Applause.]

Mr. TABER. Mr. Chairman, I rise in opposition to the amendment of the gentleman from Kansas [Mr. LITTLE].

There are a few facts which have not already been brought out and should be brought out. At the time the $6,500,000 was appropriated for elevating the guns and protecting the decks it was appropriated with the understanding on the part of the Navy Department and of the State Department that the British had, since the treaty was made, done that same thing with their boats. When the departments came to investigate it was found that the British had done those things before the treaty was signed and before the treaty was entered into. Therefore, in response to Mr. MADDEN'S request, the $6,500,000 was not expended.

The question as to whether or not that appropriation could be expended and the guns elevated within the treaty has not been raised and passed upon by the State Department and has not been conceded by the Navy Department. The only reason why it was not expended was because the appropriation was obtained from the House under a misapprehension. The question, I understand, will be brought up again under legislation coming from the Committee on Naval Affairs, and the House will then be given an opportunity to pass on it again with the full facts before it as to what they should do.

Mr. RANKIN and Mr. NEWTON of Minnesota rose.

Mr. FRENCH. Mr. Chairman, may I ask unanimous consent that the debate on this paragraph end in five minutes? Or make it 10 minutes, 5 for the gentleman from Minnesota [Mr. NEWTON] and 5 for the gentleman from Mississippi [Mr. RANKIN].

The CHAIRMAN. The gentleman from Idaho asks unanimous consent that the debate on this paragraph end in 10 minutes, 5 to be used by the gentleman from Minnesota [Mr. NEWTON] and 5 by the gentleman from Mississippi [Mr. RANKIN]. Is there objection?

There was no objection.

Mr. NEWTON of Minnesota. Mr. Chairman, in view of what has been said here to-day as to changing the elevation in the guns on most of our capital ships, I want to make a few observations in reference to this very important question. A fleet that is outranged is well on the way to destruction. In his annual report for 1923 the Secretary of the Navy quotes from a report made in the year 1275 and found in The Book of Marco Polo, reading as follows:

> On this subject (length of range) the engineers and experts of the army should employ their very sharpest wits. For if the shot of one army, whether engine stones or pointed projectiles, have a longer range than the shot of the enemy, rest assured that the side whose artillery hath the longest range will have a vast advantage in action. Plainly, if the Christian shot can take effect on the Pagan forces, whilst the Pagan shot can not reach the Christian forces, it may be safely asserted that the Christians will continually gain ground from the enemy, or, in other words, they will win the battle.

If that principle was true in those days of primitive artillery and projectives, it is doubly true to-day.

It is undisputed that there is a serious difference in the ranges at which the British and American fleets can engage. I compare with the British, for under the terms of the limitation of armaments treaty the two navies, so far as capital ships were concerned, were to be of equal strength. If the 5-5-3 ratio then means anything, it means substantial equality in hitting power. A fleet that is outranged can not hit.

I quote from page 75 of the same report, as follows:

> It is quite obvious that in a fleet action all the vessels of a fleet can not be firing upon the enemy until the enemy is under fire by the ship of shortest range. In such a fleet action we would have seven ships that can fire slightly over 20,000 yards, whereas the ships of shortest range in the British Fleet, according to the British naval writer, Mr. Bywater, can fire 23,800 yards, making a difference of practically 2 miles. In other words, if the British remained at a range just equal to their shortest-ranged ships, the fire of over a third of our ships could not reach them. This would automatically reduce the size of our fleet by one-third. Expressed in terms of elevation of guns, the 13 ships of the American Navy have a designed elevation of 15 degrees, whereas none of the 22 ships of the British Navy has less than 20 degrees, thus leaving the American ships much inferior in this regard to those of Great Britain.

With these facts in mind there can be no question of our obligation in providing for the common defense to authorize the correction of this inequality. A change in the elevation of our guns will do it. We, therefore, should authorize this change unless it is in violation of this treaty. Furthermore, we should do it promptly.

With this in mind and upon representations that Great Britain had made elevation changes in her guns after the treaty was signed, Congress authorized the change and appropriated $6,500,000 for that purpose. Later, and before the work had begun, the Navy Department ascertained that Great Britain had made these changes after the close of the great war, but before the treaty was signed. The Navy Department felt that the money had been paid under a misapprehension and did not use the appropriation. The chairman of the Committee on Appropriations then took steps to see that the money went back into the Treasury.

Mr. STEVENSON. Will the gentleman yield?

Mr. NEWTON of Minnesota. I regret I can not at this time. So that the question is again before Congress. The only question is whether a change in elevation is a violation of the treaty. This provision, and this only, in the treaty can in any way apply to a change in gun elevation:

> No alterations in side armor, in caliber, number, or general type of mounting of main armament shall be permitted.

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

Mr. NEWTON of Minnesota. Yes.

Mr. LITTLE. Does the gentleman's reference to misapprehension refer to the same thing that the gentleman from Illinois stated, but marked by different terms?

Mr. NEWTON of Minnesota. The gentleman from Minnesota was not present when those statements were made; he does not know who made them; and he is not characterizing them.

Mr. LITTLE. The gentleman heard the gentleman from Illinois [Mr. MADDEN] speak, did he not?

Mr. NEWTON of Minnesota. Yes.

Mr. LITTLE. The gentleman was sitting by me, and I heard him.

Mr. NEWTON of Minnesota. I heard him; yes.

Mr. LITTLE. Is the gentleman referring to the same thing when he uses the term "misapprehension"? I want to get the facts, because I am tired of evasion.

Mr. NEWTON of Minnesota. I am not going to say whether anyone lied or anyone was mistaken. I prefer, if the gentleman from Kansas wants to know, to believe that any man who made a statement of that kind was mistaken, and I do not believe the gentleman from Illinois intended to tell this House that the gentlemen who informed him in the committee did so with the intention of lying.

Mr. MADDEN. I did not say they did it deliberately, but they did lie.

Mr. NEWTON of Minnesota. Somebody may have lied away back in the distance somewhere. As to that, I do not know.

Mr. LITTLE. I think we ought to be able to get the facts.

Mr. NEWTON of Minnesota. I can not yield any further. I wanted merely to call attention to the remarks of the Secretary on pages 75 and 76 of the annual report and then to Appendix C of the annual report, being a memorandum by Capt. Frank H. Schofield, of the United States Navy. I shall ask to have them inserted with my remarks.

Gentlemen, when this question was first put before the House I thought a change of elevation would be a change in the mounting, and therefore a violation of the treaty. That was my first impression, but I have since studied it——

Mr. BLANTON. Will the gentleman yield?

Mr. NEWTON of Minnesota. I can not yield.

Mr. BLANTON. I shall object to those remarks going in the RECORD unless the statement from the Secretary of State——

Mr. NEWTON of Minnesota. I have not offered the remarks yet.

Mr. BLANTON. Well, when the gentleman does offer them I will make my objection.

Mr. NEWTON of Minnesota. Mr. Chairman, I do not want this taken out of my time. I was under that impression, as I say, but I have since read the memorandum of Captain Schofield, and I suggest that every Member of this House ought to read it. I suggest the reasonableness of the argument. In fact, it is unanswerable.

Now, Mr. Chairman, I ask leave to extend my remarks by attaching Appendix C, referred to.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent to extend and revise his remarks by inserting the material which he has just described. Is there objection?

Mr. BLANTON. Mr. Chairman, reserving the right to object, I have no objection if I may have permission to put in the press reports of what the State Department found in connection with this matter. If that is allowed to go in with this, I have no objection.

Mr. NEWTON of Minnesota. If the gentleman desires, he can insert that in with his own remarks.

Mr. BLANTON. I will put that in myself, but I want to put it in following the gentleman's statement, so the public may know the facts.

Mr. CONNALLY of Texas. Mr. Chairman, reserving the right to object, the gentleman has a little time left, and I want to ask him a question.

The CHAIRMAN. Is there objection?

Mr. BLANTON. I have no objection provided they may go in together.

The CHAIRMAN. The request is that the gentleman from Minnesota be permitted to insert certain material in connection with his remarks. The gentleman from Minnesota, if he so desires, may amend his request so as to include the matter referred to by the gentleman from Texas.

Mr. BLANTON. If the gentleman from Minnesota will amend his request so that the material may go in together, I will not object.

Mr. NEWTON of Minnesota. I do not care to amend my request.

Mr. BLANTON. Mr. Chairman, I am constrained to object.

The CHAIRMAN. The gentleman from Texas objects. The time of the gentleman from Minnesota has expired.

Mr. BLANTON. Mr. Chairman, I withdraw the objection I made to the request of the gentleman from Minnesota [Mr. NEWTON].

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent to revise and extend his remarks in the RECORD to include the material just mentioned. Is there objection? [After a pause.] The Chair hears none.

APPENDIX C.

THE GUN-ELEVATION QUESTION.

[Memorandum by Capt. Frank H. Schofield, United States Navy.]

Foreword: The Sixty-seventh Congress made an appropriation of $6,500,000 to increase the elevation of the turret guns of 13 United States capital ships. Congress was informed erroneously but with candid intent that the guns of the British fleet had had their elevations similarly increased. The British Government stated that this information was incorrect. The American Government immediately and unhesitatingly accepted the British statement. The question of the legality of the action contemplated by the appropriation of six and a half millions was not questioned by the British.

As Congress had made the appropriation under the impression that the British guns had been similarly elevated, it was decided to postpone action on increasing the elevation of the turret guns of 13 ships until Congress had again considered the subject.

There has been some agitation in the press to the effect that it would be contrary to the letter or the spirit of the Washington treaty to increase the elevation of our turret guns. The following paragraphs deal with this question:

The gun-elevation question has two separate and distinct parts:

(1) Is it allowable under the treaty?

(2) Is it worth doing?

This memorandum deals first with the first question. This question is a matter of written law—the treaty. The decision of this question must depend upon a correct interpretation of written law. There are two separate laws on the subject, each equally operative, equally conclusive, both intended to express identical ideas. These two laws are the English version of the treaty for limitation of armament and the French version of the same treaty.

I shall examine the English version of the treaty first to determine whether or not the elevation of the turret guns on American battleships may be increased without violating the treaty. The following words in the treaty and no others bear on this subject:

"* * * *No alterations in* side armor, in caliber, number or *general type of mounting of main armament shall be permitted* * * *."

The italicized words in the above quotation are the only words in the treaty that bear on the gun-elevation question. Our problem, therefore, is simply to examine what we propose to do in the light of the meaning of these words.

There are five necessary steps in increasing the elevation of the turret guns on the 13 of our battleships that are under consideration.

These steps are:

(1) Increasing the size of the gun port opening.

(2) Lengthening the elevating screw so that the breech of the gun may be lowered and raised through a greater distance.

(3) Cutting away some of the plates and framing under the breech of the gun so that the breech may be lowered further.

(4) Changing the position of the ammunition hoists slightly.

(5) Making a more powerful counterrecoil system.

Let us consider each step separately:

"(1) Increasing the size of the gun port opening."

The turret guns stick out through holes in the face of the turret. When the guns are pointed at their greatest range—that is, when the muzzles of the guns are elevated—the guns touch or almost touch the top of the hole in the armor through which the guns project. If we wish to point the guns higher, we must lengthen the hole upward, so that the muzzle of the gun may be raised higher.

Question. Is lengthening the hole (port opening) in the front of the turret armor an "alteration in the general type of mounting of main armament"?

Answer. No. The general type of mounting might be the same if all the turret armor were removed. The guns might still be in the same position with the same general type of mounting. The armor is simply protection to the guns, mounts, and crew. No matter how many or how big the holes cut in the armor, the general type of mounting remains the same.

"(2) Lengthening the elevating screw so that the breech of the gun may be lowered and raised through a greater distance."

The elevating screw extends from under the breech of the gun to a part of the gun mount below, where it runs through a nut fixed to the mount. It is connected to an electric motor that turns it in either direction. If the screw turns in one direction, the elevating screw runs up through the fixed nut and its upper end pushes the breech of the gun up, thus lowering the muzzle of the gun; if the screw turns in the opposite direction, it runs down through the fixed nut and pulls the breech of the gun down, thus elevating the muzzle of the gun. If the length of the elevating screw is increased and if the distance between the breech of the gun and the fixed nut through which the elevating screw travels is increased, it will be possible to raise and lower the breech of the gun through greater distances.

Question. Is the lengthening of the elevating screw so that the breech of the gun may be lowered and raised through a greater distance an "alteration in the general type of mounting"?

Answer. No. It is not a change in type of mounting. The same type of mounting is preserved in making this change, but the capacity for up and down motion of the breech of the gun is increased. A short broomstick is of the same general type as a long broomstick. Size does not alter type.

"(3) Cutting away some of the plates and framing under the breech of the gun, so that the breech may be lowered farther."

As guns are now installed in the ships there are various platforms and framings directly underneath the breech of the gun that the breech of the gun comes near to when the muzzle is pointed as high as possible. If we propose to point the muzzle higher, these frames and plates and fittings must have their position changed so there will be a clear road for the breech of the gun when it is lowered for extreme long-range pointing and firing.

Question. Is the cutting away of platforms, frames, and fittings within the turret structure so as to permit the breech of the gun to be lowered farther an "alteration in the general type of mounting of main armament"?

Answer. No. All fittings that would have to be changed in position would still be retained in a modified form and in a modified position. Nothing would be taken away or added to the gun mount that would change its type so far as this particular step is concerned. It is not a change in type of writing desk, for example, if more room is made under the desk so that a fat man can get his legs where a thin man gets them without any trouble.

"(4) Changing the position of the ammunition hoists slightly."

Question. Would this be an "alteration in the general type of mounting of main armament"?

Answer. No. The reply to this question is similar to No. 3, and, in fact, might be included under No. 3.

"(5) Making a more powerful counterrecoil system."

When a turret gun is fired its muzzle is always pointed up some, otherwise the projectile would fall in the water close to the ship. The farther you wish to fire the gun the higher the muzzle must be pointed. When the gun is fired it recoils some little distance back into the turret. Its recoil is stopped by a hydraulic or pneumatic system, reinforced by springs which act as brakes on its recoil. Before the gun can be reloaded it must be shoved forward again into the same position it had at the start. This is done by means of the counterrecoil system, which may be by springs, by air pressure, or by hydraulic pressure.

It is evident that the more the breech of the gun is depressed the more the gun has to be elevated in shoving it back into place after firing. When the gun is level it is just a question of overcoming the friction of the gun in the slide enough to push it forward. When the gun is elevated 10° you must not only overcome this friction but you must push the gun up an incline of 10°. When the gun is elevated 30° you must overcome the friction and, in addition, lift the gun up an incline of 30°. This requires a considerable increase of power over that required for the 10° elevation. It will therefore be necessary to provide more power to return the gun to loading position after firing, but it will not require a change in the type of the mounting or a departure from established practice in the design in order to accomplish this object.

Question. Is making a more powerful counterrecoil system an "alteration in the general type of mounting of main armament"?

Answer. No. The same type of automobile jack can be used to lift the wheel of a Ford touring car and the wheel of a 5-ton truck. The only differences involved are those of size and power.

From the preceding analysis of the five steps necessary in making changes in our ships to permit of increased elevation of the guns it is obvious that since no one of these steps involves a change in the general type of mounting of the main armament that the proposal itself does not involve a change of type and that therefore it is permissible for us to change the elevation of our guns.

If, however, we should propose installing two turrets for one turret or should take turrets from the center line of the ship and put them on the sides of the ship or should take them from the sides of the ship and put them on the center line or should take turrets that can not fire over each other and arrange them so they could fire over each other, we would be changing the general type of mounting of the main armament; in fact, we would be making of our ships ships of a decidedly different character. It was this sort of change that the treaty sought to guard against. No such changes as these are proposed or even suggested. We simply propose changes that will enable us to use

more effectively and more efficiently the guns and mountings we already have.

We come now to the French version of the treaty and its bearing upon the question under consideration. The following words in the French version of the treaty and no other words in this version bear on this subject:

"Sera interdit tout changement dans la cuirasse de flanc, le calibre et *le nombre des canons de l'armament principal, ainsi que tout changement dans son plan general d'installation."*

The italicized words of the above quotation are the only words in the French version of the treaty that bear on the gun-elevation question. For convenience in discussing their meaning, let us translate these words as literally as possible into English.

"All change in the side armor, the caliber and *number of guns in the main armament, as well as all change in its general plan of installation is forbidden."*

From this translation we can separate out, by italicizing, the words that bear directly on the question under discussion. It will be found that the whole question hinges on the meaning of "general plan of installation of main armament." No stretch of the imagination can make these words mean that any one or all of the five steps above enumerated as necessary for increasing the elevation of our turret guns are changes in the "general plan of installation of main armament." It is perfectly obvious that these words do refer to such changes as are indicated in a paragraph above, namely:

(1) Installing two turrets for one turret.

(2) Taking turrets from the center line of the ship and putting them on the sides of the ship.

(3) Taking turrets from the side of the ship and putting them on the center line.

(4) Placing turrets that can not fire over the other so that one of them can fire over the other, etc.

Such changes would be changing the "general plan of installation of main armament."

So much for the common-sense legal phases of the question.

The public is very generally under the impression that the British Admiralty have stated officially through the proper channels that by their interpretation of the treaty it would be illegal for us to change the elevation of our turret guns as proposed. No such contention has ever been put forward either by the British Admiralty, the British Government, or by any other official in any government signatory to the treaty. This is a categorical denial that can be substantiated by anyone at any time who chooses to make official inquiry either of the State Department or of the Navy Department.

The general intent of the treaty was to grant to each power full right to keep step with material and scientific progress, subject only to specific limitations. Nowhere is there to be found a "spirit" of the treaty that contravenes this right.

(2) IS IT WORTH DOING?

When we place guns on a ship we do it in the hope that if that ship ever goes into battle it will be able to hit its enemy oftener and harder than the enemy ship hits it, no matter at what range the battle is fought. If we fail to have this object in view all the time, the ship is likely to fail. In naval battle, more than in any other kind of contest, it is the advantage at the very start of the contest that is most important and may be decisive. Let us see what increasing the elevation of our turret guns might do to gain that initial advantage in battle.

When most of our battleships were designed and built 10 miles was considered an extreme battle range. The thought of the day was that no battle would open with gunfire at greater ranges than 10 miles. We know now that effective firing can be done by ships up to a range of 20 miles and that battle is likely to open at that range. Thirteen of our 18 battleships are built to fire at an extreme range of about 11 miles. The gun mounts on these ships can be modified without changing the general type of mounting, so that the guns will all be able to fire at a range of 18 miles. The five newest of our ships can all fire their guns at 19 miles.

The accompanying sketches show what an overwhelming handicap our battleship fleet may have to accept in battle if we fail to increase the elevation of our turret guns. As data regarding foreign fleets is difficult fully to assemble and to understand, no attempt has been made in the sketches to make comparisons of our fleet with foreign fleets. The comparison in each and every case is a comparison of what our present fleet in its present condition can do, with what our fleet could do were the elevation of the turret guns of 13 of our capital ships increased to 30°.

In each sketch the column of ships to the left represents our battleship fleet as at present without the mounts altered so as to permit elevating the guns 30°, and the dots near that column represent the number of hits made on those ships, at the range indicated, by the right-hand column of ships.

The right-hand column of ships represents what our fleet would be were they all given a gun elevation of 30°. The dots near the right-hand column of ships indicate the number of hits that might be made by our fleet as at present on the ships of that column while they were making the much larger number of hits shown on the left-hand column.

The number of hits in each sketch represents the same length of time of firing. The greater number of hits shown at the shorter ranges is due solely to the greater ease of hitting at the shorter ranges. For instance, under identical conditions about twice as many hits are made at 25,000 yards as are made at 32,000 yards, and about twice as many hits are made at 20,000 yards as at 25,000 yards.

The sketches make no allowance for the heavy fire that the left-hand column is under as compared with the right-hand column. In actual battle the left-hand column of ships would not be able to fire as many shots nor as well-aimed shots as the right-hand column, because ships that are being hit frequently never fire as well as those under less severe fire. If we should take this fact into account, the right-hand colmun would have a still greater advantage. As this special advantage can not be determined accurately it is not taken account of in the sketches.

Only about one-quarter of the guns of our fleet can now reach ranges above 24,000 yards. If our fleet were to meet in battle at these ranges another fleet of equal strength that could deliver all its gunfire, our fleet would be hopelessly defeated by superior gunfire before it could get close enough to bring all its own guns into action.

At ranges between 20,000 and 24,000 yards our present fleet is about one-half as effective as it might be. These ranges are likely to be decisive ranges. We know by official foreign statements that our fleet is inferior to a foreign fleet in hitting power at these ranges in about the ratio of 10 to 14. If a battle were to be fought to a conclusion between two fleets of 18 otherwise equal ships at a range of 22,000 yards, and if the ratio of hitting powers of these fleets at the start were as 10 to 14, at the conclusion of the battle one fleet would be entirely destroyed, sunk—ours—and the other would have 11 good ships left. If, however, we were to increase the elevation of our turret guns so that all may fire at the higher ranges, the ratio of hitting powers would then be about as 10 to 11.4, a ratio which, though reduced, is still against us, and one which we can not overcome by any change in our present ships. This is the meaning of the gun-elevation question.

If it is worth while at all to have a navy, then it is worth while to give that navy a fair chance in a self-respecting stand-up fight. It is not only worth while, it is imperative, that we elevate our turret guns so that they all can fire at the highest ranges. Even then we shall still be decidedly inferior to the strongest fleet at certain ranges.

The CHAIRMAN. The gentleman from Mississippi [Mr. RANKIN] is recognized.

Mr. RANKIN. Mr. Chairman, I have just listened with a great deal of interest to the remarks made by the gentleman from Illinois [Mr. MADDEN], relative to the action taken by the House last year in appropriating $6,500,000 for the elevation of the turret guns of our battleships, which, if carried out, would have been a clear violation of our disarmament treaties.

We all appreciate the services of the gentleman from Illinois in helping to prevent the expenditure of this money, and in that way saving us from further international embarrassment, but I must demur to his statement that this matter was cleared up by the Secretary of State "categorically" asking the question of the British Government what they had done with reference to this matter.

The facts are that during the month of February, 1923, the Assistant Secretary of the Navy, Mr. Theodore Roosevelt, and possibly other representatives of the Navy Department went before the Committee on Appropriations and advocated this appropriation for the purpose of elevating the turret guns on our battleships on the ground that Great Britain was doing the same thing. Mr. Roosevelt also stated that "other powers have been doing so or are contemplating the same thing." Acting upon this information, the House voted the appropriation above mentioned which I have just referred to. I refused to vote for it at the time, as did a great many other Members of the House, for the reason that we did not believe the British Empire would flagrantly violate her treaty obligations solemnly entered into with the other great powers of the earth without some justification or excuse. I had attended the Disarmament Conference, and had listened to the speeches of Mr. Balfour and other representatives of the British Government, and I could not believe that the appeals they had made for the safety of civilization had been insincere, or that the nation they represented had willfully failed to comply with the treaties which that conference had agreed upon.

On December 29, 1922, Hon. Charles E. Hughes, Secretary of State, made a speech at New Haven, Conn., in which he referred to the action of the British Government in elevating their turret guns. This speech was based on information

which he says had been furnished him by the Navy Department. On February 26, 1923, only a short time after Mr. Hughes delivered this speech, and almost immediately after Mr. Roosevelt appeared before the Appropriations Committee, it was stated on the floor of the British Parliament by Lieutenant Colonel Amery, First Lord of the Admiralty, that none of the capital ships of the British Navy had had the elevations of the guns in its main armament altered since the original fitting. This statement was elicited by a question from Commander Bellairs, Unionist, as to whether the Admiralty's attention had been drawn to a statement attributed to the American Secretary of State, Mr. Hughes, to the effect that Great Britain had increased the elevation of the turret guns on her battleships.

The British Government took this matter up through diplomatic channels and convinced Mr. Secretary Hughes that he had been misinformed, and that the British Empire was not elevating the turrets on her battleships, as the Secretary of State and the House Appropriations Committee had been led to believe. On March 20, 1923, the Secretary of State issued the following statement:

DEPARTMENT OF STATE,
March 20, 1923.

The Secretary of State to-day made the following statement:

"In my speech at New Haven on December 29, 1922, I made the following statement with regard to alterations in the British capital ships: 'The result is that in a considerable number of British ships bulges have been fitted, elevation of turret guns increased, and turret-loading arrangements modified to conform to increased elevation.' In making this statement I relied upon specific information which had been furnished me by the Navy Department and which, of course, the Navy Department believed to be entirely trustworthy.

"The Department of State has been advised by the British Government categorically 'that no alteration has been made in the elevation of the turret guns of any British capital ship since they were first placed in commission,' and further, 'that no additional deck protection has been provided since February 6, 1922, the date of the signing of the Washington treaty.'

"It gives me pleasure to make this correction, as it is desired that there shall be no public misapprehension."

Thus we have one of the most humiliating spectacles that has ever occurred in the history of our international affairs. The Secretary of State—the prime minister, if you please—of this great Republic being compelled to come out publicly and retract or apologize for a statement which he had made in a public address reflecting upon the British Government, and giving as his reasons or excuse for making these charges the fact that he had derived his information from the officials of the Navy Department, on whom he had the right to rely.

I thought when I read the statement of Mr. Hughes, and I still think, that it was most unfortunate and humiliating to have had the head of our international affairs forced into this embarrassing position as a result of the flagrant incompetency or gross irresponsibility of those in charge of the Navy Department.

The Clerk read as follows:

CONTINGENT, NAVY.

For all emergencies and extraordinary expenses, exclusive of personal services in the Navy Department or any of its subordinate bureaus or offices at Washington, D. C., arising at home or abroad, but impossible to be anticipated or classified, to be expended on the approval and authority of the Secretary of the Navy, and for such purposes as he may deem proper, $40,000.

Mr. CRAMTON. Mr. Chairman, I move to strike out the last word, and I would like to have the attention of the gentleman from Texas [Mr. BLANTON].

When this bill was first taken up the gentleman from Texas [Mr. BLANTON] called attention to a matter concerning some furniture, saying, in brief:

This report, which seems to be based on definite information, that in a department of government furniture may be sold by order of the Secretary and bought in for him and shipped out to his own home in his own State. Has that gone on in the office of the former Secretary? There is a well-defined report that such did occur in the Department of the Interior. There is a report of several weeks' standing that that has been done. I would like to know something about it.

The same inquiry was made by the gentleman from Texas when the Interior Department bill was before the House. It is my recollection that at that time the inquiries were made in terms as if perhaps thousands of dollars were involved.

Mr. BLANTON. Oh, no; not thousands of dollars. That is a mistake.

Mr. CRAMTON. If the gentleman will permit, I at that time made a telephonic inquiry of the department and received some information that led me to believe that it was a much smaller affair than the gentleman from Texas had in mind, and in my desire to push the Interior bill along I did not give any further attention to it. The matter having been brought up again I have renewed my inquiry of the department, and I have here a letter setting forth the circumstances and facts about the matter, which I will ask unanimous consent to put in the RECORD, because I do not desire to delay the consideration of the bill. I am willing the gentleman from Texas should have an opportunity to examine it.

In presenting this statement I want it understood that I am not accompanying the statement with any justification of the facts set forth or the transaction, nor am I indulging in any criticism. I am simply presenting facts which have twice been requested by a Member of the House.

Mr. MADDEN. Will the gentleman yield?

Mr. CRAMTON. I will not present a further statement as to my attitude than this. I do think that publicity as to these transactions will not be lacking in helpfulness. I question the ethics of such transactions. I yield to the gentleman.

Mr. MADDEN. I think such practices have been frequent, and I recall that when Mr. Wilson went out of the Presidency he purchased the automobile which he had been using, and his secretary did the same thing. I am making a little investigation about things like that which have happened, and one of these days I hope to make a report to the House about them.

Mr. CRAMTON. I understand it is quite customary for Cabinet members to purchase the chairs which they have used during their term of office, and I just present this in response to the inquiry.

Mr. BLANTON. I have no objection to it.

Mr. CRAMTON. Mr. Chairman, I ask unanimous consent to revise and extend my remarks for the purpose indicated.

The CHAIRMAN. The gentleman from Michigan [Mr. CRAMTON] asks unanimous consent to revise and extend his remarks by including the matter mentioned. Is there objection?

Mr. CONNALLY of Texas. Reserving the right to object, Mr. Chairman, what is it?

Mr. CRAMTON. It is a statement of facts requested by the gentleman from Texas.

SEVERAL MEMBERS. Regular order!

Mr. MOREHEAD. Mr. Chairman, I insist that the gentleman is in order. This thing of sneaking things into the RECORD——

Mr. CRAMTON. Mr. Chairman, I resent that.

Mr. MOREHEAD. I object to it.

Mr. CRAMTON. Mr. Chairman, in my own time I want to resent the term used by the gentleman about something being sneaked in.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CRAMTON. The matter had been presented to the gentleman from Texas for his examination.

Mr. MOREHEAD. The gentleman from Texas is all right, but the gentleman does not represent this entire House.

Mr. BLANTON. Do not object to it.

Mr. MOREHEAD. Mr. Chairman, I withdraw the objection.

Mr. CRAMTON. Mr. Chairman, I ask unanimous consent that my time may be extended for the purpose of reading the letter from the desk. It is not my desire to sneak in anything.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that his time be extended for the purpose indicated.

Mr. SNYDER. I would like to say, Mr. Chairman, that this is one of the finest exhibitions of playing peanut politics I have ever seen in this House.

Mr. CONNALLY of Texas. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CONNALLY of Texas. Under the rules of the House, is it permissible for a gentleman in his speech to have read and made a part of his remarks in that manner matter that has been objected to?

The CHAIRMAN. It is according to the matter attempted to be read. If it is matter pertinent to the issue, the gentleman has a right to do it. If it is matter extraneous to the matter being discussed, a point of order can be made against it, and unanimous consent is required to extend it in the RECORD.

Mr. CRAMTON. I simply want to suggest this to the gentleman from Texas [Mr. CONNALLY], it is entirely immaterial to me whether it is read or not, but by asking to have it read I have removed any possible criticism of attempting to sneak something in.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan? [After a pause.] The Chair hears none. The Clerk will read the matter referred to.

The Clerk read as follows:

DEPARTMENT OF THE INTERIOR,
Washington, March 18, 1924.

HON. LOUIS C. CRAMTON,
Chairman Subcommittee on Appropriations,
House of Representatives.

MY DEAR MR. CRAMTON: Referring to inquiry of the clerk of the Committee on Appropriations, relative to disposition of certain furniture to former Secretary Fall, I have to advise that our records show that certain Jacobean oak furniture, purchased when the Interior Department Building was constructed in 1917, for furnishing the room of former Secretary Lane, was appraised and disposed of through the General Supply Committee of the Treasury to former Secretary Fall on or about January 17, 1923.

Same was appraised by representatives of the General Supply Committee at $231.25, which sum was paid to the order of the General Supply Committee by check of Secretary Albert B. Fall, dated January 17, 1923. I inclose copy of the said invoice and check.

It is my understanding that at the time Secretary Fall desired to purchase this furniture, the matter of whether it could be properly and legally disposed of was taken up orally by a representative of the supply division of this department with the members of the General Supply Committee under the supervision of the Treasury Department, and advice given that the surplus furniture could be appraised and disposed of, as was later done.

I am further advised that the furniture was shipped on a commercial bill of lading, the freight charges being paid by Secretary Fall.

Sincerely yours,

E. C. FINNEY,
First Assistant Secretary.

(Inclosure 17516.)

No.------

WASHINGTON, D. C., *January 17, 1923.*

DISTRICT NATIONAL BANK OF WASHINGTON,

Pay to the order of General Supply Committee, $231.25 (two hundred thirty-one and twenty-five one-hundredths dollars).

(Furniture.) ALBERT B. FALL.

Department or Establishment No. 3. Transfer Invoice. G. S. C. Invoice No. —.

JANUARY 17, 1923.

GENERAL SUPPLY COMMITTEE,
Fourteenth and B Streets SW., Washington, D. C.:

In accordance with Executive order, dated December 3, 1918, and Treasury Department Circular No. 129, dated December 6, 1918, you are advised that the Department of the Interior, Office of the Secretary, has the following articles available for transfer, which were purchased under appropriation equipment and operation, building for Interior Department offices, 1917–18:

NOTE.—Make separate invoice for each class of article and submit in duplicate.

Quantity.	Item No.	Description.	Unit cost price.	Amount.	Article or lot No.
1	----------	Jacobean oak chair	$38.00	$38.00	81396
1	----------	----do	25.00	25.00	81395
1	----------	Jacobean oak settee	55.00	55.00	81394
1	----------	Jacobean oak chair	21.00	21.00	81286
1	----------	----do	30.00	30.00	76048
1	----------	----do	20.00	20.00	76047
1	----------	----do	18.00	18.00	33479
1	----------	Jacobean oak desk	56.00	56.00	76045
1	----------	Jacobean oak stand	9.00	9.00	81383
2	----------	Jacobean oak tables	10.25	20.50	81384
1	----------	Jacobean oak basket	8.50	8.50	81385
1	----------	Jacobean oak A-chair	37.50	37.50	81386
2	----------	Jacobean oak chairs	15.00	30.00	80984
2	----------	Jacobean oak A-chairs	21.00	42.00	80987
1	----------	Jacobean oak stand	12.00	12.00	80986
1	----------	Jacobean oak chair	20.00	20.00	80988
2	----------	Jacobean oak tables	10.00	20.00	80989

JOHN HARVEY, *Chief Clerk.*

Triplicate: Department or establishment retain this copy.

Transfer invoice, check, and tags sent to K. D. McRae, general supply commissioner, January 17, 1923.

Mr. BLANTON. Mr. Chairman, I rise in opposition to the pro forma amendment. I never claimed that Secretary Fall bought thousands of dollars' worth of furniture. I asked the committee if they knew anything about the rumor going around that a Cabinet officer, the ex-Secretary of the Interior, Mr. Fall, had bought some Government furniture and shipped it out to his ranch.

Mr. SEARS of Florida. Mr. Chairman, I rise to a point of order.

Mr. BLANTON. It may suit the gentleman from New York [Mr. SNYDER] to have this gentleman buy various pieces of Government furniture, but it is an unwise policy, even when the purchases are small.

Mr. SEARS of Florida. Mr. Chairman, I make the point of order that the gentleman from Texas is not discussing the bill.

Mr. BLANTON. What I want to discuss in all fairness——

Mr. SEARS of Florida. Mr. Chairman, I wanted to discuss some matter that was before the House the other day, and the gentleman demanded the regular order.

Mr. BLANTON. Mr. Chairman, I ask unanimous consent to proceed for one minute out of order.

The CHAIRMAN. Is there objection?

Mr. SEARS of Florida. Mr. Chairman, I object.

The Clerk read as follows:

SALARIES, NAVY DEPARTMENT.

For personal services in the District of Columbia in accordance with the classification act of 1923, $66,840.

Mr. BYRNES of South Carolina. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. BYRNES of South Carolina: On page 8, at the end of line 25, insert before the period the following: "*Provided,* That no money appropriated by this act shall be available for the pay of any commissioned officer of the Navy while attached to the office of the Chief of Naval Operations and engaged upon work not specifically assigned by law to such office."

Mr. BYRNES of South Carolina. Mr. Chairman, I do not care to say more than a few words with reference to the amendment. I discussed this matter under general debate. The law provides specifically the duties of a Chief of Operations of the Navy. This amendment will not interfere in any way with the performance of those duties, but it would interfere with the performance by the Chief of Operations or any commissioned officer in that bureau of duties not assigned by law to that office. No one can complain if the appropriation is limited to pay officers for work assigned by law to that office. Under this amendment, however, the Chief of Operations could not serve as the Budget officer of the Navy, he could not exercise the duties of the Chief of the Bureau of Yards and Docks, or of the Chief of the Bureau of Engineering. I do not think that it was ever the intention of the Congress that all powers should be centralized in one office. This amendment would permit the Chief of Operations to exercise every duty which is his under the law.

Mr. FRENCH. Mr. Chairman, I could not hear everything that the gentleman from South Carolina said, but as I understand it the amendment pertains to limitations on officers performing services under orders within the department itself.

Mr. BYRNES of South Carolina. Yes. It simply provides that the money shall not be expended for the payment of officers assigned to the office of the Chief of Operations who engage in work which is not assigned by law to the office of the Chief of Operations. Every duty which by law is assigned to that office can be discharged by the officers assigned to that bureau, but this is to prevent the performance of duties by the Chief of Operations when such duties are not by law assigned to that office and are specifically assigned to other offices. It is aimed at the concentration in the office of the Chief of Operations of various powers and duties which are beyond the scope of the duties of that office as fixed by the law.

Under the language of the amendment it can not affect any officer unless he is engaged in some work not assigned by law to that office. I do not think the gentleman from Idaho would contend that the Chief of the Bureau of Operations ought to be engaged in work which is not assigned to that office. I do not think that the officers themselves can successfully contend that they ought to be empowered to discharge duties specifically assigned by law to other bureaus of the department.

Mr. FRENCH. Might it not interfere very materially with the assignment of work within the department?

Mr. BYRNES of South Carolina. No. If this office is authorized by law to perform a given duty, it would not interfere with it.

Mr. FRENCH. If work were to be assigned contrary to law, I can see, then, that the gentleman's amendment would be pertinent.

Mr. BYRNES of South Carolina. That is it.

Mr. FRENCH. But if it were to be assigned without the law, but within the discretion of the department and not

properly within the scope of the work normally performed by a particular office, the money ought to be available to care for the payment of the expenses.

Mr. BYRNES of South Carolina. The money will be available unless the officer performs some duty which, under the law, that office has not jurisdiction of.

Mr. FRENCH. The gentleman believes his amendment merely interprets into this part of the bill that which is already the law?

Mr. BYRNES of South Carolina. That is all. It is to prevent the setting aside of law by regulation.

Mr. OLIVER of Alabama. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of South Carolina. Yes.

Mr. OLIVER of Alabama. The law itself imposes certain duties on the bureau itself.

Mr. BYRNES of South Carolina. Yes.

Mr. OLIVER of Alabama. And the gentleman is simply seeking here to preserve the law that we already have written on the statute books?

Mr. BYRNES of South Carolina. That is the only purpose of the amendment. It is to preserve the law as it now exists.

Mr. FRENCH. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. LITTLE. Mr. Chairman, will the gentleman yield?

Mr. FRENCH. Yes.

Mr. LITTLE. How many employees of the Navy are regularly employed and paid out of this fund?

Mr. FRENCH. Approximately 2,000.

Mr. LITTLE. That would include them all?

Mr. FRENCH. Does the gentleman mean this particular section?

Mr. LITTLE. Yes.

Mr. FRENCH. Approximately 41. I thought the gentleman referred to civilian employees in the District.

Mr. LITTLE. Does this refer to naval employees?

Mr. FRENCH. The paragraph refers to civil employees.

Mr. LITTLE. How many of them are in the employ of the department in the District under pay here?

Mr. FRENCH. The gentleman means under this particular section, approximately 41.

Mr. LITTLE. They are paid from this fund?

Mr. FRENCH. Under this head.

Mr. LITTLE. That is where the money goes, to those 41?

Mr. FRENCH. In that particular paragraph; yes.

Mr. STENGLE. Will the gentleman yield?

Mr. FRENCH. I will be glad to yield.

Mr. STENGLE. This particular section refers to civilian employees only.

Mr. FRENCH. I understand so.

Mr. STENGLE. Because they are the only class that comes within the purview of the transportation act of 1923. Are there any naval officers on the pay roll?

Mr. FRENCH. No; not at all.

Mr. STENGLE. Then there should be no objection to the amendment because it simply clarifies the situation.

Mr. FRENCH. Suppose the amendment be read again.

The CHAIRMAN. Without objection the amendment will be again reported.

There was no objection.

The amendment was again reported.

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Carolina.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

TRANSPORTATION AND RECRUITING.

For travel allowance or for transportation and subsistence as authorized by law of enlisted men upon discharge; transportation of enlisted men and apprentice seamen and applicants for enlistment at home and abroad, with subsistence and transfers en route, or cash in lieu thereof; transportation to their homes, if residents of the United States, of enlisted men and apprentice seamen discharged on medical survey, with subsistence and transfers en route, or cash in lieu thereof; transportation of sick or insane enlisted men and apprentice seamen to hospitals, with subsistence and transfers en route, or cash in lieu thereof; apprehension and delivery of deserters and stragglers, and for railway guides and other expenses incident to transportation; expenses of recruiting for the naval service; rent of rendezvous and expenses of maintaining the same; advertising for and obtaining men and apprentice seamen; actual and necessary expenses in lieu of mileage to officers on duty with traveling recruiting parties; transportation of dependents of enlisted men; in all, $3,600,000.

Mr. McKEOWN. Mr. Chairman, I move to strike out the last word. I want to ask the chairman what the rule is in reference to the requirement for enlisted men in the Navy to pay themselves out, as the expression goes; whether the same rule applies to the Navy as it does to the Army?

Mr. FRENCH. That practice is not followed at this time.

Mr. McKEOWN. I am very glad to learn it is not followed. I want to say that the practice in the Army of allowing men to pay their way out is an outrage, because it permits a man who has enough money to pay his son out, to do so; but if the father of a boy, or a widow, is not able to pay the money, his boy is left in the service, because they are not able to pay him out.

Mr. SNYDER. Will the gentleman yield?

Mr. McKEOWN. I will.

Mr. SNYDER. I know the gentleman is a very fair man and wants to be fair, and the gentleman does not want to leave the impression that the boy who pays his way out is rich or the son of a rich parent.

Mr. McKEOWN. No; I am saying the men who pay themselves out are people who have the money in some instances, and in some instances they are not able to get it and pay their boy out, and there are a great many people who are not able to pay their way out.

Mr. SNYDER. I agree with the gentleman; I would like to have it done away with entirely, so there can be no purchasing themselves out.

Mr. McKEOWN. I want them all on the same plane. I know the proposition arose from the effort on the part of the War Department in trying to get something back to the Government for the expense they were put to by taking them into the Army, the expense of transportation and things of that character, but if they are entitled to be discharged then they ought to be discharged upon the same plane and principle without any discrimination. Now they send out a statement that upon the payment of so much money after having so many days or months in the Army that a man can buy himself out. Now, that rule has been promulgated from a desire to save the Treasury of the United States, but it is wrong in principle, because I know of cases where they say that this boy can be discharged from the Army upon the payment of a certain sum of money, and unfortunately his family is unable to raise that much money and he is kept in the Army when he is needed at home worse than boys who are discharged and whose parents are able to buy them out. But I want to say I am glad, and I compliment the Navy, that there is no such practice in the Navy now. I think if a boy is entitled to be discharged he should be discharged, but if he is not entitled to be discharged he ought not to be discharged. They all should be given the same opportunity. I withdraw the pro forma amendment.

The Clerk read as follows:

INSTRUMENTS AND SUPPLIES.

For supplies for seamen's quarters; and for the purchase of all other articles of equipage at home and abroad; and for the payment of labor in equipping vessels therewith and manufacture of such articles in the several navy yards; all pilotage and towage of ships of war; canal tolls, wharfage, dock and port charges, and other necessary incidental expenses of a similar nature; services and materials in repairing, correcting, adjusting, and testing compasses on shore and on board ship; nautical and astronomical instruments and repairs to same, and pay of chronometer caretakers; libraries for ships of war, professional books, schoolbooks, and papers; maintenance of gunnery and other training classes; compasses, compass fittings, including binnacles, tripods, and other appendages of ship's compasses; logs and other appliances for measuring the ship's way, and leads and other appliances for sounding; photographs, photographic instruments and materials, printing outfit and materials; and for the necessary civilian electricians for gyrocompass testing and inspection; in all, $640,000.

Mr. SNYDER. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I rise for the purpose of giving some information and attempting to get some. I would like to ask the chairman of the committee if it is the practice under the law to make purchases of these supplies, if possible, from manufacturers in the United States, or whether it is the rule to advertise for supplies and buy them in the market where they can be purchased the cheapest?

Mr. FRENCH. Yes; it is the rule to advertise; it is the invariable rule.

Mr. SNYDER. And buy in the market where they can be bought the cheapest?

Mr. FRENCH. Yes.

Mr. SNYDER. I desire to ask the Clerk to read this letter in my time.

Mr. FRENCH. Let me say this: In the case of certain articles purchased for particular purposes——

Mr. SNYDER. No; I am speaking of supplies.

The CHAIRMAN. Without objection, the Clerk will read the letter.

There was no objection.

The Clerk read as follows:

UTICA, N. Y., *February 26, 1924.*

Hon. HOMER P. SNYDER,

House of Representatives, Washington, D. C.

DEAR CONGRESSMAN: On Navy Department's, Bureau of Supplies and Accounts, Schedule No. 1570, Class 783-Pliers-opened, December 4, 1923, contract 59402.

Items 3–2b, items 4–1a–3b–1c, items 6–2c, and items 5, were awarded to H. Boker & Co., New York, on pliers manufactured in Germany and furnished from their stock in New York.

To put it mildly it hardly seems just that we as manufacturers on this line of tools, who have capacity to supply in any quantity and quality what the Government specifies, and who have employees who are not fully employed at this time, and are called upon to assume taxes in support of the Government, can not help but feel that we should be entitled to this business on a fair competitive basis.

These are not the only contracts that have been awarded to Boker, but we specifically mention the above.

Very few of our high-grade hardware jobbers are handling German tools, and we can demonstrate very easily that the tools furnished by Boker are not the quality such as would have been furnished by us and some of our other competitors.

If we could run our printing presses and make the money to pay our help, of course we could quote lower prices than we do on these Government specifications.

During the war we were told to, "Give! Give! Give! until it hurts, to stop this awful Hun from conquering the world." Most everyone did give to their limit, and in face of all the facts, it does seem strange that our Government will award contracts to these German dealers.

We know your fairness and earnestness toward everything American, and are putting this up to your good judgment as to what is best to do, and we will be governed by your advice.

Thanking you very much for your kind consideration, we remain,

Respectfully yours,

UTICA DROP FORGE & TOOL CO.
R. B. BILLINGS, *President.*

Mr. SNYDER. Gentlemen, there is no question as to the facts in that letter. I ask the membership of this House and this country if they believe it is a proper policy for our Navy to buy the merchandise it needs in the ordinary operation of the Navy from Germany, in the face of the opportunity to buy merchandise of equal quality in this country, perhaps not at quite the price it can get it from Germany, due to the fact that we know that money in Germany as well as labor is depreciated and practically discredited. This concern which produces and makes these small forgings is like all the rest of us—trying to make a profit. If it makes a profit it pays a portion of it into the Government of the United States in the form of taxes. The question in my mind is whether the Government, on the whole, makes a saving by buying this article from Germany, even though at a smaller price if, in turn, it puts out of business the man who makes it in this country and thereby collects no tax.

Mr. MORTON D. HULL. Does the gentleman know the difference in the prices?

Mr. SNYDER. It would be infinitesimal in this case. I do not know what it is, but it could not be much, because the item is not large. But it is the policy about which I am talking. If the Navy of this country is buying pliers made in Germany in competition with pliers made in America, and is buying German items instead of American items; if it is doing it in other cases as well as this, then I maintain that the policy is wrong.

Mr. SNELL. Mr. Chairman, will my colleague yield?

Mr. SNYDER. Yes.

Mr. SNELL. Does not that come about on account of the restrictions that we put on the department, compelling them to buy after advertising for competitive bids?

Mr. SNYDER. It may be so. But in the face of conditions existing to-day in Germany, where there is no basis of value on anything, whether it be merchandise or anything else, no matter how much duty we might put on articles coming from abroad, no country in the world can compete with the Germans at this moment. This concern to which I refer, like every other one, endeavors to make a profit on its products; and if it does, it pays taxes to the Government; and the question is whether the difference that may exist in the price the Government pays for the German items, as compared with what it would pay for American-made items, compensates for the loss in profits in America and in taxes to the Government. I believe the policy is wrong. I believe that the American Navy and the American Army, in so far as they can, ought to buy their supplies from the producers in this country.

Mr. BOX. Mr. Chairman, will the gentleman yield?

Mr. SNYDER. Yes.

Mr. BOX. Does the gentleman know whether or not these articles were bought under such conditions as to enable the Government to avoid the payment of the import duty?

Mr. SNYDER. I do not know as to that. I understood it was a competitive bid, and that the Navy bought these articles from the Herman Boker Co., importers of those German-made goods.

Mr. BOX. There was a case that came up some time ago where the Navy Department had bought a large quantity of duck in Germany, and it was shown that thereby the department had saved the import duty.

Mr. SNYDER. Yes. But if even they got it at a lower price, and at the same time forced some American manufacturer out of business, is the Government justified, I ask, in doing that when it has the effect of putting our own people out of work?

Mr. BLACK of New York. Is there any substantial reason why the American-made goods should bring a higher price than similar goods made in Germany?

Mr. SNYDER. Well, there is no fixed value in Germany to-day, either on money, or commodities, or products, or anything else. In this country we have to pay for our labor and our materials.

Mr. FRENCH. As I stated a moment ago, Mr. Chairman, it is the practice of the Navy Department to purchase such articles on the basis of competitive bids. Standard specifications are set forth. I do not know the facts in such a particular instance as this, but I have no doubt that it would be disclosed on inquiry that the articles themselves met the specifications and standards set forth, and the bidder, who was a responsible bidder, was able to comply with the offer to purchase these articles under the law, and the Navy Department could not do otherwise than to accept the tender of the articles at the price quoted.

Mr. SNYDER. I agree with the gentleman, and I have not the slightest doubt that the Navy Department was forced to do what it did. But I question the wisdom of that policy. I think I was a Member of this House when that restriction was put on—a provision providing that they must buy in a competitive market.

Mr. FRENCH. There is another suggestion that could be made. It is possible that this particular tool might be of a kind that the Navy Department had special use for.

Mr. SNYDER. This was a general line of tools. It was not just one kind of plier. The Utica Drop Forge Co. makes a general line of small tools; not one single item only, but probably 500 different items, and the Navy probably uses from 1 to 50 different items.

Mr. FRENCH. The gentleman would recognize that the country would not approve of the Navy Department or any other department of the Government, in buying great quantities of material, doing it on another basis than on a competitive basis.

Mr. SNYDER. But the Navy does not have its ships built on the Clyde or elsewhere abroad; and so long as it does not build or purchase its ships in foreign shipyards and so long as the Congress does not authorize the purchase of its ships in foreign shipyards, why should it authorize the purchase of any part of the guns or any parts of the equipment if they can be purchased in this country? We certainly pay more for building our ships in this country than we would have to pay if they were built abroad, and why should we particularize?

Mr. SNELL. Mr. Chairman, will the gentleman yield?

Mr. SNYDER. Yes.

Mr. SNELL. Is there anything in the bill that provides that such articles must be homemade articles or that foreign-made goods can be purchased in certain cases?

Mr. FRENCH. I do not think it is specifically provided in the law.

Mr. SNYDER. Well, it may be that they can buy those things in any place they see fit. If so, they might buy them abroad and buy enough to last for 50 years; and in that case what would happen to American labor in the meantime?

The CHAIRMAN. The pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

NAVAL RESERVE FORCE.

For expenses of organizing, administering, and recruiting the Naval Reserve Force; for the maintenance and rental of armories, including the pay of necessary janitors; and for wharfage, $170,000; for pay

and allowances of officers and enrolled men of the Naval Reserve Force, other than class 1, while on active duty for training; mileage for officers while traveling under orders to and from active duty for training; transportation of enrolled men to and from active duty for training, and subsistence and transfers en route or cash in lieu thereof; subsistence of enrolled men during the actual period of active duty for training; pay and allowances of officers of the Naval Reserve Force and pay, allowances, and subsistence of enrolled men of the Naval Reserve Force when ordered to active duty in connection with the instruction, training, and drilling of the Naval Reserve Force; and retainer pay of officers and enrolled men of the Naval Reserve Force, other than class 1, $3,400,000; in all, $3,570,000, which amount shall be available, in addition to other appropriations, for fuel and the transportation thereof and for all other expenses in connection with the maintenance, operation, repair, and upkeep of vessels assigned for training the Naval Reserve Force: *Provided*, That no part of the money appropriated in this act shall be used for the training of any member of the Naval Reserve Force except with his own consent: *Provided further*, That retainer pay provided by existing law shall not be paid to any member of the Naval Reserve Force who fails to train as provided by law during the year for which he fails to train.

Mr. BUTLER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Pennsylvania offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BUTLER: Page 13, line 8, after the word "force," insert the following: "and Naval Militia."

Mr. BUTLER. Mr. Chairman, I will ask the subcommittee in charge of the appropriation bill to accept this amendment. They know what it will lead to—another amendment to be offered later in the paragraph. It is to restore to this bill the provision which has been stricken out. It would carry for five years, providing for what I think is one of the most important parts of the naval service, and that is the Naval Militia maintained by the different States. I will ask the chairman of the subcommittee whether he is willing to accept it and restore it to the bill, and I will endeavor to make you a promise—and what is better, I will endeavor to keep it—that the Naval Committee will go ahead and bring legislation in that will be regular and not require us to come asking the House to overlook the violation of a rule of the House.

Mr. FRENCH. By that the gentleman indicates that his committee is considering the question of reorganizing the laws under which the Naval Reserve Force operates.

Mr. BUTLER. I will say to my friend that we have been considering but one thing for 42 days.

Mr. FRENCH. But you hope to do it.

Mr. BUTLER. We hope, if we live, to be able to get down to something that is entirely and fairly practical.

Mr. FRENCH. I will answer the gentleman by saying that the members of the Appropriations Subcommittee are agreeable to the language proposed, and we omitted it from the bill primarily because we had no jurisdiction.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Pennsylvania.

The amendment was agreed to.

The CHAIRMAN. The gentleman from Pennsylvania offers another amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BUTLER: On page 14, at the end of line 1, insert a new proviso, as follows:

"*Provided further*, That until June 30, 1925, of the Organized Militia as provided by law, such part as may be duly prescribed in any State, Territory, or for the District of Columbia shall constitute a Naval Militia; and until June 30, 1925, such of the Naval Militia as now is in existence and as now organized and prescribed by the Secretary of the Navy under authority of the act of Congress approved February 16, 1914, shall be a part of the Naval Reserve Force, and the Secretary of the Navy is authorized to maintain and provide for said Naval Militia as provided in said act: *Provided further*, That upon their enrollment in the Naval Reserve Force, and not otherwise until June 30, 1925, the members of said Naval Militia shall have all the benefits, gratuities, privileges, and emoluments provided by law for other members of the Naval Reserve Force; and that, with the approval of the Secretary of the Navy, duty performed in the Naval Militia may be counted as active service for the maintenance of efficiency required by law for members of the Naval Reserve Force."

Mr. BLANTON. Mr. Chairman, I reserve a point of order. Is the chairman of the subcommittee going to make a point of order against this amendment?

Mr. FRENCH. As I understand it, the gentleman from Texas reserves his point of order?

Mr. BLANTON. Yes; but I was wondering whether the chairman of the subcommittee was going to make one.

Mr. FRENCH. I will not make a point of order against the amendment.

Mr. BLANTON. Then I do make it, Mr. Chairman.

Mr. FRENCH. I trust the gentleman from Texas will reserve his point of order.

Mr. BLANTON. I will reserve it.

Mr. BUTLER. I am going to talk to my friend from Texas, who has reserved a point of order.

Mr. BYRNES of South Carolina. Perhaps if the gentleman from Pennsylvania will explain his amendment, the gentleman from Texas may be willing to withdraw his point of order.

Mr. TILSON. Before the gentleman from Pennsylvania begins will he permit me to ask him this question: Is not that in the present law?

Mr. BUTLER. We have already amended the bill by putting in the Naval Militia. My first amendment included the Naval Militia.

Mr. TILSON. I do not mean the permanent law, but it is in the present current law, is it not?

Mr. BUTLER. Yes.

Mr. BLANTON. If it is so meritorious, why on earth did the committee overlook it?

Mr. FRENCH. I will say to the gentleman from Texas that the committee did not include the language proposed, and which has been carried in the bill for several years, for the reason that it is legislation and we had no jurisdiction. But here is the point: The State Naval Militia of New York shares in an expenditure that has been made, or an investment, of approximately $6,000,000 by the State of New York, mostly armories and grounds. That is turned over for the use of the Naval Reserve in New York, the State Naval Militia there being a part of it. If this amendment can go through and the State Naval Militia can function with the National Reserve, of which it will become a part, it will save us rents for armories and it will make possible in addition appropriations made by the State in excess of $200,000. I believe it is the desirable thing to do. As I say, it was omitted by our committee because, in the first place, we do not have jurisdiction from a legislative standpoint and, in the second place, we understand that the naval legislative committee is considering, or will consider, legislation looking to the rounding out of the laws under which the Naval Reserve operates.

Mr. BLANTON. The gentleman says this is in the interest of economy. I want to ask him just how much economy there is in this paragraph:

The members of said Naval Militia shall have all the benefits, gratuities, privileges, and emoluments provided by law for other members of the Naval Reserve Force; and that, with the approval of the Secretary of the Navy, duty performed in the Naval Militia may be counted as active service for the maintenance of efficiency required by law for members of the Naval Reserve Force.

Does the gentleman know how much that is going to cost the Government?

Mr. FRENCH. Let me say this: If those gentlemen shall not be permitted to be carried as a part of the State Naval Militia, they will be carried—because they want this service—as a part of the naval force by enrolling in that force. But by permitting them to occupy the status of members of the New York State Naval Militia they will receive only what we would pay them if they did not have that status, but, on the other hand, they will bring to the use of the Naval Reserve Force, in New York, buildings, equipment, and all of that which has been provided by the State of New York.

Mr. BLANTON. But they will cost the Government just as much as though they belonged to the naval force itself.

Mr. FRENCH. No.

Mr. BLANTON. Why not? This amendment says so. It provides that they shall have all "the benefits, gratuities, privileges, and emoluments provided by law for other members of the Naval Reserve Force."

Mr. FRENCH. But the Government will be spared rents and other large expenditures. The expenses the gentleman enumerates we would need to meet anyway in support of members of whatever Naval Reserve Force would be built up in the State of New York. But if we can let the Naval Reserve Force of New York have the status of Naval Militia for New York, then the State of New York will turn over to the use of the Naval Reserve Force within that State several millions of dollars' worth of property, and we will save the payment of rents for armories and also receive material advantages for the Naval Reserve Force which the gentleman's State is helping to maintain.

Mr. BLANTON. The gentleman admits that for seven years we have not had any law authorizing this provision. Why has not the chairman of the legislative Naval Committee, which

is functioning all the time, brought in a bill in seven years to authorize this?

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. BUTLER. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to proceed for five additional minutes. Is there objection?

There was no objection.

Mr. BUTLER. I will state to the gentleman from Texas the reason why this has not become permanent law. It has been carried along in the naval bill several years. We always considered it one of the most desirable parts of the whole bill. The time has come now, since the new rules have been made, that it is necessary for us to legislate in order that we may properly appropriate.

Mr. BLANTON. Will the gentleman yield?

Mr. BUTLER. Yes.

Mr. BLANTON. After we grant these men all of these gratuities and privileges and emoluments, how much extra is that going to cost the Government?

Mr. BUTLER. Nothing.

Mr. CULLEN. Not a dollar.

Mr. BUTLER. If it would, I would not be for it.

Mr. BLANTON. Why do they want it in here?

Mr. BUTLER. I will tell you why. Under this provision these men may for two months join what is known as the Fleet Naval Reserve, which fits them further for the service, but only for two months.

Mr. BLANTON. And get a junket trip over the world on a ship.

Mr. BUTLER. No; I will say to my friend it is regular training. There is another provision which follows which provides that unless they take this regular training under military rule they can not draw a penny of this money, and it is only for two months.

Mr. BLANTON. I am going to say this to the gentleman: If the members of this Appropriations Committee can not protect their bill and keep this legislation out, I am not going to make a point of order against my old friend from Pennsylvania. [Applause.]

Mr. BUTLER. I am glad of that. I want to publicly acknowledge my gratitude to my friend for his confidence.

Mr. BLACK of Texas. Will the gentleman yield?

Mr. BUTLER. Yes.

Mr. BLACK of Texas. I want to get some information as to how many men are included.

Mr. TABER. Eighteen hundred.

Mr. BLACK of Texas. Has there been any estimate of cost made by anyone?

Mr. TABER. The State of New York pays $256,000 for the maintenance of these men and the equipment, which otherwise would be a charge upon the Government if the State of New York did not do it and if we did not have this provision.

Mr. BLACK of Texas. No; it would not be a charge against the Federal Government unless they were members of this Naval Reserve Force. Can the gentleman give any figures as to how much this amendment will cost the Federal Government?

Mr. TABER. If we did not have this provision, to reasonably take care of the situation, we would have to increase our Federal Naval Reserve to the same extent that it would be decreased by the cutting out of this militia.

Mr. BLACK of Texas. Upon what does the gentleman base that statement? These men are not members of the Naval Reserve, are they?

Mr. TABER. They are, as a result of this amendment; yes.

Mr. BLACK of Texas. They would be. But the amendment has not yet been adopted.

Mr. BUTLER. They have been for four years.

Mr. TABER. They have been for several years.

Mr. FRENCH. I think this statement will clear up the situation: We went into the question to see whether or not these men and officers were doubly paid; that is, whether they were paid as members of the Naval Reserve Force by the Government and paid also by the State of New York as members of the State Naval Militia. We found that was not the case at all, but by letting them be paid, as we want them to be, as members of the Federal Naval Reserve, we then have the advantage of various plants and armories that have been built in New York, and in addition to that approximately $200,000 appropriated by the State of New York to help pay for additional incidental expenses connected with the armories and establishments, and that, probably, otherwise there would be vast rents and appropriations upon the Government.

Mr. BLACK of Texas. Mr. Chairman, for the reason I think that our naval appropriations are now ample, and, in fact, more than they ought to be, I feel compelled, out of a sense of duty, to make the point of order.

Mr. FRENCH. Mr. Chairman, I make the point of order that that now comes too late.

Mr. BLACK of Texas. It was reserved, Mr. Chairman.

Mr. FRENCH. But not by the gentleman from Texas [Mr. BLACK].

Mr. TILSON. The gentleman from Texas [Mr. BLANTON] withdrew his point of order some time ago and the amendment has been under debate.

Mr. BLACK of Texas. No; the gentleman did not make a withdrawal. If the gentleman had, I would at once have renewed it. The gentleman did make the statement that he did not intend to make it, but he did not withdraw the reservation of point of order.

Mr. TILSON. Was not that tantamount to a withdrawal?

Mr. BLACK of Texas. If that had been my understanding, I would at once have made a reservation, but I considered that a reservation had been made and that all the discussion was had with that understanding.

Mr. TILSON. The gentleman from Texas plainly said that if the chairman of the subcommittee did not protect his bill, he was not going to make the point of order against his old friend from Pennsylvania.

Mr. BLACK of Texas. I submit the gentleman did not withdraw the point of order, and all the discussion proceeded under the reservation of the point of order.

Mr. BUTLER. I did not understand it so.

Mr. BLACK of Texas. Mr. Chairman, I make the point of order that there is no law authorizing the amendment to the appropriation bill.

Mr. BUTLER. Mr. Chairman, I make the point of order it is too late. We have argued it and debated it for five minutes.

The CHAIRMAN. The Chair is inclined to believe the point comes too late. Debate was progressing. The gentleman from Pennsylvania [Mr. BUTLER] was on the floor. He yielded to the gentleman from Texas. The gentleman from Texas [Mr. BLANTON] then stated that in consideration of the gentleman from Pennsylvania [Mr. BUTLER] he would withdraw his point of order.

Mr. BLANTON. Oh, Mr. Chairman, I do not want to be misquoted. Here is what I said exactly—that if the members of this Appropriation Committee were not going to protect their own bill and make the point of order themselves I would not make it, but I did not say that I would do it.

Mr. FRENCH. Mr. Chairman, may I be heard right there? When the gentleman made that statement I think the RECORD will show that I immediately asked for recognition to state why the committee desired to have the item in.

The CHAIRMAN. Does the gentleman from Texas now state to the Chair that he did not withdraw his reservation of the point of order?

Mr. BLANTON. I merely said that if they would not make it themselves I would not make it.

The CHAIRMAN. That does not answer the inquiry of the Chair. The Chair wants to know whether the gentleman withdrew it?

Mr. BLANTON. That intimates that I was going to do it, but I did not do it.

The CHAIRMAN. Did the gentleman from Texas withdraw his reservation?

Mr. BLANTON. I did not in that language. The reporter's notes will show what I said.

The CHAIRMAN. The gentleman from Texas has reserved the point of order. Does the gentleman now make it?

Mr. BLANTON. I withdraw my point of order.

Mr. BLACK of Texas. Then I renew the point of order and make the point of order.

The CHAIRMAN. The gentleman from Texas [Mr. BLACK] makes the point of order.

Mr. FRENCH. Mr. Chairman, I make the point of order that that comes too late. I think the language of the gentleman from Texas [Mr. BLANTON] plainly indicated that he had withdrawn his point of order, and that if the gentleman had said nothing further the Chairman would have gone ahead and put the question upon this amendment. The Chair would not have asked the gentleman from Texas [Mr. BLANTON] whether or not he had withdrawn his point of order.

The CHAIRMAN. The Chairman of the Committee of the Whole must be governed largely by the good faith of the individual Members on the floor. If the gentleman from Texas [Mr. BLANTON] did not intend to withdraw his reservation,

and he now says that he did not, the Chair must take his word for it.

Mr. BLANTON. Mr. Chairman, I did not say that. I want to be quoted correctly. I said that I had not done so, but I intended to do it.

Mr. FRENCH. I ask to have the record read where the gentleman from Texas [Mr. BLANTON] made the statement indicating to me and I think to the gentlemen of the House generally that he withdrew his point of order.

Mr. BUTLER. Mr. Chairman, the gentleman from Texas [Mr. BLANTON] states it exactly as he said it. The gentleman from Texas pleased me very greatly by what he said.

The CHAIRMAN. The Chair is reasonably clear on this. The Chair may be wrong about it, but the Chair will entertain the point of order made by the gentleman from Texas [Mr. BLACK]. Is there anything to be said on the point of order?

Mr. OLIVER of Alabama. Will the Chair hear me for a moment?

Mr. BUTLER. Do I understand that the Chair sustains the point of order?

The CHAIRMAN. The Chair has not passed on the point of order.

Mr. OLIVER of Alabama. I think the point of order comes too late, inasmuch as the Chair seems to base his ruling on what he understood to be the language of the gentleman from Texas [Mr. BLANTON] that he intended to withdraw his point of order. The gentleman from Texas, as I recall his language, said that he would not make the point of order.

Mr. BLANTON. That is what I said.

Mr. OLIVER of Alabama. And a proper construction of the words "would not make" certainly is that he withdrew it. One need not use the word "withdraw" in order to inform the Chair that a point of order has been withdrawn. If a gentleman rises and states "I will not make it," or "I would not make it," he has stated in positive language a withdrawal of the point of order, even though he may not use the word "withdraw." The gentleman from Idaho [Mr. FRENCH] is entirely correct in that after that language was used by the gentleman from Texas [Mr. BLANTON], there was discussion of this matter by the gentleman from Pennsylvania [Mr. BUTLER], and, of course, it comes too late now for some one else to rise and make the point of order.

The CHAIRMAN. The Chair is having the Reporter make a transcript of the particular language of the gentleman from Texas.

Mr. STEPHENS. I call attention to the fact that after the gentleman from Texas [Mr. BLANTON] had said that he would not make the point of order, the gentleman from Pennsylvania [Mr. BUTLER] had really given up the floor and started to take his seat. When the gentleman from Texas [Mr. BLACK] attracted his attention, he began to again discuss the subject.

Mr. BLACK of Texas. Mr. Chairman, the gentleman is incorrect in that statement. The gentleman from Pennsylvania had asked for five additional minutes and the committee had granted it. The whole discussion had proceeded under the reservation of the point of order, which, under the custom of the House, proceeds until the one discussing it has finished. Then the point of order is either made or withdrawn. I had fully intended all along to make the point of order if my colleague from Texas [Mr. BLANTON] did not, but I did not think there was any advantage in making two reservations, and when he announced that he would not make the point of order I think I had the right to assume that at the conclusion of the discussion by the gentleman from Pennsylvania [Mr. BUTLER], Mr. BLANTON would announce his withdrawal of the point of order and that I would then renew it. But I did not think it was necessary to do that until the gentleman from Pennsylvania had concluded his remarks.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. TILSON having taken the chair as Speaker pro tempore, a message from the Senate by Mr. Crockett, one of its clerks, announced that the Senate had insisted upon its amendment to the House amendment to Senate amendment No. 47 to the bill (H. R. 5078) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1925, and for other purposes, had asked a further conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. SMOOT, Mr. CURTIS, and Mr. HARRIS as the conferees on the part of the Senate.

NAVAL APPROPRIATION BILL.

The committee resumed its session.

Mr. BUTLER. Mr. Chairman, an amendment already has been adopted that was not in order, to which no point of order was made, including in this bill this very thing, and now, having adopted an amendment which is out of order, would it not make this amendment in order, because it includes the Naval Militia. If it comes to that, we will argue it.

Mr. BLANTON. Mr. Chairman, this is the parliamentary situation: I reserved the point of order. That is for the benefit of every member of the committee, under our rules. That reservation stands, of course, until it is definitely withdrawn. Debate ensued, and after debate I stated that if the committee would not protect their own bill themselves, I would not make the point of order. After I said that any one of the 35 members of the committee or any other Member of the House could have risen and made the point of order, and all Members in the House could have made it. The reservation, however, stood until some one made the point of order or it was withdrawn. Of course, I expected to withdraw the reservation, and, so far as I was concerned, it was a closed incident. There is no question about that; but, as a matter of fact, I did not do it. I intended to do it, but I did not do it, and my reservation inured to the benefit of every man on this floor, each of whom had just as much interest and rights in my reservation as I did myself.

Mr. BYRNES of South Carolina. Will the gentleman yield?

Mr. BLANTON. I will.

Mr. BYRNES of South Carolina. The gentleman did not intend at some subsequent time to get up formally and withdraw his point of order?

Mr. BLANTON. I expected then and there to drop the whole fight, so far as I was concerned.

Mr. BYRNES of South Carolina. That is what I thought.

Mr. BLANTON. But, as a matter or fact, I did not withdraw the reservation, although I stated positively I would not make the point of order; but the rules of the House under which we proceed are more important than the present expediency of any question.

Mr. BYRNES of South Carolina. Mr. Chairman, I asked the gentleman from Texas this question as his intention of whether he intended to rise formally and say, "I withdraw the reservation," and frankly he declared he had no such intention; that so far as he was concerned he was through with the matter. I submit, had he said nothing the Chair would never have ruled on that reservation. The Chair certainly believed the gentleman from Texas believed he was through with the discussion on the point of order, and there is nothing else for him to do or the Chair to do. Debate ensued before the gentleman from Texas [Mr. BLACK] made the point of order.

Mr. BLACK of Texas. If the gentleman will yield, debate was proceeding at the time. The gentleman from Texas [Mr. BLANTON] did not as a matter of procedure withdraw the point of order, but in the colloquy with the gentleman from Pennsylvania [Mr. BUTLER] he said that if the committee did not make it, he would not. I did not know but what some member of the committee would feel constrained to make the point of order at the conclusion of the discussion by the gentleman from Pennsylvania [Mr. BUTLER], and I did not consider it necessary for me to rise and reserve the point of order again.

The CHAIRMAN. The Chair is ready to rule. The Chair, of course, believed that he heard the gentleman from Texas [Mr. BLANTON] make the remark that it was his purpose to withdraw the reservation of the point of order, and as soon as the Chair announced that was his belief the gentleman from Texas [Mr. BLANTON] interposed and said that he did not want his language misunderstood, that all he said was he would not make the point of order. Now, the Chair has had the Reporter make him a rough transcript of this matter, and this is what happened: Mr. BUTLER was on the floor, the gentleman from Pennsylvania; and in the middle of his five-minute extension that was granted him by the committee he yielded to the gentleman from Texas [Mr. BLANTON] to ask him a question, and some discussion ensued, in the course of which Mr. BLANTON said:

Mr. BLANTON. I am going to say this to the gentleman: If the members of this Appropriation Committee can not protect this bill and keep this legislation out, I am not going to make a point of order against my old friend from Pennsylvania.

Mr. BUTLER. I am glad of that.

And then offered some other observations. What the gentleman from Texas said, that he was not going to make the point of order, might be construed two ways. It might be that he was announcing that he withdrew his reservation; but he did not say that. He said, "I am not going to make it," which might be interpreted that he would not make it at the expiration of the five minutes granted to the gentleman from Pennsylvania. Now, the Chair thought as the majority of the

committee seems to feel on this matter, but irrespective of what the Chair thinks, the Chair must take a gentleman's statement on the floor of the House in stating his own express intentions, and the Chair thinks he is right in recognizing the point of order of the gentleman from Texas.

Mr. BUTLER. Let me ask the gentleman from Texas [Mr. BLACK] if he will not withhold——

Mr. BLACK of Texas. I will withhold.

Mr. BUTLER. I desire to appeal from the decision of the Chair. With the utmost respect for the fairness of the Chair, I appeal from his decision, and let us understand right here what the English language means.

The CHAIRMAN. The gentleman from Idaho [Mr. FRENCH] made a point of order that the point of order was too late, and the Chair supposes it is on that point of order by the gentleman from Idaho [Mr. FRENCH] that this matter comes up and on which the Chair overruled the point of order, and from that decision the gentleman from Pennsylvania appeals.

Mr. BUTLER. I appeal, and it is the first time I have ever done it in 27 years.

The CHAIRMAN. The question is, Shall the decision of the Chair stand as the decision of the committee.

The question was taken.

The CHAIRMAN. The Chair is in doubt. Those in favor of sustaining the decision of the Chair will rise and stand until counted.

The House again divided; and there were—ayes 52, noes 27.

So the decision of the Chair was sustained.

Mr. BUTLER. Let us argue the point of order.

Mr. FRENCH. May I ask the gentleman from Texas [Mr. BLACK] if he will withhold the point?

Mr. BLACK of Texas. I will withhold the point of order?

Mr. FRENCH. Let me suggest this: The first amendment offered by my friend from Pennsylvania [Mr. BUTLER] was not objected to. It was adopted by the committee and inserted on page 13, line 2—the words "and Naval Militia." I submit to the gentleman that we have already put into the bill the organization of the Naval Militia, to which the language defining more particularly what shall be done pertains. It leaves the matter in a rather awkward state. I will say to the Chair that the amendment of the gentleman from Pennsylvania saves money rather than adds an additional burden. It maintains these men as a part of the Naval Reserve, and it is to the direct advantage of the Government. There is no duplication of pay. We have checked that up thoroughly. The only ones who would be paid are one or two on the governor's staff, and they are not paid because they are members of the militia but because they are members of the governor's staff.

Mr. BLACK of Texas. Why does not the Committee on Naval Affairs bring in legislation to make it in order, if this is a saving?

Mr. FRENCH. Until two years ago the Committee on Naval Affairs was the appropriating committee which prepared and brought in the naval appropriation bill, and as was the custom then the legislative committees brought in items year after year that were not supported by legislation. They did not have authority in law, but it was concurred in because it was done by the legislative committee, and no objection was made. The Naval Committee has had this item before it for a year, and the chairman of the committee has just told us that he hopes before the expiration of another year to have an adequate bill reported covering the matter.

Mr. BLACK of Texas. Two years is a good long time, and I am not convinced that this amendment would work any economy for the Government, and therefore I make the point of order.

The CHAIRMAN. Does the gentleman from Pennsylvania care to be heard?

Mr. BUTLER. If the Chair would care to hear me I would like to be heard.

The CHAIRMAN. The Chair will be glad to hear the gentleman.

Mr. BUTLER. I do not know, in my ignorance, whether I shall be able to make the Chair understand me. This committee has already adopted one amendment that is out of order, in my opinion. This other amendment relates to the same subject, and under the rules a point of order can not be made against it.

The CHAIRMAN. The Chair is of opinion that it is legislation upon an appropriation bill, and the point of order is sustained.

Mr. BUTLER. There is no doubt in the world but that it is legislation. That is the reason why I offered it.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

NAVAL WAR COLLEGE, RHODE ISLAND.

For maintenance of the Naval War College on Coasters Harbor Island, including the maintenance, repair, and operation of one horse-drawn passenger-carrying vehicle to be used only for official purposes; and care of ground for same $91,800; services of a professor of international law, $2,000; services of civilian lecturers, rendered at the War College, $1,200; care and preservation of the library, including the purchase, binding, and repair of books of reference and periodicals, $5,000; in all, $100,000: *Provided*, That the sum to be paid out of this appropriation under the direction of the Secretary of the Navy for clerical, inspection, drafting, and messenger service for the fiscal year ending June 30, 1925, shall not exceed $50,000.

Mr. BEGG. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Ohio moves to strike out the last word.

Mr. BEGG. I do so for the purpose of asking the chairman of the subcommittee a question. What happened with respect to this Naval War College on Coasters Harbor Island that requires an increased appropriation of $10,600 this year, and at the Naval War College here, with an increased appropriation of over $11,000? I put the inquiry in order to know what is being done or contemplated this year that is going to cost that much more money at each of these war colleges.

Mr. FRENCH. The Navy Department believes that it is desirable to maintain this War College just as the War Department maintains an Army War College, in order that men who are especially interested in various lines of study pertaining to the Navy may have a place to go and accept a detail for a year and do intensive studying. And especially it has to do with the larger aspects of the movements of a fleet and the operations of the Navy, with strategy and all that sort of thing. Then the reason why we are giving a little less than $11,000 this year, more than they had last year, is because the department feels that a somewhat larger enrollment would be desirable at this time. We have 79 officers who are doing this work at that college. The desire of the department is to increase that up to 100, having a junior college for junior members, and a senior college for senior members, with probably 50 enrolled in each. The department asked us for $130,000.

Mr. OLIVER of Alabama. The committee thought we would not be justified in making a large appropriation or to extend it beyond two years. We thought this might apply to the senior school.

Mr. FRENCH. The department, as I say, asked for $130,000, and in harmony with what the gentleman from Alabama [Mr. OLIVER] has suggested, we withheld the larger part that was recommended and provided for an increase of approximately $11,000. Let me mention this also as one of the functions performed at that colleg There is a correspondence course maintained by officers of the Navy, whether on shore or sea duty, that is of tremendous value in keeping the officers abreast of the times and fit, and that work finds its center and supervision at the War College.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Salaries, Navy Department.

Mr. BEGG. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Ohio moves to strike out the last word.

Mr. BEGG. I would like to have the chairman of the committee tell me why it is necessary to raise any salaries at these homes and increase the number of employees until they have increased the expense of the operation of this Naval Home by $32,000, in round numbers, this year. And I want to know if that is the policy all the way through, and if that is the way we expect to economize?

Mr. FRENCH. Mr. Chairman, let me say to the gentleman first that, as I recall it, the salary increases amount to only $1,000, and the other items going to make up the increase account for the expansion. Let me say also that this money is not an appropriation from the Treasury, but it is from the fund that is built up by the institution itself and those who go there.

Mr. BEGG. These expenses are met out of the pension fund?

Mr. FRENCH. Yes. The demand for the better care and comfort of those who are enjoying that as a home seems to require that they receive the little extra attention that the Navy Department felt should be accorded them out of moneys

furnished by this pension fund, and the committee concurred in that thought on the part of the department.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

For apparatus and instruments and for repairs of the same, $2,500.

Mr. HOWARD of Nebraska. Mr. Chairman, I move to strike out the last word. There is no last word, so I move to strike out some figures.

The CHAIRMAN. The gentleman from Nebraska moves to strike out the last word and is recognized for five minutes.

Mr. HOWARD of Nebraska. Mr. Chairman and gentlemen of the House, this morning I received some very valuable information from a sea-going Member of the House. I do not know much about naval affairs, so I asked for information at the hands of one who knew how to give it; he did give it, too, and I owe my thanks to the gentleman from Massachusetts.

Now, I have some further information to request of Members of the House, and any of you may answer who are capable. You know I am rather new here, and I want to know the way of procedure, and I always want to be within the lines of the right and to see that I shall never transgress any of the rules of propriety.

Several of you have told me that it would be very untoward on my part if I should ever speak the name of a Senator of the Nation, or if I should ever refer in debate here to the action of the Senate on any pending matter. Well, taking your advice, I have consistently and religiously refrained. But in this morning's newspaper I behold the portrait of one whom I greatly love, the portrait of the titular head of this House, and I see him quoted in the newspaper—his exact words being quoted—and a statement is made wherein he took the hide off of the Senate over here, hung it up on the barn door, and threw brickbats at it. [Laughter and applause.] I do not know but what I indorse a good deal of the throwing. [Laughter.]

But what I want to know now is this: Am I to follow the precedent laid down by the titular head of this House, or am I to follow the admonition given to me by its worthy membership generally?

Mr. BLANTON. Will the gentleman yield?

Mr. HOWARD of Nebraska. Yes.

Mr. BLANTON. The Speaker was perfectly safe. He was away off up in Boston, Mass.

Mr. DENISON. Will the gentleman yield?

Mr. HOWARD of Nebraska. Yes.

Mr. DENISON. The rule to which the gentleman's attention has been called only applies to statements made in this Chamber. Any Member of this body is at liberty to say what he pleases about the other legislative body in a public place, but not in this Chamber. So there is the distinction.

Mr. HOWARD of Nebraska. I thank the gentleman for his information.

Mr. DENISON. I thought the gentleman ought to have that information, as he apparently does not have it, and does not understand the distinction, which is a very material distinction.

Mr. HOWARD of Nebraska. Again I give my thanks. I am seeking information. [Laughter.] Then I take it it will be all right for me to step outside the sacred precincts of this House and give my own professional, private, and public opinion of any Senator all the way from Florida to Washington—Washington State, I mean.

Mr. WATKINS. Will the gentleman yield.

Mr. HOWARD of Nebraska. Yes.

Mr. WATKINS. The gentleman will not have to go that far. If he will just go back here and tell it secretly, so it will not be heard, he can say anything he wants to about a Senator.

Mr. HOWARD of Nebraska. I may say it secretly, and I will still be within the lines of propriety? Why, only yesterday, or day before, Mr. Chairman, the body over at the other end of this Capitol committed an awful crime in my eyes, and I wanted to speak about it, but a good friend of mine pulled my sleeve and said it would not be within the proprieties. I really did want to express my opinion about a Senate over there which would vote to confirm a colored brother in a high public office down in New Orleans. [Laughter and applause.]

The CHAIRMAN. The time of the gentleman has expired. Without objection, the pro forma amendment is withdrawn and the Clerk will read.

The Clerk read as follows:

BUREAU OF ENGINEERING.

ENGINEERING.

For repairs, preservation, and renewal of machinery, auxiliary machinery, and boilers of naval vessels, yard craft, and ships' boats, distilling and refrigerating apparatus; repairs, preservation, and renewals of electric interior and exterior signal communications and all electrical appliances of whatsoever nature on board naval vessels, except range finders, battle order and range transmitters and indicators, and motors and their controlling apparatus used to operate machinery belonging to other bureaus; searchlights and fire-control equipments for antiaircraft defense at shore stations; maintenance and operation of coast signal service; equipage, supplies, and materials under the cognizance of the bureau required for the maintenance and operation of naval vessels, yard craft, and ships' boats; care, custody, and operation of the naval petroleum reserves; purchase, installation, repair, and preservation of machinery, tools, and appliances in navy yards and stations, pay of classified field force under the bureau; incidental expenses for naval vessels, navy yards and stations, inspectors' offices, the engineering experiment station, such as photographing, technical books and periodicals, stationery, and instruments; instruments and apparatus, supplies, and technical books and periodicals necessary to carry on experimental and research work in radiotelegraphy at the naval radio laboratory; in all, $18,012,300, of which $2,562,300 shall be available immediately, and not less than $600,000 of the amount last named shall be available for developing and testing submarine motive power under actual service conditions: *Provided*, That the sum to be paid out of this appropriation, under the direction of the Secretary of the Navy, for clerical, drafting, inspection, and messenger service in navy yards, naval stations, and offices of United States inspectors of machinery and engineering material for the fiscal year ending June 30, 1925, shall not exceed $1,475,000: *Provided further*, That no part of this or any other appropriation contained in this act shall be available for maintaining, other than in a decommissioned status, more than four cargo ships, two transports, and one ammunition ship, unless, in case of emergency, the President should otherwise direct.

Mr. FRENCH. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Idaho offers an amendment, which the Clerk will report.

The Clerk read as follows:

Committee amendment, page 21, lines 4 and 5, strike out ", other than in a decommissioned status," and insert in lieu thereof the following: "in commission, exclusive of vessels of other types."

Mr. FRENCH. The language I have sent to the Clerk's desk is calculated to clear up an ambiguity in the proviso.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Idaho.

The amendment was agreed to.

Mr. BLACK of New York. Mr. Chairman, I move to strike out the last word. I am making this motion at this time in order to direct the attention of this committee to an item of $600,000 here appropriated for the purpose of experimental work on motive power for submarines under service conditions. I have no particular objection to the experiment. My objection lies in the fact that the committee has not gone as far as some experts think it should go in the matter of submarine preparation.

The disarmament conference made no provision for the limitation on the number of submarines that might be constructed by any of the powers. That conference did engage in the question of restricting the conduct of submarine warfare, with the result that a humane treaty was drawn, limiting the use of this type of war craft to something like humane purposes in time of war. Immediately after the conference adjourned the Japanese engaged upon a building program whereby they were to have in course of time 22 fleet type submarines. We in 1916 authorized by the naval act of August 29, the building of nine fleet type submarines, and three of those submarines are in the course of construction.

Mr. BLACK of Texas. Will the gentleman yield?

Mr. BLACK of New York. Yes.

Mr. BLACK of Texas. If I understand correctly, we now have three fleet submarines, but they are not successful and are out of commission. The purpose of this $600,000 is to see if by some investigation they can not overcome that difficulty and build submarines that will be efficient.

Mr. BLACK of New York. I realize that that is the purpose of this provision. Now we have three fleet type submarines, as the gentleman from Texas says. They are known as T-boats. They were originally experimental propositions, and it is proposed to take this $600,000, plus a German engine that we bought from the British, and put it in one of the hulls of these decommissioned T-type vessels. The T types were always experimental. The T-type hull is not a perfect hull, I understand from the naval experts, and I think, and I honestly believe from what I have heard from the Navy Department, that this experiment is foredoomed to failure.

Mr. BLACK of Texas. Will the gentleman permit another question?

Mr. BLACK of New York. Certainly.

Mr. BLACK of Texas. The gentleman will agree, I suppose, that we ought not to go ahead building these fleet submarines until we do perfect one that will work. We ought not to waste that money.

Mr. BLACK of New York. I understand, first of all, from the Navy Department that they have perfected an engine and that they are satisfied with the engine they have. It is along the same lines as this engine they propose to use in this old hull of the T type. The Navy experts are satisfied they can do that. The President of the United States has called upon this Congress to appropriate for submarines, for mine-laying submarines, and the distinguished Assistant Secretary of the Navy, the very capable Assistant Secretary from my State, has appeared before the committee and requested mine-laying submarines.

Gentlemen, it is a serious proposition, when one of the powers that attended the conference, immediately after the conference was over, violated absolutely the spirit of the conference in relation particularly to ratios, and went back home and started to erect 22 submarines of a large cruising radius that are a direct menace and a direct threat to this country. I think we should do something more than experiment. By the experiment we may find we will get something better than what we have, and I say to you gentlemen that while we are experimenting let us build something just as good as anybody else has.

Mr. WATKINS. Will the gentleman yield?

Mr. BLACK of New York. Certainly.

Mr. WATKINS. In the matter of submarines is it not a fact that we are superior to Great Britain but decidedly inferior to Japan?

Mr. BLACK of New York. That is about the situation. The experiments may work out something constructive, and we may learn something from them. I have no particular objection to going ahead with the experiments, although I do believe they are foredoomed to failure. But we want something more than experiments. This country is not going to be protected by any experiment. We are going to be protected by boats. The report of the subcommittee says that our submarines are not inferior to any submarines, and I say to you, if our submarines are not inferior to other submarines, then let us go ahead and build something just as good as anything the other fellow has.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FRENCH. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker pro tempore having resumed the chair, Mr. GRAHAM of Illinois, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill (H. R. 6820) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1925, and for other purposes, had come to no resolution thereon.

APPROPRIATIONS—INTERIOR DEPARTMENT.

Mr. CRAMTON. Mr. Speaker, I call up the conference report on the Interior Department appropriation bill (H. R. 5078) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1925, and for other purposes.

The SPEAKER pro tempore. The gentleman from Michigan calls up the conference report on the Interior Department appropriation bill (H. R. 5078), which the Clerk will report by title.

The Clerk read the title of the bill.

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent that the House insist upon its disagreement and agree to the conference asked by the Senate.

The SPEAKER pro tempore. The gentleman from Michigan asks unanimous consent that the House insist upon its disagreement and agree to the conference asked by the Senate. Is there objection? [After a pause.] The Chair hears none.

Without objection, the Chair appoints the following conferees:

Mr. CRAMTON, Mr. MURPHY, and Mr. CARTER.

APPROPRIATIONS—NAVY DEPARTMENT.

Mr. FRENCH. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 6820) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1925, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 6820, with Mr. GRAHAM of Illinois in the chair.

The Clerk reported the title of the bill.

Mr. FRENCH. Mr. Chairman, the statements that have just been made by my colleague from New York [Mr. BLACK] deserve this attention: First, I do not believe that the gentleman is accurate when he charges another power signing the limitation of armament treaty with violating the spirit of the treaty. As a matter of fact, when he refers to the 22 submarines that Japan is building, those submarines are in lieu of 46 smaller submarines which had been projected and which had been voted prior to the meeting of the conference. It is my judgment that the great nation of Japan is striving to live up to the letter and the spirit of the compact.

Let me make this further observation. In providing for the experiment to be carried on in a large fleet-going submarine type of ship, your committee had the advice of the Chief of the Bureau of Engineering of the Navy Department, and it is his judgment that if an engine can be found to function adequately in a ship of the submarine type, for which we now have a hull, it will be adequate for the fleet submarine type that is in the minds of officers of the Navy.

We believe it is wise to proceed along these lines rather than to proceed by way of appropriating millions of dollars for the laying down of additional fleet submarines when we do not have at this time a type of engine that will meet the situation.

Mr. WATKINS. Will the gentleman yield?

Mr. FRENCH. Further than that, there are three fleet submarines to-day being built at Portsmouth, and they are about 45 to 65 per cent completed. We do not know for sure that we have types of engine that will be adequate to the situation there, although we believe and we hope we have.

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

Mr. FRENCH. I shall be glad to yield.

Mr. WATKINS. The gentleman will admit, I believe, that the Armament Conference did not limit the building of cruisers and that Japan since that conference is building 25 cruisers of 7,500 to 10,000 tons each.

Mr. FRENCH. A good many ships were being built by the various nations, including the United States, at the time the conference was held. Japan was building a limited number. At this present moment we are building, as I recall, 30 or 31 ships that were laid down before the conference. Japan, however, in the light cruiser line is building four of 10,000 tons that are substituted for four of 8,000 tons that had been projected before the conference. She is building four others of 7,500 tons in lieu of five of 5,570 tons which had been voted for prior to the conference.

Mr. WATKINS. And some of those are of the first class instead of the second class, are they not?

Mr. FRENCH. Probably so. I would say that her building program has been reduced rather than increased. Since the conference was held her new ships which she had voted to build and upon which she had begun construction have been reduced from approximately 51 or 52 in number to 37.

Mr. BLACK of New York. Does not the gentleman think that the elaborate program of Japan for fleet submarines seriously affects the relative strength of her navy and ours?

Mr. FRENCH. The addition of any ships of any type to any navy modifies, of course, to that extent; but the committee—and, I would say, speaking for myself as chairman—believes that there is not the slightest occasion for our feeling apprehensive because of the activities of any other nation.

Mr. BLACK of New York. The gentleman, of course, realizes that the President of the United States when he delivered his message here felt a little apprehensive, that the Budget Bureau must have felt apprehensive when it suggested the appropriation for three additional submarines, and that the experts in the Navy Department must have felt apprehensive when they suggested the appropriation. I think, also, the chairman should bear in mind the fact that the Japanese are not building submarines of great cruising capacity for purely defensive purposes in and about Japan; and in view of the fact that our experts have testified before the gentleman's committee that they have a satisfactory engine which they can install in the V type of submarine, and that, moreover, we need mine-laying submarines, surely the gentleman thinks that it is within the province of this Congress to appropriate along those lines, so that we can do as much as possible in our way with our greater resources to meet the naval competition of Japan.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

CONSTRUCTION AND REPAIR OF VESSELS.

For preservation and completion of vessels on the stocks and in ordinary; purchase of materials and stores of all kinds: steam steerers, steam capstans, steam windlasses, and all other auxiliaries; labor in navy yards and on foreign stations; purchase of machinery and tools for use in shops; carrying on work of experimental model tank and

wind tunnel; designing naval vessels; construction and repair of yard craft, lighters, and barges; wear, tear, and repair of vessels afloat; general care and protection of the Navy in the line of construction and repair; incidental expenses for vessels and navy yards, inspectors' offices, such as photographing, books, professional magazines, plans, stationery, and instruments for drafting room, and for pay of classified field force under the bureau; for hemp, wire, iron, and other materials or the manufacture of cordage, anchors, cables, galleys, and chains; specifications for purchase thereof shall be so prepared as shall give fair and free competition; canvas for the manufacture of sails, awnings, hammocks, and other work; interior appliances and tools for manufacturing purposes in navy yards and naval stations; and for the purchase of all other articles of equipage at home and abroad; and for the payment of labor in equipping vessels therewith and manufacture of such articles in the several navy yards; naval signals and apparatus, other than electric, namely, signals, lights, lanterns, running lights, and lamps, and their appendages for general use on board ship for illuminating purposes, and oil and candles used in connection therewith; bunting and other materials for making and repairing flags of all kinds; for all permanent galley fittings and equipage; rugs, carpets, curtains, and hangings on board naval vessels, $15,605,000: *Provided*, That the sum to be paid out of this appropriation, under the direction of the Secretary of the Navy, for clerical, drafting, inspection, watchmen (ship keepers), and messenger service in navy yards, naval stations, and offices of superintending naval constructors for the fiscal year ending June 30, 1925, and shall not exceed $1,630,000.

Mr. STENGLE. Mr. Chairman, I move to strike out the last word for the purpose of inquiring of the chairman of the committee if the committee can inform us whether this classified field force mentioned on page 22, line 9, will be paid in accordance with the classification act of 1923?

Mr. FRENCH. We are not able to give that information at this time. The classification as to the field force has not yet been accomplished. If it is not accomplished before the adjournment of the Congress, we hope that the matter will be taken care of through the passage of some legislation carrying appropriations that will make whatever adjustments may be necessary, if they are necessary.

Mr. STENGLE. In the event that we do not reach that former conclusion, upon what basis will the pay of this classified field force be reckoned?

Mr. FRENCH. I am not authorized at all to make any statement under that head. The matter is one that is not before the Congress now. I realize that to some extent in the naval force those in the field service have received compensation upon the basis of reports made by the wage adjustment board under the Navy, which has been adjudicating wages and salaries at different navy yards and establishments.

Mr. STENGLE. It will be in accordance with the wage board action, then.

Mr. FRENCH. It may, and it may not. I think as to those field employees a different policy has been applied, possibly without the intention of Congress, than has been applied to the field employees of other departments. I doubt if Congress intended that the wage board should fix the compensation of classified employees in the field service. That question is one that will need to have the attention of the committee at a later time. It is not now before the subcommittee that reported this bill, and all I can say is that it is a matter for future hearing.

Mr. STENGLE. The gentleman can not give the information?

Mr. FRENCH. Not at this time.

The Clerk read as follows:

ORDNANCE AND ORDNANCE STORES.

For procuring, producing, preserving, and handling ordnance material; for the armament of ships, for fuel, material, and labor to be used in the general work under the cognizance of the Bureau of Ordnance; for furniture at naval ammunition depots, torpedo stations, naval ordnance plants, and proving grounds; for technical books; for machinery and machine tools; for maintenance of proving grounds, powder factory, torpedo stations, gun factory, ammunition depots, and naval ordnance plants, and for target practice; not to exceed $10,000 for minor improvements to buildings, grounds, and appurtenances, and at a cost not to exceed $750 for any single project; for the maintenance, repair, and operation of horse-drawn and motor-propelled freight and passenger carrying vehicles, to be used only for official purposes at naval ammunition depots, naval proving grounds, naval ordnance plants, and naval torpedo stations, and for the pay of chemists, clerical, drafting, inspection, and messenger service in navy yards, naval stations, naval ordnance plants, and naval ammunition depots, $9,000,000: *Provided*, That the sum to be paid out of this appropriation under the direction of the Secretary of the Navy for chemists, clerical, drafting, inspection, watchmen, and messenger service in navy yards, naval stations, naval ordnance plants, and naval ammunition depots for the fiscal year ending June 30, 1925, shall not exceed $900,000.

Mr. BUTLER. Mr. Chairman, I offer the amendment which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. BUTLER: Page 24, line 4, strike out the word "and," the comma preceding it, and insert a semicolon in lieu thereof; and in line 7 strike out "$9,000,000" and insert in lieu thereof the following: "and for care and operation of schools built at ordnance stations pursuant to authority contained in the act entitled 'An act to authorize the President to provide housing facilities for war needs,' approved May 16, 1918, $9,025,000."

Mr. BEGG. Mr. Chairman, I make the point of order against the amendment.

Mr. BUTLER. Mr. Chairman, I admit that the point of order is well taken. Will the gentleman withhold the point of order and be patient for a few minutes?

Mr. BEGG. I reserve the point of order just as long as the gentleman desires.

Mr. BUTLER. Mr. Chairman, I offer this amendment for one of our colleagues in the House who is away sick, and I do not know when he will return. The amendment is clearly out of order, but so that the House may not think that we are endeavoring to do what we should not do, let me make this little explanation. Below here at a point called Dahlgren, during the war there was built for the use of the service a number of houses and a school.

The same occurred in West Virginia, and there is no place for these children to go to school. I have asked to have it inserted here. I think it is a good thing to have accommodations for these children to go to school. There are two things I have never made any contest against; one is in regard to public schools and the other churches. If it is the wisdom of the House that these children shall have no place to go to school, that is for the House to determine. One side of it is water and the other side they can not get out, and unless this appropriation is made here and authority is given these little fellows will have no place to go to school. I have made this explanation; it is not within my congressional district, but it is within my promise to offer this amendment on account of the gentleman's absence on account of sickness. I admit it is out of order.

Mr. FRENCH. Mr. Chairman, when the matter was first brought to the attention of our committee we felt that it was probably out of order; and as it came before the committee it seemed to carry such provisions as might be offered in support of a school adjacent to the Navy Yard at Mare Island or at Philadelphia or anywhere else in the country. The committee believed it would be a bad policy to carry any such authorization or appropriation in the bill. However, in the way in which this amendment is drafted that objection is overcome, for this reason: At the three places where the amendment would carry aid the schools are maintained in buildings upon reservations that are owned by the United States and upon which buildings have been constructed by the Government. Under the Housing Corporation these schools have been maintained for several years. There is no opportunity for taxation, because the Government owns the property. It occurs to me that there could be no objection to the plan proposed, because, other than these three institutions, there is no place in the Naval Establishment where any such request could be made of the Government for money in support of schools. Most of these children live in houses owned by the Government; and, as I said, they can not be taxed, and it seems to be desirable that a way could be found, without establishing a precedent that would be unfortunate, to care for these children. In the District of Columbia the Government bears 40 per cent of the expenses for school and for other purposes. Why? Because the Government owns approximately 40 per cent of properties that can not be taxed. So at these three naval establishments the Government owns the land, the school buildings, the residences which it rents to employees, and in justice to the children we should find a way for them to go to school.

Mr. STEPHENS. Mr. Chairman, I would like to have a few minutes to speak on this subject. I understand the point of order has been reserved. It first particularly applies to Indianhead, Md., more than it does to Dahlgren or South Charleston. Dahlgren is just a recent activity. Just in the last two years Dahlgren has been established. If you remember, a couple of years ago I had an amendment passed to this appropriation bill that stated that none of these appropriations could be used at Dahlgren, Va. In other words, it passed the House and went to the Senate and the Senate committee threw it to one side, and the amendment, of course, was not effective over here, and they went on at Dahlgren. I think, however, that at Indianhead, where they have been in existence for so many years and where they paid a part of this rental of these houses owned by

the Government or the Housing Committee, which went to the sustenance of the school, which has been done for years up to within the last year when, under the opinion of the Comptroller General, it was thrown out, it particularly applies. So far as I am concerned, I would really approve of this, so far as Indianhead is concerned, because they are entitled to it. They have lived there for years, and a part of the rental is given to keep up the schools. Now, the Government owns all of that land, which leaves them without any appropriation for their school.

Mr. HILL of Maryland. Mr. Chairman, I would like to be heard on the point of order for a moment. I submit under the reservation that this item is clearly in order. Section 5 of the act of May 16, 1918, supra, as amended by the act of March 21, 1922 (42 Stat. 468), grants authority to care for, rent, operate, and sell such property as remains undisposed of. The Navy has been operating the schools in question since their completion, but the Comptroller General has raised the question as to whether or not the word "operate" as used in the law was intended to go beyond transportation and other facilities. He has signified that he will place no obstacle in the way of operating the schools during the remainder of the present school year, but that he would oppose their operation thereafter if specific authority of law were not in the meantime procured.

The Comptroller General, it would seem, is very technical. The school buildings are there, built in accordance with law, and certainly it was never intended that they should be shut down so long as a need existed to keep them in operation. All of the schools are now attended, and there are no public schools adjacent to these reservations. At Indianhead the distance is more than 5 miles. The law gives authority to care for and operate such property, and such property includes general community utilities, which was construed to include school buildings.

The expenditures made during 1923 on account of these schools ran as follows: Indianhead, $15,700; Dahlgren, $2,499.78; South Charleston, $7,318.33; total, $25,518.11.

Mr. FRENCH. May I ask the gentleman a question? The Comptroller General held, I understand, it would be necessary to obtain authority before the appropriation could be approved by him.

Mr. HILL of Maryland. I will say to the gentleman the Comptroller General was in doubt entirely on the technical question. The Comptroller General is always very technical.

Mr. FRENCH. I know that.

Mr. HILL of Maryland. As the chairman of the committee well knows, it is his proper function to consider technicalities. My colleague from Maryland [Mr. MUDD], a member of the Naval Affairs Committee, has always taken a very great interest in this matter. The reservation at Indianhead is in a rather unique situation. Unless we adopt this amendment we will deprive the little children of school facilities. But I submit that this is in order, and we can make the appropriation, and if the committee sees fit to continue this appropriation it is not out of order.

The chairman of the Naval Affairs Committee, the gentleman from Pennsylvania [Mr. BUTLER], has offered this amendment in the necessary absence of my colleague [Mr. MUDD], and I hope we shall have a chance to vote on it and pass it. [Applause.]

Mr. BEGG. Mr. Chairman, the merits of the proposition, to my mind, are not to be considered in passing an appropriation bill. Of course, under the rules of the House there are times when a practical emergency exists, where it seems almost essential that an appropriating committee should pass some legislation. And to digress just a minute, I believe I am safe in saying there are several places in the bill now where, if a man wanted to be technical, he can make a point of order on the ground that the committee has introduced legislation. But I do believe that on the question of the policy of the Government going into the educational field beyond the two special institutions for military purposes we ought to go slowly, and I can not conceive of an emergency existing down there that can not be remedied by the people already there.

Now, if in the past they have been charged a certain rental, and in that rental a certain amount of money was counted on for tuition, it is the easiest thing in the world to lower the rental and have them maintain their school. But to have the Government accept the responsibility of maintaining institutions of learning for children in the common-school field is going beyond the point I want to go; and it is because of that fact that I shall insist on the point of order—on the ground that it is clearly legislation unauthorized by law or by any previous act, even during war time.

The act that was passed during the war time authorizing the building of these communities may have been construed during the emergency of war time as carrying with it the authority to operate a school for the children living in that community incident to war work. But I submit, Mr. Chairman, that it is a stretch of the imagination to apply that kind of an interpretation to a peace-time project in the face of the attitude of the Government ever since in trying to get out from under all these operations, and I think that the ruling of the comptroller puts it beyond all question.

Mr. HILL of Maryland. I want to say to the gentleman that, as usual, he is very well informed on all these matters, and I agree with him on the general subject of the Government engaging in education; but I will say to the gentleman that our colleague from Maryland [Mr. MUDD], who is necessarily absent from the House at this moment on account of personal illness, has made a very careful and deep study of this question, and I know that he feels that this is entirely necessary to that community. I am sure that if he were here he would be able to show in an abler way than I have attempted to do that this is entirely in order. He is deeply interested in the development of Indianhead and all that pertains to the welfare of that community. If the amendment is in order, as I am sure it is, I feel confident that the committee will pass it. [Applause.]

Mr. MOORE of Virginia. It seems to me, Mr. Chairman, that the method suggested by the gentleman from Ohio for taking care of the situation, as against the method proposed by this amendment, would not be to the advantage of the Government or save the Government anything.

Mr. BEGG. It is not a question of the merits of the proposition at all, but it is a question of legislation, and unless the emergency is so great that great damage would be done, it seems to me it is out of order.

Mr. MOORE of Virginia. The gentleman went into figures, but I think he failed to demonstrate that the Government would lose anything under the method proposed as compared with the existing condition.

Mr. SNYDER. Mr. Chairman, I call for the regular order.

The CHAIRMAN (Mr. TEMPLE). The gentleman from Virginia has the floor.

Mr. SNYDER. I understand a point of order was made.

Mr. MOORE of Virginia. I do not care to go further into the matter. I submit the question to the consideration of the Chair.

The CHAIRMAN. The Chair is ready to rule. Rule XXI, section 2, provides that—

> No appropriation shall be reported in any general appropriation bill, or be in order as an amendment thereto, for any expenditure not previously authorized by law, unless in continuation of appropriations for such public works and objects as are already in progress.

Two questions of fact arise: First, whether this appropriation has been authorized by law, or, second, if it has not been authorized by law, whether it is a public work already in progress?

The fact seems to be that these buildings were constructed under the housing act. Later, under the act of March 1, 1922, section 5, authority is given for caring for, renting, and operating such property as remains undisposed of under that act. Still later, by Executive order, this property was transferred from the Housing Corporation to the Navy Department. It seems to have been provided for by law, and it is a public work in progress. The amendment seems to be in order under that rule. The Chair therefore overrules the point of order.

Mr. STEPHENS. Mr. Chairman, may I call attention to the fact that part of this is not housing property? Part of these activities never belonged to the Housing Corporation. It was built during the war at Indianhead. The increase of its capacity was under the Housing Corporation, and perhaps that at Charleston, W. Va., was also under the Housing Corporation; but I am not sure as to that. But so far as the other activities are concerned they do not come under the Housing Corporation in any way whatever.

The CHAIRMAN. I call the gentleman's attention to the limitation in the language of the amendment itself:

> For care and operation of schools built at ordnance stations pursuant to authority contained in the act entitled "An act to authorize the President to provide housing facilities for war needs," approved May 16, 1918.

This amendment applies only to housing facilities provided under the housing act.

Mr. BEGG. Mr. Chairman, I simply want to make this observation to the chairman of the committee, not criticizing the ruling of the Chair in the least. But under the ruling by the Chair, that community, under the guise of a Government operation not yet completed, can put a carnival on the street this summer for their entertainment, and you will be compelled to

appropriate for it. I contend, Mr. Chairman and gentlemen, that the fact that a man joins the military service, or joins the Army or Navy, does not in itself impose on the Government the duty of educating his children.

It carries no obligation on the part of the Government of the United States to educate his children in the common schools at public expense, and it is a wrong theory for the Navy branch itself.

I will submit again that the Navy Department officials, the officers and beneficiaries of this particular amendment, are not the poorest paid people in the world. Their salaries are commensurate and on a par with the salaries which are drawn in any other branch of the Government service, in any profession or in any business. Even the men in the enlisted service are drawing pay on a par with the same kind of work in other avenues of private life. If the Government is going to construe a war act in peace times as imposing an obligation on the Government to educate the children of the people in the service, I want to ask you where the cost of the military service of the United States is going to end? And I submit again that if the three sections of the service located at the three points affected are to be the recipients of a bounty from the Government in the way of free education for their children, with no taxes to pay, why are not the officers in the city of Washington exempt from taxation on their property when they live in homes of their own? It seems to me, my good friends of the committee, that in a time of peace and five years after the war this is the most outrageous step that has ever been taken by a committee.

Mr. MAPES. Is the gentleman appealing from the decision of the Chair?

Mr. BEGG. No; I am arguing against the amendment.

Mr. LOWREY. Will the gentleman yield?

Mr. BEGG. Not now, because I would like to go one step further. Let us assume a case. That if the children of those in any other branch of the service in any other State of the United States should fail to be provided with educational facilities in the particular section of the State in which they happened to live, would it devolve upon the Government of the United States to go there and provide them with educational facilities so that their children could get an education? It seems to me it is not reasonable and outside all the policies of a free country. I will now yield to the gentleman from Mississippi.

Mr. LOWREY. I just wanted to express my surprise at the monumental ignorance of my friend the gentleman from Ohio.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. BEGG. Mr. Chairman, I will now ask for extra time. I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to proceed for five additional minutes. Is there objection?

There was no objection.

Mr. LOWREY. I thought the gentleman knew that only the sky is the limit in the right of this Congress to appropriate anything for education. We have even determined that we can appropriate money to one university here in Washington, if it suits our fancy. And we are now going on with other bills pertaining to education in which it is thoroughly established that there is no law against the right of the United States Congress to appropriate money for anything pertaining to education, and that there is no limit.

Mr. BEGG. Mr. Chairman, the gentleman may express some surprise at the ignorance of the gentleman from Ohio on things educational, but I submit to the gentleman from Mississippi that both he and I received our education through another source entirely than as beneficiaries of the Government of the United States, and the tendency to which the gentleman refers is just the thing I am deploring. The great mass of the people of this country, not only in the miltary services but in some other sections of the United States, want to shift the responsibility for every single activity of the social human being onto the shoulders of the Government and have the Government pay for every single activity. I for one am against such a policy.

Mr. LOWREY. I am for the gentleman, and I just wanted to help him out. [Laughter.]

Mr. TAYLOR of West Virginia. Mr. Chairman, I do not know whether I can throw much light on this perplexing question or not, but I want to say that one of these institutions is located in my district. At South Charleston the citizens gave a quarter of a million dollars' worth of property for the purpose of establishing an armor-plate plant, where 85 children attended school last year. This money has been taken away from the local taxing power and has been given to the Government. I would like to ask the gentleman from Ohio whether he thinks it is fair to compel the State of West Virginia and the county of Kanawha to give all this money to the United States Government or take it away from the local taxing power there and yet at the same time compel the board of education of that district to educate the children who live on this reservation?

Mr. BEGG. Does the gentleman want an answer?

Mr. TAYLOR of West Virginia. I do.

Mr. BEGG. I will say no, of course not. But the people who live there ought to pay for tuition instead of paying taxes; if they are not taxed they ought to pay for tuition, the same as everybody else in the United States does outside of Annapolis and West Point.

Mr. TAYLOR of West Virginia. Can the Government require them to pay tuition?

Mr. BEGG. What obligation does the Navy Department have for the education of any children of its employees?

Mr. TAYLOR of West Virginia. I am asking that of the gentleman.

Mr. BEGG. It should not do it down there. They ought to pay tuition to the local taxing unit there for the privilege of education.

Mr. TAYLOR of West Virginia. But they live on a Government reservation and that property is not taxed.

Mr. BEGG. Then, let them maintain their own schools and pay for them.

Mr. TAYLOR of West Virginia. I do not see how they can do it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The question was taken; and on a division (demanded by Mr. LOWREY) there were—ayes 29, noes 11.

So the amendment was agreed to.

The Clerk read as follows:

For the purchase and manufacture of torpedoes and appliances, to be available until expended, $500,000.

Mr. TAYLOR of West Virginia. Mr. Chairman, I move to strike out the last word.

Mr. Chairman and gentlemen of the committee, I desire to receive some information from the chairman in charge of this bill, and perhaps I can give some in return. I represent the sixth West Virginia district in which is located the Government armor-plate plant at South Charleston. Patriotic citizens of that section contributed approximately a quarter of a million dollars toward the purchase of the site for this plant, and it was erected at a cost of approximately $25,000,000 to the Government. Because of the naval armament limitation agreement this great plant is now closed, although the people who contributed to the purchase of the site had every reason to believe that it would be continued. In the bill now before us I find that on page 23 there is a provision for an appropriation for "the armament of ships." In this connection I would like for the chairman to explain what ships are in need of armament and what amount if any of armor plate there is on hand. On the next page of the bill there is provision for "armor piercing and other projectiles," and so on, "including the purchase of armor."

My understanding is that the steel mills of Pennsylvania that formerly supplied armor plate have torn out their forges, and that the Government-owned armor-plate plant is now the only plant in the country equipped for the manufacture of armor plate. This is a great plant, and if the Government is in need of armor plate, projectiles, ordnance, or anything that can be fabricated in it then we have every reason to hope and expect that it will be opened and operated for the purpose for which it was erected. I would like for the gentleman in charge of this bill to give me information concerning these things, confidently believing that if the bill means what it says, that if armor plate or armor-piercing projectiles are needed, that this great and costly plant can produce them as cheap, if not cheaper, than they could be produced at any other place.

Mr. FRENCH. Let me say to the gentleman that the institution at Charleston, W. Va., has been maintained, and is being maintained now, on a closed-down basis, because it was thought that the amount of materials of the kind that could be produced there was such that economically the Government would not be justified in keeping up the institution. We are carrying in the present bill $100,000 for the maintenance and upkeep of the establishment. We are not maintaining it as a manufacturing and producing plant. The different items the gentleman refers to in the paragraph are such items as

will be necessary for replacement purposes, largely upon ships that are now in the Navy. It is the ordinary language. In some instances no materials might need to be purchased at all in one year. In some instances it might be necessary that the articles enumerated would all need to be purchased, but the quantities that the Navy will need are not of such magnitude as to justify the department in continuing the plant in operation at Charleston.

Let me say that further on in the bill there is a provision that would require the Government to obtain materials, such as the gentleman has indicated, from plants of the Government, which it has and operates, provided they are able to produce them, and provided also they can be produced as economically as they can be produced elsewhere. It seems to me that after full consideration we were not justified in opening up this institution as a manufacturing plant.

Mr. TAYLOR of West Virginia. Would the gentleman tell me what part of the bill that comes in?

Mr. FRENCH. On the last page of the bill.

Mr. TAYLOR of West Virginia. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD on this subject.

The CHAIRMAN (Mr. GRAHAM of Illinois). The gentleman from West Virginia asks unanimous consent to revise and extend his remarks on the subject indicated. Is there objection? [After a pause.] The Chair hears none.

Mr. TAYLOR of West Virginia. Mr. Chairman, I withdraw the pro forma amendment.

Mr. STEPHENS. Mr. Chairman, I move to strike out the last two words. I would like to ask the chairman of the committee if he can give me any information as to the amount of the expense during the past year of running and operating the proving station at Dahlgren, Va.?

Mr. FRENCH. For maintenance and upkeep, $300,000.

Mr. STEPHENS. And what part of this appropriation will go to the operation and upkeep of the proving station there for the coming year?

Mr. FRENCH. The committee has recommended $320,000.

Mr. STEPHENS. Can the gentleman give me the number of civilian employees?

Mr. FRENCH. As I remember, it is between 90 and 95.

Mr. STEPHENS. At Dahlgren?

Mr. FRENCH. I find on turning to my notes that at present there are 96 nonclassified employees, 3 technical, and 10 clerical, making a total of 109.

Mr. STEPHENS. The gentleman has not any information as to the number of large guns that were either ranged or proved there during the past year?

Mr. FRENCH. We do not have the data, I would say, in the particular form in which the gentleman has called for it.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn.

The Clerk read as follows:

EXPERIMENTS, BUREAU OF ORDNANCE.

For experimental work in the development of armor-piercing and other projectiles, fuses, powders, and high explosives, in connection with problems of the attack of armor with direct and inclined fire at various ranges, including the purchase of armor, powder, projectiles, and fuses for the above purposes and of all necessary material and labor in connection therewith; and for other experimental work under the cognizance of the Bureau of Ordnance, in connection with the development of ordnance material for the Navy, $195,000.

Mr. KELLY. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman a question. I wish to get a little information, if possible, as to this $195,000 which has been carried in a number of the bills, and it seems to me carries some of the same items appropriated for in other paragraphs of the bill. I should like to ask the gentleman from Idaho to state just how the $195,000 is expended?

Mr. FRENCH. Perhaps I should say that in every bureau there is carried a certain amount for experimental work. This is an amount that we have carried in the Bureau of Ordnance for the specific purpose. Just how it will be expended, manifestly it is impossible to say, else probably we would not need to call it experimental. Let me say to the gentleman that, in my judgment, the experimental laboratory that the Navy Deparment is maintaining to-day at a cost of about $125,000 annually has, during the last few years, produced economies that have meant hundreds of thousands of dollars in saving to the Government and the development of devices and processes by which not only the Navy but the industries of the country have benefited immensely.

Mr. KELLY. Mr. Chairman, some years ago it was my pleasure to spend a day or two at Indianhead. At the time they were experimenting on the 14-inch shell and the 14-inch armor plate. I presume that is carried in this item?

Mr. FRENCH. It may be that work would be done along that line from money carried in this item. I do not know. The gentleman will recall, turning to the torpedo, that when the World War began a torpedo would explode upon its first impact. Experiments were carried on because it was necessary, if a torpedo were to penetrate a vital part of a ship, to meet the protection that was afforded through a fender alongside of the ship, or through a blister that was put on the ship itself. A type of torpedo had to be developed that would explode not on the first impact but on the second. So it is that constantly devices are being developed as necessity arises.

Mr. KELLY. I was told at the time that the money came out of the experimental fund appropriation, and I notice in the testimony before the gentleman's committee that the admiral testified that at the present time they have something like 16,000 of those 16-inch projectiles, costing each $925, and that they have been declared excess. In carrying on these experiments, do they count the cost of the projectiles?

Mr. FRENCH. If it were possible for us to call a halt on the progress of all the nations, probably it would not be necessary for us to make experiments. Other nations are experimenting and developing different types of guns and projectiles and means of control, radio control and all that, and if the United States is to keep a Navy that will be able to meet the discoveries, devices, inventions, and appliances of other nations, we must keep abreast along experimental lines.

Mr. KELLY. I agree thoroughly with the gentleman. I am not objecting to the item. I wanted to know whether they were duplicating any items covering the cost of projectiles; whether they were figured in the experimental item at the same time.

Mr. FRENCH. No; that is not carried in the same item, nor would articles declared to be of no further value be lumped off as an item chargeable to experiments.

Mr. KELLY. That is not done under this?

Mr. FRENCH. Not at all.

The Clerk read as follows:

PAY OF THE NAVY.

For pay and allowances prescribed by law of officers on sea duty and other duty, and officers on waiting orders—pay $26,431,298, rental allowance $5,438,284, subsistence allowance $3,331,700, in all $35,201,282; officers on the retired list, $3,804,292; for hire of quarters for officers serving with troops where there are no public quarters belonging to the Government, and where there are not sufficient quarters possessed by the United States to accommodate them, and hire of quarters for officers and enlisted men on sea duty at such times as they may be deprived of their quarters on board ship due to repairs or other conditions which may render them uninhabitable, $20,000; pay of enlisted men on the retired list, $1,554,489; extra pay to men reenlisting after being honorably discharged, $1,527,225; interest on deposits by men, $7,500; pay of petty officers, seamen, landsmen, and apprentice seamen, including men in the engineer's force and men detailed for duty with the Fish Commission, enlisted men, men in trade schools, pay of enlisted men of the Hospital Corps, $66,961,412; pay of enlisted men undergoing sentence of court-martial, $198,000; and as many machinists as the President may from time to time deem necessary to appoint; and apprentice seamen under training at training stations and on board training ships, at the pay prescribed by law, $1,512,000; pay and allowances of the Nurse Corps, including assistant superintendents, directors, and assistant directors—pay $713,680, rental allowance $31,200, subsistence allowance $22,740, in all $767,620; rent of quarters for members of the Nurse Corps, $2,000; retainer pay and active-service pay and allowances of members of the Naval Reserve Force class 1 (Fleet Naval Reserve), $5,309,180; reimbursement for losses of property under act of October 6, 1917, $10,000; payment of six months' death gratuity, $125,000; in all, $117,000,000; and the money herein specifically appropriated for "Pay of the Navy," shall be disbursed and accounted for in accordance with existing law as "Pay of the Navy," and for that purpose shall constitute one fund: *Provided*, That additional commissioned, warranted, appointed, enlisted, and civilian personnel of the medical department of the Navy, required for the care of patients of the United States Veterans' Bureau in naval hospitals, may be employed in addition to the numbers appropriated for in this act: *Provided further*, That no part of this appropriation shall be available for the pay of any midshipmen whose admission subsequent to February 9, 1924, would result in exceeding at any time an allowance of three midshipmen for each Senator, Representative, and Delegate in Congress; of one midshipman for Porto Rico, a native of the island, appointed on nomination of the governor, and of one midshipman from Porto Rico, appointed on nomination of the Resident Commissioner; and of two midshipmen for the District of Columbia: *Provided further*, That nothing herein shall

be construed to repeal or modify in any way existing laws relative to the appointment of midshipmen at large or from the enlisted personnel of the naval service.

Mr. FRENCH. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Committee amendment: Page 26, line 2, before the amount, insert the following: "Extra pay for men for diving."

Mr. FRENCH. Mr. Chairman, that language is not intended to impose any additional burden upon the Treasury. Rather it is language offered for the purpose of simplifying accounting. These men are being paid extra for that work at this time.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Idaho.

The amendment was agreed to.

Mr. BYRNES of South Carolina. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. BYRNES of South Carolina: On page 27, line 12, add a new paragraph, as follows:

"That nothing contained in section 11 of the act entitled 'An act to increase the efficiency of the commissioned and enlisted personnel of the Army, Navy, Marine Corps, Coast Guard, and Coast and Geodetic Survey and Public Health Service,' approved May 18, 1920, shall be construed as having repealed, amended, or modified the provision contained in the naval appropriation act approved March 4, 1913 (37 Stat. 891), reading as follows:

"'Hereafter the service of a midshipman at the United States Naval Academy or that of a cadet at the Military Academy, who may hereafter be appointed to the United States Naval Academy or the United States Military Academy, shall not be counted in computing for any purpose the length of service of any officer in the Navy or in the Marine Corps.'"

Mr. CONNALLY of Texas. Mr. Chairman, I reserve the point of order on that.

Mr. JONES. Mr. Chairman, a parliamentary inquiry: This being offered as a separate paragraph, perfecting amendments to the paragraph just read will have to be offered before this is considered, will they not?

The CHAIRMAN. The Chair understood that it was offered as a part of the paragraph just read.

Mr. BYRNES of South Carolina. Mr. Chairman, I ask unanimous consent to so change the amendment that it will read to add the language after line 12, so as to make this a part of the paragraph which has just been read.

Mr. CONNALLY of Texas. If it is offered as a new paragraph it would cut out perfecting amendment of the former paragraph.

The CHAIRMAN. It is now offered as additional language, as the Chair understands the gentleman from South Carolina.

Mr. CONNALLY of Texas. Mr. Chairman, I reserved the point of order for the reason that I have an amendment to the original paragraph, and I wanted to know whether, if we adopt a new paragraph, that would be tantamount to passing the paragraph?

The CHAIRMAN. In view of the change suggested by the gentleman from South Carolina, which will be made, without objection, does the gentleman still reserve the point of order?

Mr. CONNALLY of Texas. No. I withdraw it with that understanding.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina that he may modify his amendment in the manner suggested?

There was no objection.

Mr. BYRNES of South Carolina. Mr. Chairman, the object of this amendment is to correct a situation that has resulted from a decision of the Court of Claims. Under the law of 1912, in computing longevity, the service of a man at West Point or at Annapolis is not counted. In 1920 we passed what we called the bonus bill, which contained this language:

That hereafter longevity pay for officers in the Army, Navy, Marine Corps, Coast Guard, Public Health Service, and Coast and Geodetic Survey shall be based on the total of all service in any or all of said services.

That language was written in conference. The gentleman from Michigan [Mr. KELLY] was the chairman of the House conferees. When the bill was reported, no man on the conference committee, no Member of this House, ever dreamed that the language would be construed as repealing the law of 1912, but an officer of the Army brought suit against the Government, claiming that under this language the act of 1912 was repealed, and that he was entitled to longevity pay based upon his four years of service at West Point. The Navy Department as a department has not placed such construction upon this language, nor has the Army. The officer acted only in his individual capacity in bringing the suit.

Mr. BEGG. Will the gentleman yield?

Mr. BYRNES of South Carolina. I will.

Mr. BEGG. The gentleman knows, of course, a bill has been reported out of the Committee on the Judiciary authorizing an appropriation that may cost a million dollars to do the very thing the gentleman is seeking to stop.

Mr. BYRNES of South Carolina. No; I think that is an entirely different thing.

Mr. BEGG. It is in reference to longevity pay.

Mr. BYRNES of South Carolina. It includes an entirely different group of officers.

Mr. BEGG. If the gentleman will permit, I do not wish to use any of the gentleman's time, but this bill is to cover the time served at Annapolis and West Point for men in computing their longevity pay.

Mr. BYRNES of South Carolina. The gentleman from Ohio does not get the point. That is to cover an entirely different group of officers and in no way applies to this situation.

Mr. BEGG. My understanding, and I have looked it over very carefully, is that it includes any officer who ever graduated from either one of those schools.

Mr. BYRNES of South Carolina. That does not affect this situation.

Mr. BEGG. I would ask the gentleman to be specific, because——

Mr. BYRNES of South Carolina. If the gentleman will let me alone for a moment I will try to be. The result of the decision of the Court of Claims is that only those officers who were graduated between June 30, 1920, and June 30, 1922, would be affected. In 1922 we passed what is known as the service pay bill. Under that pay bill this provision was made:

That officers appointed after July 1, 1922, should not count for purposes of pay any other than active commission service.

So that as to those officers graduating after July 1, 1922, this specific prohibition would prevent their benefiting by the decision of the Court of Claims, but as to those who were graduated prior to that time and after the passage of the bonus bill in 1920, they would receive longevity for the time served at the Academy and West Point, and in addition, by reason of the provisions of the pay bill, that group of officers would benefit by having that four years computed in ascertaining the pay period to which they belong. So that for the rest of their service they would receive compensation in excess of that which the Congress intended they should receive. The Judge Advocate General of the Army asked for a rehearing of the case. The Judge Advocate General contended that the act of 1920 did not repeal the act of 1912, and for the purpose of making plain that the Congress did not intend to repeal it, I insert a letter from the gentleman from Michigan, Mr. Kelley, who was the chairman of the conferees, and who states as follows:

LANSING, MICH., *January 12, 1924.*

Hon. JAMES F. BYRNES, M. C.,
House of Representatives, Washington, D. C.

MY DEAR MR. BYRNES: I was very glad to get your letter of December 29.

It was a distinct surprise to me to learn from your letter that the Court of Claims had rendered a decision which had the effect of restoring to graduates of the Military and Naval Academies who were appointed to those institutions subsequent to August 24, 1912, and March 4, 1923, respectively, constructive service for their time put in at the schools prior to graduation, the decision, I understand you to say, being based on the following provision contained in the act entitled "An act to increase the efficiency of the commissioned and enlisted personnel of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service," approved May 18, 1920, viz:

> "That hereafter longevity pay for officers in the Army, Navy, Marine Corps, Coast Guard, Public Health Service, and Coast and Geodetic Survey shall be based on the total of all service in any or all of said services."

Not having a copy of the act at hand I must rely more or less upon memory, but, as you state, I had a large share in getting that measure through Congress, and from my recollection of the provisions of the law, its purposes and scope, I find it difficult to understand how the court could have handed down such a ruling. Taking the section of the law I have quoted singly the court could not very well have ruled

other than as you say it has, but coupled with the other provisions of the law and the manifest conditions the law was drawn to remedy, I can assure you most emphatically that the decision revives a practice which I feel sure no one who had anything to do with handling the legislation ever dreamed of.

Wishing you a most happy and prosperous New Year,

Sincerely yours,

PATRICK H. KELLEY.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BYRNES of South Carolina. I would ask for an additional five minutes.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. BYRNES of South Carolina. But notwithstanding the chairman of the conference committee, who was responsible for the insertion of the language in question, expresses that view as to the intent of the legislative body, the court has said he meant something entirely different and that the language did repeal the act of 1912. The case may be appealed to the Supreme Court of the United States, and if it sustains the decision of the Court of Claims the Government would have to pay this longevity and would have to pay it during the rest of the services of these officers, compensation in excess of that which we intended they should receive when we passed the pay bill and which would be manifestly unfair to all the other officers in the service.

Mr. OLIVER of Alabama. Will the gentleman yield?

Mr. BYRNES of South Carolina. I will.

Mr. OLIVER of Alabama. Supplementing the reason given in the letter of Governor Kelley the very fact that the Congress at no time had carried an appropriation to cover that additional service also shows that Congress at no time intended to place the construction upon it that the court has.

Mr. BYRNES of South Carolina. The gentleman from Alabama is right, and I should say this in justice to the service, that at the time the pay bill was framed representatives of the Army, the Navy, the Marine Corps, and the Coast Guard appeared before that committee and no one of them ever asserted that the act of 1912 had been repealed, nor did they believe it. The pay bill was framed on the theory that the act of 1912 was in force, and as far as the Navy Department is concerned they did not ask any repeal of the act of 1912. As I said before, it is the act of an individual, but the act of this individual may result in costing the Government an enormous sum of money unless we place in this bill such a provision as I have offered.

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

Mr. BYRNES of South Carolina. I will.

Mr. BEGG. I did not gather, it may be my fault, just what specific years the gentleman seeks to cover?

Mr. BYRNES of South Carolina. Nineteen hundred and twenty to 1922.

Mr. BEGG. It is the same class of service to which I referred.

Mr. BYRNES of South Carolina. But different groups.

Mr. STEPHENS. What would their status be?

Mr. BYRNES of South Carolina. Those who graduated from 1920 to 1922 their longevity pay would be based upon four years of service in Annapolis or West Point, in addition to their commissioned service. And in addition to that in fixing the pay group to which they belong they would be given four years at Annapolis or West Point, whereas officers graduating after July 1, 1922, would not be credited with their service at West Point or at Annapolis. Only those men who graduated between 1920 and 1922 would be affected, and this group of men would get four years' advantage over other officers in the service. Of course, it is possible that, while not involved in this case, if the act of 1912 is held to have been repealed all officers graduated between 1912 and 1922 may claim credit for this service.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from South Carolina.

The question was taken, and the amendment was agreed to.

Mr. CONNALLY of Texas. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

Mr. CONNALLY of Texas. I will ask, Mr. Chairman, that the amendment may come in at the end of the amendment just adopted.

The CHAIRMAN. Without objection, the amendment will be offered to follow the amendment offered by the gentleman from South Carolina [Mr. BYRNES]. The Clerk will report it.

The Clerk read as follows:

Amendment offered by Mr. CONNALLY of Texas: At the end of the Byrnes amendment insert the following: "*Provided*, That no part of the funds appropriated by this act shall be utilized for the recruiting or enlistment of boys under 21 years without the written consent of the parents or guardians, if any, of such boys to their enlistment."

Mr. FRENCH. Mr. Chairman, I make a point of order against the amendment.

Mr. CONNALLY of Texas. Mr. Chairman, I make the point of order that the gentleman's point of order comes too late, because I had practically started to speak on the amendment.

Mr. FRENCH. I will be glad to reserve the point of order.

Mr. BLANTON. We thrashed that matter out before.

Mr. CONNALLY of Texas. I have a reference here, Mr. Chairman. What is the gentleman's point of order?

Mr. FRENCH. If the gentleman wants to speak on the point of order, I make the point of order because it is in conflict with the rule providing that the limitation must not give affirmative direction, must not impose new duties, and must not be accompanied by any limitation on the appropriation; and, further, it does not come within the Holman rule.

The language in the naval bill is different from the language in the bill that was before the House a year ago in connection with the Army appropriation bill. The language under which the recruiting for the Navy is carried on is section 1418, and it reads as follows——

The CHAIRMAN. What is the gentleman reading from now?

Mr. FRENCH. The Revised Statutes, section 1418, provides that—

Boys between the ages of 14 and 18 years may be enlisted to serve in the Navy until they shall arrive at the age of 21 years; other persons may be enlisted to serve for a period not exceeding five years, unless sooner discharged by direction of the President.

And section 1419, Revised Statutes, provides that—

Minors between the ages of 14 and 18 years shall not be enlisted for the naval service without the consent of their parents or guardians.

It has been held repeatedly by the courts and by the Attorney General that a minor of the age of 18 can enlist in the Navy without the consent of his parents or guardians.

The rule that I have just read, pertaining to the limitation that will be in order, provides that it must not impose new duties, and must be accompanied by language not limiting the appropriation, and must not give affirmative direction. I submit that the amendment offered by the gentleman from Texas [Mr. CONNALLY] violates and is contrary to the rules of the House in the particulars to which I have referred. And I would cite to the Chair the Hicks decision on the Army bill, in the RECORD of January 17, 1923, page 1907. I have here a copy of the decision of the Chairman at that time, in which his decision clearly sustains the point that I have made; in other words, that this language is not in order on the pending bill.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. FRENCH. Yes.

Mr. BLANTON. Did not the Chairman of the Committee of the Whole House in the last Congress hold that this amendment on the Army appropriation bill was a limitation and not legislation?

Mr. FRENCH. I do not recall that that point of order was made.

Mr. BLANTON. It was. We thrashed it out on the floor here last year.

Mr. JONES. The decision is found on page 586 of the CONGRESSIONAL RECORD, volume 64, part 1, December 16, 1922.

Mr. BLANTON. The Chairman is bound by that action until the committee sets it aside. The Chairman is bound to follow the precedent set, at least, in the preceding Congr s.

Mr. FRENCH. I am of the opinion that the point was not finally passed upon; that it was withdrawn. But whatever may be the decision touching that particular case, the situation there is not on all fours with the present situation.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. FRENCH. Yes.

Mr. BLANTON. Even if it were a new question, not decided by the House in the last Congress, I can tell the gentleman why it is in order now. It follows the amendment offered by the gentleman from South Carolina [Mr. BYRNES], which was legislation. It is legislation pure and simple, and nothing but legislation; and the gentleman in charge of this bill having permitted that legislative amendment to go on, this amendment is now in order.

Mr. FRENCH. That would not follow at all. This amendment does not refer to the amendment just adopted.

Mr. JONES. In this volume of the RECORD that I have here, after three pages of discussion, the Chairman made this ruling:

The Chairman is quite clear that the amendment is a limitation.

The CHAIRMAN. What is the gentleman reading from?

Mr. JONES. The CONGRESSIONAL RECORD. It is the ruling of the Chairman last year on practically this same amendment when it was offered to the naval appropriation bill. It is practically the same language. This is the amendment:

Provided, That no part of the funds herein appropriated shall be available for the pay of any enlisted man or officer who may be assigned to recruiting men or boys under 21 years of age without the written consent of the parent or guardian of such minor or minors.

The Chair uses this language:

The Chair is quite clear that it is a mere limitation.

The CHAIRMAN. Who was the Chairman at that time?

Mr. JONES. I think it was Mr. LONGWORTH, of Ohio. He says:

The Chair is quite clear that the amendment is a limitation, especially in view of recent rulings by several Chairmen.

This is the Chair's language. I recall that the first time the question was discussed in my hearing the amendment was offered by the gentleman from Kentucky [Mr. Fields] on the Army appropriation bill, depriving certain Army officers of pay if they did certain acts in social relations in regard to privates and other officers, and the Speaker sustained the amendment. The point of order was overruled.

Mr. CONNALLY of Texas. This decision, Mr. Chairman, was also made during the consideration of the Army appropriation bill on the 17th of January, 1923. An amendment offered by me to that bill and adopted was in identically the same language as this, except that in the present amendment I have added a few words. I will read it:

Provided, That no part of the funds herein appropriated shall be utilized for the recruiting or enlistment of boys under the age of 21 years without the written consent of the parents or guardians of such boys.

This amendment follows that language identically until it gets to the words "of such boys"—"consent of the parents or guardians of such boys, if any, to such enlistment." So there is no change, in effect, at all.

The history of this amendment is this: It was first offered last year to the naval appropriation bill; it was held in order on that bill, but was voted down. The gentleman from Texas [Mr. JONES] has called the attention of the Chair to the ruling.

Since the gentleman from Idaho [Mr. FRENCH] has called my attention to the ruling made by Mr. Hicks, I will say that if the Chair will read the debate he will find that Mr. Hicks admitted on the floor that my amendment was in order. He said it was clearly a limitation. He was opposed to it, but notwithstanding that fact he admitted that the amendment I offered to the naval appropriation bill in the last Congress was strictly a limitation. Later on it was so ruled as to practically the same language in the Army bill, and that language is in the Army bill to-day, having been adopted and become the law. It is now contained in the Army appropriation act of last year, on page 8 of the act, and this is the language:

Provided, That no part of the funds herein appropriated shall be utilized for the recruiting or enlistment of boys under the age of 21 years without the written consent of the parents or guardians, if any, of such boys, or unless the applicant furnishes a birth certificate or the affidavit of two disinterested witnesses showing such applicant for enlistment to be 21 years of age.

Now, if the Chair please, I want to present one phase of this matter, and that is the question of limitation. What is a limitation? A limitation is simply the limiting of an appropriation within the purposes for which it could be legally appropriated. Now, under the present law the Navy may enlist any boy from 18 to 21 years of age without the consent of his parents or with such consent.

We have a perfect right to appropriate all the money that is necessary for the enlistment of boys from 18 years up, including men, but in making an appropriation we have a right to limit its application if we desire. So a limitation is merely the expression of the congressional will in singling out some of the objects for which money can be legally appropriated, and we have a right to say that we will only appropriate for certain of those objects and exclude certain others. As Speaker Clark once very strikingly said, "If this House should see fit to do so it could provide in this bill that no funds appropriated under the bill should be paid to any red-headed man, and it would be legal." It might be ridiculous and absurd, but it illustrates the power we have in limiting an appropriation.

I do not care to take up any more time unless the Chair is still in doubt about this question. I think this amendment is clearly a limitation within the rulings of former Chairmen of the committee as well as the Speaker of the House.

Mr. JOHNSON of Kentucky. Mr. Chairman, I have read the pending amendment very carefully, and I wish the Chair would take his copy of it, if he has it before him, and follow me closely. Argument has been made along the line that boys should not be enlisted in the Navy without the consent of their parents, while there is nothing of that sort in the proposed amendment. The amendment provides that the money shall not be spent without the consent of the parents or guardians, if there be any. I invite the Chairman's attention to the language and ask that he take the time to read it. It reads:

That no part of the funds herein appropriated shall be utilized for the recruiting or enlistment of boys under the age of 21 years without the written consent of the parents or guardians, if any, to such enlistment.

Reference has been made to the amendment contained in the Army appropriation bill of last year, and it was stated that this is exactly like that. That statement is not quite correct, because the amendment to the Army bill, which is now a part of the law, goes further than the proposed amendment.

The Constitution of the United States is the highest law in our Nation, but there are rights and privileges that the people of the Nation have not surrendered to the Government, and many of those are just as dear to the American people as are those they have surrendered. One of those is the well-established law of "public policy."

There could be nothing more impossible of execution, and there could be nothing that would go so far toward completely abolishing the Navy of our country, which would be such a disaster that it would be against public policy, as the submission of the question to the parents or the guardians of boys throughout the Nation, not whether or not boys under 21 should enlist but whether or not the money should be spent. So I take it that inasmuch as by this amendment—upon the theory of public policy—all national defense upon the waters would be destroyed, it would be against public policy.

To sustain a point of order on the ground that it would reduce enlistments is one thing, but an amendment that would absolutely abolish the Navy is subject to a point of order, because you could not get any enlistments at all, for the reason that the opinion of parents and guardians of boys throughout the country as to whether or not the proposed appropriation should be spent could never be ascertained.

Again, I wish to impress that the draftsman of the amendment intended to prevent the enlistment of boys under 21 years; but he actually has written that the money for conducting the bureau for enlistment could not be spent unless parents and guardians throughout the United States approved the spending, and a referendum must of necessity be submitted to them for their opinions.

Mr. FRENCH. May I call the Chair's attention to another decision that was made a little less than a year ago? It was made when the Army bill was pending and an amendment was offered providing that—

no part of the appropriations made in this act shall be available for the salary or pay of any officer, manager, superintendent, foreman, or other person having charge of the work of any employee of the United States Government while making or causing to be made with a stop-watch or other time-measuring device a time study of any job of any such employee—

And so forth.

This question was argued and we have the decision upon the subject under the same rule we are considering to-day made by Mr. TILSON, of Connecticut, who is a recognized parliamentarian. Mr. TILSON said this, at page 1970 of the CONGRESSIONAL RECORD, volume 64, part 2.

Mr. BLANTON. On what date was that decision rendered?

Mr. FRENCH. January 18, 1923. The Chair said:

What is the effect of the language in the case before us? It is to prohibit the officials in charge of our arsenals and other governmental establishments from doing what they might legally do if this restriction were not in force. For instance, without a restriction of this character they could make a time study with a time-measuring device. If this amendment is added to the bill, as it has been for many years past, then it will not be permissible for these time studies to be made. It is clearly and admittedly the effect and purpose of the language.

It is not the province of the Chair to say whether the time studies ought or ought not to be made. That is a question for Congress to decide by appropriate legislation. It is the duty of the Chair to deter-

mine whether this amendment is a proper limitation on an appropriation bill under the rules of the House and to say whether the proposed language simply limits the appropriation or whether as a matter of fact it changes existing law, and is, therefore, legislation. The Chair believes that it is not a mere limitation on an appropriation but in effect is legislation, and therefore sustains the point of order.

Mr. HULL of Iowa. Will the gentleman yield?

Mr. FRENCH. I will.

Mr. HULL of Iowa. Has not a ruling on that same question been made since 1914 and exactly opposite?

Mr. FRENCH. Oh, this is the latest ruling of the Chair, I would say, on that subject, and the gentleman will find that different Chairmen have construed it different ways.

Mr. HULL of Iowa. Never but one Chairman. If the gentleman will go back the gentleman will find that since 1914 that same amendment has been carried in two or three appropriation bills and the point of order has been raised upon it in the case of practically every bill.

Mr. DOWELL. But even that does not apply to this case.

Mr. BLANTON. That does not apply. We will come to that after a while.

Mr. HULL of Iowa. But the gentleman from Idaho is citing a rule and we are citing some others.

Mr. DOWELL. But the ruling does not apply to this case.

Mr. BLANTON. Mr. Chairman, I would like to be heard.

The CHAIRMAN. The gentleman from Idaho has the floor.

Mr. FRENCH. Mr. Chairman, that is all I have to offer at this time.

Mr. BLANTON. Mr. Chairman, I would like to be heard a moment. The Committee of the Whole House on the state of the Union is governed by precedents. If we destroy precedents for the government of this body and for the government of the Chair we might as well not have any rules at all.

What are the precedents and what are the late precedents on this particular point of order? My colleague from Texas has called the attention of the Chair to the fact that this very amendment on the last naval bill was held in order with a point of order raised against it. That is an exact precedent applicable to this exact case and not upon something that is extraneous, such as was cited by the gentleman from Idaho. Then again on the last Army bill it was held in order and it was passed into the Army bill. It is now part of the present Army bill, and it was held in order and forms another recent precedent, and I want the parliamentarian to look up for the Chair the decision three years ago when this question was first raised against a similar amendment offered by Mr. Fields, of Kentucky. It was then held in order and then it was first passed in the Committee of the Whole and placed in the naval bill and was not taken out of the naval bill until we went back into the House. It has thus been held in order as a proper limitation on three different occasions and it was held in order when it was raised here in the committee on the last three occasions successively. What is the Chair going to do? Just dismiss all these precedents, disregard them and pay no attention to them? If he does we will be in a condition of chaos.

The CHAIRMAN. Let the Chair ask the gentleman from Idaho a question. Is there any appropriation in this particular paragraph for recruiting?

Mr. BLANTON. Why, of course.

The CHAIRMAN. The Chair asked the gentleman from Idaho.

Mr. FRENCH. I would say, Mr. Chairman, that the item for recruiting is on page 9 of the bill, and the appropriation here would be for the payment of the salaries of officers who might be assigned, among their other duties, to that duty.

Mr. DOWELL. Mr. Chairman, even if there was no appropriation here for the purpose of recruiting—and there is in this bill—the fact that once being recruited, unless they received the consent of their parent or guardian they would not be permitted to enter the service, would be a limitation, and it seems to me this amendment is clearly in order. I can see no way whereby this could be construed as anything except a limitation upon this appropriation, and I believe that the amendment is clearly in order, and it has been so held. As was stated here, there is now on the Army bill precisely the same qualification and limitation upon the appropriation. It does not prevent recruiting, but it simply places a restriction upon it, requiring the approval of the guardian or parent.

The CHAIRMAN. The gentleman from Idaho made a general point of order against the amendment. What are the grounds of the gentleman's point?

Mr. CONNALLY of Texas. If the Chair please, the record shows very clearly what they were.

Mr. FRENCH. The essential ground was that it changed existing law.

Mr. DOWELL. Just a moment, Mr. Chairman. It does not change the law.

Mr. FRENCH. And also imposes new duties and is in violation of the Holman rule.

The CHAIRMAN. For the information of the Chair, is there any further point except that it changes existing law?

Mr. FRENCH. It imposes new duties, and also is a violation of the Holman rule.

Mr. DOWELL. No, Mr. Chairman; it has neither one of those effects. The law is not changed at all. It simply provides for recruiting under certain conditions and it permits enlistments over 18 years of age in the same way as without this amendment, except it places a restriction or limitation requiring consent of the parent or guardian.

The CHAIRMAN. The Chair is ready to rule. The point of order is that this amendment would be legislation upon an appropriation bill. The Chair had concluded in an inspection of this bill that the appropriation for recruiting ought to be included under that portion of the bill in respect to the Bureau of Navigation, Transportation, and Recruiting.

Mr. CONNALLY of Texas. Mr. Chairman, I call the attention of the Chair to the fact that the paragraph to which the Chair refers does not provide for the pay, but simply for the expenses of recruiting.

The CHAIRMAN. If the gentleman from Texas had framed his amendment as the amendment was framed which was offered to the Army appropriation bill of 1922, which has been referred to, there would be no question about it. That is why the Chair asked the gentleman from Idaho [Mr. FRENCH] to specify the grounds of his point of order. The gentleman from Idaho has not raised the point of germaneness by this point of order but he simply makes the point of order that the amendment is legislation.

Mr. FRENCH. If I am not too late, I want to include that in the point of order.

Mr. BLANTON. I make the point of order that it is too late.

The CHAIRMAN. The Chair thinks that it is probably a little late now on this point of order, after the Chair has partially announced his decision upon it; but as a matter of fact the amendment which was offered when the gentleman from Ohio [Mr. LONGWORTH] was the Chairman of the Committee of the Whole House on the state of the Union, when he ruled said amendment in order, was not like this in the respect that it provided that no officer should receive any pay out of the appropriation for recruiting, while this amendment provides that no part of the funds appropriated by this act shall be utilized for recruiting, the gentleman not including, in this amendment, the element of the pay of officers. This section deals only with the pay of officers.

Mr. CONNALLY of Texas. And of enlisted men also.

The CHAIRMAN. It does not cover the expenses of recruiting.

Mr. CONNALLY of Texas. It covers the pay of enlisted men engaged in recruiting.

The CHAIRMAN. It covers the expenses of men who do the recruiting and, therefore, it seem to the Chair it would not be germane to this particular section. That point, however, is not raised thus far and the question is whether this is a limitation or is not a limitation.

What does it do? It provides that no part of the funds appropriated by this act shall be utilized for recruiting or enlistment of boys under the age of 21 years without the written consent of the parent or guardian. It provides that no part of this money shall be used for that purpose. Suppose the amendment had provided that no part of it should be used for the support of men or officers in Porto Rico or anywhere else. Suppose it provided that no part of the funds might be used in paying for certain specified services. Such amendments would be concededly proper limitations. The Congress can place any necessary limitations on the expenditure of money that it desires as long as it does not create new administrative duties on the part of executive officers. That is the rule, as the Chair understands it. What new duty does this create? The officer can do this or not do it as he pleases. He has no additional duties imposed upon him. Therefore, it seems to the Chair that under a reasonable construction it is a limitation.

The gentleman from Ohio [Mr. LONGWORTH], while Chairman of the Committee of the Whole House on the state of the Union on the naval bill for 1924 on December 16, 1922, in ruling on practically the same amendment, used the following language:

The Chair is quite clear that the amendment is a limitation, especially in view of recent rulings by several chairmen. I recall that the first time the question was discussed in my hearing an amendment was offered by the gentleman from Kentucky [Mr. Fields] on the Army appropriation bill, depriving certain Army officers of pay if they did cer-

tain acts in social relation with regard to privates and other officers, and the Speaker sustained the amendment. The point of order is overruled.

The Chair, both on principle and following precedent, overrules the point of order.

Mr. FRENCH. Mr. Chairman, if an amendment is offered that the Chair himself recognizes is not germane to a paragraph, as I think the Chair indicated a while ago, then the Chair raising that question should rule as though any other Member had made the point. The Chair does not lose his membership of this committee by virtue of being Chairman. However, I now raise the question, and no debate having occurred on the amendment itself, submit that it is not in order because it is not germane.

Mr. DOWELL. Mr. Chairman, I do not believe the gentleman can insist upon a point of order that he did not raise himself.

The CHAIRMAN. The Chair had that particular thing in mind.

Mr. FRENCH. Then I make the point of order now that the amendment is not germane to the pending paragraph. We have not discussed the merits of the amendment, and are still discussing points of order.

Mr. BLANTON. Mr. Chairman, I make the point of order that the gentleman's point of order comes too late.

The CHAIRMAN. The Chair thinks not.

Mr. CONNALLY of Texas. Does the Chair hold this point can be made now?

The CHAIRMAN. The Chair sees no reason why it can not.

Mr. CONNALLY of Texas. But the Chair has already ruled on the point of order.

The CHAIRMAN. A point of order was made by the gentleman from Idaho and has been overruled.

Mr. CONNALLY of Texas. I was on the floor asking for recognition to debate my amendment, and I was entitled to recognition.

The CHAIRMAN. Suppose any other Member on either side of the House should now rise and make another point of order. The query in the Chair's mind is whether such a point could be properly made at this time. The Chair has no preconceived ideas about that. If it is not in order, the Chair does not want to entertain it.

Mr. CONNALLY of Texas. Mr. Chairman, I have always been under the impression that when an amendment is read, if anybody had a point of order they either had to make it or reserve it. When the gentleman from Idaho made his point of order he made the point of order that he made and no more [laughter]—I said that purposely—and the Chair asked the gentleman if he had any other grounds to suggest, and the gentleman from Idaho, it occurred to me, would see what the Chair was trying to put into his mind, and that was that the amendment ought to go somewhere else in the bill, but he did not.

Mr. BLANTON. This was not a reservation, but a point of order.

Mr. CONNALLY of Texas. If the Chair pleases, if the gentleman from Idaho, or anybody else on this floor, had an additional point of order, it was their duty, when the gentleman from Idaho failed to suggest the point, to get up and make the other point of order or reserve it, but no one did. If this kind of proceeding is going to go on, we can debate a thing for a day or two and some Member can make a point of order to-morrow or the next day; orderly procedure will be retarded.

Mr. BEGG. Mr. Chairman, I think the Chair can settle this if he decides one thing: If a point of order is makable at any time before debate has started on an amendment. There has been no debate on the amendment. Regardless of where a man receives consideration to make the point of order he is entitled to make it, by decisions of the Chair. Now, let us suppose the gentleman from Idaho had not made this last point of order of germaneness. Suppose the gentleman from Ohio had intended to make it. I submit to the Chair there has not been an opportunity to make it until the Chair ruled on the other, and that the gentleman from Ohio would have lost none of his rights to have made that motion or that point until after debate was had or somebody recognized for debate; and I will make the point of order, Mr. Chairman, that the amendment is not germane to the paragraph to which it is offered.

Mr. CROWTHER. Mr. Chairman, and I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from New York makes the point of order that there is no quorum present. The Chair will count. [After counting.] Ninety Members are present; not a quorum.

Mr. FRENCH. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and Mr. TILSON, Speaker pro tempore, having resumed the chair, Mr. GRAHAM of Illinois, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill H. R. 6820 had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. DOYLE, for 10 days, on account of important business.

To Mr. JACOBSTEIN, for one week, on account of illness.

EXTENSION OF REMARKS.

Mr. BARBOUR. Mr. Speaker——

The SPEAKER pro tempore. For what purpose does the gentleman from California rise?

Mr. BARBOUR. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the adjusted compensation bill.

Mr. BEGG. Mr. Speaker, I hate to do it, but I must object.

HOUR OF MEETING TO-MORROW.

Mr. LONGWORTH. Mr. Speaker, I think it is very highly important that this bill be finished by to-morrow night, and I hope there will not be any objection to meeting at 11 o'clock to-morrow. I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow.

The SPEAKER pro tempore. The gentleman from Ohio asks unanimous consent that when the House adjourns to-night it adjourn to meet at 11 o'clock to-morrow. Is there objection? [After a pause.] The Chair hears none.

ADJOURNMENT.

Mr. LONGWORTH. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 47 minutes p. m.) the House adjourned until to-morrow, Friday, March 21, 1924, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

408. Under clause 2 of Rule XXIV, a letter from the Acting Secretary of the Navy, transmitting request for $500,000 appropriation instead of $335,000 for the construction of a building for use as a supply depot for the Marine Corps at San Francisco, Calif., was taken from the Speaker's table and referred to the Committee on Naval Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. HUDSON: Committee on Indian Affairs. H. R. 7239. A bill authorizing the Secretary of the Interior to pay certain funds to various Wisconsin-Pottawatomi Indians; without amendment (Rept. No. 331). Referred to the Committee of the Whole House on the state of the Union.

Mr. HOWARD of Oklahoma: Committee on Indian Affairs. H. R. 7453. A bill to amend an act approved March 3, 1909, entitled "An act for the removal of the restrictions on alienation of lands of allottees of the Quapaw Agency, Okla., and the sale of all tribal lands, school, agency, or other buildings on any of the reservations within the jurisdiction of such agency, and for other purposes"; without amendment (Rept. No. 332). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS: Committee on Indian Affairs. H. R. 7913. A bill conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any claims which the Creek Indians may have against the United States, and for other purposes; without amendment (Rept. No. 333). Referred to the Committee of the Whole House on the state of the Union.

Mr. SCHALL: Committee on Flood Control. H. R. 8070. A bill authorizing preliminary examinations and surveys of sundry streams with a view to the control of their floods; without amendment (Rept. No. 334). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. McREYNOLDS: Committee on Claims. S. 646. A bill for the relief of Ethel Williams; with an amendment (Rept. No. 326). Referred to the Committee of the Whole House.

Mr. SNYDER: Committee on Indian Affairs. S. 1703. A bill for the relief of J. G. Seupelt; without amendment (Rept. No. 327). Referred to the Committee of the Whole House.

Mr. SEARS of Nebraska: Committee on Claims. H. R. 5136. A bill for the relief of Eva B. Sharon; with an amendment (Rept. No. 328). Referred to the Committee of the Whole House.

Mr. EDMONDS: Committee on Claims. H. R. 6383. A bill for the relief of the Maryland Casualty Co., the United States Fidelity & Guaranty Co. of Baltimore, Md., and the National Surety Co.; with amendments (Rept. No. 329). Referred to the Committee of the Whole House.

Mr. EDMONDS: Committee on Claims. H. R. 6384. A bill for the relief of the Maryland Casualty Co., the Fidelity & Deposit Co. of Maryland, and the United States Fidelity & Guaranty Co. of Baltimore, Md.; with an amendment (Rept. No. 330). Referred to the Committee of the Whole House.

Mr. BOX: Committee on Claims. H. R. 4432. A bill for the relief of Jennie Kingston; with amendments (Rept. No. 335). Referred to the Committee of the Whole House.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. DALLINGER: A bill (H. R. 8080) to amend section 2 and section 4 of the act relative to naturalization and citizenship of married women, approved September 22, 1922; to the Committee on Immigration and Naturalization.

By Mr. HOCH: A bill (H. R. 8081) to amend paragraph (f) of section 19a of the interstate commerce act; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 8082) to amend paragraph (5) of section 20 of the interstate commerce act; to the Committee on Interstate and Foreign Commerce.

By Mr. LYON: A bill (H. R. 8083) to designate the Croatan Indians, of Robeson and adjoining counties in North Carolina, as Cherokee Indians; to the Committee on Indian Affairs.

By Mr. McLEOD: A bill (H. R. 8084) to extend the times for commencing and completing the construction of a bridge across Detroit River within or near the city limits of Detroit, Mich.; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 8085) to amend subdivisions (h) and (i) of section 200 of the transportation act, 1920; to the Committee on Interstate and Foreign Commerce.

By Mr. WEFALD: A bill (H. R. 8086) to amend the act entitled "An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1915," approved August 1, 1914; to the Committee on Indian Affairs.

By Mr. TILLMAN: A bill (H. R. 8087) to establish a fish hatchery in the third congressional district of the State of Arkansas; to the Committee on the Merchant Marine and Fisheries.

By Mr. BACON: A bill (H. R. 8088) authorizing a transfer of certain abandoned or unused lighthouse reservation lands by the United States to the State of New York for park purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HUDSON: A bill (H. R. 8089) to amend an act entitled "The classification act of 1923," approved March 4, 1923; to the Committee on the Civil Service.

By Mr. McDUFFIE: A bill (H. R. 8090) authorizing the Secretary of the Treasury to remove the quarantine station now situated at Fort Morgan, Ala., to Sand Island, near the entrance of the port of Mobile, Ala., and to construct thereon a new quarantine station; to the Committee on Interstate and Foreign Commerce.

By Mr. NEWTON of Minnesota: A bill (H. R. 8091) to amend section 28 of the merchant marine act, an act of 1920; to the Committee on the Merchant Marine and Fisheries.

By Mr. SUTHERLAND: A bill (H. R. 8092) to grant certain tide lands to the city of Ketchikan, Alaska, and for other purposes; to the Committee on the Public Lands.

By Mr. SCHNEIDER: A bill (H. R. 8093) to establish Nicolet National Park, in the State of Wisconsin; to the Committee on the Public Lands.

By Mr. McLEOD: A bill (H. R. 8094) to amend Article IV of the war risk insurance act by adding to section 408 thereof, as added by section 27 of the act creating the Veterans' Bureau, approved August 9, 1921, a new proviso; to the Committee on World War Veterans' Legislation.

By Mr. MORTON D. HULL (by request): Joint resolution (H. J. Res. 225) creating a commission to purchase and erect bronze cast known as Indian Buffalo Hunt; to the Committee on the Library.

By Mr. GARNER of Texas: Resolution (H. Res. 228) providing that each Member of the House shall have five days to extend his remarks in the RECORD on H. R. 7959, the adjusted compensation bill; to the Committee on Rules.

By Mr. WEFALD: Memorial of the Legislature of the State of Minnesota urging construction of additional buildings and facilities at the Federal Leper Hospital in Carville, La.; to the Committee on Public Buildings and Grounds.

Also, memorial of the Legislature of the State of Minnesota urging the immediate construction of a neuropsychiatric hospital at St. Cloud; to the Committee on Public Buildings and Grounds.

Also, memorial of the Legislature of the State of Minnesota urging the construction of a 500-bed tubercular hospital for the care of tubercular persons who served in the World War, in Minnesota; to the Committee on Public Buildings and Grounds.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. GLATFELTER: A bill (H. R. 8095) granting an increase of pension to Magdalena King; to the Committee on Invalid Pensions.

By Mr. JONES: A bill (H. R. 8096) for the relief of J. Frank Norfleet; to the Committee on Claims.

By Mr. LOGAN: A bill (H. R. 8097) for the relief of H. W. Hamlin; to the Committee on Claims.

By Mr. LONGWORTH: A bill (H. R. 8098) granting an increase of pension to Verrelle S. Willard; to the Committee on Invalid Pensions.

By Mr. McKENZIE: A bill (H. R. 8099) granting a pension to Mary E. Kundinger; to the Committee on Invalid Pensions.

By Mr. NEWTON of Minnesota: A bill (H. R. 8100) for the relief of the estate of Charles L. Freer, deceased; to the Committee on Ways and Means.

By Mr. PURNELL: A bill (H. R. 8101) for the relief of Louis Martin; to the Committee on Military Affairs.

Also, a bill (H. R. 8102) granting an increase of pension to Lucinda Welch; to the Committee on Invalid Pensions.

By Mr. ROBSION of Kentucky: A bill (H. R. 8103) granting a pension to Joe Ann Dees; to the Committee on Invalid Pensions.

By Mr. STRONG of Pennsylvania: A bill (H. R. 8104) granting a pension to Malissa Blair; to the Committee on Invalid Pensions.

By Mr. UNDERWOOD: A bill (H. R. 8105) granting an increase of pension to Sarah A. Morris; to the Committee on Pensions.

Also, a bill (H. R. 8106) granting a pension to Mary E. Brittenham; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8107) granting a pension to Elizabeth Palmer; 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:

1914. By Mr. CONNERY: Petition of Chamber of Commerce of Lawrence, Mass., indorsing the Kelly-Edge bill calling for reclassification of salaries of post-office employees; to the Committee on the Post Office and Post Roads

1915. By Mr. CRAMTON: Petition of Mrs. Idella Engel, secretary Woman's Club, Bad Axe, Mich., urging on behalf of her organization favorable consideration of the child labor amendment; to the Committee on the Judiciary.

1916. By Mr. FENN: Petition of the Società di M. S. Umberto Primo, of Hartford, Conn., protesting against the passage of the Johnson immigration bill; to the Committee on Immigration and Naturalization.

1917. Also, petition of Eddy-Glover Post, No. 6, American Legion, New Britain, Conn., favoring the adoption of House Joint Resolution 69, which provides that the Star Spangled Banner shall be recognized as our national anthem; to the Committee on the Judiciary.

1918. Also, petition of citizens of Collinsville, Conn., in favor of the establishment of free shooting grounds and game refuges as provided in House bill 745; to the Committee on Agriculture.

1919. Also, petition of the Lions Club of Hartford, Conn., favoring the passage of the Winslow bill (H. R. 3243) with regard to the development of commercial aviation; to the Committee on Interstate and Foreign Commerce.

1920. By Mr. HAWES: Petition of Board of Aldermen of St. Louis, Mo., urging an increase in salary for postal employees; to the Committee on the Post Office and Post Roads.

1921. By Mr. HUDSON: Petition of the commission of the city of Royal Oak, Mich., favoring the passage of House bill 4123; to the Committee on the Post Office and Post Roads.

1922. By Mr. MEAD: Petition of Italian Medical Society, Buffalo, N. Y., opposing that part of the Johnson immigration bill that discriminates against immigration from southern Europe; to the Committee on Immigration and Naturalization.

1923. Also, petition of members of Lodge Med. Narod. Zarta No. 405, S. N. P. J., opposing the Johnson immigration bill; to the Committee on Immigration and Naturalization.

1924. By Mr. O'SULLIVAN: Petition of the United Lithuanian organizations of Waterbury, Conn., protesting against the passage of the Johnson immigration bill; to the Committee on Immigration and Naturalization.

1925. By Mr. ROUSE: Petition of the McKinley Council, No. 18, Daughters of America, of Bellevue, Campbell County, Ky., in favor of the immigration bill; to the Committee on Immigration and Naturalization.

1926. By Mr. TEMPLE: Petitions of Lodge Glas Noroda No. 89, S. N. P. J., Midway, Pa.; Lodge Postonjska Jama No. 138, S. N. P. J., Canonsburg, Pa.; and Lodge No. 241, S. N. P. J., Slovan, Pa., protesting against certain proposals before the Congress of the United States regulating immigration; to the Committee on Immigration and Naturalization.

1927. By Mr. TINKHAM: Petition of Boston Central Labor Union, favoring modification of the Volstead enforcement act; to the Committee on the Judiciary.

1928. By Mr. WEFALD: Petition of 17 farmers of Fanny Township, Polk County, Minn., urging the passage of the McNary-Haugen bill, providing for the relief of agriculture; to the Committee on Agriculture.

1929. Also, petition of 20 farmers of Arveson Township, Minn., urging the passage of the McNary-Haugen bill, providing for the relief of agriculture; to the Committee on Agriculture.

1930. Also, petition of 29 farmers of Good Hope Township, Minn., urging the passage of the McNary-Haugen bill providing for the relief of agriculture; to the Committee on Agriculture.

1931. Also, petition of 24 farmers of Garden Township, Minn., urging the passage of the McNary-Haugen bill, providing for the relief of agriculture; to the Committee on Agriculture.

1932. Also, petition of 26 farmers of Lake Eunice Township, Minn., urging the passage of the McNary-Haugen bill, providing for the relief of agriculture; to the Committee on Agriculture.

1933. By Mr. WELSH: Petition of Philadelphia Board of Trade, in re Senate bill 2576, as amended, approving the general purpose of said bill and petitions for its passage; to the Committee on Immigration and Naturalization.

1934. By Mr. WHITE of Kansas: Papers to accompany House bill 8079, granting a pension to Thomas Colburn; to the Committee on Invalid Pensions.

1935. By Mr. YOUNG: Petition of E. A. Johnson, of Harvey, N. Dak., and 25 other rural mail carriers, urging the passage of legislation increasing their equipment allowance; to the Committee on the Post Office and Post Roads.

1936. Also, petition of 38 citizens of Homer, N. Dak., urging the passage of the McNary-Haugen bill for farm relief; to the Committee on Agriculture.

1937. Also, petition of North Dakota Retail Mercantile Association, urging reduction in first-class postage rates; to the Committee on the Post Office and Post Roads.

SENATE.

FRIDAY, *March 21, 1924.*

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

O Lord, Thou knowest us altogether. Everything concerning our history is known to Thee. Our thoughts, our actions, are subject to Thy scrutiny. We would, therefore, walk circumspectly before Thee, so that in all we may think and say and do we shall be in harmony with Thy mind and will. Give us such an understanding of Thyself and of Thy purposes for us that in all the way of life we shall walk in harmony with Thy greatest direction. Be with us to-day. Give us light in our darkness, strength in our weakness, and vision of Thyself in our cloudiness. We ask in Jesus' name. Amen.

NAMING A PRESIDING OFFICER.

The Secretary, George A. Sanderson, read the following communication:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
Washington, D. C., March 21, 1924.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. WALTER E. EDGE, a Senator from the State of New Jersey, to perform the duties of the Chair this legislative day.

ALBERT B. CUMMINS,
President pro tempore.

Mr. EDGE 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.

CALL OF THE ROLL.

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

The PRESIDING OFFICER. The Secretary will call the roll.

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

Adams	Dill	Jones, N. Mex.	Robinson
Ball	Edge	Kendrick	Sheppard
Bayard	Ernst	Keyes	Shields
Borah	Fletcher	King	Shipstead
Brandegee	Frazier	Ladd	Simmons
Broussard	George	Lodge	Smith
Bruce	Gerry	McKellar	Smoot
Bursum	Glass	McKinley	Spencer
Cameron	Gooding	McNary	Stephens
Capper	Hale	Mayfield	Wadsworth
Caraway	Harreld	Neely	Walsh, Mass.
Copeland	Harris	Norris	Walsh, Mont.
Couzens	Harrison	Oddie	Warren
Curtis	Heflin	Pepper	Watson
Dale	Howell	Ralston	Weller
Dial	Johnson, Minn.	Reed, Mo.	Willis

Mr. CURTIS. I wish to announce that the Senator from Iowa [Mr. BROOKHART], the Senator from Washington [Mr. JONES], the Senator from New Hampshire [Mr. MOSES], the Senator from Arizona [Mr. ASHURST], and the Senator from Montana [Mr. WHEELER] are detained in a committee hearing.

Mr. WATSON. I was requested to announce that the Senator from North Carolina [Mr. OVERMAN], and the Senator from California [Mr. SHORTRIDGE] are absent on official business of the Senate, being engaged in a hearing before a subcommittee of the Committee on the Judiciary.

The PRESIDING OFFICER. Sixty-four Senators having answered to their names, a quorum is present.

PUBLICATION OF COTTON STATISTICS.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 2113) to amend the act entitled "An act authorizing the Director of the Census to collect and publish statistics of cotton," approved July 22, 1912, which was to amend the title so as to read: "An act authorizing the Director of the Census to collect and publish statistics of cotton."

Mr. HARRIS. Mr. President, I move that the Senate concur in the amendment of the House.

Mr. ROBINSON. What is the effect of the House amendment?

Mr. HARRIS. It merely changes the title, making it brief and yet clear.

The motion was agreed to.